An Bille um an Naoú Leasú is Tríocha ar an mBunreacht (An Teaghlach), 2023

Thirty-ninth Amendment of the Constitution (The Family) Bill 2023

Mar a ritheadh ag dhá Theach an Oireachtais

As passed by both Houses of the Oireachtas

[No. 91a of 2023]

THIRTY-NINTH AMENDMENT OF THE CONSTITUTION (THE FAMILY) BILL 2023

As passed by both Houses of the Oireachtas

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AN BILLE UM AN NAOÚ LEASÚ IS TRÍOCHA AR AN mBUNREACHT (AN TEAGHLACH), 2023

Mar a ritheadh ag dhá Theach an Oireachtais

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[Uimh. 91a de 2023]

THIRTY-NINTH AMENDMENT OF THE CONSTITUTION (THE FAMILY) BILL 2023

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 41 of the Constitution:

Be it therefore enacted by the Oireachtas as follows:

Amendment of Article 41 of the Constitution

1. (1) Article 41 of the Constitution is hereby amended as follows:

(a) in subsection 1° of section 1 of the Irish text, by the insertion of ", bíodh sé bunaithe ar an bpósadh nó ar chóngais bhuanfasacha eile," after "an Teaghlach";

(b) in subsection 1° of section 1 of the English text, by the insertion of ", whether founded on marriage or on other durable relationships," after "the Family";

(c) where, on the enactment of this Act—

(i) the *Fortieth Amendment of the Constitution (Care) Act 2024* has not been enacted—

(I) the subsection, the text of which is set out in *Part 1* of the *Schedule*, shall be substituted for subsection 1° of section 3 of the Irish text, and

(II) the subsection, the text of which is set out in *Part 2* of the *Schedule*, shall be substituted for subsection 1° of section 3 of the English text,

or

(ii) the *Fortieth Amendment of the Constitution (Care) Act 2024* has been enacted and section 3 of the Irish text and of the English text is thereby numbered as section 2—

(I) the subsection, the text of which is set out in *Part 1* of the *Schedule*, shall be substituted for subsection 1° of section 2 of the Irish text as so numbered, and

AN BILLE UM AN NAOÚ LEASÚ IS TRÍOCHA AR AN mBUNREACHT (AN TEAGHLACH), 2023

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 41 den Bhunreacht a leasú:

Achtaítear ag an Oireachtas ar an ábhar sin mar a leanas:

Airteagal 41 den Bhunreacht a leasú

1. (1) Leasaítear Airteagal 41 den Bhunreacht leis seo mar a leanas:

(a) trí ", bíodh sé bunaithe ar an bpósadh nó ar chóngais bhuanfasacha eile," a chur isteach i ndiaidh "an Teaghlach" i bhfo-alt 1° d'alt 1 den téacs Gaeilge;

(b) trí ", whether founded on marriage or on other durable relationships," a chur isteach i ndiaidh "the Family" i bhfo-alt 1° d'alt 1 den téacs Sacs-Bhéarla;

(c) más rud é, ar an Acht seo a achtú—

(i) nach mbeidh *an tAcht um an Daicheadú Leasú ar an mBunreacht (Cúram), 2024* achtaithe—

(I) cuirfear an fo-alt a bhfuil an téacs de leagtha amach i *gCuid 1* den *Sceideal* in ionad fho-alt 1° d'alt 3 den téacs Gaeilge, agus

(II) cuirfear an fo-alt a bhfuil an téacs de leagtha amach i *gCuid 2* den *Sceideal* in ionad fho-alt 1° d'alt 3 den téacs Sacs-Bhéarla,

nó

(ii) go mbeidh *an tAcht um an Daicheadú Leasú ar an mBunreacht (Cúram), 2024* achtaithe agus, dá réir sin, go ndéanfar alt 3 den téacs Gaeilge agus den téacs Sacs-Bhéarla a uimhriú mar alt 2—

(I) cuirfear an fo-alt a bhfuil an téacs de leagtha amach i *gCuid 1* den *Sceideal* in ionad fho-alt 1° d'alt 2 den téacs Gaeilge arna uimhriú amhlaidh, agus

(II) the subsection, the text of which is set out in *Part 2* of the *Schedule*, shall be substituted for subsection 1° of section 2 of the English text as so numbered.

(2) Where this Act and the *Fortieth Amendment of the Constitution (Care) Act 2024* are enacted on the same day, this Act shall be deemed, for the purposes of *paragraph (c)* of *subsection (1)*, to have been enacted before the enactment of that other Act.

Citation

2. (1) The amendment of the Constitution effected by this Act shall be called the Thirty-ninth Amendment of the Constitution.

(2) This Act may be cited as the Thirty-ninth Amendment of the Constitution (The Family) Act 2024.

(II) cuirfear an fo-alt a bhfuil an téacs de leagtha amach i *gCuid 2* den *Sceideal* in ionad fho-alt 1° d'alt 2 den téacs Sacs-Bhéarla arna uimhriú amhlaidh.

(2) I gcás go ndéanfar *an tAcht seo agus an tAcht um an Daicheadú Leasú ar an mBunreacht (Cúram), 2024* a achtú ar an lá céanna, measfar, chun críocha *mhír (c) d'fho-alt (1)*, go ndearnadh an tAcht seo a achtú roimh an Acht eile sin a achtú.

Lua

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

(2) Féadfar an tAcht um an Naoú Leasú is Tríocha ar an mBunreacht (An Teaghlach), 2024 a ghairm den Acht seo.

SCHEDULE

Part 1

1° Gabhann an Stát air féin coimirce faoi leith a dhéanamh ar ord an Phósta agus é a chosaint ar ionsaí.

Part 2

1° The State pledges itself to guard with special care the institution of Marriage and to protect it against attack.

AN SCEIDEAL

Cuid 1

1° Gabhann an Stát air féin coimirce faoi leith a dhéanamh ar ord an Phósta agus é a chosaint ar ionsaí.

Cuid 2

1° The State pledges itself to guard with special care the institution of Marriage and to protect it against attack.

Thirty-ninth Amendment of the Constitution (The Family) Bill 2023

BILL

(as passed by both Houses of the Oireachtas)

entitled

An Act to amend the Constitution.

Passed by both Houses of the Oireachtas,
23*rd January,* 2023

An Bille um an Naoú Leasú is Tríocha ar an mBunreacht (An Teaghlach), 2023

BILLE

(mar a ritheadh ag dhá Theach an Oireachtais)

dá ngairtear

Acht chun an Bunreacht a leasú.

Ritheadh ag dhá Theach an Oireachtais,
23 *Eanáir,* 2023