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**THIRTY-FIRST AMENDMENT OF THE CONSTITUTION  
(ECONOMIC, SOCIAL AND CULTURAL RIGHTS) BILL,  
2012**

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*As initiated*

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**ARRANGEMENT OF SECTIONS**

**Section**

1. Amendment of Article 40 of the Constitution.
2. Citation.

**SCHEDULE**

**PART 1**

**PART 2**



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**AN BILLE UM AN AONÚ LEASÚ IS TRÍOCHA AR AN  
mBUNREACTH (CEARTA GEILLEAGRACHA,  
COMHDHAONNACHA AGUS CULTÚIR), 2012**

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*Mar a tionscnaíodh*

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RIAR NA nALT

Alt

1. Airteagal 40 den Bhunreacht a leasú.
2. Lua.

AN SCEIDEAL

CUID 1

CUID 2



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**THIRTY-FIRST AMENDMENT OF THE CONSTITUTION  
(ECONOMIC, SOCIAL AND CULTURAL RIGHTS) BILL 2012**

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# **BILL**

*entitled*

AN ACT TO AMEND THE CONSTITUTION. 5

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 of the Constitution: 10

BE IT THEREFORE ENACTED BY THE OIREACHTAS AS FOLLOWS:.

Amendment of  
Article 40 of the  
Constitution.

1.—Article 40 of the Constitution is hereby amended as follows:

- (a) the subsection the text of which is set out in *Part 1* of the *Schedule* to this Act shall be inserted as subsection 4° of section 3 of the Irish text of the said Article, and 15
- (b) the subsection the text of which is set out in *Part 2* of the *Schedule* to this Act shall be inserted as subsection 4° of section 3 of the English text of the said Article.

Citation.

2.—(1) The Amendment of the Constitution effected by this Act shall be called the Thirty-First Amendment of the Constitution. 20

(2) This Act may be cited as the Thirty-First Amendment of the Constitution (Economic, Social and Cultural Rights) Act 2012.



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**AN BILLE UM AN AONÚ LEASÚ IS TRÍOCHA AR AN  
mBUNREACTH (CEARTA GEILLEAGRACHA,  
COMHDHAONNACHA AGUS CULTÚIR), 2012**

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# BILLE

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*dá ngairtear*

ACHT CHUN AN BUNREACTH A LEASÚ.

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

10 AGUS DE BHRÍ go bhfuil beartaithe Airteagal 40 den Bhunreacht a leasú:

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

1.—Leasaítear leis seo mar a leanas Airteagal 40 den Bhunreacht: Airteagal 40 den  
Bhunreacht a leasú.

15 (a) cuirfear an fo-alt a bhfuil an téacs de leagtha amach i *gCuid I* den *Sceideal* a ghabhann leis an Acht seo isteach mar fho-alt 4<sup>o</sup> d'alt 3 den téacs Gaeilge den Airteagal sin, agus

20 (b) cuirfear an fo-alt a bhfuil an téacs de leagtha amach i *gCuid II* den *Sceideal* a ghabhann leis an Acht seo isteach mar fho-alt 4<sup>o</sup> d'alt 3 den téacs Béarla den Airteagal sin.

2.—(1) An tAonú Leasú is Tríocha an mBunreacht a thabharfar Lua.  
ar an leasú a dhéantar ar an mBunreacht leis an Acht seo.

25 (2) Féadfar an tAcht um an Aonú Leasú is Tríocha ar an mBunreacht (Cearta Geilleagracha, Comhdhaonnacha agus Cultúir), 2012 a ghairm den Acht seo.

## SCHEDULE

### PART 1

- 5 4° i. Admhaíonn an Stát, go sonrach, an ceart chun slí bheatha a thuilleamh agus chun coinníollacha fostaíochta atá réasúnta agus cóir.
- ii. Admhaíonn an Stát cearta geilleagracha, comhdhaonnacha agus cultúir eile na pearsan aonair, ar a n-áirítear an ceart chun na hacmhainne is lú is gá chun saol a chaitheamh faoi dhínit, agus tithíocht, cothú agus cúram sláinte leordhóthanach san áireamh.
- 10 Os é caomhnóir leasa an phobail, déanfaidh an Stát bearta réasúnta chun teachtadh ginearálta forásach na gceart dá dtagraítear sa mhír seo a chur chun cinn de réir na n-acmhainní atá ar fáil don Stát agus ag féachaint do na caighdeáin mhaireachtála atá i réim i gcoitinne.
- 15 iii. Is ceart, ar an gcéad ásc, gur trí iarracht agus trí thionscnamh na pearsan aonair, an teaghlaigh agus na comhchoitinne a dhéanfaí teachtadh na gceart dá dtagraítear san fho-alt seo a chinntiú.

### PART 2

- 4° i. The State acknowledges, in particular, the right to earn a livelihood and to reasonable and just conditions of employment.
- 20 ii. The State acknowledges the other economic, social and cultural rights of the individual, including the right to the minimum means necessary to a dignified existence including adequate housing, nutrition and health care.
- 25 As guardian of the common good, the State shall take reasonable steps to promote the general and progressive enjoyment of the rights referred to in this paragraph within the resources available to the State and having regard to generally prevailing standards of living.
- 30 iii. The enjoyment of the rights referred to in this subsection should in the first place be ensured by individual, family and collective effort and initiative.

# AN SCEIDEAL

## CUID 1

- 5 4° i. Admhaíonn an Stát, go sonrach, an ceart chun slí bheatha a thuilleamh agus chun coinníollacha fostaíochta atá réasúnta agus cóir.
- ii. Admhaíonn an Stát cearta geilleagracha, comhdhaonnacha agus cultúir eile na pearsan aonair, ar a n-áirítear an ceart chun na hacmhainne is lú is gá chun saol a chaitheamh faoi dhínit, agus tithíocht, cothú agus cúram sláinte leordhóthanach san áireamh.
- 10 Os é caomhnóir leasa an phobail, déanfaidh an Stát bearta réasúnta chun teachtadh ginearálta forásach na gceart dá dtagraítear sa mhír seo a chur chun cinn de réir na n-acmhainní atá ar fáil don Stát agus ag féachaint do na caighdeáin mhaireachtála atá i réim i gcoitinne.
- 15 iii. Is ceart, ar an gcéad ásc, gur trí iarracht agus trí thionscnamh na pearsan aonair, an teaghlaigh agus na comhchoitinne a dhéanfaí teachtadh na gceart dá dtagraítear san fho-alt seo a chinntiú.

## CUID 2

- 4° i. The State acknowledges, in particular, the right to earn a livelihood and to reasonable and just conditions of employment.
- 20 ii. The State acknowledges the other economic, social and cultural rights of the individual, including the right to the minimum means necessary to a dignified existence including adequate housing, nutrition and health care.
- 25 As guardian of the common good, the State shall take reasonable steps to promote the general and progressive enjoyment of the rights referred to in this paragraph within the resources available to the State and having regard to generally prevailing standards of living.
- 30 iii. The enjoyment of the rights referred to in this subsection should in the first place be ensured by individual, family and collective effort and initiative