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**BILLE AN REIFRINN (LEASÚ) (UIMH. 2), 1992**  
**REFERENDUM (AMENDMENT) (NO. 2) BILL, 1992**

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*Mar a ritheadh ag dhá Theach an Oireachtais*  
*As passed by both Houses of the Oireachtas*

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**ARRANGEMENT OF SECTIONS**

**Section**

1. Constitutional referenda in relation to amendments of Article 40.3 of the Constitution.
  2. Restriction of section 2 of Referendum (Amendment) Act, 1992.
  3. Forms of ballot papers.
  4. Short title, collective citation and construction.
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**ACTS REFERRED TO**

Electoral Act, 1963	1963, No. 19
Electoral (Amendment) Act, 1972	1972, No. 4
Electoral (Amendment) Act, 1985	1985, No. 12
Electoral (Amendment) (No. 2) Act, 1986	1986, No. 35
Referendum Act, 1942	1942, No. 8
Referendum (Amendment) Act, 1992	1992, No. 8
Referendum Acts, 1942 to 1992	





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BILLE AN REIFRINN (LEASÚ) (UIMH. 2), 1992  
REFERENDUM (AMENDMENT) (NO. 2) BILL, 1992

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# BILL

*entitled*

AN ACT TO AMEND THE REFERENDUM ACTS, 1942 TO 1992. 5

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

Constitutional referenda in relation to amendments of Article 40.3 of the Constitution.

1.—At constitutional referenda in relation to the Twelfth, Thirteenth and Fourteenth Amendments of the Constitution which relate to Article 40.3 thereof— 10

- (a) a polling card sent under section 64 (1) of the Electoral Act, 1963, as amended by section 3 of the Electoral (Amendment) Act, 1985, shall contain the statements set out in the Appendix to this section;
- (b) copies of the statements referred to in *paragraph (a)* of this section shall also be sent by the local returning officer for a constituency to every elector whose name is on the register of presidential electors for such constituency and is on the postal voters list for such constituency at the same time as his ballot papers for the polls at the referenda are sent to him; 15 20
- (c) copies of the statements referred to in *paragraph (a)* of this section shall also be sent by the local returning officer for a constituency to every elector whose name is on the register of presidential electors for such constituency and is on the special voters list (within the meaning of the Electoral (Amendment) (No. 2) Act, 1986) for such constituency and shall be so sent in sufficient time to be delivered in the ordinary course of post before the delivery to the elector concerned of the documents referred to in section 10 (1) of the said Electoral (Amendment) (No. 2) Act, 1986; 25 30
- (d) copies of the statements referred to in *paragraph (a)* of this section shall be displayed by a presiding officer in and in the precincts of his polling station: 35

Provided that a referendum shall not be invalidated by



reason of any failure to display such copies in or in the precincts of any polling station;

(e) in applying Rule 18 (inserted by the Electoral Act, 1963) of the First Schedule to the Referendum Act, 1942, the following paragraph shall be substituted for paragraph (5)—

“(5) (a) Where a ballot paper is to be marked pursuant to paragraph (3) of this Rule, the presiding officer may assist the voter by reading out in full from the ballot paper the proposal stated therein and asking the voter ‘Do you approve of or do you object to that Bill becoming law?’ and shall then, unless it is a case to which subparagraph (b) of this paragraph applies, mark the ballot paper in accordance with the answer of the voter, but he shall not act on any written instruction.

(b) Where the voter fails to understand the import of the said question, or does not answer the question the presiding officer—

(i) shall read out to the voter such statement of the proposal which is the subject of the referendum as is set out in the appropriate Part of the *Appendix to section 1 of the Referendum (Amendment) (No. 2) Act, 1992,*

(ii) shall then ask the voter ‘Which do you wish to do — to vote in favour of the proposal to change the Constitution or to vote against the proposal to change the Constitution?’, and

(iii) shall then mark the ballot paper in accordance with the answer of the voter, but shall not act on any written instruction.”.

## APPENDIX

### PART I

1. Féadfaidh tú vótáil sna Reifrinn ar thrí thogra:

#### **Páipéar Ballóide Bán**

#### **Ceart chun Beatha**

*An Bille um an Dóú Leasú Déag ar an mBunreacht, 1992.* Is é atá beartaithe leis an mBille seo Airteagal 40 den Bhunreacht a leasú tríd an téacs seo a leanas a chur le fo-alt 3<sup>o</sup> d’alt 3 den Airteagal sin:

“Beidh sé aindleathach beatha beo gan breith a fhoirc-eannadh mura rud é gur gá an foirc-eannadh sin chun beatha, ar leith ó shláinte, na máthar a shábháil i gcás breoiteacht nó neamhord a bheith ar an máthair is cúis le baol réadach substaintiúil dá beatha, nach baol féindíothaithe é.”.



## Páipéar Ballóide Uaine

### Taisteal

*An Bille um an Tríú Leasú Déag ar an mBunreacht, 1992.* Is é atá beartaithe leis an mBille seo Airteagal 40 den Bhunreacht a leasú tríd an mír seo a leanas a chur le fo-alt 3<sup>o</sup> d'alt 3 den Airteagal sin: 5

“Ní theorannóidh an fo-alt seo saoirse chun taisteal idir an Stát agus stát eile.”.

## Páipéar Ballóide Bándearg

### Faisnéis 10

*An Bille um an gCeathrú Leasú Déag ar an mBunreacht, 1992.* Is é atá beartaithe leis an mBille seo Airteagal 40 den Bhunreacht a leasú tríd an mír seo a leanas a chur le fo-alt 3<sup>o</sup> d'alt 3 den Airteagal sin:

“Ní theorannóidh an fo-alt seo saoirse chun faisnéis a fháil 15 nó a chur ar fáil sa Stát maidir le seirbhísí atá ar fáil go dleathach i stát eile ach sin faoi chuimsiú cibé coinnfollacha a fhéadfar a leagan síos le dlí.”.

2. MÁ THOILÍONN TÚ leis an togra sa Bhille lena mbaineann an páipéar ballóide, cuir X os coinne an fhocail TÁ ar an bpáipéar. 20

3. MURA dTOILÍONN TÚ leis an togra sa Bhille lena mbaineann an páipéar ballóide, cuir X os coinne an fhocail NÍL ar an bpáipéar.

4. Is féidir cóipeanna de na Billí a iniúchadh saor in aisce, agus is féidir iad a cheannach ar dhá phingin an ceann, in aon Phost-Oifig.

## PART II 25

1. You may vote at the Referenda on three proposals:

### White Ballot Paper

#### Right to Life

*The Twelfth Amendment of the Constitution Bill, 1992* proposes to amend Article 40 of the Constitution by the addition of the text here following to subsection 3<sup>o</sup> of section 3 thereof: 30

“It shall be unlawful to terminate the life of an unborn unless such termination is necessary to save the life, as distinct from the health, of the mother where there is an illness or disorder of the mother giving rise to a real and substantial risk to her life, not being a risk of self-destruction.”. 35



**Green Ballot Paper**

**Travel**

5        *The Thirteenth Amendment of the Constitution Bill, 1992* proposes to amend Article 40 of the Constitution by the addition of the paragraph here following to subsection 3° of section 3 thereof:

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

**Pink Ballot Paper**

**Information**

10        *The Fourteenth Amendment of the Constitution Bill, 1992* proposes to amend Article 40 of the Constitution by the addition of the paragraph here following to subsection 3° of section 3 thereof:

15        “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.”.

2. IF YOU APPROVE of the proposal in the Bill to which the ballot paper relates, mark X opposite the word YES on the paper.

20 3. IF YOU DO NOT APPROVE of the proposal in the Bill to which the ballot paper relates, mark X opposite the word NO on the paper.

4. Copies of the Bills can be inspected free of charge, and purchased for two pence each, at any Post Office.

25 2.—Section 2 of the Referendum (Amendment) Act, 1992, shall not apply to the referenda referred to in *section 1* of this Act.

Restriction of section 2 of Referendum (Amendment) Act, 1992.

3.—The Electoral Act, 1963, is hereby amended—

Forms of ballot papers.

30 (a) as respects a constitutional referendum in relation to the Twelfth Amendment of the Constitution Bill, 1992, by the insertion at the beginning of the front of the form of ballot paper set out in Part I of the Fourth Schedule (inserted by the Electoral (Amendment) Act, 1972) of—

      “CEART CHUN BEATHA — RIGHT TO LIFE”;

35 (b) as respects a constitutional referendum in relation to the Thirteenth Amendment of the Constitution Bill, 1992, by the insertion at the beginning of the front of the said form of ballot paper of—

      “TAISTEAL — TRAVEL”;

and



(c) as respects a constitutional referendum in relation to the Fourteenth Amendment of the Constitution Bill, 1992, by the insertion at the beginning of the front of the said form of ballot paper of—

“FAISNÉIS — INFORMATION”.

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Short title,  
collective citation  
and construction.

4.—(1) This Act may be cited as the Referendum (Amendment) (No. 2) Act, 1992.

(2) The collective citation, the Referendum Acts, 1942 to 1992, shall include this Act and those Acts and this Act shall be construed as one.

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BILLE AN REIFRINN (LEASÚ) (UIMH. 2),  
1992

REFERENDUM (AMENDMENT) (NO. 2)  
BILL, 1992

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**BILLE**

*dá ngairtear*

Acht do leasú Achtanna an Reifrinn, 1942 go  
1992.

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*Ritheadh ag dhá Theach an Oireachtais,  
30 Deireadh Fómhair, 1992*

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BAILE ÁTHA CLIATH:  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR

Le ceannach díreach ón Oifig Dhíolta Foilseachán Rialtais,  
Teach Sun Alliance, Sráid Theach Laighean, Baile Átha Cliath  
2, nó trí aon dioltóir leabhar.

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**BILL**

*entitled*

An Act to amend the Referendum Acts, 1942 to  
1992.

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*Passed by both Houses of the Oireachtas,  
30th October, 1992*

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