

Bunreacht na hÉireann

THE NATION
AN NÁISIÚN

ARTICLE 1 AIRTEAGAL 1

LITERAL ENGLISH TRANSLATION

The nation of Ireland hereby affirm(s)/certif(y)(ies) their unassignable/inalienable, invincible/conclusive, sovereign/commanding right to establish whatever type of Government they themselves choose, to determine their relationship/relations with other nations, and to promote their political and economic and learned life in accordance with the nature / natural bent and practices of their ancestors.

ENGLISH TEXT

The Irish nation hereby affirms its inalienable, indefeasible, and sovereign right to choose its own form of Government, to determine its relations with other nations, and to develop its life, political, economic and cultural, in accordance with its own genius and traditions.

ARTICLE 2 AIRTEAGAL 2

LITERAL ENGLISH TRANSLATION

The island of Ireland entirely, along with its islands and its bordering/territorial seas, is the national territories/territory.

ENGLISH TEXT

The national territory consists of the whole island of Ireland, its islands and the territorial seas.

ARTICLE 3 AIRTEAGAL 3

LITERAL ENGLISH TRANSLATION

Until the national territories are made complete again, and without prejudice to the right of the Parliament and the Government that is established by this Constitution to operate jurisdiction in all the national territories, the laws that will be enacted by that Parliament will apply/relate to the same area as the laws of the Irish Free State applied/related to, and they will have the same effect outside of that area as the laws of the Irish Free-State had.

ENGLISH TEXT

Pending the re-integration of the national territory, and without prejudice to the right of the Parliament and Government established by this Constitution to exercise jurisdiction over the whole of that territory, the laws enacted by that Parliament shall have the like area and extent of application as the laws of Saorstát Éireann and the like extra-territorial effect.

ARTICLE 4 AIRTEAGAL 4

LITERAL ENGLISH TRANSLATION

Éire is the name of the State or, in the English tongue,
Ireland.

ENGLISH TEXT

The name of the State is Éire, or in the English language,
Ireland.

ARTICLE 5 AIRTEAGAL 5

LITERAL ENGLISH TRANSLATION

Ireland is a sovereign/commanding, independent, democratic
State.

ENGLISH TEXT

Ireland is a sovereign, independent, democratic state.

ARTICLE 6.1 AIRTEAGAL 6.1

LITERAL ENGLISH TRANSLATION

It is from the people, under God, that every power of
rule, both legislation and fulfilment and judgement, comes
and it is the people who have the right to appoint the
rulers of the State, and it is up to / rests with the people
finally to settle every question regarding the policies of
the Nation in accordance with what is necessary for the
welfare of the people.

ENGLISH TEXT

All powers of government, legislative, executive and
judicial, derive, under God, from the people, whose right
it is to designate the rulers of the State and, in final appeal,
to decide all questions of national policy, according to
the requirements of the common good.

ARTICLE 6.2 AIRTEAGAL 6.2

LITERAL ENGLISH TRANSLATION

It is by the organs of State / State organs that are established
by this Constitution, and by those alone or by/with their
authority, that those powers of rule can be operated.

ENGLISH TEXT

These powers of government are exercisable only by or
on the authority of the organs of State established by this
Constitution.

ARTICLE 7 AIRTEAGAL 7

LITERAL ENGLISH TRANSLATION

The flag of three colours i.e. green, white, and orange,
(is) the national emblem/flag.

ENGLISH TEXT

The national flag is the tricolour of green, white and
orange.

ARTICLE 8.1 AIRTEAGAL 8.1

LITERAL ENGLISH TRANSLATION

As/since (the) Irish (language) is / Irish being the national
language it is the principal official language.

ENGLISH TEXT

The Irish language as the national language is the first
official language.

ARTICLE 8.2 AIRTEAGAL 8.2

LITERAL ENGLISH TRANSLATION

The English tongue is accepted as another official language.

ENGLISH TEXT

The English language is recognised as a second official language.

ARTICLE 8.3 AIRTEAGAL 8.3

LITERAL ENGLISH TRANSLATION

But provision may be made by law for either of those two languages to be a single language for any official businesses or business throughout the whole State or in any part of it.

ENGLISH TEXT

Provision may, however, be made by law for the exclusive use of either of the said languages for any one or more official purposes, either throughout the State or in any part thereof.

ARTICLE 9.1.1o AIRTEAGAL 9.1.1o

LITERAL ENGLISH TRANSLATION

On the coming into operation of this Constitution anybody who was a citizen of the Irish Free State immediately before the coming into operation of this Constitution is a citizen of Ireland.

ENGLISH TEXT

On the coming into operation of this Constitution any person who was a citizen of Saorstát Éireann immediately before the coming into operation of this Constitution shall become and be a citizen of Ireland.

ARTICLE 9.1.2o AIRTEAGAL 9.1.2o

LITERAL ENGLISH TRANSLATION

It is in accordance with law that (the) getting/receiving and (the) losing/loss (of) Irish nationality and citizenship will henceforth be determined.

ENGLISH TEXT

The future acquisition and loss of Irish nationality and citizenship shall be determined in accordance with law.

ARTICLE 9.1.3o AIRTEAGAL 9.1.3o

LITERAL ENGLISH TRANSLATION

It is not permitted to withhold Irish citizenship and nationality from any person because that person is male or female.

ENGLISH TEXT

No person may be excluded from Irish nationality and citizenship by reason of the sex of such person.

ARTICLE 9.2 AIRTEAGAL 9.2

LITERAL ENGLISH TRANSLATION

It is a basic political duty on each/every citizen to be faithful/true to the nation and loyal/steadfast to the State.

ENGLISH TEXT

Fidelity to the nation and loyalty to the State are fundamental political duties of all citizens.

ARTICLE 10.1 AIRTEAGAL 10.1

LITERAL ENGLISH TRANSLATION

All potential natural wealth, along with the air and all potential energy, (of that) which is under the jurisdiction of the Parliament and the Government that is established by this Constitution, along with every royalty and exemption/franchise that is under that jurisdiction, they all belong to the State, without prejudice to whatever estates and interests that lawfully belong to any person or to any group at present.

ENGLISH TEXT

All natural resources, including the air and all forms of potential energy, within the jurisdiction of the Parliament and Government established by this Constitution and all royalties and franchises within that jurisdiction belong to the State subject to all estates and interests therein for

ARTICLE 10.2 AIRTEAGAL 10.2

LITERAL ENGLISH TRANSLATION

Every land and every mine, mineral, and water which belonged to the Irish Free State immediately before the coming into operation of this Constitution (they) all belong to the State to the extent that they belonged to the Irish Free State at that time.

ENGLISH TEXT

All land and all mines, minerals and waters which belonged to Saorstát Éireann immediately before the coming into operation of this Constitution belong to the State to the same extent as they then belonged to Saorstát Éireann.

ARTICLE 10.3 AIRTEAGAL 10.3

LITERAL ENGLISH TRANSLATION

Provision may be made by law to manage / to undertake the management of the wealth/property that belongs to the State by virtue of this Article, and to regulate/control the permanent alienation/assignment or the temporary alienation/assignment of that wealth/property.

ENGLISH TEXT

Provision may be made by law for the management of the property which belongs to the State by virtue of this Article and for the control of the alienation, whether temporary or permanent, of that property.

ARTICLE 10.4 AIRTEAGAL 10.4

LITERAL ENGLISH TRANSLATION

Provision may be made by law, moreover, to undertake the management of land, mines, minerals and waters which will come into the possession of the State after the coming into operation of this Constitution, and to regulate/control the permanent alienation/assignment or the temporary alienation/assignment of the land, the mines, the minerals and the waters which will thus come into its possession.

ENGLISH TEXT

Provision may also be made by law for the management of land, mines, minerals and waters acquired by the State after the coming into operation of this Constitution and for the control of the alienation, whether temporary or permanent, of the land, mines, minerals and waters so acquired.

ARTICLE 11 AIRTEAGAL 11

LITERAL ENGLISH TRANSLATION

All the rent of the State whatever its origin, except that part of it of which an exception is made by law, must be put into one single fund and appropriated for the purposes and in the manner, that is decided by law and within the scope/constraint of the charges/burdens and the liabilities that are levied by law.

ENGLISH TEXT

All revenues of the State from whatever source arising shall, subject to such exception as may be provided by law, form one fund, and shall be appropriated for the purposes and in the manner and subject to the charges and liabilities determined and imposed by law.

ARTICLE 12.1 AIRTEAGAL 12.1

LITERAL ENGLISH TRANSLATION

Ireland will have a President / There will be a President of Ireland (i.e. the President of Ireland), who is called the President henceforth in this Constitution; he will have precedence over everybody in the State, and he must operate/exercise and perform the powers and the functions that are given to the President by this Constitution and by law.

ENGLISH TEXT

There shall be a President of Ireland (Uachtarán na hÉireann), hereinafter called the President, who shall take precedence over all other persons in the State and who shall exercise and perform the powers and functions conferred on the President by this Constitution and by law.

ARTICLE 12.2.1o AIRTEAGAL 12.2.1o

LITERAL ENGLISH TRANSLATION

(It is) by simple/unqualified direct vote of the people that the President will be elected.

ENGLISH TEXT

The President shall be elected by direct vote of the people.

ARTICLE 12.2.2o AIRTEAGAL 12.2.2o

LITERAL ENGLISH TRANSLATION

Every citizen who has a right to vote in an election for members of Dáil Éireann, (he) will have a right to vote in an election for the President.

ENGLISH TEXT

Every citizen who has the right to vote at an election for members of Dáil Éireann shall have the right to vote at an election for President.

ARTICLE 12.2.3o AIRTEAGAL 12.2.3o

LITERAL ENGLISH TRANSLATION

It is by secret ballot and in accordance with proportional representation and by the method of the single transferable vote that the voting will be done.

ENGLISH TEXT

The voting shall be by secret ballot and on the system of proportional representation by means of the single transferable vote.

ARTICLE 12.3.1_o AIRTEAGAL 12.3.1_o

LITERAL ENGLISH TRANSLATION

The President will hold office for seven years from the day (he) enters into (the responsibility of) / takes up (the duty of) his office unless it happens before the end of that term that (he) dies or (that he) relinquishes office or that he is put out of office, or that permanent disablement/ derangement/misguidance seizes him and that (that) is established to the satisfaction of the Supreme Court while/ being composed of at least five judges.

ENGLISH TEXT

The President shall hold office for seven years from the date upon which he enters upon his office, unless before the expiration of that period he dies, or resigns, or is removed from office, or becomes permanently incapacitated, such incapacity being established to the satisfaction of the Supreme Court consisting of not less than five judges.

ARTICLE 12.3.2_o AIRTEAGAL 12.3.2_o

LITERAL ENGLISH TRANSLATION

A person who is or who was a President, (he) is / shall be electible to that office one (single) other time, but that is all.

ENGLISH TEXT

A person who holds, or who has held, office as President, shall be eligible for re-election to that office once, but only once.

ARTICLE 12.3.3_o AIRTEAGAL 12.3.3_o

LITERAL ENGLISH TRANSLATION

An election for the office of (the) President must be held on a day not later than the date of the end of the term of office of each particular President and not earlier than the sixtieth day before that date, but if the President is put out of office, or if (before he enters into the responsibility / takes up the duty of his office or after that) he happens to die or resign or permanent disability/misguidance/ derangement established as said seizes him, an election for the office of (the) President must be held within sixty days after that thing happens.

ENGLISH TEXT

An election for the office of President shall be held not later than, and not earlier than the sixtieth day before, the date of the expiration of the term of office of every President, but in the event of the removal from office of the President or of his death, resignation, or permanent incapacity established as aforesaid (whether occurring before or after he enters upon his office), an election for the office of President shall be held within sixty days after such event.

ARTICLE 12.4.1_o AIRTEAGAL 12.4.1_o

LITERAL ENGLISH TRANSLATION

Every citizen who has completed/reached thirty five years, (he) is electable to the office of (the) President.

ENGLISH TEXT

Every citizen who has reached his thirty-fifth year of age is eligible for election to the office of President.

ARTICLE 12.4.2_o AIRTEAGAL 12.4.2_o

LITERAL ENGLISH TRANSLATION

Every candidate for the office of (the) President, other than a person who is or who was a President already, it is from the following that his nomination must come:

- i at least twenty people and each (individual) one/ person of them a member, at the time, of a House / one of the Houses of the Oireachtas, or
- ii the Councils of at least four administrative Counties (including County Boroughs) as defined/expounded by law.

ENGLISH TEXT

Every candidate for election, not a former or retiring President, must be nominated either by:

- i not less than twenty persons, each of whom is at the time a member of one of the Houses of the Oireachtas, or
- ii by the Councils of not less than four administrative Counties (including County Boroughs) as defined by law.

ARTICLE 12.4.3_o AIRTEAGAL 12.4.3_o

LITERAL ENGLISH TRANSLATION

No person and no Council of them is permitted to participate in the nomination of more than a single candidate for the office of (the) President in the same election.

ENGLISH TEXT

No person and no such Council shall be entitled to subscribe to the nomination of more than one candidate in respect of the same election.

ARTICLE 12.4.4_o AIRTEAGAL 12.4.4_o

LITERAL ENGLISH TRANSLATION

Any person who is or who was a President may nominate himself for the office of (the) President. / It is open to any person who is or who was a President to nominate himself for the office of (the) President.

ENGLISH TEXT

Former or retiring Presidents may become candidates on their own nomination.

ARTICLE 12.4.5_o AIRTEAGAL 12.4.5_o

LITERAL ENGLISH TRANSLATION

When only one candidate is nominated for the office of (the) President, it is not necessary to vote in order to elect him. / a ballot / voting to elect him is not a necessity.

ENGLISH TEXT

Where only one candidate is nominated for the office of President it shall not be necessary to proceed to a ballot for his election.

ARTICLE 12.5 AIRTEAGAL 12.5

LITERAL ENGLISH TRANSLATION

Within the scope/constraint of the provisions of this Article it is by law that elections to the office of (the) President will be regulated/controlled.

ENGLISH TEXT

Subject to the provisions of this Article, elections for the office of President shall be regulated by law.

ARTICLE 12.6.1o AIRTEAGAL 12.6.1o

LITERAL ENGLISH TRANSLATION

The President is not permitted to be a member of Dáil Éireann nor of Seanad Éireann.

ENGLISH TEXT

The President shall not be a member of either House of the Oireachtas.

ARTICLE 12.6.2o AIRTEAGAL 12.6.2o

LITERAL ENGLISH TRANSLATION

If a member of either of the Houses of the Oireachtas is elected to be/become President, it must be deemed that he has relinquished / parted with membership of that House.

ENGLISH TEXT

If a member of either House of the Oireachtas be elected President, he shall be deemed to have vacated his seat in that House.

ARTICLE 12.6.3o AIRTEAGAL 12.6.3o

LITERAL ENGLISH TRANSLATION

The President is not permitted to have any office or post of emolument/benefit except his Presidential office.

ENGLISH TEXT

The President shall not hold any other office or position of emolument.

ARTICLE 12.7 AIRTEAGAL 12.7

LITERAL ENGLISH TRANSLATION

The first President must enter into the responsibility of his office as soon as possible after he has been elected, and every President after that must enter into the responsibility of his office the day after the end of the term of office of his predecessor or as soon as possible after that or, if his predecessor (either) happens to be put out of office or dies or resigns from office or else that permanent (mental) disorder/misguidance/incapacity seizes him and that that is established as is provided by section 3 of this Article, as soon as possible after the election.

ENGLISH TEXT

The first President shall enter upon his office as soon as may be after his election, and every subsequent President shall enter upon his office on the day following the expiration of the term of office of his predecessor or as soon as may be thereafter or, in the event of his predecessor's removal from office, death, resignation, or permanent incapacity established as provided by section 3 hereof, as soon as may be after the election.

ARTICLE 12.8 AIRTEAGAL 12.8

LITERAL ENGLISH TRANSLATION

The way the President will enter into the responsibility of his office is by publicly making the following declaration and putting his hand to it in the presence of members of both Houses of the Oireachtas, and judges of the Supreme Court and of the High Court and other public gentry/ dignitaries:-

“In the presence of God the Almighty, I, , am solemnly and truly promising and declaring to be a support and shelter to the Constitution of Ireland, and to preserve its laws, to fulfil my duties faithfully and conscientiously in accordance with the Constitution and the law, and to do my utmost for the welfare and service of the people of Ireland. God direct me and protect me.”

ENGLISH TEXT

The President shall enter upon his office by taking and subscribing publicly, in the presence of members of both Houses of the Oireachtas, of Judges of the Supreme Court and of the High Court, and other public personages, the following declaration:-

“In the presence of Almighty God I do solemnly and sincerely promise and declare that I will maintain the Constitution of Ireland and uphold its laws, that I will fulfil my duties faithfully and conscientiously in accordance with the Constitution and the law, and that I will dedicate my abilities to the service and welfare of the people of Ireland. May God direct and sustain me.”

ARTICLE 12.9 AIRTEAGAL 12.9

LITERAL ENGLISH TRANSLATION

The President is not permitted to leave the State while he is in office, except with the will of the Government.

ENGLISH TEXT

The President shall not leave the State during his term of office save with the consent of the Government.

ARTICLE 12.10.1o AIRTEAGAL 12.10.1o

LITERAL ENGLISH TRANSLATION

The President may/can be impeached for / on account of misconduct/misbehaviour that will be cited/stated.

ENGLISH TEXT

The President may be impeached for stated misbehaviour.

ARTICLE 12.10.2o AIRTEAGAL 12.10.2o

LITERAL ENGLISH TRANSLATION

(It is) either of the Houses of the Oireachtas that will make the charge/accusation and it is within the scope/constraint of and according to (the) provisions of this section that it will be made.

ENGLISH TEXT

The charge shall be preferred by either of the Houses of the Oireachtas, subject to and in accordance with the provisions of this section.

ARTICLE 12.10.3^o AIRTEAGAL 12.10.3^o

LITERAL ENGLISH TRANSLATION

If it is offered/proposed to either of the Houses of the Oireachtas to take/bring a case against the President under this section it is not permitted to heed that proposal/motion except as a result of a written notice of proposal/motion signed by / under the hand of at least thirty members of that House.

ENGLISH TEXT

A proposal to either House of the Oireachtas to prefer a charge against the President under this section shall not be entertained unless upon a notice of motion in writing signed by not less than thirty members of that House.

ARTICLE 12.10.4^o AIRTEAGAL 12.10.4^o

LITERAL ENGLISH TRANSLATION

Neither of the Houses of the Oireachtas is permitted to accept any such proposal/motion except as a result of a resolution from that House which will have the support of at least two-thirds of its full membership.

ENGLISH TEXT

No such proposal shall be adopted by either of the Houses of the Oireachtas save upon a resolution of that House supported by not less than two-thirds of the total membership thereof.

ARTICLE 12.10.5^o AIRTEAGAL 12.10.5^o

LITERAL ENGLISH TRANSLATION

If either of the Houses of the Oireachtas makes a charge/accusation under this section the other House must examine the charge/case or have the charge/case examined.

ENGLISH TEXT

When a charge has been preferred by either House of the Oireachtas, the other House shall investigate the charge, or cause the charge to be investigated.

ARTICLE 12.10.6^o AIRTEAGAL 12.10.6^o

LITERAL ENGLISH TRANSLATION

The President will have the right to be present and to have advocates/pleaders with him at that examination.

ENGLISH TEXT

The President shall have the right to appear and to be represented at the investigation of the charge.

ARTICLE 12.10.7^o AIRTEAGAL 12.10.7^o

LITERAL ENGLISH TRANSLATION

If the result of that examination is that a resolution is passed, with the support of at least two-thirds of the full membership of the House of the Oireachtas that examined the case or had the case examined, declaring that the case that was brought against the President was established and, the misconduct/misbehaviour which caused the charge, that it is misbehaviour because of which the President is unsuitable to remain in (possession of) office, the function of that resolution is to put the President out of office.

ENGLISH TEXT

If, as a result of the investigation, a resolution be passed

supported by not less than two-thirds of the total membership of the House of the Oireachtas by which the charge was investigated, or caused to be investigated, declaring that the charge preferred against the President has been sustained and that the misbehaviour, the subject of the charge, was such as to render him unfit to continue in office, such resolution shall operate to remove the President from his office.

ARTICLE 12.11.1_o AIRTEAGAL 12.11.1_o

LITERAL ENGLISH TRANSLATION

The President will have a state-home in Dublin city or near it.

ENGLISH TEXT

The President shall have an official residence in or near the City of Dublin.

ARTICLE 12.11.2_o AIRTEAGAL 12.11.2_o

LITERAL ENGLISH TRANSLATION

The President will get benefits/emoluments and allowances as will be determined by law.

ENGLISH TEXT

The President shall receive such emoluments and allowances as may be determined by law.

ARTICLE 12.11.3_o AIRTEAGAL 12.11.3_o

LITERAL ENGLISH TRANSLATION

It is not permitted to reduce the benefits/emoluments nor the allowances of the President while he is in office.

ENGLISH TEXT

The emoluments and allowances of the President shall not be diminished during his term of office.

ARTICLE 13.1.1_o AIRTEAGAL 13.1.1_o

LITERAL ENGLISH TRANSLATION

The President will appoint the Taoiseach i.e. the Head of Government or the Prime Minister, on his having been nominated by Dáil Éireann.

ENGLISH TEXT

The President shall, on the nomination of Dáil Éireann, appoint the Taoiseach, that is, the head of the Government or Prime Minister.

ARTICLE 13.1.2_o AIRTEAGAL 13.1.2_o

LITERAL ENGLISH TRANSLATION

On their having been nominated by the Taoiseach, with the agreement of Dáil Éireann beforehand, the President will appoint the other members of the Government.

ENGLISH TEXT

The President shall, on the nomination of the Taoiseach with the previous approval of Dáil Éireann, appoint the other members of the Government.

ARTICLE 13.1.3_o AIRTEAGAL 13.1.3_o

LITERAL ENGLISH TRANSLATION

On the advice of the Taoiseach the President must accept any member of the Government giving up office, or any member of the Government being put out of office. / or put any member of the Government out of office.

ENGLISH TEXT

The President shall, on the advice of the Taoiseach, accept the resignation or terminate the appointment of any member of the Government.

ARTICLE 13.2.1_o AIRTEAGAL 13.2.1_o

LITERAL ENGLISH TRANSLATION

It is the President, on the advice of the Taoiseach, who will convene and dissolve Dáil Éireann.

ENGLISH TEXT

Dáil Éireann shall be summoned and dissolved by the President on the advice of the Taoiseach.

ARTICLE 13.2.2_o AIRTEAGAL 13.2.2_o

LITERAL ENGLISH TRANSLATION

The President can, in his own judgement, refuse to dissolve Dáil Éireann on the advice of a Taoiseach of whom a majority in Dáil Éireann do not continue to be in support.

ENGLISH TEXT

The President may in his absolute discretion refuse to dissolve Dáil Éireann on the advice of a Taoiseach who has ceased to retain the support of a majority in Dáil Éireann.

ARTICLE 13.2.3_o AIRTEAGAL 13.2.3_o

LITERAL ENGLISH TRANSLATION

The President can at any time, after taking advice with the Council of State, convene either of the Houses of the Oireachtas, or both of them.

ENGLISH TEXT

The President may at any time, after consultation with the Council of State, convene a meeting of either or both of the Houses of the Oireachtas.

ARTICLE 13.3.1_o AIRTEAGAL 13.3.1_o

LITERAL ENGLISH TRANSLATION

Each Bill that is passed or deemed to have been passed by the two Houses of the Oireachtas (it) must have the signature of the President to it (in order) to enact it into (a) law.

ENGLISH TEXT

Every Bill passed or deemed to have been passed by both Houses of the Oireachtas shall require the signature of the President for its enactment into law.

ARTICLE 13.3.2^o AIRTEAGAL 13.3.2^o

LITERAL ENGLISH TRANSLATION

Every law that / of those which the Oireachtas makes the President must promulgate it.

ENGLISH TEXT

The President shall promulgate every law made by the Oireachtas.

ARTICLE 13.4 AIRTEAGAL 13.4

LITERAL ENGLISH TRANSLATION

With this the Defence Forces are put under the highcommand of the President.

ENGLISH TEXT

The supreme command of the Defence Forces is hereby vested in the President.

ARTICLE 13.5.1^o AIRTEAGAL 13.5.1^o

LITERAL ENGLISH TRANSLATION

The high-command over/of the Defence Forces it is by law that the manner in which it will be operated will be regulated/controlled.

ENGLISH TEXT

The exercise of the supreme command of the Defence Forces shall be regulated by law.

ARTICLE 13.5.2^o AIRTEAGAL 13.5.2^o

LITERAL ENGLISH TRANSLATION

It is from the President that every vocational/professional officer of the Defence Forces will have his calling/profession.

ENGLISH TEXT

All commissioned officers of the Defence Forces shall hold their commissions from the President.

ARTICLE 13.6 AIRTEAGAL 13.6

LITERAL ENGLISH TRANSLATION

With this the President is given a right of pardon/absolving, and power to mitigate or to remit a punishment which is imposed on people in any court of criminal jurisdiction, but, apart from cases of death-sentence, that power of mitigation or remission may also be given by law to other authorities.

ENGLISH TEXT

The right of pardon and the power to commute or remit punishment imposed by any court exercising criminal jurisdiction are hereby vested in the President, but such power of commutation or remission may, except in capital cases, also be conferred by law on other authorities.

ARTICLE 13.7.1^o AIRTEAGAL 13.7.1^o

LITERAL ENGLISH TRANSLATION

The President may, after taking advice with the Council of State, put a message or address before the Houses of the Oireachtas on any thing which has national importance or public importance.

ENGLISH TEXT

The President may, after consultation with the Council of State, communicate with the Houses of the Oireachtas by message or address on any matter of national or public importance.

ARTICLE 13.7.2_o AIRTEAGAL 13.7.2_o

LITERAL ENGLISH TRANSLATION

The President may at any time, after taking advice with the Council of State, put an address before the Nation regarding anything of that kind.

ENGLISH TEXT

The President may, after consultation with the Council of State, address a message to the Nation at any time on any such matter.

ARTICLE 13.7.3_o AIRTEAGAL 13.7.3_o

LITERAL ENGLISH TRANSLATION

But in each of those cases the Government must be satisfied beforehand with the message or the address.

ENGLISH TEXT

Every such message or address must, however, have received the approval of the Government.

ARTICLE 13.8.1_o AIRTEAGAL 13.8.1_o

LITERAL ENGLISH TRANSLATION

The President is not answerable to any House of the Oireachtas nor to any court in the operation and in the fulfilment of the powers and functions of his office nor in any deed which he does or which gives to understand that it is a deed he does in the operation and in the fulfilment of those powers and functions.

ENGLISH TEXT

The President shall not be answerable to either House of the Oireachtas or to any court for the exercise and performance of the powers and functions of his office or for any act done or purporting to be done by him in the exercise and performance of these powers and functions.

ARTICLE 13.8.2_o AIRTEAGAL 13.8.2_o

LITERAL ENGLISH TRANSLATION

But the conduct of the President can be put under review in either of the Houses of the Oireachtas for the purposes of section 10 of Article 12 of this Constitution, or by any court, tribunal or body which will be appointed or nominated by either of the Houses of the Oireachtas to examine a case under section 10 of that Article.

ENGLISH TEXT

The behaviour of the President may, however, be brought under review in either of the Houses of the Oireachtas for the purposes of section 10 of Article 12 of this Constitution, or by any court, tribunal or body appointed or designated by either of the Houses of the Oireachtas for the investigation of a charge under section 10 of the said Article.

ARTICLE 13.9 AIRTEAGAL 13.9

LITERAL ENGLISH TRANSLATION

Apart from a case where it is provided by this Constitution that the President will act from his own counsel, or after taking counsel with the Council of State, or that he will act upon something relating to the Council of State, or on the advice or nomination of any other group or person, or upon receipt of any other news from any other group or person, it is only on the advice of the Government (that) the President is permitted to operate and fulfil the powers and the functions that are given to him by this Constitution.

ENGLISH TEXT

The powers and functions conferred on the President by this Constitution shall be exercisable and performable by him only on the advice of the Government, save where it is provided by this Constitution that he shall act in his absolute discretion or after consultation with or in relation to the Council of State, or on the advice or nomination of, or on receipt of any other communication from, any other person or body.

ARTICLE 13.10 AIRTEAGAL 13.10

LITERAL ENGLISH TRANSLATION

Within the constraint/scope of this Constitution further powers and functions may be given to the President by law.

ENGLISH TEXT

Subject to this Constitution, additional powers and functions may be conferred on the President by law.

ARTICLE 13.11 AIRTEAGAL 13.11

LITERAL ENGLISH TRANSLATION

The President is not permitted to operate nor to fulfil any power or function (of those) which are granted to him by law except on the advice of the Government.

ENGLISH TEXT

No power or function conferred on the President by law shall be exercisable or performable by him save only on the advice of the Government.

ARTICLE 14.1 AIRTEAGAL 14.1

LITERAL ENGLISH TRANSLATION

If the President is absent or if (he) is temporarily incapacitated/deranged, or if (he) is permanently incapacitated/deranged and that this is established as provided by section 3 of Article 12 of this Constitution, or if it happens that he dies or he gives up / relinquishes office or (he) is put out of office, or if he fails to operate and fulfil the powers and functions of his office or any one of them, or if the office of the President is vacant, it is a Commission which will be composed as provided in section 2 of this Article that will operate and fulfil the powers and the functions that are bestowed on the President by this Constitution or under it.

ENGLISH TEXT

In the event of the absence of the President, or his temporary incapacity, or his permanent incapacity established as provided by section 3 of Article 12 hereof, or in the

event of his death, resignation, removal from office, or failure to exercise and perform the powers and functions of his office or any of them, or at any time at which the office of President may be vacant, the powers and functions conferred on the President by or under this Constitution shall be exercised and performed by a Commission constituted as provided in section 2 of this Article.

ARTICLE 14.2.1_o AIRTEAGAL 14.2.1_o

LITERAL ENGLISH TRANSLATION

The following people are the Commission, i.e. the Chief Justice, the Chairman of Dáil Éireann (The Ceann Comhairle) and the Chairman of Seanad Éireann.

ENGLISH TEXT

The Commission shall consist of the following persons, namely, the Chief Justice, the Chairman of Dáil Éireann (An Ceann Comhairle), and the Chairman of Seanad Éireann.

ARTICLE 14.2.2_o AIRTEAGAL 14.2.2_o

LITERAL ENGLISH TRANSLATION

The President of the High Court will act as a member of the Commission instead of the Chief Justice any time that the office of the Chief Justice is vacant or that the Chief Justice will not be / is not able to act.

ENGLISH TEXT

The President of the High Court shall act as a member of the Commission in the place of the Chief Justice on any occasion on which the office of Chief Justice is vacant or on which the Chief Justice is unable to act.

ARTICLE 14.2.3_o AIRTEAGAL 14.2.3_o

LITERAL ENGLISH TRANSLATION

The Vice-Chairman of Dáil Éireann will act as a member of the Commission instead of the Chairman of Dáil Éireann any time that the office of the Chairman of Dáil Éireann is vacant or that that Chairman will not be / is not able to act.

ENGLISH TEXT

The Deputy Chairman of Dáil Éireann shall act as a member of the Commission in the place of the Chairman of Dáil Éireann on any occasion on which the office of Chairman of Dáil Éireann is vacant or on which the said Chairman is unable to act.

ARTICLE 14.2.4_o AIRTEAGAL 14.2.4_o

LITERAL ENGLISH TRANSLATION

The Vice-Chairman of Seanad Éireann will act as a member of the Commission instead of the Chairman of Seanad Éireann any time that the office of the Chairman of Seanad Éireann is vacant or that that Chairman will not be / is not able to act.

ENGLISH TEXT

The Deputy Chairman of Seanad Éireann shall act as a member of the Commission in the place of the Chairman of Seanad Éireann on any occasion on which the office of Chairman of Seanad Éireann is vacant or on which the said Chairman is unable to act.

ARTICLE 14.3 AIRTEAGAL 14.3

LITERAL ENGLISH TRANSLATION

It is lawful for the Commission to act through any two of their number and to act despite a vacancy in their membership.

ENGLISH TEXT

The Commission may act by any two of their number and may act notwithstanding a vacancy in their membership.

ARTICLE 14.4 AIRTEAGAL 14.4

LITERAL ENGLISH TRANSLATION

The Council of State will be able/may, by/with a majority of its members, to make whatever provision they deem fit/proper to operate and to fulfil the powers and the functions which are bestowed on the President by this Constitution or under it in any case where provision is not made for it by the preceding provisions of this Article.

ENGLISH TEXT

The Council of State may by a majority of its members make such provision as to them may seem meet for the exercise and performance of the powers and functions conferred on the President by or under this Constitution in any contingency which is not provided for by the foregoing provisions of this Article.

ARTICLE 14.5.1o AIRTEAGAL 14.5.1o

LITERAL ENGLISH TRANSLATION

The provisions of this Constitution that relate to the President operating and fulfilling the powers and the functions that are conferred on him by this Constitution 218 The Constitution of Ireland Bunreacht na hÉireann or under it they will relate, within the scope/constraint of the following provisions of this section, to the operation and to the fulfilment of those powers and functions under this Article.

ENGLISH TEXT

The provisions of this Constitution which relate to the exercise and performance by the President of the powers and functions conferred on him by or under this Constitution shall subject to the subsequent provisions of this section apply to the exercise and performance of the said powers and functions under this Article.

ARTICLE 14.5.2o AIRTEAGAL 14.5.2o

LITERAL ENGLISH TRANSLATION

If the President fails to operate or to fulfil any power or function that he must, according to this Constitution or under it, operate or fulfil by/within a stated time, it must be operated or fulfilled under this Article as soon as possible after the time so stated.

ENGLISH TEXT

In the event of the failure of the President to exercise or perform any power or function which the President is by or under this Constitution required to exercise or perform within a specified time, the said power or function shall be exercised or performed under this Article, as soon as may be after the expiration of the time so specified.

THE NATIONAL PARLIAMENT
AN PHARLAIMINT NÁISIÚNTA

ARTICLE 15.1.1_o AIRTEAGAL 15.1.1_o

CONSTITUTION AND POWERS

LITERAL ENGLISH TRANSLATION

The Oireachtas is the name of the National Parliament, and that is what it is usually called in this Constitution.

ENGLISH TEXT

The National Parliament shall be called and known, and is in this Constitution generally referred to, as the Oireachtas.

ARTICLE 15.1.2_o AIRTEAGAL 15.1.2_o

LITERAL ENGLISH TRANSLATION

The Oireachtas consists of the President and two Houses: a House of Representatives which is called Dáil Éireann, and a Senate which is called Seanad Éireann.

ENGLISH TEXT

The Oireachtas shall consist of the President, and two Houses, viz.: a House of Representatives to be called Dáil Éireann and a Senate to be called Seanad Éireann.

ARTICLE 15.1.3_o AIRTEAGAL 15.1.3_o

LITERAL ENGLISH TRANSLATION

It is in the city of Dublin or in its vicinity, or wherever else they decide from time to time, that the Houses of the Oireachtas will sit.

ENGLISH TEXT

The Houses of the Oireachtas shall sit in or near the City of Dublin or in such other place as they may from time to time determine.

ARTICLE 15.2.1_o AIRTEAGAL 15.2.1_o

LITERAL ENGLISH TRANSLATION

The only power to make laws for the State is hereby given to the Oireachtas alone; no other legislative authority whatsoever has power to make laws for the State.

ENGLISH TEXT

The sole and exclusive power of making laws for the State is hereby vested in the Oireachtas: no other legislative authority has power to make laws for the State.

ARTICLE 15.2.2_o AIRTEAGAL 15.2.2_o

LITERAL ENGLISH TRANSLATION

But provision may be made by law to set up or accept sub-legislatures, and to lay out the powers and functions of those sub-legislatures.

ENGLISH TEXT

Provision may however be made by law for the creation or recognition of subordinate legislatures and for the powers and functions of these legislatures.

ARTICLE 15.3.1^o AIRTEAGAL 15.3.1^o

LITERAL ENGLISH TRANSLATION

The Oireachtas can make provision for the establishment or acceptance of / to establish or accept executive and vocational councils, which represent sections of the social/ societal life and of the economic life of the people.

ENGLISH TEXT

The Oireachtas may provide for the establishment or recognition of functional or vocational councils representing branches of the social and economic life of the people.

ARTICLE 15.3.2^o AIRTEAGAL 15.3.2^o

LITERAL ENGLISH TRANSLATION

Any law establishing such a council or under which it is accepted must have/contain an interpretation/clarification/ illustration of the rights, the powers and the duties of that council, and moreover of its mutual relationship with the Oireachtas and with the Government.

ENGLISH TEXT

A law establishing or recognising any such council shall determine its rights, powers and duties, and its relation to the Oireachtas and to the Government.

ARTICLE 15.4.1^o AIRTEAGAL 15.4.1^o

LITERAL ENGLISH TRANSLATION

The Oireachtas is not permitted to enact any law which would be in any way against this Constitution or against any provision of this Constitution.

ENGLISH TEXT

The Oireachtas shall not enact any law which is in any respect repugnant to this Constitution or any provision thereof.

ARTICLE 15.4.2^o AIRTEAGAL 15.4.2^o

LITERAL ENGLISH TRANSLATION

In the case of any law (of those) which the Oireachtas enacts being in any way against this Constitution or against any provision of this Constitution it will be without validity to the extent that it will be against this Constitution and to that extent alone.

ENGLISH TEXT

Every law enacted by the Oireachtas which is in any respect repugnant to this Constitution or to any provision thereof, shall, but to the extent only of such repugnancy, be invalid.

ARTICLE 15.5 AIRTEAGAL 15.5

LITERAL ENGLISH TRANSLATION

The Oireachtas is not permitted to say that acts which were not an infringement of law while they were being done are an infringement of law.

ENGLISH TEXT

The Oireachtas shall not declare acts to be infringements of the law which were not so at the date of their commission.

ARTICLE 15.6.1_o AIRTEAGAL 15.6.1_o

LITERAL ENGLISH TRANSLATION

(It is) The Oireachtas alone (that) has the right to establish and maintain military forces or armed forces.

ENGLISH TEXT

The right to raise and maintain military or armed forces is vested exclusively in the Oireachtas.

ARTICLE 15.6.2_o AIRTEAGAL 15.6.2_o

LITERAL ENGLISH TRANSLATION

It is not / shall not be lawful to establish or maintain for any purpose any military force or armed force whatsoever, apart from a military force or an armed force which is established and which is maintained by the Oireachtas.

ENGLISH TEXT

No military or armed force, other than a military or armed force raised and maintained by the Oireachtas, shall be raised or maintained for any purpose whatsoever.

ARTICLE 15.7 AIRTEAGAL 15.7

LITERAL ENGLISH TRANSLATION

The Oireachtas must sit at least once a year.

ENGLISH TEXT

The Oireachtas shall hold at least one session every year.

ARTICLE 15.8.1_o AIRTEAGAL 15.8.1_o

LITERAL ENGLISH TRANSLATION

It is publicly that each House of the Oireachtas will sit. / Each House of the Oireachtas will sit publicly.

ENGLISH TEXT

Sittings of each House of the Oireachtas shall be public.

ARTICLE 15.8.2_o AIRTEAGAL 15.8.2_o

LITERAL ENGLISH TRANSLATION

But in the case of there being a special exigency, either of the two Houses can sit privately provided that two thirds of the members (who will be / are) present consent to it.

ENGLISH TEXT

In cases of special emergency, however, either House may hold a private sitting with the assent of two-thirds of the members present.

ARTICLE 15.9.1_o AIRTEAGAL 15.9.1_o

LITERAL TRANSLATION

Each individual House of the Oireachtas will elect its own Chairman and Vice-Chairman from its own membership, and will lay out for them their powers and their duties.

ENGLISH TEXT

Each House of the Oireachtas shall elect from its members its own Chairman and Deputy Chairman, and shall prescribe their powers and duties.

ARTICLE 15.9.2^o AIRTEAGAL 15.9.2^o

LITERAL ENGLISH TRANSLATION

It is by law that the salary of the Chairman and Vice-Chairman of each separate House will be decided.

ENGLISH TEXT

The remuneration of the Chairman and Deputy Chairman of each House shall be determined by law.

ARTICLE 15.10 AIRTEAGAL 15.10

LITERAL ENGLISH TRANSLATION

Each particular House will make its own standing orders and rules, and each House of them will have the power to fix a penalty for those who transgress them; it will have in addition to that the power to secure freedom of argument and to protect its own official writings/ documents and the private papers of its members, and moreover to protect itself and its members from any person or any group of people who would interfere with or inhibit its members or who would try to corrupt them while they are doing their duties.

ENGLISH TEXT

Each House shall make its own rules and standing orders, with power to attach penalties for their infringement, and shall have power to ensure freedom of debate, to protect its official documents and the private papers of its members, and to protect itself and its members against any person or persons interfering with, molesting or attempting to corrupt its members in the exercise of their duties.

ARTICLE 15.11.1^o AIRTEAGAL 15.11.1^o

LITERAL ENGLISH TRANSLATION

Apart from a case for which an alternative is provided for by this Constitution the way judgement will be given on each question in each particular House is by a majority of the votes of the members (who will be) present and voting but not including the Chairman or the member who will be / is in charge.

ENGLISH TEXT

All questions in each House shall, save as otherwise provided by this Constitution, be determined by a majority of the votes of the members present and voting other than the Chairman or presiding member.

ARTICLE 15.11.2^o AIRTEAGAL 15.11.2^o

LITERAL ENGLISH TRANSLATION

If the number of votes on the two sides is the same the Chairman, or the member (who will be) in charge, will have a deciding vote which he must give.

ENGLISH TEXT

The Chairman or presiding member shall have and exercise a casting vote in the case of an equality of votes.

ARTICLE 15.11.3o AIRTEAGAL 15.11.3o

LITERAL ENGLISH TRANSLATION

It is by its standing orders that it will be decided how many members are / will be necessary for an assembly of either of the two Houses in order that it have power to function.

ENGLISH TEXT

The number of members necessary to constitute a meeting of either House for the exercise of its powers shall be determined by its standing orders.

ARTICLE 15.12 AIRTEAGAL 15.12

LITERAL ENGLISH TRANSLATION

Every official publication and report from the Oireachtas and from each of its Houses, along with any statement made in any of those Houses, they are free from matters of law wherever (they are) published.

ENGLISH TEXT

All official reports and publications of the Oireachtas or of either House thereof and utterances made in either House wherever published shall be privileged.

ARTICLE 15.13 AIRTEAGAL 15.13

LITERAL ENGLISH TRANSLATION

The members of each House of the Oireachtas are free from arrest while in the sanctuary of either of the two Houses or (while) coming to it or going from it, except in the case of treason, as it is defined in this Constitution, or in the case of felony or breaking the peace and, whatever statement a member will make in any of those Houses, he is not chargeable because of it in any court or by any authority except the House itself.

ENGLISH TEXT

The members of each House of the Oireachtas shall, except in case of treason as defined in this Constitution, felony or breach of the peace, be privileged from arrest in going to and returning from, and while within the precincts of, either House, and shall not, in respect of any utterance in either House, be amenable to any court or any authority other than the House itself.

ARTICLE 15.14 AIRTEAGAL 15.14

LITERAL ENGLISH TRANSLATION

No person is permitted to be a member of (the) two Houses of the Oireachtas at the same time, and anybody who will be a member of one of those Houses and (who) will be made a member of the other House, it must be immediately deemed that he has given up the first place.

ENGLISH TEXT

No person may be at the same time a member of both Houses of the Oireachtas, and, if any person who is already a member of either House becomes a member of the other House, he shall forthwith be deemed to have vacated his first seat.

ARTICLE 15.15 AIRTEAGAL 15.15

LITERAL ENGLISH TRANSLATION

The Oireachtas may make provision by law to pay allowances to (the) members of each of its Houses for their duties in the capacity of public representatives, and that they would be granted, as regards their duties, facility to travel gratis and whatever other facility the Oireachtas decides, if it decides.

ENGLISH TEXT

The Oireachtas may make provision by law for the payment of allowances to the members of each House thereof in respect of their duties as public representatives and for the grant to them of free travelling and such other facilities (if any) in connection with those duties as the Oireachtas may determine.

ARTICLE 16.1.1_o AIRTEAGAL 16.1.1_o

DÁIL ÉIREANN

LITERAL ENGLISH TRANSLATION

Every citizen, whether man or woman, who has completed/reached twenty-one years and who is not put under disability or incapacity/derangement by this Constitution nor by law, he is electable to (the) membership of Dáil Éireann.

ENGLISH TEXT

Every citizen without distinction of sex who has reached the age of twenty-one years, and who is not placed under disability or incapacity by this Constitution or by law, shall be eligible for membership of Dáil Éireann.

ARTICLE 16.1.2_o AIRTEAGAL 16.1.2_o

LITERAL ENGLISH TRANSLATION

i Every citizen, and
ii whatever other people in the State that will be determined by law,
whether men or women, who have completed eighteen years and who are not put under disqualification by law, and who fulfil the conditions of (the) law regarding election of members to Dáil Éireann, they have a right to vote in an election of members to Dáil Éireann.

ARTICLE 16.1.3_o AIRTEAGAL 16.1.3_o

LITERAL ENGLISH TRANSLATION

It is not permitted to enact any law which would put any citizen, because that citizen is a man or a woman, under disability or incapacity/derangement as regards his being a member of Dáil Éireann or which would disqualify any citizen or any other person, or that same ground, from being entitled to vote in an election of members to Dáil Éireann.

ENGLISH TEXT

No law shall be enacted placing any citizen under disability or incapacity for membership of Dáil Éireann on the ground of sex or disqualifying any citizen or other person from voting at an election for members of Dáil Éireann on that ground.

ARTICLE 16.1.4_o AIRTEAGAL 16.1.4_o

LITERAL ENGLISH TRANSLATION

No elector (whatsoever) is permitted to give more than one vote in an election for Dáil Éireann, and it is by secret ballot that the voting will be done.

ENGLISH TEXT

No voter may exercise more than one vote at an election for Dáil Éireann, and the voting shall be by secret ballot.

ARTICLE 16.2.1_o AIRTEAGAL 16.2.1_o

LITERAL ENGLISH TRANSLATION

The membership of Dáil Éireann (is/comprises) representatives for constituencies that are provided/arranged by law.

ENGLISH TEXT

Dáil Éireann shall be composed of members who represent constituencies determined by law.

ARTICLE 16.2.2_o AIRTEAGAL 16.2.2_o

LITERAL ENGLISH TRANSLATION

The complement of members of Dáil Éireann will be arranged by law from time to time but their full complement is not permitted to be under a member for every thirty thousand of the population, nor over a member for every twenty thousand of the population.

ENGLISH TEXT

The number of members shall from time to time be fixed by law, but the total number of members of Dáil Éireann shall not be fixed at less than one member for each thirty thousand of the population, or at more than one member for each twenty thousand of the population.

ARTICLE 16.2.3_o AIRTEAGAL 16.2.3_o

LITERAL ENGLISH TRANSLATION

The proportion that there will be between the number of members who will be elected / for election at any time for each particular constituency and the population of each particular constituency, according to the latest census made before that, it must be in balance / at par, in as far as possible, throughout the whole region/district.

ENGLISH TEXT

The ratio between the number of members to be elected at any time for each constituency and the population of each constituency, as ascertained at the last preceding census, shall, so far as it is practicable, be the same throughout the country.

ARTICLE 16.2.4_o AIRTEAGAL 16.2.4_o

LITERAL ENGLISH TRANSLATION

The Oireachtas must re-evaluate the constituencies at least once every twelve years having due regard to any changes in the position of the population; but any of the changes which will be made to the constituencies (they) will not come into force during the span of life of the Dáil which will be sitting during that re-evaluation.

ENGLISH TEXT

The Oireachtas shall revise the constituencies at least once in every twelve years, with due regard to changes in distribution of the population, but any alterations in the constituencies shall not take effect during the life of Dáil Éireann sitting when such revision is made.

ARTICLE 16.2.5_o AIRTEAGAL 16.2.5_o

LITERAL ENGLISH TRANSLATION

It is in accordance with proportional representation and in the manner of the single transferable vote that the members will be elected.

ENGLISH TEXT

The members shall be elected on the system of proportional representation by means of the single transferable vote.

ARTICLE 16.2.6_o AIRTEAGAL 16.2.6_o

LITERAL ENGLISH TRANSLATION

It is not permitted to enact a law which would bring under three (people) the number of members that are to be elected for any constituency.

ENGLISH TEXT

No law shall be enacted whereby the number of members to be returned for any constituency shall be less than three.

ARTICLE 16.3.1_o AIRTEAGAL 16.3.1_o

LITERAL ENGLISH TRANSLATION

Dáil Éireann must be convened and dissolved as arranged by section 2 of Article 13 of this Constitution.

ENGLISH TEXT

Dáil Éireann shall be summoned and dissolved as provided by section 2 of Article 13 of this Constitution.

ARTICLE 16.3.2_o AIRTEAGAL 16.3.2_o

LITERAL ENGLISH TRANSLATION

There must be a general election for members for Dáil Éireann on a day not later than thirty days after dissolving Dáil Éireann.

ENGLISH TEXT

A general election for members of Dáil Éireann shall take place not later than thirty days after a dissolution of Dáil Éireann.

ARTICLE 16.4.1_o AIRTEAGAL 16.4.1_o

LITERAL ENGLISH TRANSLATION

The voting for each particular general election for Dáil Éireann (it) must be done, in as far as it is possible, (on) the same day throughout the whole area.

ENGLISH TEXT

Polling at every general election for Dáil Éireann shall as far as practicable take place on the same day throughout the country.

ARTICLE 16.4.2o AIRTEAGAL 16.4.2o

LITERAL ENGLISH TRANSLATION

Dáil Éireann must come together within thirty days from that voting day.

ENGLISH TEXT

Dáil Éireann shall meet within thirty days from that polling day.

ARTICLE 16.5 AIRTEAGAL 16.5

LITERAL ENGLISH TRANSLATION

Any Dáil Éireann will have a period of but seven years from the day of its first assembly: a period which is shorter than that can be provided by law.

ENGLISH TEXT

The same Dáil Éireann shall not continue for a longer period than seven years from the date of its first meeting: a shorter period may be fixed by law.

ARTICLE 16.6 AIRTEAGAL 16.6

LITERAL ENGLISH TRANSLATION

The member of Dáil Éireann who will be Chairman immediately before the dissolution of Dáil Éireann provision must be made by law so that it may be deemed that that member is elected to Dáil Éireann in the next general election, without his undergoing election.

ENGLISH TEXT

Provision shall be made by law to enable the member of Dáil Éireann who is the Chairman immediately before a dissolution of Dáil Éireann to be deemed without any actual election to be elected a member of Dáil Éireann at the ensuing general election.

ARTICLE 16.7 AIRTEAGAL 16.7

LITERAL ENGLISH TRANSLATION

Within the scope/constraint of those provisions before us / the foregoing provisions of this Article it is in accordance with law that elections to membership of Dáil Éireann will be regulated, along with filling casual/occasional vacancies.

ENGLISH TEXT

Subject to the foregoing provisions of this Article, elections for membership of Dáil Éireann, including the filling of casual vacancies, shall be regulated in accordance with law.

ARTICLE 17.1.1o AIRTEAGAL 17.1.1o

LITERAL ENGLISH TRANSLATION

As soon as (it is) possible after putting the Estimates on (the) receipts of the State and the Estimates on the State's expenditure for any financial year before Dáil Éireann under Article 28 of this Constitution, Dáil Éireann must consider those Estimates.

ENGLISH TEXT

As soon as possible after the presentation to Dáil Éireann under Article 28 of this Constitution of the Estimates of receipts and the Estimates of expenditure of the State for any financial year, Dáil Éireann shall consider such Estimates.

ARTICLE 17.1.2o AIRTEAGAL 17.1.2o

LITERAL ENGLISH TRANSLATION

The legislation which will be necessary to give legal effect to the Financial Resolutions of each particular year (it) must be enacted that very year except in so far as will otherwise be arranged in regard to each particular case in an enactment to that end.

ENGLISH TEXT

Save in so far as may be provided by specific enactment in each case, the legislation required to give effect to the Financial Resolutions of each year shall be enacted within that year.

ARTICLE 17.2 AIRTEAGAL 17.2

LITERAL ENGLISH TRANSLATION

It is not lawful for Dáil Éireann to pass a vote or resolution, nor it is not lawful to enact any law, to appropriate the state rent nor any other public money (whatsoever), unless Dáil Éireann has a message from the Government under the hand of the Taoiseach recommending the purpose of the appropriation to them.

ENGLISH TEXT

Dáil Éireann shall not pass any vote or resolution, and no law shall be enacted, for the appropriation of revenue or other public moneys unless the purpose of the appropriation shall have been recommended to Dáil Éireann by a message from the Government signed by the Taoiseach.

ARTICLE 18.1 AIRTEAGAL 18.1

SEANAD ÉIREANN

LITERAL ENGLISH TRANSLATION

The complement of Seanad Éireann (is) sixty members, i.e. eleven who will be nominated and forty-nine who will be elected.

ENGLISH TEXT

Seanad Éireann shall be composed of sixty members, of whom eleven shall be nominated members and forty-nine shall be elected members.

ARTICLE 18.2 AIRTEAGAL 18.2

LITERAL ENGLISH TRANSLATION

So that a person would be acceptable on the membership of Seanad Éireann he must be acceptable on the membership of Dáil Éireann.

ENGLISH TEXT

A person to be eligible for membership of Seanad Éireann must be eligible to become a member of Dáil Éireann.

ARTICLE 18.3 AIRTEAGAL 18.3

LITERAL ENGLISH TRANSLATION

The members who will be nominated for Seanad Éireann (they) will be nominated with prior-permission from themselves by the Taoiseach who will be appointed on the re-assembly of Dáil Éireann after the dissolution of

Dáil Éireann which causes those members to be nominated.

ENGLISH TEXT

The nominated members of Seanad Éireann shall be nominated, with their prior consent, by the Taoiseach who is appointed next after the re-assembly of Dáil Éireann following the dissolution thereof which occasions the nomination of the said members.

ARTICLE 18.4.1_o AIRTEAGAL 18.4.1_o

LITERAL ENGLISH TRANSLATION

The members who will be elected for Seanad Éireann, it is in the following manner they will be elected: –

- i The National University of Ireland will elect three.
- ii Dublin University will elect three.
- iii Forty-three (people) will be elected from rolls of candidates which will be arranged in the manner provided here following.

ENGLISH TEXT

The elected members of Seanad Éireann shall be elected as follows:-

- i Three shall be elected by the National University of Ireland.
- ii Three shall be elected by the University of Dublin.
- iii Forty-three shall be elected from panels of candidates constituted as hereinafter provided.

ARTICLE 18.4.2_o AIRTEAGAL 18.4.2_o

LITERAL ENGLISH TRANSLATION

Provision may be made by law so that there will be elected in accordance with an electoral system, and in the manner, (that will be) provided by law, by one or more of the following institutions, that is / namely:

- i the Universities mentioned in subsection 1_o of this section,
- ii any other institutions of higher-education in the State, that number of members of Seanad Éireann that will be provided for by law in place of an equal/equivalent number of the members who will be / are to be elected pursuant to paragraphs i and ii of that subsection 1_o.
A member or members of Seanad Éireann may be elected under this subsection by institutions which will be collected together or by a single institution.

ENGLISH TEXT

Provision may be made by law for the election, on a franchise and in the manner to be provided by law, by one or more of the following institutions, namely:

- i the universities mentioned in subsection 1_o of this section,
- ii any other institutions of higher education in the State, of so many members of Seanad Éireann as may be fixed by law in substitution for an equal number of the members to be elected pursuant to paragraphs i and ii of the said subsection 1_o.
A member or members of Seanad Éireann may be elected under this subsection by institutions grouped together or by a single institution.

ARTICLE 18.4.3o AIRTEAGAL 18.4.3o

LITERAL ENGLISH TRANSLATION

It is not permitted to plead anything that is in this Article in order to prohibit a University which is mentioned in subsection 1o of this section being dissolved in accordance with law.

ENGLISH TEXT

Nothing in this Article shall be invoked to prohibit the dissolution by law of a university mentioned in subsection 1o of this section.

This subsection was added to the text following the Seventh Amendment of the Constitution, 1979

ARTICLE 18.5 AIRTEAGAL 18.5

LITERAL ENGLISH TRANSLATION

Every election that there will be for the members who will be elected to Seanad Éireann it is in accordance with proportional representation that it will be done and in the manner of the single transferable vote, by secret postal ballot.

ENGLISH TEXT

Every election of the elected members of Seanad Éireann shall be held on the system of proportional representation by means of the single transferable vote, and by secret postal ballot.

ARTICLE 18.6 AIRTEAGAL 18.6

LITERAL ENGLISH TRANSLATION

The members who will be elected for Seanad Éireann by the Universities it is in accordance with an electoral system, and in the manner, which will be provided by law that they will be elected.

ENGLISH TEXT

The members of Seanad Éireann to be elected by the Universities shall be elected on a franchise and in the manner to be provided by law.

ARTICLE 18.7.1o AIRTEAGAL 18.7.1o

LITERAL ENGLISH TRANSLATION

Before each general election for the members for Seanad Éireann who will be elected from rolls of candidates there will be arranged in the manner (that will be) provided by law five rolls of candidates on which will be names of people who will have knowledge and practice of the following affairs and services respectively:-

ENGLISH TEXT

Before each general election of the members of Seanad Éireann to be elected from panels of candidates, five panels of candidates shall be formed in the manner provided by law containing respectively the names of persons having knowledge and practical experience of the following interests and services, namely:-

ARTICLE 18.7.1^oi AIRTEAGAL 18.7.1^oi

LITERAL ENGLISH TRANSLATION

i Irish and the National Intellectual Tradition, Literature, Art, Education and whatever professions will be set out / defined by law for the purpose of this roll;

ENGLISH TEXT

i National Language and Culture, Literature, Art, Education and such professional interests as may be defined by law for the purpose of this panel;

ARTICLE 18.7.1^oii, iii

AIRTEAGAL 18.7.1^oii, iii

LITERAL ENGLISH TRANSLATION

ii Agriculture, along with affairs which are related to it, and Fishing;

iii Labour, whether it is formally organised or not;

ENGLISH TEXT

ii Agriculture and allied interests, and Fisheries;

iii Labour, whether organised or unorganised;

ARTICLE 18.7.1^oiv, v

AIRTEAGAL 18.7.1^oiv, v

LITERAL ENGLISH TRANSLATION

iv Industry and Commerce including banking, finance, accountancy, engineering and building-construction;

v Public Administration and societal services, and including voluntary societal/social work.

ENGLISH TEXT

iv Industry and Commerce, including banking, finance, accountancy, engineering and architecture;

v Public Administration and social services, including voluntary social activities.

ARTICLE 18.7.2^o AIRTEAGAL 18.7.2^o

LITERAL ENGLISH TRANSLATION

It is not permitted to elect more than eleven people nor, within the scope/constraint of the provisions of Article 19 of this Constitution, less than five of the members of Seanad Éireann from any particular roll.

ENGLISH TEXT

Not more than eleven and, subject to the provisions of Article 19 hereof, not less than five members of Seanad Éireann shall be elected from any one panel.

ARTICLE 18.8 AIRTEAGAL 18.8

LITERAL ENGLISH TRANSLATION

There must be a general election for Seanad Éireann on a day not later than ninety days after the dissolution of Dáil Éireann, and Seanad Éireann must come together for/on (its) first assembly after the general election (on a) day that the President will decide for that on the advice of the Taoiseach.

ENGLISH TEXT

A general election for Seanad Éireann shall take place not later than ninety days after a dissolution of Dáil Éireann, and the first meeting of Seanad Éireann after the general election shall take place on a day to be fixed by the President on the advice of the Taoiseach.

ARTICLE 18.9 AIRTEAGAL 18.9

LITERAL ENGLISH TRANSLATION

Each member of Seanad Éireann will continue in his office, unless (he) dies or unless (he) gives up office or unless he is disqualified, until the day before the voting day for the first general election that there will be for Seanad Éireann after electing him or after nominating him.

ENGLISH TEXT

Every member of Seanad Éireann shall, unless he previously dies, resigns, or becomes disqualified, continue to hold office until the day before the polling day of the general election for Seanad Éireann next held after his election or nomination.

ARTICLE 18.10.1 AIRTEAGAL 18.10.1

LITERAL ENGLISH TRANSLATION

Within the scope/constraint of those foregoing provisions of this Article, it is in accordance with law that each election for the members who will be elected to Seanad Éireann will be regulated.

ENGLISH TEXT

Subject to the foregoing provisions of this Article elections of the elected members of Seanad Éireann shall be regulated by law.

ARTICLE 18.10.2 AIRTEAGAL 18.10.2

LITERAL ENGLISH TRANSLATION

It is by nomination by the Taoiseach that casual vacancies in the number of the members who are nominated to Seanad Éireann will be filled, with the prior permission of the people who will be nominated.

ENGLISH TEXT

Casual vacancies in the number of the nominated members of Seanad Éireann shall be filled by nomination by the Taoiseach with the prior consent of persons so nominated.

ARTICLE 18.10.3 AIRTEAGAL 18.10.3

LITERAL ENGLISH TRANSLATION

It is in the manner which is provided by law that casual vacancies in the number of the members who are elected to Seanad Éireann will be filled.

ENGLISH TEXT

Casual vacancies in the number of the elected members of Seanad Éireann shall be filled in the manner provided by law.

ARTICLE 19 AIRTEAGAL 19

LITERAL ENGLISH TRANSLATION

Provision may be made / It will be possible to make provision by law so that any functional or vocational group, or any functional or vocational body or council, would be able to elect directly as many members to Seanad Éireann as will be determined by that law, in place of the same amount of the members who will be elected from the co-rolls of candidates which will be arranged under Article 18 of this Constitution.

ENGLISH TEXT

Provision may be made by law for the direct election by any functional or vocational group or association or council of so many members of Seanad Éireann as may be fixed by such law in substitution for an equal number of the members to be elected from the corresponding panels of candidates constituted under Article 18 of this Constitution.

20.1 AIRTEAGAL 20.1

LEGISLATION

LITERAL ENGLISH TRANSLATION

Every Bill which is initiated in Dáil Éireann and which is passed by Dáil Éireann must be sent to Seanad Éireann and, unless it is a Money Bill, Seanad Éireann can/may amend it, and Dáil Éireann must consider any amendment of that kind.

ENGLISH TEXT

Every Bill initiated in and passed by Dáil Éireann shall be sent to Seanad Éireann and may, unless it be a Money Bill, be amended in Seanad Éireann and Dáil Éireann shall consider any such amendment.

ARTICLE 20.2.1 AIRTEAGAL 20.2.1

LITERAL ENGLISH TRANSLATION

It is lawful to initiate a Bill which is not a Money Bill in Seanad Éireann, and if Seanad Éireann pass(es) it it must be brought in in Dáil Éireann.

ENGLISH TEXT

A Bill other than a Money Bill may be initiated in Seanad Éireann, and if passed by Seanad Éireann, shall be introduced in Dáil Éireann.

ARTICLE 20.2.2 AIRTEAGAL 20.2.2

LITERAL ENGLISH TRANSLATION

If a Bill is initiated in Seanad Éireann and Dáil Éireann amends it, it must be deemed to be a Bill which was initiated in Dáil Éireann.

ENGLISH TEXT

A Bill initiated in Seanad Éireann if amended in Dáil Éireann shall be considered as a Bill initiated in Dáil Éireann.

ARTICLE 20.3 AIRTEAGAL 20.3

LITERAL ENGLISH TRANSLATION

A Bill which is passed by either of the two Houses and which the other House accepts (it) must be deemed that it was passed by the two Houses.

ENGLISH TEXT

A Bill passed by either House and accepted by the other House shall be deemed to have been passed by both Houses.

ARTICLE 21.1.1 AIRTEAGAL 21.1.1

Money Bills

LITERAL ENGLISH TRANSLATION

It is in Dáil Éireann alone that it is permitted to initiate Money Bills.

ENGLISH TEXT

Money Bills shall be initiated in Dáil Éireann only.

ARTICLE 21.2.1^o AIRTEAGAL 21.2.1^o

LITERAL ENGLISH TRANSLATION

Each Money Bill which is sent to Seanad Éireann for their recommendations regarding it, it must be sent back to Dáil Éireann at the end of a period not longer than twenty-one days after sending the Bill to Seanad Éireann, and Dáil Éireann may accept or refuse/reject all the recommendations from Seanad Éireann or any part of them.

ENGLISH TEXT

Every Money Bill sent to Seanad Éireann for its recommendations shall, at the expiration of a period not longer than twenty-one days after it shall have been sent to Seanad Éireann, be returned to Dáil Éireann, which may accept or reject all or any of the recommendations of Seanad Éireann.

ARTICLE 21.2.2^o AIRTEAGAL 21.2.2^o

LITERAL ENGLISH TRANSLATION

If that Money Bill is not sent back from Seanad Éireann to Dáil Éireann within those twenty-one days, or if it is sent back within those twenty-one days along with recommendations which Dáil Éireann does not accept, it must be deemed that the two Houses passed it at the end of those twenty-one days.

ENGLISH TEXT

If such Money Bill is not returned by Seanad Éireann to Dáil Éireann within such twenty-one days or is returned within such twenty-one days with recommendations which Dáil Éireann does not accept, it shall be deemed to have been passed by both Houses at the expiration of the said twenty-one days.

ARTICLE 22.1.1^o AIRTEAGAL 22.1.1^o

LITERAL ENGLISH TRANSLATION

What is meant by a Money Bill is a Bill which contains only provisions for all of the following matters or any part of them i.e. imposing, repealing, remitting, changing or regulating taxation; laying charges on public moneys to pay debts or for other financial objectives, or changing or repealing such charges; provision/supply; appropriating, receiving, keeping or issuing public money, or scrutinizing accounts of it; collecting or guaranteeing or repaying any loan; subsidiary matters which are connected with those things or with any part of them.

ENGLISH TEXT

A Money Bill means a Bill which contains only provisions dealing with all or any of the following matters, namely, the imposition, repeal, remission, alteration or regulation of taxation; the imposition for the payment of debt or other financial purposes of charges on public moneys or the variation or repeal of any such charges; supply; the appropriation, receipt, custody, issue or audit of accounts of public money; the raising or guarantee of any loan or the repayment thereof; matters subordinate and incidental to these matters or any of them.

ARTICLE 22.1.2_o AIRTEAGAL 22.1.2_o

LITERAL ENGLISH TRANSLATION

In that explanation no taxation, money or loan which local bodies or authorities collect for local purposes are included under the words “taxation”, “public money” and “loan”, respectively.

ENGLISH TEXT

In this definition the expressions “taxation”, “public money” and “loan” respectively do not include any taxation, money or loan raised by local authorities or bodies for local purposes.

ARTICLE 22.2.1_o AIRTEAGAL 22.2.1_o

LITERAL ENGLISH TRANSLATION

If it is the opinion of the Chairman of Dáil Éireann that any particular Bill is a Money Bill he must certify that it is a Money Bill and, within the scope/constraint of the following provisions of this section, there will be no bypassing that certification.

ENGLISH TEXT

The Chairman of Dáil Éireann shall certify any Bill which, in his opinion, is a Money Bill to be a Money Bill, and his certificate shall, subject to the subsequent provisions of this section, be final and conclusive.

ARTICLE 22.2.2_o AIRTEAGAL 22.2.2_o

LITERAL ENGLISH TRANSLATION

Seanad Éireann can/may pass a resolution in an assembly in which not less than thirty members will be present, requesting the President to put a question before a Committee of Privileges to see whether the Bill is a Money Bill or is not.

ENGLISH TEXT

Seanad Éireann, by a resolution, passed at a sitting at which not less than thirty members are present, may request the President to refer the question whether the Bill is or is not a Money Bill to a Committee of Privileges.

ARTICLE 22.2.3_o AIRTEAGAL 22.2.3_o

LITERAL ENGLISH TRANSLATION

If the President assents to the request after taking counsel with the Council of State, he must appoint a Committee of Privileges. (It is) The same number of members of Dáil Éireann and of Seanad Éireann (that) will be on that Committee, with a judge of the Supreme Court as Chairman over them. It is after taking counsel with the Council of State that those appointments will be made. If the number of votes on both sides is the same the Chairman will have a vote, but if it is not the same he will not.

ENGLISH TEXT

If the President after consultation with the Council of State decides to accede to the request he shall appoint a Committee of Privileges consisting of an equal number of members of Dáil Éireann and of Seanad Éireann and a Chairman who shall be a Judge of the Supreme Court: these appointments shall be made after consultation with the Council of State. In the case of an equality of votes but not otherwise the Chairman shall be entitled to vote.

ARTICLE 22.2.4o AIRTEAGAL 22.2.4o

LITERAL ENGLISH TRANSLATION

The President must put the question before the Committee of Privileges that will be appointed in that way, and the Committee must send their judgement on the question to the President within twenty-one days after the day the Bill was sent to Seanad Éireann.

ENGLISH TEXT

The President shall refer the question to the Committee of Privileges so appointed and the Committee shall report its decision thereon to the President within twenty-one days after the day on which the Bill was sent to Seanad Éireann.

ARTICLE 22.2.5o AIRTEAGAL 22.2.5o

LITERAL ENGLISH TRANSLATION

There will be no bypassing the judgement of the Committee.

ENGLISH TEXT

The decision of the Committee shall be final and conclusive.

ARTICLE 22.2.6o AIRTEAGAL 22.2.6o

LITERAL ENGLISH TRANSLATION

If the President rejects Seanad Éireann's request after taking counsel with the Council of State, or if the Committee of Privileges do not express their judgement within the period mentioned here before us, the certification of the Chairman of Dáil Éireann will stand.

ENGLISH TEXT

If the President after consultation with the Council of State decides not to accede to the request of Seanad Éireann, or if the Committee of Privileges fails to report within the time hereinbefore specified the certificate of the Chairman of Dáil Éireann shall stand confirmed.

ARTICLE 23.1 AIRTEAGAL 23.1

LITERAL ENGLISH TRANSLATION

Period to Consider Bills

This Article relates to each Bill which Dáil Éireann passes and which is sent to Seanad Éireann, except a Money Bill or a Bill the period for the consideration of which by Seanad Éireann was shortened under Article 24 of this Constitution.

ENGLISH TEXT

Time for Consideration of Bills

This Article applies to every Bill passed by Dáil Éireann and sent to Seanad Éireann other than a Money Bill or a Bill the time for the consideration of which by Seanad Éireann shall have been abridged under Article 24 of this Constitution.

ARTICLE 23.1.1^o AIRTEAGAL 23.1.1^o

LITERAL ENGLISH TRANSLATION

If it happens, within the particular period (that is) mentioned in the next subsection, that Seanad Éireann rejects any Bill to which this Article relates, or that Seanad Éireann passes the Bill and amendments to it which Dáil Éireann rejects, or if Seanad Éireann does not pass the Bill (whether amended or without amendment/amending) or (does not) reject it within the particular period, then if Dáil Éireann passes a resolution to that end within one hundred and eighty days after the expiration of the particular period, it must be deemed that that Bill was passed by both Houses of the Oireachtas (on) the day (that) the resolution was passed.

ENGLISH TEXT

Whenever a Bill to which this Article applies is within the stated period defined in the next following sub-section either rejected by Seanad Éireann or passed by Seanad Éireann with amendments to which Dáil Éireann does not agree or is neither passed (with or without amendment) nor rejected by Seanad Éireann within the stated period, the Bill shall, if Dáil Éireann so resolves within one hundred and eighty days after the expiration of the stated period be deemed to have been passed by both Houses of the Oireachtas on the day on which the resolution is passed.

ARTICLE 23.1.2^o AIRTEAGAL 23.1.2^o

LITERAL ENGLISH TRANSLATION

Ninety days, or any period (which is) longer than that which both Houses of the Oireachtas settle together with regard to the Bill, (is) the particular period, and the commencement of the period is the day that the Bill is first sent from Dáil Éireann to Seanad Éireann.

ENGLISH TEXT

The stated period is the period of ninety days commencing on the day on which the Bill is first sent by Dáil Éireann to Seanad Éireann or any longer period agreed upon in respect of the Bill by both Houses of the Oireachtas.

ARTICLE 23.2.1^o AIRTEAGAL 23.2.1^o

LITERAL ENGLISH TRANSLATION

That preceding section of this Article concerns each Bill which is initiated in Seanad Éireann and (which is) passed by Seanad Éireann, and (which is) amended by Dáil Éireann, and that it is deemed for that reason that it was in Dáil Éireann it was initiated.

ENGLISH TEXT

The preceding section of this Article shall apply to a Bill which is initiated in and passed by Seanad Éireann, amended by Dáil Éireann, and accordingly deemed to have been initiated in Dáil Éireann.

ARTICLE 23.2.2o AIRTEAGAL 23.2.2o

LITERAL ENGLISH TRANSLATION

To that end it is the day on which the Bill is sent to Seanad Éireann for the first time after its amendment by Dáil Éireann that the particular period for that Bill commences.

ENGLISH TEXT

For the purpose of this application the stated period shall in relation to such a Bill commence on the day on which the Bill is first sent to Seanad Éireann after having been amended by Dáil Éireann.

ARTICLE 24.1 AIRTEAGAL 24.1

LITERAL ENGLISH TRANSLATION

If Dáil Éireann passes a Bill, other than a Bill which is mentioned as being a Bill which contains a proposal to amend the Constitution, and the Taoiseach sends written messages to the President and to the Chairman of each House of the Oireachtas, affirming to them that it is the opinion of the Government that there is an urgency and necessity (to have) the Bill immediately to protect the peace and security of the people, or that there is an urgency and necessity to have it immediately because of there being a public internal or international emergency, then if Dáil Éireann so determines by resolution, and the President assents to the resolution, after taking counsel with the Council of State, the period in which that Bill will be left under the consideration of Seanad Éireann must be shortened and put under the limit which is mentioned in the resolution.

ENGLISH TEXT

If and whenever on the passage by Dáil Éireann of any Bill, other than a Bill expressed to be a Bill containing a proposal to amend the Constitution, the Taoiseach certifies by messages in writing addressed to the President and to the Chairman of each House of the Oireachtas that, in the opinion of the Government, the Bill is urgent and immediately necessary for the preservation of the public peace and security, or by reason of the existence of a public emergency, whether domestic or international, the time for the consideration of such Bill by Seanad Éireann shall, if Dáil Éireann so resolves and if the President, after consultation with the Council of State, concurs, be abridged to such period as shall be specified in the resolution.

ARTICLE 24.2 AIRTEAGAL 24.2

LITERAL ENGLISH TRANSLATION

Any Bill the period for the consideration of which by Seanad Éireann was shortened under this Article, if it happens,

- (a) in the case of a Bill which is not a Money Bill, that Seanad Éireann rejects it or that Seanad Éireann passes it along with amendments which Dáil Éireann rejects or that Seanad Éireann does not pass nor reject it, or,
 - (b) in the case of a Money Bill, that Seanad Éireann sends it back to Dáil Éireann along with recommendations which Dáil Éireann does not accept or that Seanad Éireann does not send it back to Dáil Éireann,
- within the period mentioned in the resolution, it must be deemed that the Bill was passed by both Houses of the Oireachtas at the end of that period.

ENGLISH TEXT

Where a Bill, the time for the consideration of which by Seanad Éireann has been abridged under this Article, 356 The Constitution of Ireland Bunreacht na hÉireann

(a) is, in the case of a Bill which is not a Money Bill, rejected by Seanad Éireann or passed by Seanad Éireann with amendments to which Dáil Éireann does not agree or neither passed nor rejected by Seanad Éireann, or

(b) is, in the case of a Money Bill, either returned by Seanad Éireann to Dáil Éireann with recommendations which Dáil Éireann does not accept or is not returned by Seanad Éireann to Dáil Éireann, within the period specified in the resolution, the Bill shall be deemed to have been passed by both Houses of the Oireachtas at the expiration of that period.

ARTICLE 24.3 AIRTEAGAL 24.3**LITERAL ENGLISH TRANSLATION**

On a Bill the period for the consideration of which by Seanad Éireann was shortened under this Article being made law, it will be in force for a period of ninety days from the date of its enactment, but that will be all, unless both Houses of the Oireachtas agree before the end of that period (that) that law remain in force for a period which is longer than that, and that the period that is so agreed is mentioned in resolutions by both Houses.

ENGLISH TEXT

When a Bill the time for the consideration of which by Seanad Éireann has been abridged under this Article becomes law it shall remain in force for a period of ninety days from the date of its enactment and no longer unless, before the expiration of that period, both Houses shall have agreed that such law shall remain in force for a longer period and the longer period so agreed upon shall have been specified in resolutions passed by both Houses.

ARTICLE 25.1 AIRTEAGAL 25.1**LITERAL ENGLISH TRANSLATION***Signing and Promulgating Laws*

As soon as a Bill is passed, other than a Bill which is mentioned/stated to be a Bill in which there is a proposal to amend this Constitution, or is deemed to have been passed by both Houses of the Oireachtas, the Taoiseach must offer that Bill to the President to put his hand to it and to promulgate it as a law in accordance with the provisions of this Article.

ENGLISH TEXT*Signing and Promulgation of Laws*

As soon as any Bill, other than a Bill expressed to be a Bill containing a proposal for the amendment of this Constitution, shall have been passed or deemed to have been passed by both Houses of the Oireachtas, the Taoiseach shall present it to the President for his signature and for promulgation by him as law in accordance with the provisions of this Article.

ARTICLE 25.2.1o AIRTEAGAL 25.2.1o

LITERAL ENGLISH TRANSLATION

Apart from a case for which the contrary is provided by this Constitution, each Bill which is offered to the President in that way to put his hand to it and to promulgate it (as law, he must put his hand to it on a day not earlier than the fifth day and not later than the seventh day after the day the Bill is offered to him.

ENGLISH TEXT

Save as otherwise provided by this Constitution, every Bill so presented to the President for his signature and for promulgation by him as a law shall be signed by the President not earlier than the fifth and not later than the seventh day after the date on which the Bill shall have been presented to him.

ARTICLE 25.2.2o AIRTEAGAL 25.2.2o

LITERAL ENGLISH TRANSLATION

On the petition/request of the Government, with the joint consent of Seanad Éireann beforehand, the President may put his hand to any Bill which gives rise to that petition/request earlier than the fifth day after the aforesaid date.

ENGLISH TEXT

At the request of the Government, with the prior concurrence of Seanad Éireann, the President may sign any Bill the subject of such request on a date which is earlier than the fifth day after such date as aforesaid.

ARTICLE 25.3 AIRTEAGAL 25.3

LITERAL ENGLISH TRANSLATION

Every Bill the period for the consideration of which by Seanad Éireann was shortened under Article 24 of this Constitution, the President must put his hand to it (on) the day that that Bill is offered to him to sign it and to promulgate it as law.

ENGLISH TEXT

Every Bill the time for the consideration of which by Seanad Éireann shall have been abridged under Article 24 of this Constitution shall be signed by the President on the day on which such Bill is presented to him for signature and promulgation as a law.

ARTICLE 25.4.1o AIRTEAGAL 25.4.1o

LITERAL ENGLISH TRANSLATION

Every Bill becomes law the day the President puts his hand to it under this Constitution and it is a law (on) that day and from that day on and, unless it is clear that there is a contrary intention in regard to it, that is the day it comes into operation.

ENGLISH TEXT

Every Bill shall become and be law as on and from the day on which it is signed by the President under this Constitution, and shall, unless the contrary intention appears, come into operation on that day.

ARTICLE 25.4.2o AIRTEAGAL 25.4.2o

LITERAL ENGLISH TRANSLATION

Every Bill to which the President puts his hand under this Constitution he must promulgate it as law by a notice in the Official Journal, under an order from him, saying that the Bill is law.

ENGLISH TEXT

Every Bill signed by the President under this Constitution shall be promulgated by him as a law by the publication by his direction of a notice in the Iris Oifigiúil stating that the Bill has become law.

ARTICLE 25.4.3o AIRTEAGAL 25.4.3o

LITERAL ENGLISH TRANSLATION

The text of a Bill to which the President will put his hand is the text which was passed or is deemed to have been passed by both Houses of the Oireachtas and, if a Bill is passed or if it is deemed to have been so passed in the two official languages, the President will put his hand to the Irish text and to the English text of the Bill.

ENGLISH TEXT

Every Bill shall be signed by the President in the text in which it was passed or deemed to have been passed by both Houses of the Oireachtas, and if a Bill is so passed or deemed to have been passed in both the official languages, the President shall sign the text of the Bill in each of those languages.

ARTICLE 25.4.4o AIRTEAGAL 25.4.4o

LITERAL ENGLISH TRANSLATION

In the event of the President's putting his hand to the text of a Bill in one of the official languages and in that language only, an official translation must be brought out in the other official language.

ENGLISH TEXT

Where the President signs the text of a Bill in one only of the official languages, an official translation shall be issued in the other official language.

ARTICLE 25.4.5o AIRTEAGAL 25.4.5o

LITERAL ENGLISH TRANSLATION

As soon as is possible after signing a Bill and promulgating it as law, the text of that law on which will be the President's hand/signature or, in the case of the President's hand/signature being on the Irish text and on the English text of that law, those two signed texts must be put into its journal or into their journal in the office of the Recorder of the Supreme Court, and the text that will be so put into its journal, or the two texts that will be so put into their journal, is/are irrefutable evidence of the provisions of that law.

ARTICLE 25.4.6o AIRTEAGAL 25.4.6o

LITERAL ENGLISH TRANSLATION

In the event that the Irish text and the English text of a law are put into their journal under this section and those two texts are not in accord with one another, (it is) the Irish text which will have supremacy/dominance.

ENGLISH TEXT

In case of conflict between the texts of a law enrolled under this section in both the official languages, the text in the national language shall prevail.

ARTICLE 25.5.1o AIRTEAGAL 25.5.1o

LITERAL ENGLISH TRANSLATION

It is lawful for the Taoiseach to bring about, from time to time according as he sees that there is a need for it, that a text (in Irish and in English) of this Constitution, as it will be in force at that time and in which will be all the amendments which will have been made to it up to then, be prepared under his guidance.

ENGLISH TEXT

It shall be lawful for the Taoiseach, from time to time as occasion appears to him to require, to cause to be prepared under his supervision a text (in both the official languages) of this Constitution as then in force embodying all amendments theretofore made therein.

ARTICLE 25.5.2o AIRTEAGAL 25.5.2o

LITERAL ENGLISH TRANSLATION

Every text which will be so prepared the President must put his hand to a copy of it on its being verified by the signatures of the Taoiseach and the Chief Justice, and that copy must be put into its journal in the office of the Recorder of the Supreme Court.

ENGLISH TEXT

A copy of every text so prepared, when authenticated by the signatures of the Taoiseach and the Chief Justice, shall be signed by the President and shall be enrolled for record in the office of the Registrar of the Supreme Court.

ARTICLE 25.5.3o AIRTEAGAL 25.5.3o

LITERAL ENGLISH TRANSLATION

The copy which will be so signed and put into its journal and which is the latest text, having been so prepared, at the particular time, it will be, on being so put into its journal, irrefutable evidence of this Constitution as it will be on the date of that copy's being so put into its journal and, to that end, it will take the place of all the texts of this Constitution copies of which will have been so put into their journal before that.

ENGLISH TEXT

The copy so signed and enrolled which is for the time being the latest text so prepared shall, upon such enrolment, be conclusive evidence of this Constitution as at the date of such enrolment and shall for that purpose supersede all texts of this Constitution of which copies were previously so enrolled.

ARTICLE 25.5.4o AIRTEAGAL 25.5.4o

LITERAL ENGLISH TRANSLATION

In the event that the texts of any particular copy of this Constitution which will be put into its journal under this section are not in accord with one another, it is the Irish text which will have dominance/supremacy.

ENGLISH TEXT

In case of conflict between the texts of any copy of this Constitution enrolled under this section, the text in the national language shall prevail.

ARTICLE 26 AIRTEAGAL 26

LITERAL ENGLISH TRANSLATION

Submitting Bills to the Supreme Court for determination

This Article applies to every Bill which is passed or is deemed to have been passed by the two Houses of the Oireachtas, except a Money Bill, or a Bill which is stated to be a Bill which contains a proposal to amend the Constitution, or a Bill the period for the consideration of which by Seanad Éireann was shortened under Article 24 of this Constitution.

ENGLISH TEXT

Reference of Bills to the Supreme Court

This Article applies to any Bill passed or deemed to have been passed by both Houses of the Oireachtas other than a Money Bill, or a Bill expressed to be a Bill containing a proposal to amend the Constitution, or a Bill the time for the consideration of which by Seanad Éireann shall have been abridged under Article 24 of this Constitution.

ARTICLE 26.1.1o AIRTEAGAL 26.1.1o

LITERAL ENGLISH TRANSLATION

The President is permitted, after taking counsel with the Council of State, to submit any Bill to which this Article relates to the Supreme Court for determination whether that Bill or any (particular) provisions or provision of it are contrary to this Constitution or contrary to any provision of it.

ENGLISH TEXT

The President may, after consultation with the Council of State, refer any Bill to which this Article applies to the Supreme Court for a decision on the question as to whether such Bill or any specified provision or provisions of such Bill is or are repugnant to this Constitution or to any provision thereof.

ARTICLE 26.1.2o AIRTEAGAL 26.1.2o

TÉACS GAELIGE

LITERAL ENGLISH TRANSLATION

In every case of that kind the Bill must be submitted to the Court for determination (on) a day which is not later than the seventh day after the date on which the Taoiseach offers the Bill to the President to put his hand to it.

ENGLISH TEXT

Every such reference shall be made not later than the seventh day after the date on which such Bill shall have been presented by the Taoiseach to the President for his signature.

ARTICLE 26.1.3_o AIRTEAGAL 26.1.3_o

LITERAL ENGLISH TRANSLATION

Any Bill which is submitted to the Supreme Court for determination under this Article, the President is not permitted to put his hand to it until the Court gives its decision.

ENGLISH TEXT

The President shall not sign any Bill the subject of a reference to the Supreme Court under this Article pending the pronouncement of the decision of the Court.

ARTICLE 26.2.1_o AIRTEAGAL 26.2.1_o

LITERAL ENGLISH TRANSLATION

The Supreme Court, a court in which there will be at least five judges, must consider every question which the President submits to it for determination under this Article and, after listening to arguments from the Attorney General or on his behalf and from barristers who will be chosen by the Court, it must give its decision on that question publicly in the court as soon as possible and, at any rate, (on) a day not later than sixty days after submitting the question to it for determination.

ENGLISH TEXT

The Supreme Court consisting of not less than five judges shall consider every question referred to it by the President under this Article for a decision, and, having heard arguments by or on behalf of the Attorney General and by counsel assigned by the Court, shall pronounce its decision on such question in open court as soon as may be, and in any case not later than sixty days after the date of such reference.

ARTICLE 26.2.2_o AIRTEAGAL 26.2.2_o

LITERAL ENGLISH TRANSLATION

The judgement which the majority of the judges of the Supreme Court give, that is the judgement of the Court for the purposes of this Article and he who will announce that judgement is that one of those judges whom the Court will appoint to that end, and it is not permitted to announce any other opinion, agreeing or disagreeing with that judgement, nor is it permitted to disclose that there is any other opinion of that kind.

ENGLISH TEXT

The decision of the majority of the judges of the Supreme Court shall, for the purposes of this Article, be the decision of the Court and shall be pronounced by such one of those judges as the Court shall direct, and no other opinion, whether assenting or dissenting, shall be pronounced nor shall the existence of any such other opinion be disclosed.

ARTICLE 26.3.1^o AIRTEAGAL 26.3.1^o

LITERAL ENGLISH TRANSLATION

In the case of any Bill which is submitted to the Supreme Court for determination under this Article, if it is the judgement of the Court that any provision of it is contrary to this Constitution or contrary to any provision of it, the President must decline to put his hand to that Bill.

ENGLISH TEXT

In every case in which the Supreme Court decides that any provision of a Bill the subject of a reference to the Supreme Court under this Article is repugnant to this Constitution or to any provision thereof, the President shall decline to sign such Bill.

ARTICLE 26.3.2^o AIRTEAGAL 26.3.2^o

LITERAL ENGLISH TRANSLATION

In the event of a request having been sent to the President under Article 27 of this Constitution with regard to a Bill to which that Article applies, that Article must be fulfilled.

ENGLISH TEXT

If, in the case of a Bill to which Article 27 of this Constitution applies, a petition has been addressed to the President under that Article, that Article shall be complied with.

ARTICLE 26.3.3^o AIRTEAGAL 26.3.3^o

LITERAL ENGLISH TRANSLATION

In every other case the President must put his hand to the Bill as soon as possible after the day the Supreme Court gives its judgement.

ENGLISH TEXT

In every other case the President shall sign the Bill as soon as may be after the date on which the decision of the Supreme Court shall have been pronounced.

ARTICLE 27 AIRTEAGAL 27

LITERAL ENGLISH TRANSLATION

Submitting Bills to the People for determination

This Article applies to every Bill, other than a Bill which is stated/mentioned as being a Bill in which there is a proposal to amend this Constitution, which is deemed, by virtue of Article 23 of this Constitution, to have been passed by the two Houses of the Oireachtas.

ENGLISH TEXT

Reference of Bills to the People

This Article applies to any Bill, other than a Bill expressed to be a Bill containing a proposal for the amendment of this Constitution, which shall have been deemed, by virtue of Article 23 hereof, to have been passed by both Houses of the Oireachtas.

ARTICLE 27.1 AIRTEAGAL 27.1

LITERAL ENGLISH TRANSLATION

A majority of the members of Seanad Éireann, along with at least a third of the members of Dáil Éireann, are permitted to send a joint-appeal to the President under this Article, asking him to decline to put his hand to any Bill to which this Article applies and (to decline) to promulgate that Bill as law, because of its having a proposal in which there is so much national importance that the judgement of the people on it should be obtained.

ENGLISH TEXT

A majority of the members of Seanad Éireann and not less than one-third of the members of Dáil Éireann may by a joint petition addressed to the President by them under this Article request the President to decline to sign and promulgate as a law any Bill to which this Article applies on the ground that the Bill contains a proposal of such national importance that the will of the people thereon ought to be ascertained.

ARTICLE 27.2 AIRTEAGAL 27.2

LITERAL ENGLISH TRANSLATION

Every petition/appeal of that kind must be in writing and under the hand of the petitioners and their signatures must be verified in the manner ordered by law.

ENGLISH TEXT

Every such petition shall be in writing and shall be signed by the petitioners whose signatures shall be verified in the manner prescribed by law.

ARTICLE 27.3 AIRTEAGAL 27.3

LITERAL ENGLISH TRANSLATION

There must be a clear account in every petition of that kind of the particular matter or matters on which it is based, and (it must) be offered to the President on a day not later than four days after the date on which the Bill is deemed to have been passed by the two Houses of the Oireachtas.

ENGLISH TEXT

Every such petition shall contain a statement of the particular ground or grounds on which the request is based, and shall be presented to the President not later than four days after the date on which the Bill shall have been deemed to have been passed by both Houses of the Oireachtas.

ARTICLE 27.4.1 AIRTEAGAL 27.4.1

LITERAL ENGLISH TRANSLATION

As soon as the President gets a petition under this Article he must consider it and, after taking counsel with the Council of State, give his judgement on it (on) a day not later than ten days after the day that that Bill to which the petition relates/applies is deemed to have been passed, by the two Houses of the Oireachtas.

ENGLISH TEXT

Upon receipt of a petition addressed to him under this Article, the President shall forthwith consider such petition and shall, after consultation with the Council of State, pronounce his decision thereon not later than ten days after the date on which the Bill to which such petition

relates shall have been deemed to have been passed by both Houses of the Oireachtas.

ARTICLE 27.4.2^o AIRTEAGAL 27.4.2^o

LITERAL ENGLISH TRANSLATION

In the case of the Bill or of any provision of it being referred to the Supreme Court for determination under Article 26 of this Constitution the President will not have to consider the petition if the Supreme Court, in consequence of that submission for determination, does not announce or until the Supreme Court does announce a judgement declaring that that Bill or that provision of it is not contrary to this Constitution nor contrary to any provision of it and, in the case of the Supreme Court's announcing a judgement affirming that, the President will not have to announce his judgement on the petition for six days after the day the judgement of the Supreme Court will be announced affirming as stated.

ENGLISH TEXT

If the Bill or any provision thereof is or has been referred to the Supreme Court under Article 26 of this Constitution, it shall not be obligatory on the President to consider the petition unless or until the Supreme Court has pronounced a decision on such reference to the effect that the said Bill or the said provision thereof is not repugnant to this Constitution or to any provision thereof, and, if a decision to that effect is pronounced by the Supreme Court, it shall not be obligatory on the President to pronounce his decision on the petition before the expiration of six days after the day on which the decision of the Supreme Court to the effect aforesaid is pronounced.

ARTICLE 27.5.1^o AIRTEAGAL 27.5.1^o

LITERAL ENGLISH TRANSLATION

In the case of every Bill which is the ground for a petition under this Article, if it is the judgement of the President that it contains a proposal which is of such national importance that the judgement of the people should be obtained on it, he must send a written document under his hand and under his Seal to the Taoiseach and to the Chairman of each House of the Oireachtas informing them of that, and he must decline to put his hand to that Bill and to promulgate it (as) law unless the proposal is accepted, and until it is accepted

ENGLISH TEXT

In every case in which the President decides that a Bill the subject of a petition under this Article contains a proposal of such national importance that the will of the people thereon ought to be ascertained, he shall inform the Taoiseach and the Chairman of each House of the Oireachtas accordingly in writing under his hand and Seal and shall decline to sign and promulgate such Bill as a law unless and until the proposal shall have been approved either

ARTICLE 27.5.1^o, ii AIRTEAGAL 27.5.1^o, ii

LITERAL ENGLISH TRANSLATION

i by the will of the people in a Referendum in accordance with the provisions of section 2 of Article 47 of this Constitution, within eighteen months from the day the President gives his decision, or
ii by resolution by Dáil Éireann passed within the aforesaid period after Dáil Éireann has dissolved and re-assembled.

ENGLISH TEXT

i by the people at a Referendum in accordance with the provisions of section 2 of Article 47 of this Constitution within a period of eighteen months from the date of the President's decision, or
ii by a resolution of Dáil Éireann passed within the said period after a dissolution and re-assembly of Dáil Éireann.

ARTICLE 27.5.2^o AIRTEAGAL 27.5.2^o

LITERAL ENGLISH TRANSLATION

Whenever a proposal (which is) in a Bill which is ground for a petition under this Article is accepted by the will of the people or by a resolution by Dáil Éireann in accordance with the foregoing provisions of this section, that Bill must be offered to the President as soon as possible after its acceptance, in order to put his hand to it and to promulgate it as law, and thereupon the President must put his hand to the Bill and duly promulgate it as law.

ENGLISH TEXT

Whenever a proposal contained in a Bill the subject of a petition under this Article shall have been approved either by the people or by a resolution of Dáil Éireann in accordance with the foregoing provisions of this section, such Bill shall as soon as may be after such approval be presented to the President for his signature and promulgation by him as a law and the President shall thereupon sign the Bill and duly promulgate it as a law.

ARTICLE 27.6 AIRTEAGAL 27.6

LITERAL ENGLISH TRANSLATION

In the case of each Bill which is ground for a petition under this Article, if it is the judgement of the President that there is no proposal in it that is of such national importance that the judgement of the people on it should be obtained, he must send a written document under his hand and under his Seal to the Taoiseach and to the Chairman of each House of the Oireachtas informing them of that, and put his hand to that Bill on a day not later than eleven days after the day that that Bill is deemed to have been passed by the two Houses of the Oireachtas, and duly promulgate it as law.

ENGLISH TEXT

In every case in which the President decides that a Bill the subject of a petition under this Article does not contain a proposal of such national importance that the will of the people thereon ought to be ascertained, he shall inform the Taoiseach and the Chairman of each House of the Oireachtas accordingly in writing under his hand and Seal, and such Bill shall be signed by the President not later than eleven days after the date on which the Bill shall

have been deemed to have been passed by both Houses of the Oireachtas and shall be duly promulgated by him as law.

THE GOVERNMENT AN RIALTAS

ARTICLE 28.1 AIRTEAGAL 28.1

LITERAL ENGLISH TRANSLATION

The complement of members of the Government is at least seven (people), and at most fifteen people, and it is the President who will appoint those members in accordance with the provisions of this Constitution.

ENGLISH TEXT

The Government shall consist of not less than seven and not more than fifteen members who shall be appointed by the President in accordance with the provisions of this Constitution.

ARTICLE 28.2 AIRTEAGAL 28.2

LITERAL ENGLISH TRANSLATION

Within the constraint/scope of the provisions of this Constitution, it is the Government that will operate, or it is with the authority of the Government that will be operated, the implemental power of the State.

ENGLISH TEXT

The executive power of the State shall, subject to the provisions of this Constitution, be exercised by or on the authority of the Government.

ARTICLE 28.3.1_o AIRTEAGAL 28.3.1_o

LITERAL ENGLISH TRANSLATION

It is not lawful to declare war nor for the State to partake in any war except with the agreement of Dáil Éireann.

ENGLISH TEXT

War shall not be declared and the State shall not participate in any war save with the assent of Dáil Éireann.

ARTICLE 28.3.2_o AIRTEAGAL 28.3.2_o

LITERAL ENGLISH TRANSLATION

But the Government may, in the case of invasion, do anything that they consider necessary to defend the State, and if Dáil Éireann is not sitting it must be convened as soon as is possible.

ENGLISH TEXT

In the case of actual invasion, however, the Government may take whatever steps they may consider necessary for the protection of the State, and Dáil Éireann if not sitting shall be summoned to meet at the earliest practicable date.

ARTICLE 28.3.3_o AIRTEAGAL 28.3.3_o

LITERAL ENGLISH TRANSLATION

It is not permitted to plead anything that is in this Constitution to invalidate any law which the Oireachtas enacts if it is stated in it that it is a law to ensure the security of the people and to preserve the State in time of war or armed revolt, nor to nullify any act which is done or which gives to understand that it is an act done in time of war or armed revolt in pursuance of any such law. In this subsection, “time of war” covers a time when armed conflict in which the State is not participating will be in progress but that each House of the Oireachtas will have

decided by resolution in regards to it that, because of that armed conflict, a state of national emergency exists which makes a difference to the basis of the life of the State and “time of war or armed revolt” covers that period of time which there will be between the time any war, or any armed conflict of the aforementioned kind, or armed revolt is put to an end and the time that each House of the Oireachtas decides by resolution that the state of national emergency which that war, or that armed conflict, or that armed revolt caused, no longer exists.

ENGLISH TEXT

Nothing in this Constitution shall be invoked to invalidate any law enacted by the Oireachtas which is expressed to be for the purpose of securing the public safety and the preservation of the State in time of war or armed rebellion, or to nullify any act done or purporting to be done in time of war or armed rebellion in pursuance of any such law. In this sub-section “time of war” includes a time when there is taking place an armed conflict in which the State is not a participant but in respect of which each of the Houses of the Oireachtas shall have resolved that, arising out of such armed conflict, a national emergency exists affecting the vital interests of the State and “time of war or armed rebellion” includes such time after the termination of any war, or of any such armed conflict as aforesaid, or of an armed rebellion, as may elapse until each of the Houses of the Oireachtas shall have resolved that the national emergency occasioned by such war, armed conflict, or armed rebellion has ceased to exist.

ARTICLE 28.4.1 AIRTEAGAL 28.4.1

LITERAL ENGLISH TRANSLATION

The Government is answerable to Dáil Éireann.

ENGLISH TEXT

The Government shall be responsible to Dáil Éireann.

ARTICLE 28.4.2 AIRTEAGAL 28.4.2

LITERAL ENGLISH TRANSLATION

It is in joint authority that the Government will come together and will act, and they are all together responsible for the Departments of State that are administered by members of the Government.

ENGLISH TEXT

The Government shall meet and act as a collective authority, and shall be collectively responsible for the Departments of State administered by the members of the Government.

ARTICLE 28.4.3 AIRTEAGAL 28.4.3

LITERAL ENGLISH TRANSLATION

The Government must prepare Estimates of the Income of the State and Estimates of the Expenditure of the State for each financial year, and put them before Dáil Éireann for their consideration.

ENGLISH TEXT

The Government shall prepare Estimates of the Receipts and Estimates of the Expenditure of the State for each financial year, and shall present them to Dáil Éireann for consideration.

Note that this text is now Article 28.4.4, the Amendment on Cabinet confidentiality (see Appendix 4) being the enrolled Article 28.4.3.

ARTICLE 28.5.1o AIRTEAGAL 28.5.1o

LITERAL ENGLISH TRANSLATION

The Taoiseach is the title of the head of the Government, i.e. the Prime Minister, and that is what he is called in the Constitution.

ENGLISH TEXT

The head of the Government, or Prime Minister, shall be called, and is in this Constitution referred to as, the Taoiseach.

ARTICLE 28.5.2_o AIRTEAGAL 28.5.2_o

LITERAL ENGLISH TRANSLATION

The Taoiseach must give information in general to the President on matters which relate to internal policy and to external policy.

ENGLISH TEXT

The Taoiseach shall keep the President generally informed on matters of domestic and international policy.

ARTICLE 28.6.2_o AIRTEAGAL 28.6.2_o

LITERAL ENGLISH TRANSLATION

If the Taoiseach dies or if he becomes permanently incapacitated/deranged/confused, the Tánaiste must act for every purpose in place of the Taoiseach until another Taoiseach is appointed.

ENGLISH TEXT

The Tánaiste shall act for all purposes in the place of the Taoiseach if the Taoiseach should die, or become permanently incapacitated, until a new Taoiseach shall have been appointed.

ARTICLE 28.6.3_o AIRTEAGAL 28.6.3_o

LITERAL ENGLISH TRANSLATION

The Tánaiste must, moreover, act on behalf of or in place of the Taoiseach while he is temporarily absent.

ENGLISH TEXT

The Tánaiste shall also act for or in the place of the Taoiseach during the temporary absence of the Taoiseach.

ARTICLE 28.7.1_o AIRTEAGAL 28.7.1_o

LITERAL ENGLISH TRANSLATION

The Taoiseach and the Tánaiste and that member of the Government who will be in charge of the Department of Finance must be members of Dáil Éireann.

ENGLISH TEXT

The Taoiseach, the Tánaiste and the member of the Government who is in charge of the Department of Finance must be members of Dáil Éireann.

ARTICLE 28.7.2^o AIRTEAGAL 28.7.2^o

LITERAL ENGLISH TRANSLATION

The other members of the Government must be members of Dáil Éireann or of Seanad Éireann but it is not lawful that more than two of them be members of Seanad Éireann.

ENGLISH TEXT

The other members of the Government must be members of Dáil Éireann or Seanad Éireann, but not more than two may be members of Seanad Éireann.

ARTICLE 28.8 AIRTEAGAL 28.8

LITERAL ENGLISH TRANSLATION

Every member of the Government has the right to be present and to speak in each House of the Oireachtas.

ENGLISH TEXT

Every member of the Government shall have the right to attend and be heard in each House of the Oireachtas.

ARTICLE 28.9.1^o AIRTEAGAL 28.9.1^o

LITERAL ENGLISH TRANSLATION

The Taoiseach may give up office at any time by informing the President of that.

ENGLISH TEXT

The Taoiseach may resign from office at any time by placing his resignation in the hands of the President.

ARTICLE 28.9.2^o AIRTEAGAL 28.9.2^o

LITERAL ENGLISH TRANSLATION

Any other member of the Government may give up office by informing the Taoiseach of that in order to put the matter before the President.

ENGLISH TEXT

Any other member of the Government may resign from office by placing his resignation in the hands of the Taoiseach for submission to the President.

ARTICLE 28.9.3^o AIRTEAGAL 28.9.3^o

LITERAL ENGLISH TRANSLATION

The President must accept any member of the Government, other than the Taoiseach, giving up office if the Taoiseach recommends that to him.

ENGLISH TEXT

The President shall accept the resignation of a member of the Government, other than the Taoiseach, if so advised by the Taoiseach.

ARTICLE 28.9.4^o AIRTEAGAL 28.9.4^o

LITERAL ENGLISH TRANSLATION

The Taoiseach may at any time, for reasons which he himself considers sufficient, ask a member of the Government to give up office; if that member does not act in accordance with that request, the President must put that member out of office if the Taoiseach so advises.

ENGLISH TEXT

The Taoiseach may at any time, for reasons which to him seem sufficient, request a member of the Government to resign; should the member concerned fail to comply with the request, his appointment shall be terminated by the President if the Taoiseach so advises.

ARTICLE 28.10 AIRTEAGAL 28.10

LITERAL ENGLISH TRANSLATION

Any time that a majority in Dáil Éireann does not continue to be in support of the Taoiseach, he must give up office unless the President dissolves Dáil Éireann on the advice of the Taoiseach and the Taoiseach succeeds in getting the support of a majority in Dáil Éireann on the reassembly of Dáil Éireann after the dissolution.

ENGLISH TEXT

The Taoiseach shall resign from office upon his ceasing to retain the support of a majority in Dáil Éireann unless on his advice the President dissolves Dáil Éireann and on the reassembly of Dáil Éireann after the dissolution the Taoiseach secures the support of a majority in Dáil Éireann.

ARTICLE 28.11.1o AIRTEAGAL 28.11.1o

LITERAL ENGLISH TRANSLATION

If the Taoiseach gives up office at any time, it must be considered that the rest of the members of the Government give up office also; but the Taoiseach and the rest of the members of the Government will continue with their duties until their successors are appointed.

ENGLISH TEXT

If the Taoiseach at any time resigns from office the other members of the Government shall be deemed also to have resigned from office, but the Taoiseach and the other members of the Government shall continue to carry on their duties until their successors shall have been appointed.

ARTICLE 28.11.2o AIRTEAGAL 28.11.2o

LITERAL ENGLISH TRANSLATION

The members of the Government who will be in office on the day of a dissolution of Dáil Éireann, they will continue in their office until their successors are appointed.

ENGLISH TEXT

The members of the Government in office at the date of a dissolution of Dáil Éireann shall continue to hold office until their successors shall have been appointed.

ARTICLE 28.12 AIRTEAGAL 28.12

LITERAL ENGLISH TRANSLATION

The following matters will be regulated in accordance with law i.e. the organization of Departments of State and the division of business between them, the appointment of members of the Government to be Ministers in charge of those Departments, the fulfilling of the functions relating to the office of a member of the Government while that member is absent for a period or (mentally) incapacitated, and the salary of members of the Government.

ENGLISH TEXT

The following matters shall be regulated in accordance with law, namely, the organization of, and distribution of business amongst Departments of State, the designation of members of the Government to be the Ministers in charge of the said Departments, the discharge of the functions of the office of a member of the Government during his temporary absence or incapacity, and the remuneration of the members of the Government.

INTERNATIONAL RELATIONS CAIDREAMH IDIRNÁISIÚNTA

ARTICLE 29.1 AIRTEAGAL 29.1

LITERAL ENGLISH TRANSLATION

Ireland affirms that she wishes peace and co-operation, in accordance with international equity and international morality, to be established between the nations of the world.

ENGLISH TEXT

Ireland affirms its devotion to the ideal of peace and friendly co-operation amongst nations founded on international justice and morality.

ARTICLE 29.2 AIRTEAGAL 29.2

LITERAL ENGLISH TRANSLATION

Ireland further affirms that she wishes that all strife between nations should be settled peacefully by international arbitration or by judicial decision.

ENGLISH TEXT

Ireland affirms its adherence to the principle of the pacific settlement of international disputes by international arbitration or judicial determination.

ARTICLE 29.3 AIRTEAGAL 29.3

LITERAL ENGLISH TRANSLATION

Ireland accepts the generally acknowledged fundamental rules of international law to be a guide for Ireland in its relations with other States.

ENGLISH TEXT

Ireland accepts the generally recognised principles of international law as its rule of conduct in its relations with other States.

ARTICLE 29.4.1o AIRTEAGAL 29.4.1o

LITERAL ENGLISH TRANSLATION

In accordance with Article 28 of this Constitution it is the Government which will operate, or it is with the authority of the Government that will be operated, the discharging power of the State as regards its external relations.

ENGLISH TEXT

The executive power of the State in or in connection with its external relations shall in accordance with Article 28 of this Constitution be exercised by or on the authority of the Government.

ARTICLE 29.4.2_o AIRTEAGAL 29.4.2_o

LITERAL ENGLISH TRANSLATION

So that any discharging function of the State can be operated as regards its external relations the Government will be able, to the extent that will be decided by law and within the constraint/scope of whatever conditions will be decided by law, if it is decided, to utilise or accept any organ of state or instrument or procedure which is utilized or accepted for such a purpose by the nations which are members of any group or any association of nations with which the State is or will be in coalition/alignment for international co-operation in affairs which concern them all.

ENGLISH TEXT

For the purpose of the exercise of any executive function of the State in or in connection with its external relations, the Government may to such extent and subject to such conditions, if any, as may be determined by law, avail of or adopt any organ, instrument, or method of procedure used or adopted for the like purpose by the members of any group or league of nations with which the State is or becomes associated for the purpose of international co-operation in matters of common concern.

ARTICLE 29.4.3_o AIRTEAGAL 29.4.3_o

LITERAL ENGLISH TRANSLATION

The State may be a member of the European Coal and Steel Community (which was established by a Treaty signed in Paris on the 18th day of April, 1951), of the European Economic Community (which was established by a Treaty which was signed in Rome on the 25th day of March, 1957) and of the European Atomic Energy Community (which was established by a Treaty which was signed in Rome on the 25th day of March, 1957). The State may ratify the Single European Instrument (which was signed on behalf of the Member States of the Communities in Luxembourg on the 17th day of February, 1986, and in the Hague on the 28th day of February, 1986). No provision which is in this Constitution deprives of legal validity any laws enacted, acts done or actions which the State accepted, because of the necessities of the obligations as a member of the Communities, nor prohibits laws enacted, acts done or actions accepted by the Communities, or institutions of the Communities, from having legal force in the State.

ENGLISH TEXT

The State may become a member of the European Coal and Steel Community (established by Treaty signed at Paris on the 18th day of April, 1951), the European Economic Community (established by Treaty signed at Rome on the 25th day of March, 1957) and the European Atomic Energy Community (established by Treaty signed at Rome on the 25th day of March, 1957). The State may ratify the Single European Act (signed on behalf of the Member States of the Communities at Luxembourg on the 17th day of February, 1986, and at the Hague on the 28th day of February, 1986). No provision of this Constitution invalidates laws enacted, acts done or measures adopted by the State necessitated by the obligations of membership of the Communities or prevents laws enacted, acts done or measures adopted by the Communities, or institutions thereof, from having the force of law in the State.

ARTICLE 29.5.1_o AIRTEAGAL 29.5.1_o

LITERAL ENGLISH TRANSLATION

Every international treaty in which the State will be participative must be laid before Dáil Éireann.

ENGLISH TEXT

Every international agreement to which the State becomes a party shall be laid before Dáil Éireann.

ARTICLE 29.5.2_o AIRTEAGAL 29.5.2_o

LITERAL ENGLISH TRANSLATION

Any international treaty which would incur an expense to the public fund (it) will not be binding on the State unless Dáil Éireann consents to the terms of the treaty.

ENGLISH TEXT

The State shall not be bound by any international agreement involving a charge upon public funds unless the terms of the agreement shall have been approved by Dáil Éireann.

ARTICLE 29.5.3_o AIRTEAGAL 29.5.3_o

LITERAL ENGLISH TRANSLATION

This section does not concern treaties nor agreements on technical and administrative matters.

ENGLISH TEXT

This section shall not apply to agreements or conventions of a technical and administrative character.

ARTICLE 29.6 AIRTEAGAL 29.6

LITERAL ENGLISH TRANSLATION

No international treaty will be part of the internal law of the State except as the Oireachtas/Legislature determines.

ENGLISH TEXT

No international agreement shall be part of the domestic law of the State save as may be determined by the Oireachtas.

THE ATTORNEY GENERAL

AN tARD-AIGHNE

ARTICLE 30.1 AIRTEAGAL 30.1

LITERAL ENGLISH TRANSLATION

There will be an Attorney General, and it is he who is adviser to the Government in matters of law and legal opinions, and he must operate and fulfil every power, every function and every duty which is conferred or imposed on him by this Constitution or by law.

ENGLISH TEXT

There shall be an Attorney General who shall be the adviser of the Government in matters of law and legal opinion, and shall exercise and perform all such powers, functions and duties as are conferred or imposed on him by this Constitution or by law.

ARTICLE 30.2 AIRTEAGAL 30.2

LITERAL ENGLISH TRANSLATION

It is by the President that the Attorney General will be appointed on his having been nominated by the Taoiseach.

ENGLISH TEXT

The Attorney General shall be appointed by the President on the nomination of the Taoiseach.

ARTICLE 30.3 AIRTEAGAL 30.3

LITERAL ENGLISH TRANSLATION

In the case of every crime and offence that is brought in any court which is established under Article 34 of this Constitution, except a court of summary jurisdiction, it is in the name of the People and at the suit of the Attorney General, or at the suit of some other person who is authorised for that in accordance with law, that the charge will be made.

ENGLISH TEXT

All crimes and offences prosecuted in any court constituted under Article 34 of this Constitution other than a court of summary jurisdiction shall be prosecuted in the name of the People and at the suit of the Attorney General or some other person authorised in accordance with law to act for that purpose.

ARTICLE 30.4 AIRTEAGAL 30.4

LITERAL ENGLISH TRANSLATION

The Attorney General's being a member of the Government is not permitted.

ENGLISH TEXT

The Attorney General shall not be a member of the Government.

ARTICLE 30.5.1o AIRTEAGAL 30.5.1o

LITERAL ENGLISH TRANSLATION

The Attorney General may give up office at any time by informing the Taoiseach of that in order to put the matter before the President.

ENGLISH TEXT

The Attorney General may at any time resign from office by placing his resignation in the hands of the Taoiseach for submission to the President.

ARTICLE 30.5.2o AIRTEAGAL 30.5.2o

LITERAL ENGLISH TRANSLATION

The Taoiseach may, for reasons which he himself considers sufficient, ask the Attorney General to give up office.

ENGLISH TEXT

The Taoiseach may, for reasons which to him seem sufficient, request the resignation of the Attorney General.

ARTICLE 30.5.3o AIRTEAGAL 30.5.3o

LITERAL ENGLISH TRANSLATION

If the Attorney General does not act in accordance with that request the President must put him out of office if the Taoiseach recommends it to him.

ENGLISH TEXT

In the event of failure to comply with the request, the appointment of the Attorney General shall be terminated by the President if the Taoiseach so advises.

ARTICLE 30.5.4o AIRTEAGAL 30.5.4o

LITERAL ENGLISH TRANSLATION

The Attorney General must leave office on the Taoiseach's giving up office, but he may continue with his duties until the Taoiseach's successor is appointed.

ENGLISH TEXT

The Attorney General shall retire from office upon the resignation of the Taoiseach, but may continue to carry on his duties until the successor to the Taoiseach shall have been appointed.

ARTICLE 30.6 AIRTEAGAL 30.6

LITERAL ENGLISH TRANSLATION

Within the constraint of the foregoing provisions of this Article it is in accordance with law that the office of the Attorney General will be regulated, along with the salary which is payable to the person who will hold that office.

ENGLISH TEXT

Subject to the foregoing provisions of this Article, the office of Attorney General, including the remuneration to be paid to the holder of the office, shall be regulated by law.

THE COUNCIL OF STATE AN CHOMHAIRLE STÁIT

ARTICLE 31.1 AIRTEAGAL 31.1

LITERAL ENGLISH TRANSLATION

There will be a Council of State to give help and advice to the President concerning every matter which the President will seek their counsel on, as regards his operating and fulfilling the powers and the functions which are stated in this Constitution are to be operated and fulfilled by him after taking counsel with the Council of State, and moreover to perform any other functions which are conferred on that Council by this Constitution.

ENGLISH TEXT

There shall be a Council of State to aid and counsel the President on all matters on which the President may consult the said Council in relation to the exercise and performance by him of such of his powers and functions as are by this Constitution expressed to be exercisable and performable after consultation with the Council of State, and to exercise such other functions as are conferred on the said Council by this Constitution.

ARTICLE 31.2 AIRTEAGAL 31.2

LITERAL ENGLISH TRANSLATION

It is the following people who will be members of the Council of State:

- i By virtue of office: the Taoiseach, the Tánaiste, the Chief-Justice, the President of the High-Court, the Chairman of Dáil Éireann, the Chairman of Seanad Éireann, and the Attorney General.
- ii Every person who has the capability and who wishes to act as a member of the Council of State, and who was at one time (a) President or (a) Taoiseach or (a) Chief-Justice, or (a) President of the Executive Council of the Irish Free State.
- iii Any other people who will be appointed by the President under this Article, if any person is appointed, to be members of the Council of State.

ENGLISH TEXT

The Council of State shall consist of the following members:

- i As *ex-officio* members: the Taoiseach, the Tánaiste, the Chief Justice, the President of the High Court, the Chairman of Dáil Éireann, the Chairman of Seanad Éireann, and the Attorney General.
- ii Every person able and willing to act as a member of the Council of State who shall have held the office of President, or the office of Taoiseach, or the office of Chief Justice, or the office of President of the Executive Council of Saorstát Éireann.
- iii Such other persons, if any, as may be appointed by the President under this Article to be members of the Council of State.

ARTICLE 31.3 AIRTEAGAL 31.3

LITERAL ENGLISH TRANSLATION

The President may at any time and from time to time appoint whatever other people he deems suitable, / are deemed suitable by him, from his own counsel, by warrant under his hand and under his Seal to be members of the Council of State, but it is not lawful that there be more than seven people who are appointed in that way as members of the Council of State at the same time.

ENGLISH TEXT

The President may at any time and from time to time by warrant under his hand and Seal appoint such other persons as, in his absolute discretion, he may think fit, to be members of the Council of State, but not more than seven persons so appointed shall be members of the Council of State at the same time.

ARTICLE 31.4 AIRTEAGAL 31.4

LITERAL ENGLISH TRANSLATION

Each member of the Council of State, the first time he will be at an assembly of that Council as a member of it, must make the following declaration and put his hand to it:

“In the presence of God the Almighty, I, am promising and declaring solemnly and truthfully to fulfil my duties as a member of the Council of State faithfully (and) conscientiously.”

ENGLISH TEXT

Every member of the Council of State shall at the first meeting thereof which he attends as a member take and subscribe a declaration in the following form:

“In the presence of Almighty God I, do solemnly and sincerely promise and declare that I will faithfully and conscientiously fulfil my duties as a member of the Council of State.”

ARTICLE 31.5 AIRTEAGAL 31.5

LITERAL ENGLISH TRANSLATION

Every member of the Council of State who will be appointed by the President (he) will hold office until the successor of the President who appointed him takes up his office, that is unless it happens before that that that member dies, or gives up office, or that permanent mental incapacity befalls him, or that he is put out of office.

ENGLISH TEXT

Every member of the Council of State appointed by the President, unless he previously dies, resigns, becomes permanently incapacitated, or is removed from office, shall hold office until the successor of the President by whom he was appointed shall have entered upon his office.

ARTICLE 31.7 AIRTEAGAL 31.7

LITERAL ENGLISH TRANSLATION

The President may, for reasons/grounds which are sufficient to himself, put any person of those whom he appointed to the Council of State out of office by an order under his hand and under his Seal.

ENGLISH TEXT

The President may, for reasons which to him seem sufficient, by an order under his hand and Seal, terminate the appointment of any member of the Council of State appointed by him.

ARTICLE 31.8 AIRTEAGAL 31.8

LITERAL ENGLISH TRANSLATION

The President may convene the Council of State (in) whatever place and time he will arrange for it.

ENGLISH TEXT

Meetings of the Council of State may be convened by the President at such times and places as he shall determine.

ARTICLE 32 AIRTEAGAL 32

LITERAL ENGLISH TRANSLATION

Any powers or functions which it is mentioned concerning them in this Constitution that it is lawful for the President to operate or to fulfil them after taking counsel from the Council of State, the President is not permitted to operate or fulfil any power or function of them unless he convenes the Council of State in every case beforehand, and listens to the members of that Council who will be present.

ENGLISH TEXT

The President shall not exercise or perform any of the powers or functions which are by this Constitution expressed to be exercisable or performable by him after consultation with the Council of State unless, and on every occasion before so doing, he shall have convened a meeting of the Council of State and the members present at such meeting shall have been heard by him.

THE COMPTROLLER AND AUDITOR GENERAL

AN tARD-REACHTAIRE CUNTAS AGUS CISTE

ARTICLE 33.1 AIRTEAGAL 33.1

LITERAL ENGLISH TRANSLATION

There will be a Comptroller and Auditor General to regulate all expenditure on behalf of the State, and to make an audit of every account of money which is administered by the Oireachtas or under the authority of the Oireachtas.

ENGLISH TEXT

There shall be a Comptroller and Auditor General to control on behalf of the State all disbursements and to audit all accounts of moneys administered by or under the authority of the Oireachtas.

ARTICLE 33.2 AIRTEAGAL 33.2

LITERAL ENGLISH TRANSLATION

It is by the President that the Comptroller and Auditor General will be appointed, on being nominated by Dáil Éireann.

ENGLISH TEXT

The Comptroller and Auditor General shall be appointed by the President on the nomination of Dáil Éireann.

ARTICLE 33.3 AIRTEAGAL 33.3

LITERAL ENGLISH TRANSLATION

The Comptroller and Auditor General is not permitted to be a member of either of the Houses of the Oireachtas, nor to be in any other beneficial post or office.

ENGLISH TEXT

The Comptroller and Auditor General shall not be a member of either House of the Oireachtas and shall not hold any other office or position of emolument.

ARTICLE 33.4 AIRTEAGAL 33.4

LITERAL ENGLISH TRANSLATION

The Comptroller and Auditor General must put reports before Dáil Éireann at certain times as (will be) determined/decided by law.

ENGLISH TEXT

The Comptroller and Auditor General shall report to Dáil Éireann at stated periods as determined by law.

ARTICLE 33.5.1o AIRTEAGAL 33.5.1o

LITERAL ENGLISH TRANSLATION

It is not permitted to put the Comptroller and Auditor General out of office except as a result of misbehaviour or mental incapacity which will be cited, nor even then unless Dáil Éireann and Seanad Éireann pass resolutions demanding that he be put out of office.

ENGLISH TEXT

The Comptroller and Auditor General shall not be removed from office except for stated misbehaviour or incapacity, and then only upon resolutions passed by Dáil Éireann and by Seanad Éireann calling for his removal.

ARTICLE 33.5.2o AIRTEAGAL 33.5.2o

LITERAL ENGLISH TRANSLATION

Any resolutions of that kind which Dáil Éireann and Seanad Éireann will pass the Taoiseach must duly give an account of them / information on them to the President, and send him a copy of every resolution of that kind under the certification of the Chairman of the House of the Oireachtas which passed it.

ENGLISH TRANSLATION

The Taoiseach shall duly notify the President of any such resolutions as aforesaid passed by Dáil Éireann and by Seanad Éireann and shall send him a copy of each such resolution certified by the Chairman of the House of the Oireachtas by which it shall have been passed.

ARTICLE 33.5.3o AIRTEAGAL 33.5.3o

LITERAL ENGLISH TRANSLATION

Immediately after the President receives that report and copies of those resolutions he must, by order under his hand and under his Seal, put the Comptroller and Auditor General out of office.

ENGLISH TEXT

Upon receipt of such notification and of copies of such resolutions, the President shall forthwith, by an order under his hand and Seal, remove the Comptroller and Auditor General from office.

ARTICLE 33.6 AIRTEAGAL 33.6

LITERAL ENGLISH TRANSLATION

Within the constraint/scope of the foregoing, it is by law that the conditions and circumstances of the office of the Comptroller and Auditor General will be determined.

ENGLISH TEXT

Subject to the foregoing, the terms and conditions of the office of Comptroller and Auditor General shall be determined by law.

THE COURTS NA CÚIRTEANNA

ARTICLE 34.1 AIRTEAGAL 34.1

LITERAL ENGLISH TRANSLATION

It is in courts which are established by law and by judges who are appointed in the manner that is set out in this Constitution that justice will be administered, and it is publicly that that will be done except in those special limited cases that will be enjoined by law.

ENGLISH TEXT

Justice shall be administered in courts established by law by judges appointed in the manner provided by this Constitution, and, save in such special and limited cases as may be prescribed by law, shall be administered in public.

ARTICLE 34.2 AIRTEAGAL 34.2

LITERAL ENGLISH TRANSLATION

Those courts will include Courts of First Instance and a Court of Final Appeal.

ENGLISH TEXT

The Courts shall comprise Courts of First Instance and a Court of Final Appeal.

ARTICLE 34.3.1o AIRTEAGAL 34.3.1o

LITERAL ENGLISH TRANSLATION

Those Courts of First Instance will include a High-Court which will have full fundamental jurisdiction, and power to give a judgement, in every matter and question of law or fact whether they are civil or criminal.

ENGLISH TEXT

The Courts of First Instance shall include a High Court invested with full original jurisdiction in and power to determine all matters and questions whether of law or fact, civil or criminal.

ARTICLE 34.3.2^o AIRTEAGAL 34.3.2^o

LITERAL ENGLISH TRANSLATION

Apart from a case for which the contrary is provided by this Article, the High Court will have jurisdiction as regards that question of any particular law having or not having validity having regard to the provisions of this Constitution, and no question of that kind is permitted to be raised (through pleading or argument or otherwise) in any Court, established under this Article or under any other Article of this Constitution, except the High Court or the Supreme Court.

ENGLISH TEXT

Save as otherwise provided by this Article, the jurisdiction of the High Court shall extend to the question of the validity of any law having regard to the provisions of this Constitution, and no such question shall be raised (whether by pleading, argument or otherwise) in any Court established under this or any other Article of this Constitution other than the High Court or the Supreme Court.

ARTICLE 34.3.3^o AIRTEAGAL 34.3.3^o

LITERAL ENGLISH TRANSLATION

No Court will have jurisdiction to put in doubt the validity of a law or of any provision of a law which is a law that the President submitted the Bill for it to the Supreme Court for decision under Article 26 of this Constitution, nor to put in doubt the validity of a provision of a law if the President submitted the corresponding provision in the Bill for that law to the Supreme Court for decision under that Article 26.

ENGLISH TEXT

No Court whatever shall have jurisdiction to question the validity of a law, or any provision of a law, the Bill for which shall have been referred to the Supreme Court by the President under Article 26 of this Constitution, or to question the validity of a provision of a law where the corresponding provision in the Bill for such law shall have been referred to the Supreme Court by the President under the said Article 26.

ARTICLE 34.3.4^o AIRTEAGAL 34.3.4^o

LITERAL ENGLISH TRANSLATION

Among the Courts of First Instance, moreover, will be Courts which will have limited local jurisdiction along with a right of appeal against them as will be determined by law.

ENGLISH TEXT

The Courts of First Instance shall also include Courts of local and limited jurisdiction with a right of appeal as determined by law.

ARTICLE 34.4 AIRTEAGAL 34.4

LITERAL ENGLISH TRANSLATION

1^o It is the Supreme Court which is the title of the Court of Final Appeal. / The Supreme Court is the title of the Court of Final Appeal.

2^o It is the Chief Justice which is the title of the president of the Supreme Court. / The Chief Justice is the title of the president of the Supreme Court.

ENGLISH TEXT

1. The Court of Final Appeal shall be called the Supreme Court.
2. The president of the Supreme Court shall be called the Chief Justice.

ARTICLE 34.4.3^o AIRTEAGAL 34.4.3^o

LITERAL ENGLISH TRANSLATION

Apart from whatever exceptions and within the constraint/scope of whatever rules that will be enjoined by law, the Supreme Court will have appellate jurisdiction on all the judgements of the High Court and, moreover, on those judgements by other courts that will be enjoined by law.

ENGLISH TEXT

The Supreme Court shall, with such exceptions and subject to such regulations as may be prescribed by law, have appellate jurisdiction from all decisions of the High Court, and shall also have appellate jurisdiction from such decisions of other courts as may be prescribed by law.

ARTICLE 34.4.4o AIRTEAGAL 34.4.4o

LITERAL ENGLISH TRANSLATION

It is not permitted to enact any law which would put beyond the appellate jurisdiction of the Supreme Court cases in which questions needed to be settled regarding any law's having validity or not, having regard to the provisions of this Constitution.

ENGLISH TEXT

No law shall be enacted excepting from the appellate jurisdiction of the Supreme Court cases which involve questions as to the validity of any law having regard to the provisions of this Constitution.

ARTICLE 34.4.5o AIRTEAGAL 34.4.5o

LITERAL ENGLISH TRANSLATION

He who will announce the judgement of the Supreme Court on a question regarding a law's having validity or not having regard to the provisions of this Constitution is that one of the judges of that Court which that Court will appoint for that (purpose), and it is not permitted to announce any other opinion on that question, agreeing or disagreeing with that decision, nor is it permitted to disclose there being any other opinion of that kind.

ENGLISH TEXT

The decision of the Supreme Court on a question as to the validity of a law having regard to the provisions of this Constitution shall be pronounced by such one of the judges of that Court as that Court shall direct, and no other opinion on such question, whether assenting or dissenting, shall be pronounced, nor shall the existence of any such other opinion be disclosed.

ARTICLE 34.4.6o AIRTEAGAL 34.4.6o

LITERAL ENGLISH TRANSLATION

There will be no passing over / bypassing the judgement of the Supreme Court in any case.

ENGLISH TEXT

The decision of the Supreme Court shall in all cases be final and conclusive.

ARTICLE 34.5.1o AIRTEAGAL 34.5.1o

LITERAL ENGLISH TRANSLATION

Every person who will be appointed to be a judge under this Constitution (he) must make the following declaration and put his hand to it:

“In the presence of God the Almighty I, , (am) promising and declaring solemnly and truthfully that I will duly and faithfully perform, to the best of my knowledge and ability, the office of Chief-Justice (*or according as suits*) without fear or bias, without partiality or malevolence/ill-will to anyone, and that I will uphold the Constitution and laws of Ireland. God direct and protect me.”

ENGLISH TEXT

Every person appointed a judge under this Constitution shall make and subscribe the following declaration:

“In the presence of Almighty God I, do solemnly and sincerely promise and declare that I will duly and faithfully and to the best of my knowledge and power execute the office of Chief Justice (*or as the case may be*)

without fear or favour, affection or ill-will towards any man, and that I will uphold the Constitution and the laws. May God direct and sustain me.”

ARTICLE 34.5.2_o AIRTEAGAL 34.5.2_o

LITERAL ENGLISH TRANSLATION

It is in the presence of the President that the Chief Justice will make that declaration and put his hand to it, and it is in the court publicly and in the presence of the Chief Justice or of the most senior judge of the Supreme Court who will be available that every other judge of the Supreme Court and every judge of the High Court and of every other Court will make that declaration and put his hand to it.

ENGLISH TEXT

This declaration shall be made and subscribed by the Chief Justice in the presence of the President, and by each of the other judges of the Supreme Court, the judges of the High Court and the judges of every other Court in the presence of the Chief Justice or the senior available judge of the Supreme Court in open court.

ARTICLE 34.5.3_o AIRTEAGAL 34.5.3_o

LITERAL ENGLISH TRANSLATION

Every judge must make the declaration and put his hand to it before (he) takes up the responsibilities of the duties of his office, and at any rate, on a date not later than ten days after the day of his appointment, or a date which is later than that as the President will decide.

ENGLISH TEXT

The declaration shall be made and subscribed by every judge before entering upon his duties as such judge, and in any case not later than ten days after the date of his appointment or such later date as may be determined by the President.

ARTICLE 34.5.4_o AIRTEAGAL 34.5.4_o

LITERAL ENGLISH TRANSLATION

Any judge who will refuse or neglect to make the aforesaid declaration (it) must be deemed that he has relinquished his office.

ENGLISH TEXT

Any judge who declines or neglects to make such declaration as aforesaid shall be deemed to have vacated his office.

ARTICLE 35.1 AIRTEAGAL 35.1

LITERAL ENGLISH TRANSLATION

It is by the President that the judges of the Supreme Court, the High Court and every other Court which is established in pursuance of Article 34 of this Constitution will be appointed.

ENGLISH TEXT

The judges of the Supreme Court, the High Court and all other Courts established in pursuance of Article 34 hereof shall be appointed by the President.

ARTICLE 35.2 AIRTEAGAL 35.2

LITERAL ENGLISH TRANSLATION

Every judge will be free (and) independent as regards the operation of his judicial functions, with no restriction on him except this Constitution and the law.

ENGLISH TEXT

All judges shall be independent in the exercise of their judicial functions and subject only to this Constitution and the law.

ARTICLE 35.3 AIRTEAGAL 35.3

LITERAL ENGLISH TRANSLATION

It is not permitted that any judge be a member of either of the Houses of the Oireachtas, nor be in any other gainful post or office.

ENGLISH TEXT

No judge shall be eligible to be a member of either House of the Oireachtas or to hold any other office or position of emolument.

ARTICLE 35.4.1 AIRTEAGAL 35.4.1

LITERAL ENGLISH TRANSLATION

It is not permitted to put a judge of the Supreme Court nor of the High Court out of office except because of misconduct or mental disability which will be mentioned, nor even at that time unless Dáil Éireann and Seanad Éireann pass resolutions demanding he be put out of office.

ENGLISH TEXT

A judge of the Supreme Court or the High Court shall not be removed from office except for stated misbehaviour or incapacity, and then only upon resolutions passed by Dáil Éireann and by Seanad Éireann calling for his removal.

ARTICLE 35.4.2 AIRTEAGAL 35.4.2

LITERAL ENGLISH TRANSLATION

Any resolutions of that kind which Dáil Éireann and Seanad Éireann will pass the Taoiseach must duly give account of them to the President and send a copy of each of those resolutions to him under the certification of the Chairman of the House of the Oireachtas that passed it.

ENGLISH TEXT

The Taoiseach shall duly notify the President of any such resolutions passed by Dáil Éireann and by Seanad Éireann, and shall send him a copy of every such resolution certified by the Chairman of the House of the Oireachtas by which it shall have been passed.

ARTICLE 35.4.3 AIRTEAGAL 35.4.3

LITERAL ENGLISH TRANSLATION

Immediately after the President receives that account and copies of those resolutions he must, by order under his hand and under his Seal, put the judge to whom they relate out of office.

ENGLISH TEXT

Upon receipt of such notification and of copies of such resolutions, the President shall forthwith, by an order under his hand and Seal, remove from office the judge to whom they relate.

ARTICLE 35.5 AIRTEAGAL 35.5

LITERAL ENGLISH TRANSLATION

It is not permitted to reduce the salary of a judge while (he) is in office.

ENGLISH TEXT

The remuneration of a judge shall not be reduced during his continuance in office.

ARTICLE 36 AIRTEAGAL 36

LITERAL ENGLISH TRANSLATION

Within the constraint/scope of the foregoing provisions of this Constitution which relate to the Courts it is in accordance with law(s) that the following matters will be regulated i.e.

- i the number of judges of the Supreme Court, and of the High Court, the salary, age of retirement and pensions of those judges,
- ii the number of judges of every other Court, and the conditions under which they are appointed, and
- iii the constitution and the co-ordination of those Courts, the division of jurisdiction and work among those Courts and among those judges, and everything that relates to procedure.

ENGLISH TEXT

Subject to the foregoing provisions of this Constitution relating to the Courts, the following matters shall be regulated in accordance with law, that is to say:-

- i the number of judges of the Supreme Court, and of the High Court, the remuneration, age of retirement and pensions of such judges,
- ii the number of the judges of all other Courts, and their terms of appointment, and
- iii the constitution and organization of the said Courts, the distribution of jurisdiction and business among the said Courts and judges, and all matters of procedure.

ARTICLE 37.1 AIRTEAGAL 37.1

LITERAL ENGLISH TRANSLATION

Any person or any group who are duly authorized by law to operate limited functions and powers of judgement in matters that are not criminal matters, if they operate those functions and powers that operation will not be without legal validity by reason of anything in this Constitution, even though that person or group is not a judge or a court which was appointed or established as a judge or as a court under this Constitution.

ENGLISH TEXT

Nothing in this Constitution shall operate to invalidate the exercise of limited functions and powers of a judicial nature, in matters other than criminal matters, by any person or body of persons duly authorised by law to exercise such functions and powers, notwithstanding that such person or such body of persons is not a judge or a court appointed or established as such under this Constitution.

ARTICLE 37.2 AIRTEAGAL 37.2

LITERAL ENGLISH TRANSLATION

No adoption of a person which took effect or which is expressed to have taken effect at any time after the coming into operation of this Constitution under laws which the Oireachtas enacted and which is an adoption in pursuance of an order made by or an authorisation given by any person or any group which was specified by those laws to operate those functions and powers did not nor will not lack legal validity for the sole reason that that person or that group was not a judge or a court which was appointed or established as a judge or a court under this Constitution.

ENGLISH TEXT

No adoption of a person taking effect or expressed to

take effect at any time after the coming into operation of this Constitution under laws enacted by the Oireachtas and being an adoption pursuant to an order made or an authorisation given by any person or body of persons designated by those laws to exercise such functions and powers was or shall be invalid by reason only of the fact that such person or body of persons was not a judge or a court appointed or established as such under this Constitution.

TRIAL OF OFFENCES

TRIAL I gCIONTA

ARTICLE 38.1 AIRTEAGAL 38.1

LITERAL ENGLISH TRANSLATION

TRIAL IN OFFENCES

It is not permitted to try any person in any criminal case/prosecution except as is proper according to law.

ENGLISH TEXT

TRIAL OF OFFENCES

No person shall be tried on any criminal charge save in due course of law.

ARTICLE 38.2 AIRTEAGAL 38.2

LITERAL ENGLISH TRANSLATION

Minor offences may be tried at courts of summary jurisdiction.

ENGLISH TEXT

Minor offences may be tried by courts of summary jurisdiction.

ARTICLE 38.3.1_o AIRTEAGAL 38.3.1_o

LITERAL ENGLISH TRANSLATION

Specific courts may be established by law to try offences in cases regarding which it will be determined, in accordance with that law, that the ordinary courts are not adequate to enforce effectively the administration of justice and to preserve public order and peace.

ENGLISH TEXT

Special courts may be established by law for the trial of offences in cases where it may be determined in accordance with such law that the ordinary courts are inadequate to secure the effective administration of justice, and the preservation of public peace and order.

ARTICLE 38.3.2_o AIRTEAGAL 38.3.2_o

LITERAL ENGLISH TRANSLATION

It is by law that the constitution, powers, jurisdiction and procedure of those specific courts will be arranged.

ENGLISH TEXT

The constitution, powers, jurisdiction and procedure of such special courts shall be prescribed by law.

ARTICLE 38.4.1 AIRTEAGAL 38.4.1

LITERAL ENGLISH TRANSLATION

Military benches may be established to try people in offences against military law which it is said they did while they were under military law, and moreover to cope with unrest or with armed rebellion.

ENGLISH TEXT

Military tribunals may be established for the trial of offences against military law alleged to have been committed by persons while subject to military law and also to deal with a state of war or armed rebellion.

ARTICLE 38.4.2 AIRTEAGAL 38.4.2

LITERAL ENGLISH TRANSLATION

A person of the Defence Forces who is not on (military) service it is not permitted to try him before any army court or other military bench in an offence that can be tried in the civil courts, unless it is a crime which is under the jurisdiction of any army court or other military bench under any law to enforce military discipline.

ENGLISH TEXT

A member of the Defence Forces not on active service shall not be tried by any courtmartial or other military tribunal for an offence cognisable by the civil courts unless such offence is within the jurisdiction of any courtmartial or other military tribunal under any law for the enforcement of military discipline.

ARTICLE 38.5 AIRTEAGAL 38.5

LITERAL ENGLISH TRANSLATION

It is not permitted to try a person in any criminal charge/prosecution except in the presence of a sworn committee, except in the case of trial of offences under section 2, section 3 or section 4 of this Article.

ENGLISH TEXT

Save in the case of the trial of offences under section 2, section 3 or section 4 of this Article no person shall be tried on any criminal charge without a jury.

ARTICLE 38.6 AIRTEAGAL 38.6

LITERAL ENGLISH TRANSLATION

The provisions of Article 34 nor of Article 35 of this Constitution will not concern any court nor any bench which will be established under section 3 or section 4 of this Article.

ENGLISH TEXT

The provisions of Articles 34 and 35 of this Constitution shall not apply to any court or tribunal set up under section 3 or section 4 of this Article.

ARTICLE 39 AIRTEAGAL 39

LITERAL ENGLISH TRANSLATION

What treason is solely is to undertake war against the State, or to assist any state or person whatever, or to incite a person, or to be in conspiracy with a person, to undertake war against the State, or to make an attempt with arms or in another violent manner to overthrow the organs of government which are established by this Constitution, or someone to have a part (in) or connection with such an attempt, or to incite any person or to be in conspiracy with him in order to do it or in order that he have a part (in) or connection with it.

ENGLISH TEXT

Treason shall consist only in levying war against the State, or assisting any State or person or inciting or conspiring with any person to levy war against the State, or attempting by force of arms or other violent means to overthrow the organs of government established by this Constitution, or taking part or being concerned in or inciting or conspiring with any person to make or to take part or be concerned in any such attempt.

FUNDAMENTAL RIGHTS BUNCHEARTA

ARTICLE 40.1 AIRTEAGAL 40.1

TÉACS GAELGE

BUNCHEARTA

LITERAL ENGLISH TRANSLATION

BASIC RIGHTS

Personal Rights

It is reckoned that all the citizens are equal as human persons in the presence of the law.

But it is not to be understood from that that the State will not duly, in its enactments, have regard to the difference there is between people in their physical attributes and in their moral attributes and in their societal function.

ENGLISH TEXT

FUNDAMENTAL RIGHTS

Personal Rights

All citizens shall, as human persons, be held equal before the law.

This shall not be held to mean that the State shall not in its enactments have due regard to differences of capacity, physical and moral, and of social function.

ARTICLE 40.2.1_o AIRTEAGAL 40.2.1_o

LITERAL ENGLISH TRANSLATION

The State is not permitted to confer a title of nobility on any person.

ENGLISH TEXT

Titles of nobility shall not be conferred by the State.

ARTICLE 40.2.2_o AIRTEAGAL 40.2.2_o

LITERAL ENGLISH TRANSLATION

No citizen is permitted to accept a title of nobility nor a title of honour except with the assent beforehand of the Government.

ENGLISH TEXT

No title of nobility or of honour may be accepted by any citizen except with the prior approval of the Government.

ARTICLE 40.3.1_o AIRTEAGAL 40.3.1_o

LITERAL ENGLISH TRANSLATION

The State guarantees not to interfere by its laws with the personal rights of any citizen, and it further guarantees to defend and assert those rights with its laws in so far as it is possible.

ENGLISH TEXT

The State guarantees in its laws to respect, and, as far as practicable, by its laws to defend and vindicate the personal rights of the citizen.

ARTICLE 40.3.2^o AIRTEAGAL 40.3.2^o

LITERAL ENGLISH TRANSLATION

The State will, in particular, by its laws, protect the life and person and good reputation and property rights of every citizen from unjust attack to the extent of its power, and assert them in a case of injustice.

ENGLISH TEXT

The State shall, in particular, by its laws protect as best it may from unjust attack and, in the case of injustice done, vindicate the life, person, good name, and property rights of every citizen.

ARTICLE 40.3.3^o AIRTEAGAL 40.3.3^o

LITERAL ENGLISH TRANSLATION

The State acknowledges the right of the unborn to their life and, having due regard to the equal right of the mother to her life, it guarantees not to interfere through its laws with that right and it guarantees further to protect and assert that right with its laws in so far as it is possible.

ENGLISH TEXT

The State acknowledges the right to life of the unborn and, with due regard to the equal right to life of the mother, guarantees in its laws to respect, and, as far as practicable, by its laws to defend and vindicate that right.

ARTICLE 40.3.3^o (cont'd)

LITERAL ENGLISH TRANSLATION

This subsection will not limit freedom to travel between the State and another state.

This subsection will not limit freedom to get information or to make information available in the State as regards services which are lawfully available in another state but that (is) within the scope/constraint of whatever conditions that may be laid down by law.

ENGLISH TEXT

This subsection shall not limit freedom to travel between the State and another state.

This subsection shall not limit freedom to obtain or make available, in the State, subject to such conditions as may be laid down by law, information relating to services lawfully available in another state.

ARTICLE 40.4.1^o AIRTEAGAL 40.4.1^o

LITERAL ENGLISH TRANSLATION

It is not permitted to take his personal freedom from any citizen except in accordance with law.

ENGLISH TEXT

No citizen shall be deprived of his personal liberty save in accordance with law.

ARTICLE 40.4.2o AIRTEAGAL 40.4.2o

LITERAL ENGLISH TRANSLATION

When any person makes a complaint, or a complaint is made on behalf of any person, to the High-Court or to any judge of it stating that that person is being kept a prisoner unlawfully, the High Court and any judge and every judge of it to whom that complaint is made must inquire immediately concerning that complaint and may order the one keeping that person a prisoner to bring that person personally before the High Court (on a) day that is named and to certify in writing what the grounds for his imprisonment are, and the High Court must, when that person is brought personally before that Court and after giving an opportunity to the one keeping him a prisoner to prove that the imprisonment is a just imprisonment, order that that person be released from that imprisonment if that Court does not consider it certain that it is in accordance with the law that he is being held.

ENGLISH TEXT

Upon complaint being made by or on behalf of any person to the High Court or any judge thereof alleging that such person is being unlawfully detained, the High Court and any and every judge thereof to whom such complaint is made shall forthwith enquire into the said complaint and may order the person in whose custody such person is detained to produce the body of such person before the High Court on a named day and to certify in writing the grounds of his detention, and the High Court shall, upon the body of such person being produced before that Court and after giving the person in whose custody he is detained an opportunity of justifying the detention, order the release of such person from such detention unless satisfied that he is being detained in accordance with the law.

ARTICLE 40.4.3o AIRTEAGAL 40.4.3o

LITERAL ENGLISH TRANSLATION

In a case of a person who is said to be being unlawfully kept a prisoner's being brought in person before the High Court in pursuance of an order to that effect being made under this section and that the Court is certain that that person is being kept a prisoner in accordance with a particular law but that that law is invalid having regard to the provisions of this Constitution, the High Court must submit that question of whether that law is or is not valid to the Supreme Court for judgement in the form of a stated case and (it) can, while that question is being so submitted for judgement or at any time after that, allow that person to have his freedom, subject to those bonds and conditions that the High Court will appoint until the Supreme Court will give a judgement on the question which will be thus submitted for its judgement.

ENGLISH TEXT

Where the body of a person alleged to be unlawfully detained is produced before the High Court in pursuance of an order in that behalf made under this section and that Court is satisfied that such person is being detained in accordance with a law but that such law is invalid having regard to the provisions of this Constitution, the High Court shall refer the question of the validity of such law to the Supreme Court by way of case stated and may, at the time of such reference or at any time thereafter, allow the said person to be at liberty on such bail and subject to such conditions as the High Court shall fix until the Supreme Court has determined the question so referred to it.

ARTICLE 40.4.4_o AIRTEAGAL 40.4.4_o

LITERAL ENGLISH TRANSLATION

Three judges constitute a High Court in any particular case, in which a person who is said to be being kept a prisoner unlawfully is brought in person before the High Court in pursuance of an order to that effect made under this section, if the President of the High Court or, if he is not available, the most senior judge of that Court who is / will be available orders, as regards that case, that it have that complement and one judge constitutes a High Court in every other case of that kind.

ENGLISH TEXT

The High Court before which the body of a person alleged to be unlawfully detained is to be produced in pursuance of an order in that behalf made under this section shall, if the President of the High Court or, if he is not available, the senior judge of that Court who is available so directs in respect of any particular case, consist of three judges and shall, in every other case, consist of one judge only.

ARTICLE 40.4.5_o AIRTEAGAL 40.4.5_o

LITERAL ENGLISH TRANSLATION

In the case of the High Court or a judge of it making an order under this section ordering a person under sentence of death to be brought before (it) in person, the High Court or that judge of it must also order that the exercise of that death sentence be delayed until that person is brought in person before the High Court and it is determined whether it is lawful to keep that person a prisoner or it is not lawful and if it is determined, after delaying that implementation, that it is lawful to keep that person a prisoner, the High Court will appoint a day to implement that death sentence and that death sentence will have effect subject to the day so appointed being put in place of the day which was first arranged to implement that death sentence.

ENGLISH TEXT

Where an order is made under this section by the High Court or a judge thereof for the production of the body of a person who is under sentence of death, the High Court or such judge thereof shall further order that the execution of the said sentence of death shall be deferred until after the body of such person has been produced before the High Court and the lawfulness of his detention has been determined and if, after such deferment, the detention of such person is determined to be lawful, the High Court shall appoint a day for the execution of the said sentence of death and that sentence shall have effect with the substitution of the day so appointed for the day originally fixed for the execution thereof.

ARTICLE 40.4.6o AIRTEAGAL 40.4.6o

LITERAL ENGLISH TRANSLATION

But any one of the acts of the Defence Forces during unrest or armed rebellion, it is not permitted to plead anything that is in this section to prohibit or regulate or hinder that act.

ENGLISH TEXT

Nothing in this section, however, shall be invoked to prohibit, control, or interfere with any act of the Defence Forces during the existence of a state of war or armed rebellion.

ARTICLE 40.5 AIRTEAGAL 40.5

LITERAL ENGLISH TRANSLATION

His place of residence is secure for every citizen, and it is not permitted to go into it forcibly except in accordance with law.

ENGLISH TEXT

The dwelling of every citizen is inviolable and shall not be forcibly entered save in accordance with law.

ARTICLE 40.6.1o AIRTEAGAL 40.6.1o

LITERAL ENGLISH TRANSLATION

The State guarantees freedom to operate the following rights but that being subject to public morality and order:-

ENGLISH TEXT

The State guarantees liberty for the exercise of the following rights, subject to public order and morality:-

ARTICLE 40.6.1*i* AIRTEAGAL 40.6.1*i*

LITERAL ENGLISH TRANSLATION

The right of the citizens to reveal their certitudes and their opinions without hindrance.

ENGLISH TEXT

The right of the citizens to express freely their convictions and opinions.

AIRTEAGAL 40.6.1*i* (ar lean.)

LITERAL ENGLISH TRANSLATION

But because the training of the mind of the people is of such importance to the welfare of the people, the State will endeavour to ensure that the organs of the public mind, for example, the radio and the press and the cinema, will not be used to break the basis of the public morality or order or the authority of the State. At the same time those organs will keep the freedom which is their right to declare opinions and including opinions evaluative of Government policy.

ENGLISH TEXT

The education of public opinion being, however, a matter of such grave import to the common good, the State shall endeavour to ensure that organs of public opinion, such as the radio, the press, the cinema, while preserving their rightful liberty of expression, including criticism of Government policy, shall not be used to undermine public order or morality or the authority of the State.

ARTICLE 40.6.1*i* (contd.)

AIRTEAGAL 40.6.1*i* (ar lean.)

LITERAL ENGLISH TRANSLATION

The publication or recitation of anything blasphemous or rebellious or obscene is a punishable crime in accordance with law.

ENGLISH TEXT

The publication or utterance of blasphemous, seditious, or indecent matter is an offence which shall be punishable in accordance with law.

ARTICLE 40.6.1*ii* AIRTEAGAL 40.6.1*ii*

LITERAL ENGLISH TRANSLATION

The right of the citizens to come on assembly peacefully unarmed.

Provision may be made in accordance with law to prevent or regulate assemblies from which it is determined in accordance with law that there is a danger that breach of peace will come or that they are a danger or an annoyance to the people in general, and moreover assemblies near either of the Houses of the Oireachtas.

ENGLISH TEXT

The right of the citizens to assemble peaceably and without arms.

Provision may be made by law to prevent or control meetings which are determined in accordance with law to be calculated to cause a breach of the peace or to be a danger or nuisance to the general public and to prevent or control meetings in the vicinity of either House of the Oireachtas.

ARTICLE 40.6.1^{oiii} AIRTEAGAL 40.6.1^{oiii}

Ach is cead dlíthe a achtú chun oibriú an chirt réamhráite a rialú agus a stiúradh ar mhaithe leis an bpobal.

LITERAL ENGLISH TRANSLATION

The right of the citizens to establish associations and societies.

But it is permitted to enact laws to regulate and direct the operation of the aforesaid right for the good of the people.

ENGLISH TEXT

The right of the citizens to form associations and unions.

Laws, however, may be enacted for the regulation and control in the public interest of the exercise of the foregoing right.

ARTICLE 40.6.2^o AIRTEAGAL 40.6.2^o

LITERAL ENGLISH TRANSLATION

No distinction, with regard to politics or religion or class, is permitted in laws which will regulate the method of operating the right to establish associations and societies and the right to come together in free-assembly.

ENGLISH TEXT

Laws regulating the manner in which the right of forming associations and unions and the right of free assembly may be exercised shall contain no political, religious or class discrimination.

ARTICLE 41.1.1^o AIRTEAGAL 41.1.1^o

THE FAMILY AN TEAGHLACH

LITERAL ENGLISH TRANSLATION

The State acknowledges that the Family is the basic primary group-unit of/for society according to nature, and that it is a moral institution which has inalienable invincible rights which are more ancient and higher than any human statute.

ENGLISH TEXT

The State recognises the Family as the natural primary and fundamental unit group of Society, and as a moral institution possessing inalienable and imprescriptible rights, antecedent and superior to all positive law.

ARTICLE 41.1.2^o AIRTEAGAL 41.1.2^o

LITERAL ENGLISH TRANSLATION

Since it is the Family which is the necessary foundation for the societal order and since it is imperative for the welfare of the Nation and of the State, the State guarantees to preserve the composition and authority of the Family.

ENGLISH TEXT

The State, therefore, guarantees to protect the Family in its constitution and authority, as the necessary basis of social order and as indispensable to the welfare of the Nation and the State.

ARTICLE 41.2.1^o AIRTEAGAL 41.2.1^o

LITERAL ENGLISH TRANSLATION

Specifically, the State acknowledges that the woman gives the State, through her life in the family household, assistance/support without which the welfare of the people could not be achieved.

ENGLISH TEXT

In particular, the State recognises that by her life within the home, woman gives to the State a support without which the common good cannot be achieved.

ARTICLE 41.2.2_o AIRTEAGAL 41.2.2_o

LITERAL ENGLISH TRANSLATION

For that reason, the State will endeavour to ensure that mothers of a family, because of want, will not have to engage in work and neglect their duties in the household because of that.

ENGLISH TEXT

The State shall, therefore, endeavour to ensure that mothers shall not be obliged by economic necessity to engage in labour to the neglect of their duties in the home.

ARTICLE 41.3.1_o AIRTEAGAL 41.3.1_o

LITERAL ENGLISH TRANSLATION

Since it is on Marriage that the Family is founded the State takes it upon itself to give special protection to the order of marriage and to defend it from attack.

ENGLISH TEXT

The State pledges itself to guard with special care the institution of Marriage, on which the Family is founded, and to protect it against attack.

ARTICLE 41.3.2_o (before amendment)

LITERAL ENGLISH TRANSLATION

It is not permitted to enact any law which would give power to dissolve a marriage.

ENGLISH TEXT

No law shall be enacted providing for the grant of a dissolution of marriage.

A new subsection was substituted for this subsection by the Fifteenth Amendment of the Constitution, 1995, which text is given and commented on following this below.

ARTICLE 41.3.2o (as amended)

LITERAL ENGLISH TRANSLATION

A Court which will be specified by law may give a dissolution of marriage in the case, but only in the case, that it has ascertained –

- i that, on the date of the initiation of the proceedings, the spouses had spent a period of at least four years, or periods of at least four years in total, living apart from each other during the previous five years,
- ii that no reasonable expectation exists that there will be a compromise between the spouses,
- iii that such an arrangement exists, or that such an arrangement will be made, that the Court thinks proper having regard to the circumstances, for the spouses, for any children of either of them or of both of them and for any other person prescribed by law, and
- iv that any further conditions prescribed by law are fulfilled.

ENGLISH TEXT

A Court designated by law may grant a dissolution of marriage where, but only where, it is satisfied that –

- i at the date of the institution of the proceedings, the spouses have lived apart from one another for a period of, or periods amounting to, at least four years during the previous five years,
- ii there is no reasonable prospect of a reconciliation between the spouses,
- iii such provision as the Court considers proper having regard to the circumstances exists or will be made for the spouses, any children of either or both of them and any other person prescribed by law, and
- iv any further conditions prescribed by law are complied with.

This text was substituted for the original subsection following the Fifteenth Amendment of the Constitution, 1995.

ARTICLE 41.3.3o AIRTEAGAL 41.3.3o

LITERAL ENGLISH TRANSLATION

In the case of the marriage of anybody dissolved under the civil law of any other State and that marriage, being legally valid, (and) still existing under the law which will be in force at the time within the jurisdiction of the Government and the Parliament which is established under this Constitution, that person cannot enter a marriage which would have legal validity within that jurisdiction while the other person who was in the bond of marriage that was thus dissolved is alive.

ENGLISH TEXT

No person whose marriage has been dissolved under the civil law of any other State but is a subsisting valid marriage under the law for the time being in force within the jurisdiction of the Government and Parliament established by this Constitution shall be capable of contracting a valid marriage within that jurisdiction during the lifetime of the other party to the marriage so dissolved.

ARTICLE 42.1 AIRTEAGAL 42.1

EDUCATION OIDEACHAS

LITERAL ENGLISH TRANSLATION

The State acknowledges that the Family is the primary connate teacher for the child, and (it) guarantees not to interfere with the inalienable right nor with the inalienable obligation of parents to provide education according to their means for their family in matters of religion, morality, intellect, body and sociality.

ENGLISH TEXT

The State acknowledges that the primary and natural educator of the child is the Family and guarantees to respect the inalienable right and duty of parents to provide, according to their means, for the religious and moral, intellectual, physical and social education of their children.

ARTICLE 42.2 AIRTEAGAL 42.2

LITERAL ENGLISH TRANSLATION

Parents can provide that education for their family at home or in private schools or in schools which are acknowledged or which are established by the State.

ENGLISH TEXT

Parents shall be free to provide this education in their homes or in private schools or in schools recognised or established by the State.

ARTICLE 42.3.1 AIRTEAGAL 42.3.1

LITERAL ENGLISH TRANSLATION

The State is not permitted to compel parents, against their conscience or their lawful choice, to send their family to schools (which are) established by the State or to any particular type of school (which is) named by the State.

ENGLISH TEXT

The State shall not oblige parents in violation of their conscience and lawful preference to send their children to schools established by the State, or to any particular type of school designated by the State.

ARTICLE 42.3.2 AIRTEAGAL 42.3.2

LITERAL ENGLISH TRANSLATION

But since the State is the guardian of the welfare of the people it must, because of the circumstances of the day, make it compulsory to give a certain minimum education to the children in moral, intellectual and societal affairs.

ENGLISH TEXT

The State shall, however, as guardian of the common good, require in view of actual conditions that the children receive a certain minimum education, moral, intellectual and social.

ARTICLE 42.4 AIRTEAGAL 42.4

LITERAL ENGLISH TRANSLATION

The State must make provision for primary education to be available free, and make an effort to help reasonably and to augment (any) educational initiative both private and communal and, when it is a requirement for the welfare of the people, to provide other educational facilities or foundations, having due regard, however, for the rights of parents, especially as regards the formation of the mind in religious and moral affairs.

ENGLISH TEXT

The State shall provide for free primary education and shall endeavour to supplement and give reasonable aid to private and corporate educational initiative, and, when the public good requires it, provide other educational facilities or institutions with due regard, however, for the rights of parents, especially in the matter of religious and moral formation.

ARTICLE 42.5 AIRTEAGAL 42.5

LITERAL ENGLISH TRANSLATION

In uncommon cases when it happens, for corporal reasons or for moral reasons, that the parents do not do their duties to their children, the State must, since the State is the guardian of the welfare of the people, make an effort through appropriate action to take the place of the parents, always having due regard, however, for the natural invincible rights of the child.

ENGLISH TEXT

In exceptional cases, where the parents for physical or moral reasons fail in their duty towards their children, the State as guardian of the common good, by appropriate means shall endeavour to supply the place of the parents, but always with due regard for the natural and imprescriptible rights of the child.

ARTICLE 43.1.1_o AIRTEAGAL 43.1.1_o

PRIVATE PROPERTY

LITERAL ENGLISH TRANSLATION

Private Property/Assets

The State acknowledges, because man has the gift of reason, that he has a natural right to have worldly assets of his own privately, a right which is more ancient than human statute.

ENGLISH TEXT

Private Property

The State acknowledges that man, in virtue of his rational being, has the natural right, antecedent to positive law, to the private ownership of external goods.

ARTICLE 43.1.2_o AIRTEAGAL 43.1.2_o

LITERAL ENGLISH TRANSLATION

For that reason, the State guarantees not to enact any law attempting to set aside that right, nor the ordinary right of man to assign and to bequeath and to receive assets/property as an inheritance.

ENGLISH TEXT

The State accordingly guarantees to pass no law attempting to abolish the right of private ownership or the general right to transfer, bequeath, and inherit property.

ARTICLE 43.2.1_o AIRTEAGAL 43.2.1_o

LITERAL ENGLISH TRANSLATION

But the State acknowledges that it is fitting, in civil society, to regulate the operation of the rights which are mentioned in the foregoing provisions of this Article in accordance with the basic rules of the societal justice.

ENGLISH TEXT

The State recognises, however, that the exercise of the rights mentioned in the foregoing provisions of this Article ought, in civil society, to be regulated by the principles of social justice.

ARTICLE 43.2.2o AIRTEAGAL 43.2.2o

LITERAL ENGLISH TRANSLATION

For that reason, the State may, as will be necessary, put a limit to the operation of the aforementioned rights in order to bring together that operation and the welfare of the people.

ENGLISH TEXT

The State, accordingly, may as occasion requires delimit by law the exercise of the said rights with a view to reconciling their exercise with the exigencies of the common good.

ARTICLE 44.1 AIRTEAGAL 44.1

RELIGION CREIDEAMH

LITERAL ENGLISH TRANSLATION

Faith/Religion

The State acknowledges that to be publicly adored with homage is due to God the Almighty. The State will have veneration for his name, and will give reverence and honour to Religion.

ENGLISH TEXT

Religion

The State acknowledges that the homage of public worship is due to Almighty God. It shall hold His Name in reverence, and shall respect and honour religion.

ARTICLE 44.2.1o AIRTEAGAL 44.2.1o

LITERAL ENGLISH TRANSLATION

Freedom of conscience and free licence/liberty to profess and practise religion is guaranteed to every citizen, provided that not be to the detriment of public order nor to public morality.

ENGLISH TEXT

Freedom of conscience and the free profession and practice of religion are, subject to public order and morality, guaranteed to every citizen.

ARTICLE 44.2.2o AIRTEAGAL 44.2.2o

LITERAL ENGLISH TRANSLATION

The State guarantees not to endow any system of faith/religion.

ENGLISH TEXT

The State guarantees not to endow any religion.

ARTICLE 44.2.3o AIRTEAGAL 44.2.3o

LITERAL ENGLISH TRANSLATION

The State is not permitted to put a person under any disability nor to make any distinction because of faith/religion or profession of faith or standing in matters of faith.

ENGLISH TEXT

The State shall not impose any disabilities or make any discrimination on the ground of religious profession, belief or status.

ARTICLE 44.2.4o AIRTEAGAL 44.2.4o

LITERAL ENGLISH TRANSLATION

Legislation by which State aid is provided for schools it is not permitted to discriminate in it between schools which are under the management of some religious classes rather than others / one or other religious group or for it to do harm to the right of any child to attend a school which gets public money and not attend religious instruction in that school.

ENGLISH TEXT

Legislation providing State aid for schools shall not discriminate between schools under the management of different religious denominations, nor be such as to affect prejudicially the right of any child to attend a school receiving public money without attending religious instruction at that school.

ARTICLE 44.2.5o AIRTEAGAL 44.2.5o

LITERAL ENGLISH TRANSLATION

Every religious grouping has the right to manage its own affairs, and to have property, both movable and immovable, of its own, and to get it and administer it, and to maintain foundations for religious and charitable purposes.

ENGLISH TEXT

Every religious denomination shall have the right to manage its own affairs, own, acquire and administer property, movable and immovable, and maintain institutions for religious or charitable purposes.

ARTICLE 44.2.6o AIRTEAGAL 44.2.6o

LITERAL ENGLISH TRANSLATION

It is not permitted to take the property of any religious grouping or any educational foundations from them except for necessary works for public utility, and that after paying them compensation.

ENGLISH TEXT

The property of any religious denomination or any educational institution shall not be diverted save for necessary works of public utility and on payment of compensation.

DIRECTIVE PRINCIPLES OF SOCIAL POLICY
BUNTREORACHA DO BHEARTAS CHOMHDHAONNACH

ARTICLE 45 AIRTEAGAL 45

LITERAL ENGLISH TRANSLATION

BASIC DIRECTIONS FOR A SOCIETAL POLICY

It is as a general guide for the Oireachtas that the basic rules for a societal policy that are laid out in this Article were intended. The responsibility for applying those basic rules in making laws will be on the Oireachtas alone, and a question concerning that application cannot be tried by any Court under any one of the provisions of this Constitution.

ENGLISH TEXT

DIRECTIVE PRINCIPLES OF SOCIAL POLICY

The principles of social policy set forth in this Article are intended for the general guidance of the Oireachtas. The application of those principles in the making of laws shall be the care of the Oireachtas exclusively, and shall not be cognisable by any Court under any of the provisions of this Constitution.

ARTICLE 45.1 AIRTEAGAL 45.1

LITERAL ENGLISH TRANSLATION

The State will do its utmost to advance the welfare of all the people through ensuring and preserving as far as it is able a societal order, in which justice and charity will rule every institution which relates to the national life.

ENGLISH TEXT

The State shall strive to promote the welfare of the whole people by securing and protecting as effectively as it may a social order in which justice and charity shall inform all the institutions of the national life.

ARTICLE 45.2

LITERAL ENGLISH TRANSLATION

The State will, specifically, direct its policy in a way that will ensure:-

i That the citizens (and all of them, both men and women, have a right to a sufficient livelihood) will obtain, through their occupations, the means of making reasonable provision for the needs of their households.

ENGLISH TEXT

The State shall, in particular, direct its policy towards securing:-

i That the citizens (all of whom, men and women equally, have the right to an adequate means of livelihood) may through their occupations find the means of making reasonable provision for their domestic needs.

ARTICLE 45.2.ii AIRTEAGAL 45.2.ii

LITERAL ENGLISH TRANSLATION

That (the) proprietary right and control of (the) worldly wealth of the people will be divided among private persons and among the various classes in the way that will best contribute towards the welfare of the people.

ENGLISH TEXT

That the ownership and control of the material resources of the community may be so distributed amongst private individuals and the various classes as best to subserve the common good.

ARTICLE 45.2.iii AIRTEAGAL 45.2.iii

LITERAL ENGLISH TRANSLATION

Specifically, that the operation of free competition will not be allowed to advance in a way that there would result from it that a small number of people had in their own hands the ownership or the control of essential goods to the detriment of the community.

ENGLISH TEXT

That, especially, the operation of free competition shall not be allowed so to develop as to result in the concentration of the ownership or control of essential commodities in a few individuals to the common detriment.

ARTICLE 45.2.iv AIRTEAGAL 45.2.iv

LITERAL ENGLISH TRANSLATION

That the welfare of the whole community is the permanent and principal objective which will govern in all that concerns the control of credit.

ENGLISH TEXT

That in what pertains to the control of credit the constant and predominant aim shall be the welfare of the people as a whole.

ARTICLE 45.2.v AIRTEAGAL 45.2.v

LITERAL ENGLISH TRANSLATION

That as many households as possible in accordance with the circumstances of life will be established on the land in economic security.

ENGLISH TEXT

That there may be established on the land in economic

security as many families as in the circumstances shall be practicable.

ARTICLE 45.3.1_o AIRTEAGAL 45.3.1_o

LITERAL ENGLISH TRANSLATION

The State will look eagerly at private initiative in industrial and commercial affairs and will augment/support it when that is necessary.

ENGLISH TEXT

The State shall favour and, where necessary, supplement private initiative in industry and commerce.

ARTICLE 45.3.2_o AIRTEAGAL 45.3.2_o

LITERAL ENGLISH TRANSLATION

The State will endeavour to ensure that private enterprise is / will be conducted so that it is certain that goods will be produced and distributed with reasonable competency and that the community will be protected from unjust profit.

ENGLISH TEXT

The State shall endeavour to secure that private enterprise shall be so conducted as to ensure reasonable efficiency in the production and distribution of goods and as to protect the public against unjust exploitation.

ARTICLE 45.4.1_o AIRTEAGAL 45.4.1_o

LITERAL ENGLISH TRANSLATION

The State takes upon itself specifically to protect the economic welfare of the classes in the community whose power is least and, when it will be necessary, to give subsistence help to the infirm, to the widow, to the orphan and to the old.

ENGLISH TEXT

The State pledges itself to safeguard with especial care the economic interests of the weaker sections of the community, and, where necessary, to contribute to the support of the infirm, the widow, the orphan, and the aged.

ARTICLE 45.4.2_o AIRTEAGAL 45.4.2_o

LITERAL ENGLISH TRANSLATION

The State will endeavour to ensure that the strength and health of workers, both men and women, nor the tender youth of children will not be wronged, and that citizens will not have to, because of want, take up occupations that do not suit their kind or their age or their strength.

ENGLISH TEXT

The State shall endeavour to ensure that the strength and health of workers, men and women, and the tender age of children shall not be abused and that citizens shall not be forced by economic necessity to enter avocations unsuited to their sex, age or strength.

AMENDMENT OF THE CONSTITUTION
AN BUNREACTH A LEASÚ

ARTICLE 46.1 AIRTEAGAL 46.1

LITERAL ENGLISH TRANSLATION
AMENDING THE CONSTITUTION

It is permitted to amend any provision of this Constitution, by change or by addition or by repeal, in the manner provided by this Article.

ENGLISH TEXT

AMENDMENT OF THE CONSTITUTION

Any provision of this Constitution may be amended, whether by way of variation, addition, or repeal, in the manner provided by this Article.

ARTICLE 46.2 AIRTEAGAL 46.2

LITERAL ENGLISH TRANSLATION

Every proposal to amend this Constitution (it) must be initiated in Dáil Éireann as a Bill, and when it is passed or deemed passed by both Houses of the Oireachtas it must be submitted to the people for determination by Referendum in accordance with the law which will be in force as regards the Referendum at the time.

ENGLISH TEXT

Every proposal for an amendment of this Constitution shall be initiated in Dáil Éireann as a Bill, and shall upon having been passed or deemed to have been passed by both Houses of the Oireachtas, be submitted by Referendum to the decision of the people in accordance with the law for the time being in force relating to the Referendum.

ARTICLE 46.3 AIRTEAGAL 46.3

LITERAL ENGLISH TRANSLATION

Its being “an Act to amend the Constitution” must be mentioned in every Bill of that kind.

ENGLISH TEXT

Every such Bill shall be expressed to be “An Act to amend the Constitution”.

ARTICLE 46.4 AIRTEAGAL 46.4

LITERAL ENGLISH TRANSLATION

Any Bill in which there will be a proposal or proposals to amend this Constitution it is not permitted to have any other proposal in it.

ENGLISH TEXT

A Bill containing a proposal or proposals for the amendment of this Constitution shall not contain any other proposal.

ARTICLE 46.5 AIRTEAGAL 46.5

LITERAL ENGLISH TRANSLATION

Any Bill in which there will be a proposal to amend this Constitution the President must immediately put his hand to it, when he has been satisfied that the provisions of this Article were fulfilled regarding it and that the people duly consented to that proposal in accordance with the provisions of section 1 of Article 47 of this Constitution, and the President must duly promulgate it as a law.

ENGLISH TEXT

A Bill containing a proposal for the amendment of this Constitution shall be signed by the President forthwith upon his being satisfied that the provisions of this Article have been complied with in respect thereof and that such proposal has been duly approved by the people in accordance with the provisions of section 1 of Article 47 of this Constitution and shall be duly promulgated by the President as a law.

THE REFERENDUM

AN REIFREANN

ARTICLE 47.1 AIRTEAGAL 47.1

LITERAL ENGLISH TRANSLATION

Every proposal (which is) made to amend this Constitution and which is submitted to the people for determination by Referendum, it must be deemed, for the purpose of Article 46 of this Constitution, that the people consent to that proposal if it happens, after submitting it thus to the people for determination, that the majority of the votes that are given in that Referendum are given in favour of enacting it into law.

ENGLISH TEXT

Every proposal for an amendment of this Constitution which is submitted by Referendum to the decision of the people shall, for the purpose of Article 46 of this Constitution, be held to have been approved by the people, if, upon having been so submitted, a majority of the votes cast at such Referendum shall have been cast in favour of its enactment into law.

ARTICLE 47.2.1 AIRTEAGAL 47.2.1

LITERAL ENGLISH TRANSLATION

Every proposal, which is not a proposal for the amendment of the Constitution, which is submitted to the people for determination by Referendum it must be deemed that the people reject it if the majority of the votes that are given in that Referendum are given against enacting it into law, and the amount of votes so given against enacting it into law is not less than a thirty-three and a third per cent share of the number of electors that are on the roll.

ENGLISH TEXT

Every proposal, other than a proposal to amend the Constitution, which is submitted by Referendum to the

decision of the people shall be held to have been vetoed by the people if a majority of the votes cast at such Referendum shall have been cast against its enactment into law and if the votes so cast against its enactment into law shall have amounted to not less than thirty-three and one-third per cent. of the voters on the register.

ARTICLE 47.2.2o AIRTEAGAL 47.2.2o

LITERAL ENGLISH TRANSLATION

Every proposal, (which is) not a proposal for the amendment of the Constitution, which is submitted to the people for determination by Referendum it must be deemed, for the purposes of Article 27 of this Constitution, that the people consent to it if they do not reject it in accordance with the provisions of the foregoing subsection of this section.

ENGLISH TEXT

Every proposal, other than a proposal to amend the Constitution, which is submitted by Referendum to the decision of the people shall for the purposes of Article 27 hereof be held to have been approved by the people unless vetoed by them in accordance with the provisions of the foregoing sub-section of this section.

ARTICLE 47.3 AIRTEAGAL 47.3

LITERAL ENGLISH TRANSLATION

Every citizen who has the right to vote in an election for members of Dáil Éireann (he) has the right to vote in a Referendum.

ENGLISH TEXT

Every citizen who has the right to vote at an election for members of Dáil Éireann shall have the right to vote at a Referendum.

ARTICLE 47.4 AIRTEAGAL 47.4

LITERAL ENGLISH TRANSLATION

Within the constraint/scope of the aforementioned matters it is by law that the Referendum will be regulated.

ENGLISH TEXT

Subject as aforesaid, the Referendum shall be regulated by law.

REPEAL OF CONSTITUTION OF SAORSTÁT ÉIREANN AND CONTINUANCE OF LAWS

BUNREACHT SHAORSTÁT ÉIREANN A AISGHAIRM AGUS DLÍTHE A BHUANÚ

ARTICLE 48 AIRTEAGAL 48

LITERAL ENGLISH TRANSLATION

REPEALING THE CONSTITUTION OF THE IRISH FREE STATE AND PERPETUATING LAWS

The Constitution which will be in force for the Irish Free State immediately before the day of the coming into operation of this Constitution and the Constitution of the Irish Free State Act, 1922, in so far as that Act or any provision of it will be in force at that time, they are repealed by this and they will be repealed (on) that day and from then on.

ENGLISH TEXT

REPEAL OF CONSTITUTION OF SAORSTÁT ÉIREANN AND CONTINUANCE OF LAWS

The Constitution of Saorstát Éireann in force immediately prior to the date of the coming into operation of this

Constitution and the Constitution of the Irish Free State (Saorstát Éireann) Act, 1922, in so far as that Act or any provision thereof is then in force shall be and are hereby repealed as on and from that date.

ARTICLE 49.1 AIRTEAGAL 49.1

LITERAL ENGLISH TRANSLATION

Every power, function, right and prerogative that was operable in the Irish Free State or with regard to the Irish Free State immediately before the 11th day of the Month of December, 1936, whether by virtue of the Constitution which was then in force or not, by the authority which had the executive power of the Irish Free State at that time, it is hereby declared that they all belong to the people.

ENGLISH TEXT

All powers, functions, rights and prerogatives whatsoever exercisable in or in respect of Saorstát Éireann immediately before the 11th day of December, 1936, whether in virtue of the Constitution then in force or otherwise, by the authority in which the executive power of Saorstát Éireann was then vested are hereby declared to belong to the people.

ARTICLE 49.2 AIRTEAGAL 49.2

LITERAL ENGLISH TRANSLATION

Except in so far as provision is made by this Constitution, or that provision will be made hereafter by law, so that any of those powers, functions, rights or prerogatives will be operated, by any organ which is established by this Constitution, it is hereby enacted that it is not lawful and it is not possible to operate those powers, functions, rights, and prerogatives in the State or with regard to the State except by the Government or with the authority of the Government.

ENGLISH TEXT

It is hereby enacted that, save to the extent to which provision is made by this Constitution or may hereafter be made by law for the exercise of any such power, function, right or prerogative by any of the organs established by this Constitution, the said powers, functions, rights and prerogatives shall not be exercised or be capable of being exercised in or in respect of the State save only by or on the authority of the Government.

ARTICLE 49.3 AIRTEAGAL 49.3

LITERAL ENGLISH TRANSLATION

The Government is successor to the Government of the Irish Free State with regard to all property, assets, rights and liabilities.

ENGLISH TEXT

The Government shall be the successors of the Government of Saorstát Éireann as regards all property, assets, rights and liabilities.

ARTICLE 50.1 AIRTEAGAL 50.1

LITERAL ENGLISH TRANSLATION

The laws which will be in force in the Irish Free State immediately before the day of the coming into operation of this Constitution will continue to be in full force and in full effect, within the constraint of this Constitution and to the extent that they are not against it, until they or any part of them are repealed or amended by enactment by the Oireachtas.

ENGLISH TEXT

Subject to this Constitution and to the extent to which they are not inconsistent therewith, the laws in force in Saorstát Éireann immediately prior to the date of the coming into operation of this Constitution shall continue to be of full force and effect until the same or any of them shall have been repealed or amended by enactment of the Oireachtas.

ARTICLE 50.2 AIRTEAGAL 50.2

LITERAL ENGLISH TRANSLATION

Laws which will be enacted before the coming into operation of this Constitution and in which will be stated that they are to come into force after that, will come into force in accordance with what is stated in them unless the Oireachtas enacts the contrary.

688 The Constitution of Ireland Bunreacht na hÉireann

For the Glory of God

and

the Honour of Ireland.

ENGLISH TEXT

Laws enacted before, but expressed to come into force after, the coming into operation of this Constitution, shall, unless otherwise enacted by the Oireachtas, come into force in accordance with the terms thereof.

Dochum Glóire Dé

agus

Onóra na hÉireann. APPENDIX I

FOSCRÍBHINN 1

PREAMBLE BROLLACH

LITERAL ENGLISH TRANSLATION THE CONSTITUTION OF IRELAND

In the Name of the Most Holy Trinity which is the wellspring for all authority and to whom, since it is the final end for us, not alone actions of people but actions of States are directed,

ENGLISH TEXT

BUNREACTH NA hÉIREANN

In the Name of the Most Holy Trinity, from Whom is all authority and to Whom, as our final end, all actions both of men and States must be referred,

II

LITERAL ENGLISH TRANSLATION

As we, the people of Ireland, are humbly admitting the extent to which we are obliged to Jesus Christ, our Lord God, who comforted our ancestors in every hardship in which they were for hundreds of years,

ENGLISH TEXT

We, the people of Éire,

Humbly acknowledging all our obligations to our Divine Lord, Jesus Christ, Who sustained our fathers through centuries of trial,

III

LITERAL ENGLISH TRANSLATION

And as we gratefully remember how bravely they fought ceaselessly to achieve the independence which is the intrinsic right of our Nation,

ENGLISH TEXT

Gratefully remembering their heroic and unremitting struggle to regain the rightful independence of our Nation,**IV**

LITERAL ENGLISH TRANSLATION

And as we are setting out to advance the public good with Wisdom and Integrity and Charity as is appropriate, so that we can ensure his nobility and his freedom to every individual, to establish a proper societal life, to give the restoration of her unity to our country, and to make mutual alliance with other nations,

ENGLISH TEXT

And seeking to promote the common good, with due observance of Prudence, Justice and Charity, so that the dignity and freedom of the individual may be assured, true social order attained, the unity of our country restored, and concord established with other nations,

V

LITERAL ENGLISH TRANSLATION

We are hereby adopting this Constitution, and enacting it and dedicating it to ourselves.

ENGLISH TEXT

Do hereby adopt, enact, and give to ourselves this Constitution.

APPENDIX 5

FOSCRÍBHINN 5

1999 ENROLLED IRISH TEXT

AN TÉACS GAEILGE MAR A ROLLAÍODH I 1999

Under Article 63 – a Transitory Provision – a copy of the Constitution signed by the Taoiseach, the Chief Justice and the Chairman of Dáil Éireann must be enrolled for record purposes in the office of the Registrar of the Supreme Court, such enrolled text being the conclusive evidence of the provisions of the Constitution. This was done in 1938. Under Article 25.5, further enrolments took place in 1942, 1980, 1990 and in 1999 to embody amendments. The authentic version of the Irish text, then, is that passed by the people in 1937, as subsequently amended under the Constitution, and enrolled. The following is the Irish text (excluding the Transitory Provisions, in accordance with their own terms) as enrolled on 27 May 1999.