



**An Bille um an Naoú Leasú is Tríocha ar an mBunreacht
(Mionn Oifige Breithiúnach), 2025**
**Thirty-ninth Amendment of the Constitution (Judicial
Oath of Office) Bill 2025**

Meabhrán Míniúcháin
Explanatory Memorandum



THIRTY-NINTH AMENDMENT OF THE CONSTITUTION (JUDICIAL OATH OF OFFICE) BILL 2025

EXPLANATORY MEMORANDUM

The purpose of this bill is to amend the judicial oath of office, set out in the Constitution, to modernise it and to make it more applicable in a contemporary context. This will avoid the risk that it either excludes any person taking the oath, or could be construed as limiting the obligations on a judge to any one section of society.

In that regard, this bill proposes to amend the text of in Article 34.6.1 of the Constitution in two respects:

1. to replace reference to execution of the duties of a judge “without fear or favour, affection or ill-will towards any man” (which only appears in the English language text) with a more neutral commitment to “any person”, in order that there would not be any confusion about the necessity for the balanced application of judicial independence;
- and
2. to remove the reference to “God” in the oath, which is redundant in the case of a person entering office who does not believe in God.

Provisions of the Bill

Section 1 describes the substitution of Article 34.6.1 (of the Constitution).

Section 2 of the Bill provides the short title and citation of the Bill.

Schedule – the Schedule of the Bill provides the text of the amendment to Article 34 of Bunreacht na hÉireann:

Part 1 provides the Irish language text of the amendment;

Part 2 provides the English language text of the amendment.

Barry Ward, TD,
Máirtín, 2025.



AN BILLE UM AN NAOÚ LEASÚ IS TRÍOCHA AR AN mBUNREACTH (MIONN OIFIGE BREITHIÚNACH), 2025

MEABHRÁN MÍNIÚCHÁIN

Is é cuspóir an bhille seo an mionn oifige breithiúnach, atá leagtha amach sa Bhunreacht, a leasú chun é a nuachóiriú agus chun é a dhéanamh níos infheidhme i gcomhthéacs comhaimseartha. Leis sin, seachnófar an baol go n-eisiafar leis aon duine a ghlacfaidh an mionn, nó go bhféadfaí é a fhorléiriú mar ní lena ndéantar na hoibleagáidí atá ar bhreitheamh a theorannú d'aon chuid ar leith den tsochaí.

Mar sin, tá sé beartaithe leis an mbille seo téacs Airteagal 34.6.1 den Bhunreacht a leasú ar dhá bhealach:

1. maidir leis an tagairt sa téacs Sacs-Bhéarla do “any man”, gealltanas níos neodraí do “any person” a chur ina hionad ionas nach mbeadh aon mhearbhall ann maidir leis an ngá atá ann neamhspleáchas breithiúnach a fheidhmiú go cothrom;
agus
2. an tagairt do “Dia” sa mhionn a bhaint, rud nach bhfuil gá leis i gcás duine a théann i mbun oifige agus nach gcreideann i nDia.

Forálacha an Bhille

Tá cur síos in *alt 1* ar ionadú Airteagal 34.6.1 (den Bhunreacht).

Tugtar gearrtheideal agus lua an Bhille in *alt 2*.

An Sceideal – tugtar téacs an leasaithe ar Airteagal 34 de Bhunreacht na hÉireann sa Sceideal a ghabhann leis an mBille:

Tugtar téacs Gaeilge an leasaithe i *gCuid 1*;

Tugtar téacs Sacs-Bhéarla an leasaithe i *gCuid 2*.

Barra Mac an Bháird, TD,

Márta, 2025.

