



BILLE AN REIFRINN (LEASÚ) (UIMH. 2), 1992
REFERENDUM (AMENDMENT) (NO. 2) BILL, 1992

EXPLANATORY MEMORANDUM

1. The purpose of this Bill is to assist voters at the referenda on the Twelfth, Thirteenth and Fourteenth Amendments of the Constitution—

- (i) by making available to them a statement of the proposals in the Bills, and
- (ii) by providing for the inclusion of a descriptive heading on each ballot paper in order to assist voters in distinguishing the proposal to which each Bill relates.

The statement will be printed on polling cards to be sent to electors generally and on posters which will be displayed at polling stations. A copy of the statement will also be sent to postal voters and to special voters.

2. The form of ballot paper at a constitutional referendum is prescribed in section 7 of the Electoral (Amendment) Act, 1972. The proposal which is the subject of the referendum must be stated on the ballot paper by citing by its short title the Bill containing the proposal passed by both Houses of the Oireachtas. Under Rule 4 of the First Schedule to the Referendum Act, 1942, copies of the Bill must be made available for public inspection and sale at post offices.

3. Local returning officers at a referendum are required under section 64 of the Electoral Act, 1963, to send polling cards to electors other than postal and special voters, indicating the elector's number on the register of electors and the place at which he is entitled to vote. The polling card on this occasion will contain the statements set out in the *Appendix to section 1* of this Bill. Under *paragraph (b)* and *(c)* of *section 1* a copy of the prescribed statements will be sent to postal voters and to special voters.

4. Under Rule 18 of the First Schedule to the Referendum Act, 1942 (as substituted by section 75 of the Electoral Act, 1963), a blind or otherwise physically incapacitated elector may have his ballot paper marked for him by either a companion or the presiding officer. An illiterate voter may also have his ballot paper marked for him by the presiding officer. Where a presiding officer is to mark a ballot paper under this Rule, he may assist the voter by reading out in full from the ballot paper the proposal stated therein, i.e. the short title of the Bill. It is proposed in *paragraph (e)* of *section 1* to enable the presiding officer to further assist the voter by (where necessary) reading out to him the prescribed statement of the proposal in the Bill concerned, asking specified questions and marking the ballot paper in accordance with the voter's answers. These arrangements are similar to those made in relation to previous referenda.

5. Section 2 provides that section 2 of the Referendum (Amendment) Act, 1992 which provides that a statement on the proposal at a constitutional referendum may be prescribed by a resolution of each House of the Oireachtas shall not apply to these referenda.

6. Section 3 provides that the form of ballot paper to be used at the referenda shall contain headings to assist voters in identifying the proposal to which each Bill relates.

7. Section 4 contains the usual provisions about short title, collective citation and construction.

*An Roinn Comhshaoil,
Deireadh Fómhair, 1992.*

The purpose of this Bill is to assist voters at the referenda on the Twelfth Amendment and European Amendment of the Constitution.

(1) By making available to them a statement of the proposal to be voted on.

(2) By providing for the inclusion of a descriptive heading on each ballot paper in order to assist voters in distinguishing the proposal to which each Bill relates.

The statement will be printed on polling cards to be sent to electors generally and on posters which will be displayed at polling stations. A copy of the statement will also be sent to postal voters and to special voters.

2. The form of ballot paper at a constitutional referendum is prescribed by section 2 of the Electoral (Amendment) Act, 1992. The subject of the referendum must be stated on the ballot paper by the 10th of the Bill containing the proposal. Under Rule 6 of the Referendum (Amendment) Act, 1992, copies of the Bill must be made available for public inspection and sale at post offices.

3. Local returning officers at a referendum are required under section 24 of the Electoral Act, 1962, to send polling cards to electors other than postal and special voters, indicating the elector's number on the register of electors and the place at which he is entitled to vote. The heading on the card will contain the statement set out in the Schedule to this Bill. Under paragraph (a) and (b) of section 4 a copy of the prescribed statement will be sent to postal voters and to special voters.

4. Under Rule 18 of the 1992 Schedule to the Referendum Act, 1992 as amended by section 25 of the Electoral Act, 1992, a blind elector who is physically incapacitated may have the ballot paper handed to him by either a companion or the presiding officer. An elector's vote may also have the ballot paper marked for him by the presiding officer. Where a presiding officer is to mark a ballot paper under this Rule, he may assist the voter by reading out to him the heading on the ballot paper the proposal stated therein. The heading on the ballot paper is proposed in paragraph (a) of section 4 to enable the presiding officer to further assist the voter by (where necessary) reading out to him the prescribed statement in the proposal in the Bill concerned, asking prescribed questions and marking the ballot paper to accordingly with the voter's answer.

Wt. P29451/B/10. 1,325. 10/92. Cahill. (X25956). G.16.