



BILLE AN REIFRINN (LEASÚ), 1992
REFERENDUM (AMENDMENT) BILL, 1992

Mar a ritheadh ag dhá Theach an Oireachtais
As passed by both Houses of the Oireachtas

ARRANGEMENT OF SECTIONS

Section

1. Constitutional referendum in relation to Eleventh Amendment of the Constitution Bill, 1992, relating to Article 29.4 of the Constitution.
 2. Constitutional referendum in relation to any other Bill.
 3. Short title, collective citation and construction.
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ACTS REFERRED TO

Electoral Act, 1963	1963, No. 19
Electoral (Amendment) Act, 1985	1985, No. 12
Electoral (Amendment) (No. 2) Act, 1986	1986, No. 35
Referendum Act, 1942	1942, No. 8
Referendum Acts, 1942 to 1987	



BILLE AN REIFRINN (LEASÚ), 1992
REFERENDUM (AMENDMENT) BILL, 1992

BILL

entitled

AN ACT TO AMEND THE REFERENDUM ACTS, 1942 TO 1987. 5

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

Constitutional
referendum in
relation to Eleventh
Amendment of the
Constitution Bill,
1992, relating to
Article 29.4 of the
Constitution.

1.—At a constitutional referendum in relation to the Eleventh Amendment of the Constitution Bill, 1992, which relates to the amendment of Article 29.4 of the Constitution— 10

- (a) a polling card sent under section 64 (1) of the Electoral Act, 1963, as amended by section 3 of the Electoral (Amendment) Act, 1985, shall contain the statements set out in *Parts I and II* of the Appendix to this section;
- (b) copies of the statements referred to in *paragraph (a)* of this section shall also be sent by the local returning officer for a constituency to every elector whose name is on the register of presidential electors for such constituency and is on the postal voters list for such constituency at the same time as his ballot paper for the poll at the referendum is sent to him; 15 20
- (c) copies of the statements referred to in *paragraph (a)* of this section shall also be sent by the local returning officer for a constituency to every elector whose name is on the register of presidential electors for such constituency and is on the special voters list (within the meaning of the Electoral (Amendment) (No. 2) Act, 1986) for such constituency and shall be so sent in sufficient time to be delivered in the ordinary course of post before the delivery to the elector concerned of the documents referred to in section 10 (1) of the said Electoral (Amendment) (No. 2) Act, 1986; 25 30
- (d) copies of the statements referred to in *paragraph (a)* of this section shall be displayed by a presiding officer in and in the precincts of his polling station: 35

Provided that the referendum shall not be invalidated by reason of any failure to display such copies in or in the precincts of any polling station;

(e) in applying Rule 18 (inserted by the Electoral Act, 1963) of the First Schedule to the Referendum Act, 1942, the following paragraph shall be substituted for paragraph (5)—

5 “(5) (a) Where a ballot paper is to be marked pursuant to paragraph (3) of this Rule, the presiding officer may assist the voter by reading out in full from the ballot paper the proposal stated therein and asking the voter ‘Do you
10 approve of or do you object to that Bill becoming law?’ and shall then, unless it is a case to which subparagraph (b) of this paragraph applies, mark the ballot paper in accordance with the answer of the voter, but
15 he shall not act on any written instruction.

(b) Where the voter fails to understand the import of the said question, or does not answer the question the presiding officer—

20 (i) shall read out to the voter *paragraph 1* of the statement set out in *Part I* or *Part II*, as appropriate, of the *Appendix to section 1* of the *Referendum (Amendment) Act, 1992*,

25 (ii) shall then ask the voter ‘Which do you wish to do — to vote in favour of the proposal to change the Constitution or to vote against the proposal to change the Constitution?’, and

30 (iii) shall then mark the ballot paper in accordance with the answer of the voter, but shall not act on any written instructions.”.

APPENDIX

PART I

35 1. Is é atá beartaithe leis an mBille um an Aonú Leasú Déag ar an mBunreacht, 1992, maidir leis an leasú ar Airteagal 29 den Bhunreacht, an triú habairt i bhfo-alt 3^o d’alt 4 den Airteagal sin a aisghairm agus na fo-ailt seo a leanas a chur isteach san alt sin 4:

40 “4^o Tig leis an Stát an Connradh ar an Aontas Eorpach a sínigh-eadh i Maastricht ar an 7adh lá d’Fheabhra, 1992, do dhaingniú agus tig leis do bheith ina chomhalta den Aontas san.

45 5^o Ní dhéanann aon fhoráileamh atá insan Bhunreacht so aon dlighthe d’achtuigh, gníomhartha do rinne nó bearta le n-ar ghlac an Stát, de bhíthin riachtanais na n-oibleagáidí mar chomhalta den Aontas Eorpach nó de na Comhphobail do chur ó bhail dlighidh ná cosc do chur le dlighthe d’achtuigh, gníomhartha do rinne nó bearta le n-ar ghlac an tAontas Eorpach nó na Comhphobail nó institiúidí díobh, nó comhluchtaí atá inneamhail fá na Connarthaí ag bunú na gComhphobal, ó fheidhm dlighidh do bheith aca sa Stát.

50 6^o Tig leis an Stát an Comhaontú maidir le Paitinní Comhphobail a tarraingúigheadh suas idir Ballstáit na gComhphobal agus a

rinneadh i Lucsamburg ar an 15adh lá de Nollaig, 1989, do dhaingniú.”.

2. MÁ THOILÍONN TÚ leis an togra, cuir X os coinne an fhocail TÁ ar an bpáipéar ballóide.

3. MURA dTOILÍONN TÚ leis an togra, cuir X os coinne an fhocail NÍL ar an bpáipéar ballóide. 5

4. Is féidir cóip den Bhille a iniúchadh saor in aisce, agus is féidir é a cheannach ar dhá phingin, in aon Phost-Oifig.

PART II

1. The Eleventh Amendment of the Constitution Bill, 1992, relating to the amendment of Article 29 of the Constitution proposes to repeal the third sentence in subsection 3° of section 4 thereof and to insert the subsections here following into the said section 4: 10

“4° The State may ratify the Treaty on European Union signed at Maastricht on the 7th day of February, 1992, and may become a member of that Union. 15

5° No provision of this Constitution invalidates laws enacted, acts done or measures adopted by the State which are necessitated by the obligations of membership of the European Union or of the Communities, or prevents laws enacted, acts done or measures adopted by the European Union or by the Communities or by institutions thereof, or by bodies competent under the Treaties establishing the Communities, from having the force of law in the State. 20

6° The State may ratify the Agreement relating to Community Patents drawn up between the Member States of the Communities and done at Luxembourg on the 15th day of December, 1989.”. 25

2. IF YOU APPROVE of the proposal, mark X opposite the word YES on the ballot paper. 30

3. IF YOU DO NOT APPROVE of the proposal, mark X opposite the word NO on the ballot paper.

4. A copy of the Bill can be inspected free of charge, and purchased for two pence, at any Post Office.

Constitutional referendum in relation to any other Bill.

2.—At a constitutional referendum other than that referred to in section 1 of this Act, a statement in relation to the proposal which is the subject of the referendum may be prescribed for the information of voters by resolution of each House of the Oireachtas and, where a statement is so prescribed, the provisions of section 1 of this Act shall apply in relation to the referendum subject to substitution of the statement prescribed under this section for the statement set out in the Appendix to the said section 1. 35 40

Short title, collective citation and construction.

3.—(1) This Act may be cited as the Referendum (Amendment) Act, 1992.

(2) The Referendum Acts, 1942 to 1987, and this Act may be cited together as the Referendum Acts, 1942 to 1992. 45

(3) This Act shall be construed as one with the Referendum Acts, 1942 to 1987.



BILLE

dá ngairtear

Acht do leasú Achtanna an Reifrinn, 1942 go
1987.

BILL

entitled

An Act to amend the Referendum Acts, 1942 to
1987.

*Ritheadh ag dhá an Theach Oireachtais,
15 Bealtaine, 1992*

*Passed by both Houses of the Oireachtas,
15th May, 1992*

BAILE ÁTHA CLIATH:
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR

Le ceannach díreach ón Oifig Dhíolta Foilseachán Rialtais,
Teach Sun Alliance, Sráid Theach Laighean, Baile Átha Cliath
2, nó trí aon díoltóir leabhar.

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