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An Bille um an gCúigiú Leasú Déag ar an mBunreacht, 1995

Fifteenth Amendment of the Constitution Bill, 1995

Mar a tionscnaíodh
As initiated

[No. 30 of 1995]

0932

FIFTEENTH AMENDMENT OF THE CONSTITUTION BILL, 1995

As initiated

ARRANGEMENT OF SECTIONS

Section

1. Amendment of Article 40.1 of the Constitution.

2. Citation.

SCHEDULE

PART I

PART II

AN BILLE UM AN gCÚIGIÚ LEASÚ DÉAG AR AN mBUNREACHT, 1995

Mar a tionscnaíodh

RIAR NA nALT

Alt

1. Airteagal 40.1 den Bhunreacht a leasú.

2. Lua.

AN SCEIDEAL

CUID I

CUID II

0933

FIFTEENTH AMENDMENT OF THE CONSTITUTION BILL, 1995

BILL

entitled

AN ACT TO AMEND THE CONSTITUTION.

WHEREAS by virtue of Article 46 of the Constitution any provision of the Constitution may be amended in the manner provided by that Article:

AND WHEREAS it is proposed to amend Article 40.1 of the Constitution:

BE IT THEREFORE ENACTED BY THE OIREACHTAS AS FOLLOWS:

Amendment of Article 40.1 of the Constitution.

1.—Article 40.1 of the Constitution is hereby amended as follows:

(*a*) the text set out in *Part I* of the *Schedule* to this Act shall be added after Article 40.1 of the Constitution in the Irish text;

(*b*) the text set out in *Part II* of the *Schedule* to this Act shall be added after Article 40.1 of the Constitution in the English text.

Citation.

2.—(1) The amendment of the Constitution effected by this Act shall be called the Fifteenth Amendment of the Constitution.

(2) This Act may be cited as the Fifteenth Amendment of the Constitution Act, 1995.

AN BILLE UM AN gCÚIGIÚ LEASÚ DÉAG AR AN mBUNREACHT, 1995

BILLE

dá ngairtear

ACHT CHUN AN BUNREACHT A LEASÚ.

DE BHRÍ gur cead, de bhua Airteagal 46 den Bhunreacht, foráil ar bith den Bhunreacht a leasú ar an modh a shocraítear leis an Airteagal sin:

AGUS DE BHRÍ go bhfuil beartaithe Airteagal 40.1 den Bhunreacht a leasú:

ACHTAÍTEAR AG AN OIREACHTAS AR AN ÁBHAR SIN MAR A LEANAS:

1.—Leasaítear leis seo mar a leanas Airteagal 40.1 den Bhunreacht: Airteagal 40.1 den Bhunreacht a leasú.

(*a*) cuirfear an téacs atá leagtha amach i *gCuid I* den *Sceideal* a ghabhann leis an Acht seo i ndiaidh Airteagal 40.1 den Bhunreacht sa téacs Gaeilge;

(*b*) cuirfear an téacs atá leagtha amach i *gCuid II* den *Sceideal* a ghabhann leis an Acht seo i ndiaidh Airteagal 40.1. den Bhunreacht sa téacs Sacs-Bhéarla.

2.—(1) An Cúigiú Leasú Déag ar an mBunreacht a thabharfar ar an leasú a dhéantar ar an mBunreacht leis an Acht seo. Lua.

(2) Féadfar an tAcht um an gCúigiú Leasú Déag ar an mBunreacht, 1995, a ghairm den Acht seo.

0934

SCHEDULE

Part I

Féadfar aon duine a chúiseofar i gcion indíotáilte a athchur i gcoimeád go dtí go dtriailfear é más rud é, ar iarratas ar bhannaí a éisteacht, gur deimhin leis an mbreitheamh go bhfuil an dóchúlacht ann go ndéanfaidh an duine aicme ciona choiriúil ar cion indíotáilte é freisin má ligtear faoi bhannaí é.

2° Maidir le haon duine a athchuirfear i gcoimeád go dtí go dtriailfear é de bhrí gur deimhin le breitheamh go bhfuil an dóchúlacht ann go ndéanfaidh an duine aicme ciona choiriúil ar cion indíotáilte é freisin má ligtear faoi bhannaí é, ní athchuirfear i gcoimeád é mar gheall air sin amháin go ceann aon tréimhse singile is faide ná nócha lá.

Part II

Any person charged with an indictable offence may be remanded in custody pending trial if, on the hearing of an application for bail, the judge is satisfied that there is a probability that the person will commit a class of criminal offence which is also an indictable offence if admitted to bail.

2° Any person remanded in custody pending trial by reason of a judge being satisfied that there is a probability that the person will commit a class of criminal offence which is also an indictable offence if admitted to bail shall not be remanded in custody for that reason alone for any single period greater than ninety days.

AN SCEIDEAL

Cuid I

Féadfar aon duine a chúiseofar i gcion indíotáilte a athchur i gcoimeád go dtí go dtriailfear é más rud é, ar iarratas ar bhannaí a éisteacht, gur deimhin leis an mbreitheamh go bhfuil an dóchúlacht ann go ndéanfaidh an duine aicme ciona choiriúil ar cion indíotáilte é freisin má ligtear faoi bhannaí é.

2° Maidir le haon duine a athchuirfear i gcoimeád go dtí go dtriailfear é de bhrí gur deimhin le breitheamh go bhfuil an dóchúlacht ann go ndéanfaidh an duine aicme ciona choiriúil ar cion indíotáilte é freisin má ligtear faoi bhannaí é, ní athchuirfear i gcoimeád é mar gheall air sin amháin go ceann aon tréimhse singile is faide ná nócha lá.

Cuid II

Any person charged with an indictable offence may be remanded in custody pending trial if, on the hearing of an application for bail, the judge is satisfied that there is a probability that the person will commit a class of criminal offence which is also an indictable offence if admitted to bail.

2° Any person remanded in custody pending trial by reason of a judge being satisfied that there is a probability that the person will commit a class of criminal offence which is also an indictable offence if admitted to bail shall not be remanded in custody for that reason alone for any single period greater than ninety days.

0935

FIFTEENTH AMENDMENT OF THE CONSTITUTION BILL, 1995

BILL

(as initiated)

entitled

An Act to amend the Constitution.

Introduced by Deputy John O'Donoghue

Ordered by Dáil Éireann *to be printed,*
8*th June,* 1995

AN BILLE UM AN gCÚIGIÚ LEASÚ DÉAG AR AN mBUNREACHT, 1995

BILLE

(mar a tionscnaíodh)

dá ngairtear

Acht chun an Bunreacht a leasú.

An Teachta Seán Ó Donnchú a thug isteach

Ordaíodh ag Dáil Éireann *a chlóbhualadh,*
8 *Meitheamh,* 1995

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