

SAORSTÁT ÉIREANN

Constitution of the Irish Free State
(Saorstát Éireann) Act, 1922

EMBODYING

The Constitution

AS AMENDED BY SUBSEQUENT ENACTMENTS.

Presented to Dail Éireann by the Ceann Comhairle.

Acht um Bunreacht Shaorstáit
Éireann, 1922

MAILLE LEIS

An mBunreacht

MAR A LEASÚITEAR SAN LE BACHTACHÁIN INA DHIADH SIN

Ar n-a thiolacadh do Dháil Éireann ag an gCeann Comhairle.

1936

DUBLIN :

Printed at the WOOD PRINTING WORKS, Ltd., Stafford Street, and published by the
STATIONERY OFFICE.

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5 Nassau Street, Dublin, C.2.

Price One Shilling.

(P No. 2538).

Houses of the Oireachtas

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NOTE.

The Constitution of the Irish Free State (Saorstát Eireann) Act, 1922, embodying the Constitution, was enacted by Dáil Eireann on the 25th October, 1922.

Since that date twenty-five amending Acts have been passed, and, following the practice initiated in 1927, it has now been considered desirable to reprint the documents as so amended, together with the Acts amending and supplementing the Treaty of 1921, for the convenience of members of the Oireachtas. The volume has been edited in the Office of the Clerk of the Dáil, and is presented to the Dáil by the Ceann Comhairle.

The method of treatment adopted in editing is as follows: the original Constitution is printed in ordinary type; Articles which have been deleted are printed with a line drawn diagonally through them; portions of Articles which have been deleted are printed with a line drawn horizontally through them; and insertions are printed in italics.

References to the appropriate amending Acts are given in numbered footnotes, and references to Acts which implement the Constitution are given in footnotes distinguished by asterisks, obelisks, *etc.*

The version in Irish of the Constitution of the Irish Free State (Saorstát Eireann) Act, 1922, and of the Constitution, prepared by a Committee set up by Resolution of Dáil Eireann of the 25th October, 1922, has been amended to represent the text of these documents when read continuously.

CONTENTS.

	PAGE
I. Amending Acts	4
II. Constitution of the Irish Free State (Saorstat Eireann) Act, 1922	5
III. Constitution	7
IV. Treaty of 1921	70
V. Treaty (Confirmation of Agreement) Acts	79
VI. Versions in Irish	89

Houses of the Oireachtas

AMENDING ACTS.

Amendment No.	Act No.	Date of Assent.
1	30 of 1925	11th July, 1925.
2	6 of 1927	19th March, 1927.
3	4 of 1927	4th March, 1927.
4	5 of 1927	4th March, 1927.
5	13 of 1927	5th May, 1927.
6	13 of 1928	23rd July, 1928.
7	30 of 1928	30th October, 1928.
8	27 of 1928	25th October, 1928.
9	28 of 1928	25th October, 1928.
10	8 of 1928	12th July, 1928.
11	34 of 1929	17th December, 1929.
12	5 of 1930	24th March, 1930.
13	14 of 1928	23rd July, 1928.
14	8 of 1929	14th May, 1929.
15	9 of 1929	14th May, 1929.
16	10 of 1929	14th May, 1929.
17	37 of 1931	17th October, 1931.
—*	6 of 1933	3rd May, 1933
20	40 of 1933	2nd November, 1933.
21	41 of 1933	2nd November, 1933.
22	45 of 1933	16th November, 1933.
23	17 of 1936	24th April, 1936.
24	18 of 1936	29th May, 1936.
26	12 of 1935	5th April, 1935.
27	57 of 1936	11th December, 1936

*Constitutional (Removal of Oath) Act, 1933.

**CONSTITUTION OF THE IRISH FREE STATE
(SAORSTÁT ÉIREANN) ACT, 1922.**

An Act to enact a Constitution for the Irish Free State (Saorstát Eireann) and for implementing the Treaty between Great Britain and Ireland signed at London on the 6th day of December, 1921.

Dáil Eireann sitting as a Constituent Assembly in this Provisional Parliament, acknowledging that all lawful authority comes from God to the people and in the confidence that the National life and unity of Ireland shall thus be restored, hereby proclaims the establishment of the Irish Free State (otherwise called Saorstát Eireann) and in the exercise of undoubted right, decrees and enacts as follows :—

1. The Constitution set forth in the First Schedule hereto annexed shall be the Constitution of the Irish Free State (Saorstát Eireann).

CONSTITUTION OF THE IRISH FREE STATE
(SAORSTÁT ÉIREANN) ACT, 1922.

~~* 2. The said Constitution shall be construed with reference to the Articles of Agreement for a Treaty between Great Britain and Ireland set forth in the Second Schedule hereto annexed (hereinafter referred to as "the Scheduled Treaty") which are hereby given the force of law, and if any provision of the said Constitution or of any amendment thereof or of any law made thereunder is in any respect repugnant to any of the provisions of the Scheduled Treaty, it shall, to the extent only of such repugnancy, be absolutely void and inoperative and the Parliament and the Executive Council of the Irish Free State (Saorstát Éireann) shall respectively pass such further legislation and do all such other things as may be necessary to implement the Scheduled Treaty.¹~~

3. This Act may be cited for all purposes as the Constitution of the Irish Free State (Saorstát Éireann) Act, 1922.

1. This section was repealed by section 2 of the Constitution (Removal of Oath) Act, 1933.

* Section 2 of the Treaty (Confirmation of Amending Agreement) Act, 1925 (No. 40 of 1925) provides that "All references in section 2 of the Constitution of the Irish Free State (Saorstát Éireann) Act, 1922 (No. 1 of 1922) to the Treaty of 1921 (in that section referred to as the Scheduled Treaty) shall be construed and have effect as references to the said Treaty of 1921 as amended by the Agreement set forth in the Schedule to this Act and accordingly all references in the Constitution to the Scheduled Treaty shall be construed as references to the said Treaty of 1921 as amended by the said Agreement."

FIRST SCHEDULE.

*CONSTITUTION OF THE IRISH FREE STATE

(SAORSTÁT EIREANN.)

Article 1.

The Irish Free State (otherwise hereinafter called or sometimes called Saorstát Eireann) is a co-equal member of the Community of Nations forming the British Commonwealth of Nations.

Article 2.

All powers of government and all authority legislative, executive, and judicial in Ireland, are derived from the people of Ireland and the same shall be exercised in the Irish Free State (Saorstát Eireann) through the organisations established by or under, and in accord with, this Constitution.

Article 2A¹.

PART I.

PRELIMINARY AND GENERAL.

1.—(1) *Parts II, III, IV, and V of this Article shall not be of any force or effect unless or until the Executive Council makes an Order under this section declaring that Parts II, III, IV, and V of this Article shall come into force, but if and whenever and so often as the Executive Council makes such order Parts II, III, IV, and V of this Article shall come into and be of full force and effect immediately upon the making*

*Operation of
Parts II to V of
this Article.*

1. Amendment No. 17 Act.

* Section 3 of the Public Safety Act, 1927 (No. 31 of 1927) provided that every provision of that Act which was in contravention of any provision of the Constitution should to the extent of such contravention operate and have effect as an amendment for so long only as that Act continued in force of such provision of the Constitution. Section 1 (2) of the Public Safety Act, 1927 provided that that Act should continue in force for five years from the passing thereof and should then expire. The Act was passed on the 11th August, 1927 and its duration was terminated by the Public Safety Act 1928 (No. 38 of 1928).

of such order and shall continue in such force and effect until the Executive Council makes an order under this section declaring that the said Parts of this Article shall cease to be in force whereupon the said Parts of this Article shall cease to be in force but without prejudice to the validity of anything previously done thereunder.

(2) Whenever the Executive Council is of opinion that circumstances exist which render it expedient that Parts II, III, IV, and V of this Article should be brought into force, the Executive Council may by order declare that Parts II, III, IV, and V of this Article shall come into force.

(3) Whenever and so often as Parts II, III, IV, and V of this Article are in force and the Executive Council is of opinion that circumstances rendering it expedient that the said Parts of this Article should be in force no longer exist, the Executive Council may by order declare that Parts II, III, IV, and V shall cease to be in force.

Construction of
this Article in re-
lation to other
Articles.

2.—Article 3 and every subsequent Article of this Constitution shall be read and construed subject to the provisions of this Article, and in the case of any inconsistency between this Article and the said Article 3 or any subsequent Article, this Article shall prevail.

Definitions and
Interpretation.

3.—(1) In this Article—
the word “association” includes any combination of persons whether such combination is or is not known by a distinctive name ;
the expression “treasonable or seditious documents” includes any documents relating to or concerned with or issued or emanating from or appearing to issue or emanate from an unlawful association ;
the word “offence” includes crime ;
the word “periodical” means any newspaper, magazine, journal, or other publication which is published or issued at regular or substantially regular intervals ;

(2) *The Interpretation Act 1923 (No. 46 of 1923), applies to the interpretation of this Article in like manner as it applies to the interpretation of an Act of the Oireachtas passed after the 1st day of January, 1924.*

PART II.

THE CONSTITUTION (SPECIAL POWERS) TRIBUNAL.

4.—(1) *As soon as may be after every occasion on which this section of this Article comes into force, there shall be established a tribunal (in this Article referred to as the Tribunal) to be known and styled as the Constitution (Special Powers) Tribunal.*

Establishment of the Constitution (Special Powers) Tribunal.

(2) *The Tribunal shall consist of five members, all of whom shall be officers of the Defence Forces of Saorstát Eireann not below the rank of commandant and shall be appointed and be removable at will by the ~~Governor General acting on the~~ advice of the Executive Council.*

(3) *The Minister for Finance may appoint such registrar, clerks, and servants for the purposes of the Tribunal as he thinks proper and there may be paid to such registrar, clerks, and servants and to the members of the Tribunal such remuneration and allowances as the Minister for Finance may determine.*

5.—(1) *At every sitting of the Tribunal three members and no more of the Tribunal shall be present and constitute the Tribunal for the purposes of such sitting, and every order made and act done by such three members or a majority of them at such sitting shall for all purposes be the order or act (as the case may be) of the Tribunal.*

The procedure of the Tribunal

(2) *The Tribunal shall have full and absolute power to appoint the time and places of its sittings and full and absolute control of its own procedure in all respects and, in particular, in respect of the admission or exclusion of the public to or from its sittings, the enforcing the attendance of witnesses and the production of documents.*

(3) *The Tribunal shall have full and absolute power to punish in such manner as the Tribunal thinks proper all persons whom the Tribunal finds guilty of contempt of the Tribunal or any member thereof whether such contempt is or is not committed in the presence of the Tribunal.*

(4) *The Tribunal shall have an official seal which shall be officially and judicially noticed and every document sealed with such seal and purporting to be an order or other act of the Tribunal shall be received in evidence in all Courts without further proof and be deemed to be an order or other act (as the case may require) of the Tribunal made or done with competent jurisdiction.*

(5) *The Tribunal may act notwithstanding one or two (but not more than two) vacancies in its membership.*

*Jurisdiction of
the Tribunal.*

6.—(1) *The Tribunal shall have jurisdiction to try and to convict or acquit all persons charged with an offence mentioned in the Appendix to this Article and brought before the Tribunal under this Article, and also jurisdiction to sentence every person convicted by the Tribunal of any such offence.*

(2) *The Tribunal shall have power to administer oaths to witnesses.*

(3) *The Tribunal shall have jurisdiction to order the detention of and to detain in custody, pending trial by the Tribunal and during and after such trial until conviction or acquittal, any person brought before the Tribunal and charged with an offence mentioned in the Appendix to this Article.*

(4) *The Tribunal shall have jurisdiction, in lieu of or in addition to inflicting any punishment on a person convicted by it of an offence, to require such person to enter into a recognisance before a Justice of the District Court, in such amount and with or without sureties as the Tribunal shall direct, to keep the peace for such period as the Tribunal shall specify.*

(5) No appeal shall lie from any order, conviction, sentence, or other act of the Tribunal, and the Tribunal shall not be restrained or interfered with in the execution of its jurisdiction or powers under this Article by any court nor shall any proceedings before the Tribunal be removed by certiorari to any court.

7.—(1) Whenever the Tribunal finds any person guilty of an offence mentioned in the Appendix to this Article the Tribunal may, in lieu of the punishment provided by law (other than this Article) for such offence, sentence such person to suffer any greater punishment (including the penalty of death) if in the opinion of the Tribunal such greater punishment is necessary or expedient. Sentences by the Tribunal.

(2) Subject to the provisions of this Article in relation to the imprisonment of persons sentenced by the Tribunal to suffer imprisonment, the Tribunal may direct the manner in which and the authorities by whom any order made or sentence pronounced by the Tribunal is to be carried out and thereupon such authorities shall carry out such order or sentence in accordance with such direction.

(3) Where the Tribunal directs an order made or sentence pronounced by it to be carried out by the civil authorities, such order or sentence shall be carried out by the civil authorities and officers by whom and in the like manner as a like order or sentence of the Central Criminal Court is required by law to be carried out.

(4) Subject to the provisions of this Article, every order, conviction, and sentence of the Tribunal shall have the like consequences in law as a like order, conviction, or sentence of the Central Criminal Court would have and, in particular, every order and sentence of the Tribunal shall confer on the persons carrying out the same the like protections and immunities as would be possessed by the civil authorities and officers when carrying out an order or sentence of the Central Criminal Court.

(5) No coroner's inquest shall be held in relation to a death occasioned by the execution of a sentence of death pronounced by the Tribunal.

Immunities of members and officers of and witnesses before the Tribunal.

8.—(1) No action, prosecution, or other proceeding, civil or criminal, shall lie against any member of the Tribunal in respect of any order made, conviction or sentence pronounced, or other thing done by the Tribunal or in respect of any thing done by such member in the course of the performance of his duties or the exercise of his powers as a member of the Tribunal or otherwise in his capacity as a member of the Tribunal, whether such thing was or was not necessary to the performance of such duties or the exercise of such powers.

(2) No action or other proceeding for defamation shall lie against any person in respect of anything written or said by him in giving evidence, whether written or oral, before the Tribunal or for use in proceedings before the Tribunal.

(3) No action, prosecution, or other proceeding, civil or criminal, shall lie against any registrar, clerk, or servant of the Tribunal in respect of anything done by him in the course of the performance of his duties as such registrar, clerk, or servant, whether such thing was or was not necessary to the performance of such duties.

Perjury by witnesses before the Tribunal.

9.—Every person who, when giving, on oath or affirmation, evidence whether written or oral before the Tribunal or for use in proceedings before the Tribunal makes orally or in writing any statement as part of such evidence which he knows to be false or does not believe to be true shall be guilty of an offence triable by the Tribunal and shall be liable on conviction thereof to suffer such punishment as the Tribunal shall think proper to inflict.

Places and manner of detention and imprisonment under this Article.

10.—(1) In this section the word "prisoner" means a person who either—

(a) is detained in custody under this Article pending his being brought before the Tribunal, or

- (b) is detained in custody by order of the Tribunal, whether before, during, or after his trial by the Tribunal, or
- (c) is suffering imprisonment in pursuance of a sentence of imprisonment imposed by the Tribunal.
- (2) The Minister for Defence may make regulations for all or any of the following purposes, that is to say :—
- (a) prescribing the prisons, internment camps, and other places in which prisoners may be detained or imprisoned ;
- (b) providing for the efficient management, sanitation, control, and guarding of such prisons, camps, and other places ;
- (c) providing for the enforcement and preservation of discipline amongst prisoners ;
- (d) providing for the medical, surgical and nursing care of prisoners ;
- (e) providing for the segregation of prisoners who are awaiting trial or whose trial has not been completed from prisoners who have been tried, convicted, and sentenced ;
- (f) providing for the prevention of the escape of prisoners and authorising the doing in respect of a prisoner attempting to escape or any person assisting a prisoner in such attempt of anything which may be necessary to prevent him effecting such escape ;
- (g) providing for the re-capture of prisoners who have escaped and authorising the making of all searches and inquiries necessary for such re-capture ;
- (h) prescribing or providing for any other matter or thing relating to the efficient detention or imprisonment of prisoners.
- (3) Every prisoner shall, notwithstanding anything contained in any Act, be detained or imprisoned (as the case may be) under and in accordance with the regulations made by the Minister for Defence under this section and for the time being in force.

(4) *Every person who aids or abets the escape of a prisoner from a place of detention or imprisonment prescribed by regulations made under this section shall be guilty of an offence triable by the Tribunal and shall be liable on conviction thereof to suffer such punishment as the Tribunal shall think proper to inflict.*

*Transfer of trials
to the Tribunal.*

11.—(1) *Whenever a person charged with an offence mentioned in the Appendix to this Article has (whether before or after this Article was inserted in this Constitution or before or after this section comes into force) been sent forward for trial on such charge by the Central Criminal Court or the Circuit Court and is awaiting trial by such Court on such charge, the Tribunal may, on the application of a member of the Garda Síochána not below the rank of inspector, order that the trial of such person on such charge be transferred to the Tribunal and thereupon such person shall be deemed to have been sent forward for trial by the Tribunal on the said charge at such time and place as the Tribunal shall direct.*

(2) *Whenever any person charged with an offence mentioned in the Appendix to this Article is (whether before or after this Article was inserted in this Constitution or before or after this section comes into force) remanded in custody or on bail by a Justice of the District Court or a Peace Commissioner, the Tribunal may, on the application of a member of the Garda Síochána not below the rank of inspector, order that the trial of such person on such charge be transferred to the Tribunal, and thereupon such person shall be deemed to have been sent forward for trial by the Tribunal on the said charge at such time and place as the Tribunal shall direct.*

(3) *Whenever the Tribunal orders under this section that the trial of a person be transferred to the Tribunal the following provisions shall have effect, that is to say:—*

(a) *such person shall be brought before the Tribunal for trial at such time and place as the Tribunal shall direct;*

- (b) *if such person is in custody when such order is made, he may be detained in custody until brought before the Tribunal for trial ;*
- (c) *if such person is at liberty on bail when such order is made, he shall be bound to surrender himself into custody at some station of the Gárda Síochána within seventy-two hours after notice in writing of such order has been given to him or his surety or one of his sureties by a member of the Gárda Síochána ;*
- (d) *if a person who is bound under the foregoing paragraph of this sub-section to surrender himself into custody does so surrender himself he may be detained in custody until brought before the Tribunal for trial and if he does not so surrender himself within the time limited by the said paragraph he may be arrested without warrant by any member of the Gárda Síochána and be detained in custody until brought before the Tribunal for trial.*

12.—(1) *The Executive Council may, at their absolute discretion, at any time freely pardon any person convicted by the Tribunal for any offence and wholly remit the punishment imposed by the Tribunal on such person.*

Power of the Executive Council to pardon, remit punishment, etc.

(2) *The Executive Council may, at their absolute discretion, at any time remit in whole or in part or modify (by way of mitigation only) or defer (conditionally or unconditionally) any punishment imposed by the Tribunal.*

PART III.

SPECIAL POWERS FOR THE POLICE.

13.—(1) *Whenever any member of the Gárda Síochána or of the Defence Forces of Saorstát Éireann observes a person whom he suspects of having committed or being about to commit or being or having been concerned in the commission of an offence mentioned in the Appendix to this Article or of having knowledge of the commission or intended commission of any*

Power of arrest on suspicion in certain cases.

such offence, such member (but in the case of a non-commissioned member of the said Defence Forces only if he is authorised (either generally or specially) by the Minister for Defence to exercise the powers conferred by this section) may stop such person and search and interrogate him and may there and then apprehend such person without warrant, and may use for such stopping, search, and apprehension or any of them such force as may be necessary.

(2) *Whenever a member of the Gárda Síochána or of the Defence Forces of Saorstát Éireann apprehends a person under this section he shall remove such person to a convenient station of the Gárda Síochána or any other place under the charge of a member of the Gárda Síochána and may use for such removal such force as may be necessary.*

(3) *Whenever a person is removed to a station of the Gárda Síochána or other place under this section, the member of the Gárda Síochána then in charge of such station or place shall communicate the fact of such removal to a member of the Gárda Síochána not below the rank of inspector and thereupon such last-mentioned member shall, within thirty-six hours after the said removal of such person to such station, either direct such person to be detained under this Article or cause such person to be charged with an offence and dealt with accordingly or to be released from detention.*

(4) *A person removed to a station of the Gárda Síochána or other place under this section may be detained in such station or place until dealt with in accordance with the next preceding sub-section of this section but shall not be detained by virtue of this sub-section for more than thirty-six hours after such removal.*

(5) *The statement on oath in any Court of Justice by a member of the Gárda Síochána or of the Defence Forces of Saorstát Éireann that, when he stopped and interrogated a particular person under this section he suspected such person of having committed or being about to commit or of being or*

having been concerned in the commission of an offence mentioned in the Appendix to this Article or of having knowledge of the commission or intended commission of any such offence (without specifying such offence) shall be conclusive evidence, incapable of being rebutted or questioned by cross-examination, rebutting evidence, or otherwise, that such member did at that time so suspect such person and was then entitled to stop and interrogate such person under this section.

14.—(1) A person who has been apprehended and removed to a station of the *Gárda Síochána* under this Article may, on the direction of a member of the *Gárda Síochána* not below the rank of inspector given within thirty-six hours after such removal, be detained in custody in any station of the *Gárda Síochána*, or any prison, or any other convenient place until whichever of the following events first happens, that is to say :—

Power of detention on suspicion in certain cases.

- (a) such person is informed in writing by a member of the *Gárda Síochána* that he will be brought before the Tribunal ; or
- (b) the expiration of seventy-two hours from the said apprehension of such person.

(2) The statement on oath in any Court of Justice by a member of the *Gárda Síochána* not below the rank of inspector that within thirty-six hours after the apprehension of a person under this Article he directed such person to be detained in custody shall be conclusive evidence, incapable of being rebutted or questioned by cross-examination, rebutting evidence, or otherwise that such member gave such direction within the said period and that the detention of such person in pursuance of such direction was lawful.

(3) References in this Article to detention on suspicion under this Article shall be construed as referring to detention in custody under this section.

*Examination of
person detained
on suspicion.*

15.—(1) *Whenever a person is detained on suspicion under this Article it shall be lawful for any member of the Garda Síochána, while such person is so detained, to do all or any of the following things, that is to say :—*

- (a) *to search such person or cause him to be searched ;*
- (b) *to photograph such person or cause him to be photographed ;*
- (c) *to take or cause to be taken the finger-prints of such person ;*
- (d) *to demand of such person his name and his address and a full account of his movements and actions during any specified period ;*
- (e) *to demand of such person all or any information in his possession in relation to the commission or intended commission by another person of any of the offences mentioned in the Appendix to this Article.*

(2) *Every person detained on suspicion under this Article who, while he is so detained, does any of the following things, that is to say :—*

- (a) *obstructs or impedes a member of the Garda Síochána in the exercise of any of the powers conferred by this section of searching, photographing, or taking the finger-prints of such person ; or*
- (b) *when his name or his address is demanded of him by a member of the Garda Síochána under this section, fails or refuses to give such name or such address or gives a name or an address which is false or misleading ; or*
- (c) *when an account of his movements or actions is demanded of him under this section by a member of the Garda Síochána, fails or refuses to give such account or gives an account which is incomplete, false, or misleading ; or*

- (d) *when any information in his possession is demanded of him under this section by a member of the Garda Síochána, fails or refuses to give such information or gives information which is false, incomplete, inaccurate, or misleading ; or*
- (e) *assaults any member of the Garda Síochána ; or*
- (f) *injures any property ; or*
- (g) *behaves in a disorderly manner ; or*
- (h) *without the permission of a member of the Garda Síochána, leaves the place in which he is so detained ;*

shall be guilty of an offence triable by the Tribunal and shall be liable on conviction thereof to suffer such punishment as the Tribunal shall think proper to inflict.

16.—(1) *Whenever a person is in lawful detention in custody (otherwise than by way of detention on suspicion under this Article) in any prison, station of the Garda Síochána, or other place, it shall be lawful for any member of the Garda Síochána to enter such place, interview such person, and demand of him a full account of his movements and actions during any specified period and any information in his possession in relation to the commission or intended commission by another person of any of the offences mentioned in the Appendix to this Article.*

Examination of persons in custody.

(2) *Every person who is interviewed by a member of the Garda Síochána under this section and—*

- (a) *when an account of his movements or actions is demanded of him under this section at such interview by such member of the Garda Síochána, fails or refuses to give such account or gives an account which is incomplete, false, or misleading ; or*
- (b) *when any information in his possession is demanded of him under this section at such interview by such member of the Garda Síochána, fails or refuses*

to give such information or gives information which is false, incomplete, inaccurate, or misleading ;

shall be guilty of an offence triable by the Tribunal and shall be liable on conviction thereof to suffer such punishment as the Tribunal shall think proper to inflict.

*Power to bring
detained person
before the
Tribunal*

17.—(1) *Any member of the Garda Síochána may, within seventy-two hours after the apprehension of a person under this Article, give to such person, while he is detained on suspicion under this Article, notice in writing that he will be brought before the Tribunal..*

(2) *When notice is given to a person under the foregoing sub-section of this section, such person shall, within one month after the giving of such notice to him, be brought before the Tribunal and shall there be charged with one or more of the offences mentioned in the Appendix to this Article.*

(3) *When notice has been given to a person under the first sub-section of this section, such person shall be detained in custody until he is brought before the Tribunal in pursuance of the second sub-section of this section.*

*Power to stop
and search
vehicles.*

18.—(1) *Any member of the Garda Síochána may at any time without warrant search any vehicle and interrogate the person in charge of such vehicle and any person in such vehicle and may for the purpose of making such search and interrogation, stop any vehicle which is in motion, and may use for such search and such stopping or either of them such force as may be necessary.*

(2) *Any member of the Garda Síochána may at any time without warrant search any ship, boat, or other vessel on the inland, coastal, or territorial waters of Saorstát Éireann and interrogate the person in command or charge of such vessel and any person in such vessel and may, for the purpose of making such search and interrogation, stop any ship, boat, or other vessel which is in motion on the said waters, and may use for such search and such stopping or either of them such force as may be necessary.*

PART IV.

UNLAWFUL ASSOCIATIONS.

19.—(1) *Every association which does any of the following things shall be an unlawful association, that is to say :—*

Penalty for membership of unlawful association

- (a) *has amongst its professed objects, or advocates or encourages, or professes to encourage the overthrow by force of the Government of Saorstádt Eireann or the alteration by force of this Constitution or the law ; or*
- (b) *without lawful authority organises or maintains or endeavours or purports to organise or maintain an armed force ; or*
- (c) *promotes or encourages the unlawful possession of fire arms by its members ; or*
- (d) *engages in, promotes, encourages, or advocates any act, enterprise, or course of action of a treasonable or seditious character, or promotes, encourages, or advocates the attainment of any object of a treasonable or seditious character ; or*
- (e) *promotes, encourages, or advocates the commission of offences or the obstruction or interference with the administration of justice or with the enforcement of the law ; or*
- (f) *promotes, encourages, or advocates the non-payment of moneys payable to the Central Fund or any other public fund whether by way of taxation or otherwise or the non-payment of local taxation.*

(2) *An order made by the Executive Council declaring that a specified association is, in the opinion of the Executive*

Council, an unlawful association shall be conclusive evidence for all purposes that such association is an unlawful association.

(3) *Every such order as is referred to in the next foregoing sub-section of this section shall be published in the Iris Oifigiúil as soon as may be after it is made.*

Unlawful associations.

20.—*Every person who is a member of an unlawful association shall be guilty of an offence triable by the Tribunal and shall be liable on conviction thereof to suffer such punishment as the Tribunal shall think proper to inflict.*

Possession of documents relating to unlawful association.

21.—*If any document (of whatsoever date or bearing no date) issued by or emanating from an unlawful association or appearing to be issued or so to emanate or purporting to aid or abet an unlawful association or otherwise relating to or connected with an unlawful association is found on or in the possession of or on or in lands or premises belonging to, occupied by, or under the control of any person, such person, unless he is an officer of the State and has possession or custody of such document in the course of his duties as such officer or he satisfies the Court or the Tribunal (as the case may be) that he did not know such document was in his possession or on or in such lands or premises or that he did not know the nature or contents of such document, shall be guilty of an offence under this section and shall be liable on summary conviction thereof to a fine not exceeding fifty pounds or, at the discretion of the Court, to imprisonment for any term not exceeding three months or to both such fine and such imprisonment or, on conviction thereof by the Tribunal, such punishment as the Tribunal shall think proper to inflict.*

Proof of membership of unlawful association.

22.—(1) *Whenever a person is charged with the offence of being a member of an unlawful association and it is proved to the satisfaction of the Tribunal that a document (of what-*

soever date or bearing no date) issued by or emanating from or appearing to be issued by or to emanate from an unlawful association or purporting to aid or abet an unlawful association or otherwise relating to or connected with an unlawful association was found on or in the possession of such person or on or in lands or premises belonging to or occupied by him or under his control such person shall be deemed to be a member of the unlawful association to or with which such document relates or is connected unless he proves that he is not then a member of such association and was not a member of such association at any time after this Article was inserted in this Constitution.

(2) A person who is deemed by virtue of this section to be a member of an unlawful association shall not be deemed to have proved that he is not then a member of such association and was not a member thereof since this Article was inserted in this Constitution unless (in addition to such other evidence as satisfies the Tribunal of such non-membership) he declares on oath (which declaration the Tribunal shall give him an opportunity of making) that he is not then a member of such unlawful association and was not a member thereof at any time since this Article was inserted in this Constitution.

23.—(1) It shall not be lawful to print, publish, distribute, sell or offer or expose for sale any book, newspaper, magazine, periodical, pamphlet, leaflet, circular or other document which is issued or published on behalf of an unlawful association.

Prohibition of printing, etc., of certain classes of documents.

(2) Every person who shall print, publish, distribute, sell or offer or expose for sale any book, newspaper, magazine, periodical, pamphlet, leaflet, circular, or other document in contravention of this section shall be guilty of an offence under this section and shall be liable on summary conviction thereof to a fine not exceeding one hundred pounds or, at the discretion

of the Court, to imprisonment for any term not exceeding six months or to both such fine and such imprisonment or, on conviction by the Tribunal, such punishment as the Tribunal shall think proper to inflict, and also in any case to forfeiture of every copy of such document in his possession and also, in the case of a person found guilty of the offence of printing any such document, to forfeiture of all printing machinery in his possession.

(3) In this section references to printing include any mode of representing or reproducing words in a visible form and the words "print" and "printing" shall be construed accordingly.

PART V.

MISCELLANEOUS.

Power to proclaim public meetings.

24.—(1) Whenever it appears to the Executive Council that the holding of public meetings in or in the vicinity of any particular building or any particular road or street is likely to lead to a breach of the peace or to be prejudicial to the maintenance of law and order, the Executive Council may issue a proclamation prohibiting the holding in or within a specified area (including such building, road, or street and not extending more than one mile therefrom) during a specified period (not exceeding three months) from the date of the proclamation of either (as the Executive Council shall think proper to specify) any public meeting whatsoever or any public meeting held otherwise than under specified conditions or for specified objects.

(2) Whenever it appears to an Executive Minister that any proposed public meeting is likely to promote or incite to the commission of acts of violence or intimidation or to interfere with the administration of the law or the maintenance of law and order, such Executive Minister may issue a proclama-

tion prohibiting the holding of such meeting at the place and time at which it was proposed to be held or at any other place within three days before or after such time..

(3) *Whenever a proclamation is issued under this section by the Executive Council or by an Executive Minister, every person who shall hold or take part or be concerned in the holding of a public meeting in contravention of such proclamation or shall take part in or be present at any meeting held in contravention of such proclamation shall be guilty of an offence under this section and shall be liable on summary conviction thereof to a fine not exceeding twenty pounds or, at the discretion of the Court, to imprisonment for any term not exceeding one month or, on conviction thereof by the Tribunal, to such punishment as the Tribunal shall think proper to inflict.*

(4) *Every proclamation issued under this section shall be made public in such manner as the Executive Council or the Executive Minister issuing such proclamation (as the case may be) shall direct with a view to bringing such proclamation to the notice of all persons concerned, but no omission of or insufficiency in such publication shall prejudice or affect the validity of such proclamation..*

(5) *In this section—*
the word "meeting" includes any assembly, procession, or other coming together of persons for any purpose; and
the expression "public meeting" means a meeting at which all members of the public or any particular class or section or classes or sections of the public are invited or permitted or proposed to be permitted to be present.

25.—(1) *Whenever the Executive Council is satisfied that a member of either House of the Oireachtas has died in consequence, directly or indirectly, of an unlawful act of another person or is prevented by physical incapacity arising, directly or indirectly, from the unlawful act of another person or by unlawful imprisonment or by threats or intimidation from*

Powers of Governor-General when member prevented attending the Oireachtas.

appearing at and taking part in the sittings of the House of the Oireachtas of which he is a member, the Governor-General on the advice of the Executive Council may do either or both of the following things, that is to say :—

- (a) *by order appoint such person as the Governor-General on the advice aforesaid and having regard to the known opinions of the member so deceased or so prevented (as the case may be) shall think proper to name in such order to be a member of the said House of the Oireachtas in place of the said member ;*
- (b) *by order adjourn either or both Houses of the Oireachtas for such period not exceeding one month as the Governor-General on the advice aforesaid shall think proper to specify in such order.*

(2) *A person appointed by an order made under this section to be a member of a House of the Oireachtas shall, immediately upon the making of such order, become and be until his membership is terminated under this section, a member of such House in all respects and for all purposes and with all the rights, privileges, and immunities of a member of such House but shall not be entitled to take his seat in such House until he has taken in accordance with Article 17 of this Constitution the oath mentioned in that Article.*

(3) *A person appointed by an order made under this section to be a member of a House of the Oireachtas in the place of a member thereof who has died shall cease to be a member of such House on the happening of whichever of the following events first happens, that is to say :—*

- (a) *the issue of a writ or the making of an order (as the case may require) for the holding of an election to fill the place of the said deceased member ; or*
- (b) *the dissolution of Dáil Eireann.*

(4) *A person appointed by an order made under this section to be a member of a House of the Oireachtas in the place of a member thereof who is prevented from attending the sittings of such House shall cease to be a member of such House on the happening of whichever of the following events shall first happen, that is to say :—*

(a) *the member in whose place the said person was so appointed appearing in person at a sitting of the said House ; or*

(b) *the dissolution of Dáil Eireann.*

(5) *When an order is made under this section adjourning either or both Houses of the Oireachtas, such House or Houses (as the case may be) shall stand adjourned for the period specified in such order and shall not sit or meet until the expiration of that period.*

(6) *Every order made under this section appointing a person to be a member of a House of the Oireachtas or adjourning one only of the Houses of the Oireachtas shall be communicated to the Clerk of such House and shall be entered by the Clerk of such House in the Journal of such House.*

(7) *Every order made under this section adjourning both Houses of the Oireachtas shall be communicated to the Clerk of each such House and shall be entered by each such Clerk in the Journal of the House of which he is Clerk.*

26.—(1) *The Tribunal may, on the application of a member of the Garda Síochána not below the rank of inspector, make an order declaring any book, issue of a periodical, pamphlet, poster, or other document to be seditious.*

Power of the Tribunal to declare that a periodical, etc., is seditious.

(2) *Whenever the Tribunal makes an order under this section declaring a document to be seditious, any member of the Garda Síochána may seize and remove any copy of such document which he finds in any place and may for that purpose enter on any lands or premises in which he knows or suspects that there is a copy of such document and may there search for such copy.*

Power of the Tribunal to close buildings.

27.—(1) *Whenever it appears to the Tribunal, on the application of a member of the Gárda Síochána not below the rank of inspector, that any building is being or has been used for the purpose of or in relation to the commission of an offence mentioned in the Appendix to this Article, the Tribunal may make an order (in this section referred to as a closing order) closing such premises for such period (in this section referred to as the close period) not exceeding six months from the date of the order as the Tribunal shall specify in such order.*

(2) *Whenever the Tribunal has made a closing order, the Tribunal may at any time during the close period specified in such order amend such order by terminating or reducing the said close period.*

(3) *Whenever the Tribunal makes a closing order it shall not be lawful for any person to use or occupy during the close period specified in such order the building or any part of the building to which such order relates.*

(4) *Every person who uses or occupies a building or any part of a building in contravention of this section shall be guilty of an offence triable by the Tribunal and shall be liable on conviction thereof to suffer such punishment as the Tribunal shall think proper to inflict.*

(5) *Any member of the Gárda Síochána not below the rank of inspector may take all such steps as he shall consider necessary or expedient to prevent any particular building or any part thereof from being used or occupied in contravention of this section.*

(6) *References in this section to a building shall be construed as including all yards, gardens and out-offices within the curtilage of such building.*

Trial of civil actions against members of the Gárda Síochána.

28.—*No party to an action or other civil proceeding in the High Court or the Circuit Court against a member of the Gárda Síochána, either alone or jointly with other persons, shall be entitled to a jury for the trial of such proceedings where the relief claimed in such proceedings is or includes damages or*

other relief on account of alleged illegal detention, or an alleged assault, or an alleged conspiracy.

29.—(1) *Any member of the Gárda Síochána may stop and search and may also arrest without warrant any person whom he knows or suspects to be carrying any treasonable or seditious documents, and whether arresting him or not, may seize and detain all documents carried by him which appear to such member to be treasonable or seditious.*

Carriage of treasonable or seditious documents.

(2) *The statement on oath in any Court of Justice by any member of the Gárda Síochána that when he stopped, searched or arrested (as the case may be) any person under this section he suspected such person of carrying treasonable or seditious documents shall be conclusive and final evidence, incapable of being rebutted or questioned by cross-examination, rebutting evidence or otherwise that such member did so suspect such person and was then entitled to stop, search, and arrest such person under this section.*

30.—(1) *If a member of the Gárda Síochána not below the rank of inspector is of opinion that there is reasonable ground for suspecting that there are treasonable or seditious documents, firearms, or ammunition in any place or premises, he may issue an order in writing (in this section referred to as a search order) to any one or more members of the Gárda Síochána named therein to search any place or premises named in such order.*

Search orders.

(2) *A search order shall operate to authorise the member or members of the Gárda Síochána named therein to enter the place or premises to which such order relates at any time within twenty-four hours after the issuing of such search order, and if need be by force, and to search such place or*

premises for treasonable or seditious documents, firearms, and ammunition and to seize and remove all documents found on such search which appear to such member or members to be treasonable or seditious and all firearms and ammunition found on such search.

(3) *Any member of the Garda Síochána making a search under a search order may do all or any one or more of the following things, that is to say:—*

(a) *search any person found in the place or premises to which the order relates;*

(b) *demand the name and address of any person found in such place or premises and (without prejudice to any other power to arrest vested in him by law or by virtue of any lawful warrant) arrest without warrant any such person who refuses to give his name or his address to such member or gives a name or address which such member knows or suspects to be false or misleading; or*

(c) *arrest without warrant any person found in such place or premises whom such member suspects of having had in his possession any treasonable or seditious document, firearm, or ammunition in such place or premises.*

(4) *In this section the word "firearm" and the word "ammunition" have the meanings assigned to them respectively in the Firearms Act, 1925 (No. 17 of 1925).*

Forfeitures and disqualifications on certain convictions.

31.—(1) *Whenever a person convicted while this section is in force of an offence mentioned in the Appendix to this Article holds at the time of such conviction an office or employment remunerated out of the Central Fund or moneys provided by the Oireachtas or moneys raised by local taxation, or in or under or as a paid member of a board or body established by*

or under an Act of the Oireachtas, such person shall immediately on such conviction forfeit such office, employment, place, or emolument and the same shall forthwith become and be vacant.

(2) Whenever a person convicted while this section is in force of an offence mentioned in the Appendix to this Article is at the time of such conviction in receipt of a pension or superannuation allowance payable out of the Central Fund or moneys provided by the Oireachtas or moneys raised by local taxation, or the funds of a board or body established by or under an Act of the Oireachtas, such person shall immediately upon such conviction forfeit such pension or superannuation allowance and such pension or superannuation allowance shall forthwith cease to be payable.

(3) Every person convicted while this section is in force of an offence mentioned in the Appendix to this Article shall from and after such conviction be for seven years from the date of such conviction disqualified for holding any office or employment remunerated out of the Central Fund or moneys provided by the Oireachtas or moneys raised by local taxation or in or under or as a paid member of a board or body established by or under an Act of the Oireachtas.

(4) Whenever a conviction which occasions by virtue of this section any forfeiture or disqualification is quashed or annulled or the convicted person is granted a free pardon such forfeiture or disqualification shall be annulled, in the case of a quashing or annulment, as from the date of the conviction and, in the case of a free pardon, as from the date of such pardon.

32.—(1) Every document seized by a member of the *Gárda Síochána* in exercise of a power conferred by or under this Article shall be deemed to be in the custody of the Commissioner of the *Gárda Síochána* and, until destroyed or returned or otherwise disposed of under this section, shall be retained by such person and in such place as the said Commissioner shall direct.

Disposal of documents seized under this Article.

(2) Any person who claims to be the owner of a document which is deemed by this section to be in the custody of the Commissioner of the *Gárda Síochána* may, within one month after such seizure, apply to the said Commissioner for the return of such document to him and thereupon the said Commissioner may, as he shall think proper, either return such document to such person or apply to the Tribunal for directions and dispose of such document in such manner as the Tribunal shall order.

(3) The Commissioner of the *Gárda Síochána* may cause every document which is deemed by this section to be in his custody and is not returned to the owner thereof, to be destroyed or otherwise disposed of as soon, but not less than one month after the seizure of such document, as the said Commissioner shall consider that such document is not required for the purpose of criminal proceedings under this Article or otherwise.

Exclusion of
section 8 of the
Law of Libel
Amendment Act,
1888.

33.—Section 8 of the Law of Libel Amendment Act, 1888, shall not apply in respect of any criminal prosecution for seditious libel brought before the Tribunal.

Expenses.

34.—All expenses incurred in carrying this Article into effect shall, to such extent as may be sanctioned by the Minister for Finance, be paid out of moneys provided by the *Oireachtas*.

APPENDIX TO THE FOREGOING ARTICLE.

1. Any offence (whether committed before or after this Article was inserted in this Constitution or before or after sections 4 to 34 of this Article came into force) which is declared by the Treasonable Offences Act, 1925 (No. 18 of 1925) to be treason or a felony or a misdemeanour.

2. Any offence under the Juries (Protection) Act, 1929 (No. 33 of 1929), whether committed before or after this Article was inserted in this Constitution or before or after sections 4 to 34 of this Article came into force.

3. The offence under the Firearms Act, 1925 (No. 17 of 1925), of having possession of or using or carrying a firearm without holding a firearm certificate therefor or any offence under that Act in relation to a prohibited weapon, in every case whether the offence is committed before or after this Article was inserted in this Constitution or before or after sections 4 to 34 of this Article came into force.

4. Seditious libel, whether committed before or after this Article was inserted in this Constitution or before or after sections 4 to 34 of this Article came into force.

5. An offence under any section of this Article.

6. Any offence which is specifically described by this Article as an offence triable by the Tribunal.

7. Any offence whatsoever (whether committed before or after this Article was inserted in this Constitution or before or after sections 4 to 34 of this Article came into force) in respect of which an Executive Minister certifies in writing under his hand that to the best of his belief the act constituting such offence was done with the object of impairing or impeding the machinery of government or the administration of justice.

***Article 3.**

Every person, without distinction of sex, domiciled in the area of the jurisdiction of the Irish Free State (Saorstát Eireann) at the time of the coming into operation of this Constitution, who was born in Ireland or either of whose parents was born in Ireland or who has been ordinarily resident in the area of the jurisdiction of the Irish Free State (Saorstát Eireann) for not less than seven years, is a citizen of the Irish Free State (Saorstát Eireann) and shall ~~within the limits of the jurisdiction of the Irish Free State (Saorstát Eireann)~~¹ enjoy the privileges and be subject to the obligations of such citizenship: Provided that any such person being a citizen of another State may elect not to accept the citizenship hereby conferred; and the conditions governing the future acquisition and termination of citizenship ~~in~~¹ of the Irish Free State (Saorstát Eireann) shall be determined by law.

Article 4.

The National language of the Irish Free State (Saorstát Eireann) is the Irish language, but the English language shall be equally recognised as an official language. Nothing in this Article shall prevent special provisions being made by the Parliament of the Irish Free State (otherwise called and herein generally referred to as the "Oireachtas") for districts or areas in which only one language is in general use.

Article 5.

No title of honour in respect of any services rendered in or in relation to the Irish Free State (Saorstát Eireann) may be conferred on any citizen of the Irish Free State (Saorstát Eireann) except with the approval or upon the advice of the Executive Council of the State.

1. Amendment No. 26 Act.

¹ See Irish Nationality and Citizenship Act, 1935 (No. 13 of 1935); and Aliens Act, 1935 (No. 14 of 1935).

Article 6.

The liberty of the person is inviolable, and no person shall be deprived of his liberty except in accordance with law. Upon complaint made by or on behalf of any person that he is being unlawfully detained, the High Court and any and every judge thereof shall forthwith enquire into the same and may make an order requiring the person in whose custody such person shall be detained to produce the body of the person so detained before such Court or judge without delay and to certify in writing as to the cause of the detention and such Court or judge shall thereupon order the release of such person unless satisfied that he is being detained in accordance with the law :

Provided, however, that nothing in this Article contained shall be invoked to prohibit control or interfere with any act of the military forces of the Irish Free State (Saorstát Eireann) during the existence of a state of war or armed rebellion.

Article 7.

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

Article 8.

Freedom of conscience and the free profession and practice of religion are, subject to public order and morality, guaranteed to every citizen, and no law may be made either directly or indirectly to endow any religion, or prohibit or restrict the free exercise thereof or give any preference, or impose any disability on account of religious belief or religious status, or affect prejudicially the right of any child to attend a school receiving public money without attending the religious instruction at the school, or make any discrimination as respects State aid between schools under the management of different religious denominations, or divert from any religious denomination or any educational institution any of its

property except for the purpose of roads, railways lighting, water or drainage works or other works of public utility, and on payment of compensation.

Article 9.

The right of free expression of opinion as well as the right to assemble peaceably and without arms, and to form associations or unions is guaranteed for purposes not opposed to public morality. Laws regulating the manner in which the right of forming associations and the right of free assembly may be exercised shall contain no political, religious or class distinction.

Article 10.

All citizens of the Irish Free State (Saorstát Eireann) have the right to free elementary education.

***Article 11.**

All the lands and waters, mines and minerals, within the territory of the Irish Free State (Saorstát Eireann) hitherto vested in the State, or any department thereof, or held for the public use or benefit, and also all the natural resources of the same territory (including the air and all forms of potential energy), and also all royalties and franchises within that territory shall, from and after the date of the coming into operation of this Constitution, belong to the Irish Free State (Saorstát Eireann), subject to any trusts, grants, leases or concessions then existing in respect thereof, or any valid private interest therein, and shall be controlled and administered by the Oireachtas, in accordance with such regulations and provisions as shall be from time to time approved by legislation, but the same shall not, nor shall any part thereof, be alienated, but may in the public interest be from time to time granted by way of lease or licence to be worked or enjoyed under the authority and subject

* See State Lands Act, 1924 (No. 45 of 1924); State Lands (Workhouses) Act, 1930 (No. 9 of 1930); Mines and Minerals Act, 1931 (No. 54 of 1931); and Foreshore Act, 1933 (No. 12 of 1933).

to the control of the Oireachtas : Provided that no such lease or licence may be made for a term exceeding ninety-nine years, beginning from the date thereof, and no such lease or licence may be renewable by the terms thereof.

***Article 12.**

A Legislature is hereby created to be known as the Oireachtas. It shall consist of ~~the King and~~¹ ~~two Houses~~² ~~one House~~³, the Chamber of Deputies (otherwise called and herein generally referred to as "Dáil Eireann") ~~and the Senate (otherwise called and herein generally referred to as "Seanad Eireann").~~² The sole and exclusive power of making laws for the peace, order and good government of the Irish Free State (Saorstát Eireann) is vested in the Oireachtas.

Article 13.

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

†Article 14.

All citizens of the Irish Free State (Saorstát Eireann) without distinction of sex, who have reached the age of twenty-one years and who comply with the provisions of the prevailing electoral laws, shall have the right to vote for members of Dáil Eireann, and to take part in the Referendum and Initiative.³ ~~All citizens of the Irish Free State (Saorstát Eireann) without distinction of sex who have reached the age of thirty years and who comply with the provisions of the prevailing electoral laws, shall have the right to vote for members of Seanad Eireann.~~⁴ No voter may exercise more than one vote

1. Amendment No. 27 Act.

2. Amendment No. 24 Act.

3. Amendment No. 10 Act.

4. Amendment No. 6 Act.

* See Seanad Eireann (Consequential Provisions) Act, 1936 (No. 26 of 1936).

† See Electoral Act, 1923 (No. 12 of 1923); Prevention of Electoral Abuses Act, 1923 (No. 38 of 1923); and Electoral (Amendment) Act, 1927 (No. 21 of 1927).

at an election to ~~either House~~¹ *Dáil Eireann*¹ and the voting shall be by secret ballot. The mode and place of exercising this right shall be determined by law.

***Article 15.**

Every citizen who has reached the age of twenty-one years and who is not placed under disability or incapacity by the Constitution or by law shall be eligible to become a member of *Dáil Eireann*.

Article 16.²

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

†Article 17.³

The oath to be taken by members of the Oireachtas shall be in the following form:—

I..... do solemnly swear true faith and allegiance to the Constitution of the Irish Free State as by law established, and that I will be faithful to H.M. King George V., his heirs and successors by law in virtue of the common citizenship of Ireland with Great Britain and her adherence to and membership of the group of nations forming the British Commonwealth of Nations.

Such oath shall be taken and subscribed by every member of the Oireachtas before taking his seat therein before the Representative of the Crown or some person authorised by him.

1. Amendment No. 6 Act. 2. Amendment No. 24 Act.
3. Constitution (Removal of Oath) Act.

^{*}See Articles 63 and 69 of the Constitution; section 51 of Electoral Act, 1923 (No. 12 of 1923); and Electoral (Amendment) (No. 2) Act, 1927 (No. 33 of 1927).

[†]See Electoral (Amendment) Act, 1933 (No. 14 of 1933).

Article 18.

Every member of the Oireachtas shall, except in case of treason, felony, or breach of the peace, be privileged from arrest in going to and returning from, and while within the precincts of ~~either House~~,¹ *Dáil Eireann*,¹ and shall not, in respect of any utterance in ~~either House~~¹ *Dáil Eireann*¹ be amenable to any action or proceeding in any Court other than ~~the House~~¹ *Dáil Eireann*¹ itself.

Article 19.

All official reports and publications of the Oireachtas or of ~~either House thereof~~¹ *Dáil Eireann*¹ shall be privileged and utterances made in ~~either House~~¹ *Dáil Eireann*¹ wherever published shall be privileged.

Article 20.

~~Each House~~¹ *Dáil Eireann*¹ 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 21.**

~~Each House~~¹ *Dáil Eireann*¹ shall elect its own Chairman and Deputy Chairman and shall prescribe their powers, duties, remuneration, and terms of office.

The member of Dáil Eireann who is the Chairman of Dáil Eireann immediately before a dissolution of the Oireachtas shall, unless before such dissolution he announces to Dáil Eireann that he does not desire to continue to be a member thereof, be deemed without any actual election to be elected in accordance with this Constitution at the ensuing

1. Amendment No. 24 Act.

* See section 2 of Electoral (Amendment) Act, 1927 (No. 21 of 1927).

general election as a member of Dáil Eireann for the constituency for which he was a member immediately before such dissolution or, in the event of a revision of constituencies having taken place, for the revised constituency declared on such revision to correspond to such first-mentioned constituency. Whenever a former Chairman of Dáil Eireann is so deemed to have been elected at a general election as a member for a constituency the number of members actually to be elected for such constituency at such general election shall be one less than would otherwise be required to be elected therefor.¹

Article 22.

All matters in ~~each House~~² Dáil Eireann² shall, save as otherwise provided by this Constitution, be determined by a majority of the votes of the members present other than the Chairman or presiding member, who shall have and exercise a casting vote in the case of an equality of votes. The number of members necessary to constitute a meeting of ~~either House~~² Dáil Eireann² for the exercise of its powers shall be determined by its Standing Orders.

***Article 23.**

The Oireachtas shall make provision for the payment of its members and may in addition provide them with free travelling facilities in any part of Ireland.

Article 24.

The Oireachtas shall hold at least one session each year. The Oireachtas shall be summoned and dissolved by the ~~Representative of the Crown in the name of the King~~³ Chairman of Dáil Eireann on the direction in writing of the Executive Council signed by the President of the Executive Council³ and subject as aforesaid Dáil Eireann shall fix the date of re-assembly of the Oireachtas ~~and the~~

1. Amendment No. 2 Act.

2. Amendment No. 24 Act.

3. Amendment No. 27 Act.

* See Oireachtas (Payment of Members) Act, 1923 (No. 18 of 1923); Oireachtas (Payment of Members) (Amendment) Act, 1925 (No. 29 of 1925); Oireachtas (Payment of Members) Act, 1928 (No. 17 of 1928); and Oireachtas (Payment of Members) Act, 1933 (No. 50 of 1933).

~~date of the conclusion of the session of each House: Provided that the sessions of Seanad Eireann shall not be concluded without its own consent.¹~~

Article 25.

Sittings of each House of the Oireachtas¹ *Dáil Eireann*¹ shall be public. In cases of special emergency ~~either House¹ *Dáil Eireann*¹~~ may hold a private sitting with the assent of two-thirds of the members present.

*Article 26.

Dáil Eireann shall be composed of members who represent constituencies determined by law. The number of members shall be fixed from time to time by the Oireachtas, but the total number of members of *Dáil Eireann* (~~exclusive of members for the Universities~~)² 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: Provided that the proportion 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 possible, be identical throughout the country. The members shall be elected upon principles of Proportional Representation. The Oireachtas shall revise the constituencies at least once in every ten 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 Eireann* sitting when such revision is made.

~~†Article 27.²~~

~~Each University in the Irish Free State (Saorstát Eireann), which was in existence at the date of the~~

1. Amendment No. 24 Act.

2. Amendment No. 23 Act.

* See Electoral Act, 1923 (No. 12 of 1923); and Electoral Revision of Constituencies Act, 1935 (No. 5 of 1935).

† See Electoral Act, 1923 (No. 12 of 1923); Section 4 of Electoral (Amendment) Act, 1927 (No. 21 of 1927); and Electoral (University Constituencies) Act, 1936 (No. 22 of 1936).

~~coming into operation of this Constitution, shall be entitled to elect three representatives to Dáil Eireann upon a franchise and in a manner to be prescribed by law.~~

*** Article 28.**

At a General Election for Dáil Eireann the polls ~~(exclusive of those for members for the Universities)¹~~ shall be held on the same day throughout the country, and that day shall be a day not later than thirty days after the date of the dissolution ~~and shall be proclaimed a public holiday.²~~ Dáil Eireann shall meet within one month of such day, and shall unless earlier dissolved continue for ~~four years³ six years or such shorter period as may be fixed by legislation³~~ from the date of its first meeting, and not longer. Dáil Eireann may not at any time be dissolved except on the advice of the Executive Council.

† Article 29.

In case of death, resignation or disqualification of a member of Dáil Eireann, the vacancy shall be filled by election in manner to be determined by law.

~~Article 30.⁴~~

~~Seanad Eireann shall be composed of citizens who shall be proposed on the grounds that they have done honour to the Nation by reason of useful public service or that, because of special qualifications or attainments, they represent important aspects of the Nation's life.~~

1. Amendment No. 23 Act.
3. Amendment No. 4 Act.

2. Amendment No. 3 Act.
4. Amendment No. 24 Act.

*See sections 3 (2) and 7 of Electoral (Amendment) Act, 1927 (No. 21 of 1927).

† See section 53 of Electoral Act, 1923 (No. 12 of 1923).

Article 31.¹

The number of members of Seanad Eireann shall be sixty. A citizen to be eligible for membership of Seanad Eireann must be a person eligible to become a member of Dáil Eireann, and must have reached the age of ~~thirty five~~² *thirty*² years. Subject to any provision for the constitution of the first Seanad Eireann the term of office of ~~a member of Seanad Eireann shall be twelve years~~³ *of members of Seanad Eireann shall, in the case of the members elected (otherwise than under Article 32 of this Constitution) at the election held in pursuance of Article 32 of this Constitution in the year 1925, be twelve years, and shall, in the case of the members elected at the election held pursuant to the said Article 32 to fill the places of members of Seanad Eireann who are due to retire in the year 1928, be as provided in Article 32 B of this Constitution and shall, in every other case but subject to the provisions of the said Article 34, be nine years.*³

Article 31A.¹

*The duration of the term of office of a member of the first Seanad Eireann shall be reckoned from the beginning of the day on which this Constitution comes into operation, and the duration of the term of office of a member of Seanad Eireann elected under Article 32 of this Constitution shall be reckoned from the beginning of the appropriate triennial anniversary of that day.*⁴

Article 32.¹

~~One fourth~~³ *Save as is hereinafter otherwise provided, one-third*³ *of the members of Seanad Eireann shall be elected every three years from a panel constituted as hereinafter mentioned at an election at which the area of the jurisdiction of the Irish Free State (Saorstát Eireann) shall form one electoral area, and the elections shall be held on principles of Proportional Representation*⁵ *at which the electors shall be the members of Dáil*

1. Amendment No. 24 Act.

3. Amendment No. 7 Act.

5. Amendment No. 6 Act.

2. Amendment No. 8 Act.

4. Amendment No. 1 Act.

~~Eireann and the members of Seanad Eireann voting together on principles of Proportional Representation. The voting at such elections shall be by secret ballot and no elector may exercise more than one vote thereat. The place and conduct of such elections shall be regulated by law.⁵~~

~~At the election held in pursuance of this Article to fill the places of members of Seanad Eireann who are due to retire in the year 1928, one-fourth only of the members of Seanad Eireann shall be elected under this Article.¹~~

~~Article 32A.²~~

~~An election of members of Seanad Eireann under Article 32 of this Constitution may be held at any time not more than three months before nor more than three months after the conclusion of the period of three years mentioned in that Article.~~

~~A person who, after the day appointed by law for the completion of the formation of the panel of candidates and before the conclusion of the three years period running on that day, is chosen under Article 34 of this Constitution to fill a vacancy caused by the death, resignation, or disqualification of a member of Seanad Eireann (other than a member about to retire at the conclusion of the said period) shall hold office until the conclusion of the next three years period and shall then retire.³~~

~~Article 32B.²~~

~~The respective terms of office of the several members of Seanad Eireann elected at the election held pursuant to Article 32 of this Constitution to fill the places of members of Seanad Eireann who are due to retire in the year 1928 shall be as follows, that is to say:—~~

- ~~(a) the first five members so elected shall hold office for nine years,~~

5. Amendment No. 6 Act.
1. Amendment No. 7 Act.

2. Amendment No. 24 Act.
3. Amendment No. 1 Act.

- (b) *so many of the members so elected after such first five members as are necessary to fill under Article 34 of this Constitution additional vacancies (if any) originally created by the death, resignation, or disqualification of members of Seanad Eireann who were due to retire in the year 1937 shall hold office for nine years,*
- (c) *the next five members so elected shall hold office for six years,*
- (d) *so many of the members so elected after the last-mentioned five members as are necessary to fill under Article 34 of this Constitution additional vacancies (if any) originally created by the death, resignation, or disqualification of members of Seanad Eireann who were due to retire in the year 1934 shall hold office for six years,*
- (e) *all other members so elected shall hold office for three years.*

The proviso to the said Article 34 shall not apply to the said election.¹

***Article 33.²**

Before each election of members of Seanad Eireann a panel shall be formed consisting of:—

- (a) Three times as many qualified persons as there are members to be elected, of whom two-thirds shall be nominated by Dáil Eireann voting according to principles of Proportional Representation and one-third shall be nominated by Seanad Eireann voting according to principles of Proportional Representation; and
- (b) Such persons who have at any time been members of Seanad Eireann (including members about to retire) as signify by notice in writing

1. Amendment No. 7 Act.

2. Amendment No. 9 Act.

* See Electoral (Seanad Elections) Act, 1925 (No. 34 of 1925).

addressed to the President of the Executive Council their desire to be included in the panel.

The method of proposal and selection for nomination shall be decided by Dáil Eireann and Seanad Eireann respectively, with special reference to the necessity for arranging for the representation of important interests and institutions in the country: Provided that each proposal shall be in writing and shall state the qualifications of the person proposed and that no person shall be proposed without his own consent. As soon as the panel has been formed a list of the names of the members of the panel arranged in alphabetical order with their qualifications shall be published.

***Article 33.¹**

Before each election of members of Seanad Eireann a panel of candidates for such election shall be formed in such manner in all respects as shall be prescribed by law.²

†Article 34.¹

In case of the death, resignation or disqualification of a member of Seanad Eireann his place shall be filled by a vote of Seanad Eireann³ by an election at which the candidates shall be nominated in such manner in all respects as shall be prescribed by law and at which the electors shall be the members of Dáil Eireann and the members of Seanad Eireann voting together. The voting at such elections shall be by secret ballot and no elector may exercise more than one vote thereat. The place and conduct of such elections shall be regulated by law.³ Any member of Seanad Eireann so chosen shall retire from office at the conclusion of the three years

1. Amendment No. 24 Act.

2. Amendment No. 9 Act.

3. Amendment No. 11 Act.

* See Electoral (Amendment) (No. 2) Act, 1927 (No. 33 of 1927); and Seanad Electoral Act, 1928 (No. 29 of 1928).

† See Seanad Bye-Elections Act, 1930 (No. 1 of 1930).

period then running and the vacancy thus created shall be additional to the places to be filled under Article 32 of this Constitution. The term of office of the members chosen at the election after the first ~~fifteen~~¹ ~~twenty~~¹ elected shall conclude at the end of the period or periods at which the member or members of Seanad Eireann, by whose death or withdrawal the vacancy or vacancies was or were originally created, would be due to retire: ~~Provided that the sixteenth member shall be deemed to have filled the vacancy first created in order of time and so on.~~² *Provided that the ~~sixteenth~~¹ ~~twenty-first~~¹ member shall be deemed to have filled the vacancy created by the death or withdrawal of the Senator, or one of the Senators, the unexpired period of whose term of office was greatest at the time of the election and so on.*²

Article 35.³

Dáil Eireann shall in relation to the subject matter of Money Bills as hereinafter defined have legislative authority exclusive of Seanad Eireann.

A Money Bill means a Bill which contains only provisions dealing with all or any of the following subjects, 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; subordinate matters incidental to those subjects or any of them. 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.

~~The Chairman of Dáil Eireann shall certify any Bill which in his opinion is a Money Bill to be a Money Bill, but, if within three days after a Bill has been passed,~~

1. Amendment No. 7 Act.
3. Amendment No. 24 Act.

2. Amendment No. 1 Act.

~~by Dáil Eireann two-fifths of the members of either House by notice in writing addressed to the Chairman of the House of which they are members so require, the question whether the Bill is or is not a Money Bill shall be referred to a Committee of Privileges consisting of three members elected by each House with a Chairman who shall be the senior Judge of the Supreme Court able and willing to act, and who, in the case of an equality of votes, but not otherwise, shall be entitled to vote. The decision of the Committee on the question shall be final and conclusive.¹~~

The Chairman of Dáil Eireann shall certify any Bill which in his opinion is a Money Bill to be a Money Bill and such certificate shall be final and conclusive unless the question whether the Bill is or is not a Money Bill is referred to a Committee of Privileges under the subsequent provisions of this Article.

If before whichever of the following events shall first occur, that is to say, the expiration of seven days from the day on which a Bill certified by the Chairman of Dáil Eireann to be a Money Bill is sent by Dáil Eireann to Seanad Eireann for its recommendations under Article 38 of this Constitution or the return of such Bill by Seanad Eireann to Dáil Eireann under the said Article 38:—

- (a) two-fifths of the members of either House by notice in writing addressed to the Chairman of the House of which they are members so require, or*
- (b) a majority of the members of Seanad Eireann present and voting at a sitting of Seanad Eireann at which not less than thirty members are present so resolve,*

the question whether the Bill is or is not a Money Bill shall forthwith be referred to a Committee of Privileges consisting of such number (not exceeding three) of members (if any) as

1. Amendment No. 12 Act.

shall be elected by Dáil Eireann within seven days after such reference, such number (not exceeding three) of members (if any) as shall be elected by Seanad Eireann within such seven days, and a Chairman who shall be the senior Judge of the Supreme Court able and willing to act and who in the case of an equality of votes, but not otherwise, shall be entitled to vote.

Every such Committee of Privileges shall decide the question so referred to it and report its decision thereon to Dáil Eireann and Seanad Eireann within twenty-one days after the day on which the Bill the subject of such question was sent to Seanad Eireann and, upon such Committee so deciding and reporting, the decision of such Committee shall be final and conclusive, but, if such Committee fails so to decide and report within such twenty-one days, the certificate of the Chairman of Dáil Eireann that such Bill is a Money Bill shall at the expiration of the said twenty-one days become and be final and conclusive.

A Committee of Privileges constituted under this Article may act notwithstanding one or more vacancies amongst its members other than the Chairman. In the event of the Chairman of any such Committee dying or becoming incapable of acting as such Chairman, the senior of the other Judges of the Supreme Court able and willing to act shall forthwith become and be the Chairman of such Committee in the place of the Chairman so dying or becoming incapable. The Chairman and one-half of the other members of any such Committee shall constitute a quorum.¹

Article 36.

Dáil Eireann shall as soon as possible after the commencement of each financial year consider the Estimates of receipts and expenditure of the Irish Free State (Saorstát Eireann) for that year, and, 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.

1. Amendment No. 12 Act.

Article 37.

Money shall not be appropriated by vote, resolution or law, unless the purpose of the appropriation has in the same session been recommended by a message from the ~~Representative of the Crown acting on the advice of the Executive Council~~¹ *Executive Council signed by the President of the Executive Council.*¹

Article 38.²

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; ~~but a Bill passed by Dáil Éireann and considered by Seanad Éireann shall, not later than two hundred and seventy days after it shall have been first sent to Seanad Éireann, or such longer period as may be agreed upon by the two Houses, be deemed to be passed by both Houses in the form in which it was last passed by Dáil Éireann~~³: ~~Provided that~~³ every Money Bill shall be sent to Seanad Éireann for its recommendations and at a period not longer than twenty-one days after it shall have been sent to Seanad Éireann, it shall be returned to Dáil Éireann which may pass it, accepting or rejecting all or any of the recommendations of Seanad Éireann, and as so passed or if not returned within such period of twenty-one days shall be deemed to have been passed by both Houses. ~~When a Bill other than a Money Bill has been sent to Seanad Éireann a Joint Sitting of the Members of both Houses may on a resolution passed by Seanad Éireann be convened for the purpose of debating, but not of voting upon, the proposals of the Bill or any amendment of the same.~~³

Article 38A.³

~~Whenever a Bill (not being a Money Bill) initiated in and passed by Dáil Éireann and sent to Seanad Éireann is within the stated period hereinafter defined either rejected~~

1. Amendment No. 20 Act.
3. Amendment No. 13 Act.

2. Amendment No. 24 Act.

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 said stated period, Dáil Éireann may within one year after the said stated period by resolution expressly passed under this Article again send such Bill to Seanad Éireann in the form (save only for such modifications as are hereinafter authorised) in which it was first so sent, and if Seanad Éireann does not, within sixty days thereafter or such longer period as may be agreed to by both Houses, pass such Bill either without amendment or with such amendments only as are agreed to by Dáil Éireann, such Bill shall, if Dáil Éireann so resolves after the expiration of such sixty days or longer period aforesaid, be deemed to have been passed by both Houses of the Oireachtas at the expiration of the said sixty days or longer period aforesaid in the form in which it was so last sent to Seanad Éireann with such (if any) amendments as may have been made therein by Seanad Éireann and agreed to by Dáil Éireann.

The said stated period is the period commencing on the day on which the said Bill is first sent by Dáil Éireann to Seanad Éireann and ending at whichever of the following times is the earlier, that is to say, the expiration of eighteen months from the commencement of the said period or the date of the reassembly of the Oireachtas after a dissolution occurring after the commencement of such period.

When a Bill initiated in and passed by Seanad Éireann is amended by Dáil Éireann, such Bill shall be deemed to have been initiated in Dáil Éireann and this Article shall apply to such Bill accordingly and for the purpose of such application the said stated period shall in relation to such Bill commence on the day on which such Bill is first sent to Seanad Éireann after being so amended by Dáil Éireann.

Whenever a Bill has been sent by Dáil Éireann to Seanad Éireann nothing in this Article shall operate to restrict the right of Dáil Éireann to send such Bill on any subsequent

~~occasion to Seanad Eireann otherwise than under this Article, and when such Bill is so sent to Seanad Eireann this Article shall apply as if such subsequent occasion were the first occasion on which such Bill was sent by Dáil Eireann to Seanad Eireann.~~

~~A Bill sent a second time by Dáil Eireann to Seanad Eireann and required for the purposes of this Article to be in the form in which it was first so sent may contain such (if any) modifications as shall be certified by the Chairman of Dáil Eireann to represent amendments made therein by Seanad Eireann and agreed to by Dáil Eireann or to be necessary owing to the lapse of time since such Bill was first sent by Dáil Eireann to Seanad Eireann.¹~~

~~Article 39.²~~

~~A Bill may be initiated in Seanad Eireann and if passed by Seanad Eireann shall be introduced into Dáil Eireann. If amended by Dáil Eireann the Bill shall be considered as a Bill initiated in Dáil Eireann. If rejected by Dáil Eireann it shall not be introduced again in the same session, but Dáil Eireann may reconsider it on its own motion.³~~

~~Article 40.²~~

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

~~Article 41.~~

~~So soon as any Bill shall have been passed or deemed to have been passed by both Houses² by Dáil Eireann², the Executive Council shall present the same to the Representative of the Crown for signification by him, in the King's name, of the King's assent,⁴ the Chairman of Dáil Eireann shall sign such bill and the same shall become and be law as on and from the date of such signature.⁴ and such Representative may withhold the King's assent or~~

1. Amendment No. 13 Act.
2. Amendment No. 24 Act.

3. Amendment No. 14 Act.
4. Amendment No. 27 Act.

reserve the Bill for the signification of the King's pleasure: Provided that the Representative of the Crown shall in the withholding of such assent to or the reservation of any Bill, act in accordance with the law, practice, and constitutional usage governing the like withholding of assent or reservation in the Dominion of Canada.

A Bill reserved for the signification of the King's pleasure shall not have any force unless and until within one year from the day on which it was presented to the Representative of the Crown for the King's assent, the Representative of the Crown signifies by speech or message to each of the Houses of the Oireachtas, or by proclamation, that it has received the assent of the King in Council.

An entry of every such speech, message or proclamation shall be made in the Journal of each House and a duplicate thereof duly attested shall be delivered to the proper officer to be kept among the Records of the Irish Free State (Saorstát Eireann).¹

Article 42.

As soon as may be after any law has received the King's assent,² *been signed by the Chairman of Dáil Eireann,*² the Clerk or such officer as Dáil Eireann may appoint for the purpose, shall cause two fair copies of such law to be made, one being in the Irish language and the other in the English language (one of which copies shall be signed by the Representative of the Crown² *Chairman of Dáil Eireann*² to be enrolled for record in the office of such officer of the Supreme Court as Dáil Eireann may determine), and such copies shall be conclusive evidence as to the provisions of every such law, and in case of conflict between the two copies so deposited, that signed by the Representative of the Crown² *Chairman of Dáil Eireann*² shall prevail.

Article 43.

The Oireachtas shall have no power to declare acts to be infringements of the law which were not so at the date of their commission.

1. Amendment No. 21 Act.

2. Amendment No. 27 Act.

Article 44.

The Oireachtas may create subordinate legislatures with such powers as may be decided by law.

Article 45.

The Oireachtas may provide for the establishment of Functional or Vocational Councils representing branches of the social and economic life of the Nation. A law establishing any such Council shall determine its powers, rights and duties, and its relation to the government of the Irish Free State (Saorstát Eireann).

*** Article 46.**

The Oireachtas has the exclusive right to regulate the raising and maintaining of such armed forces as are mentioned in the Scheduled Treaty in the territory of the Irish Free State (Saorstát Eireann) and every such force shall be subject to the control of the Oireachtas.

† Article 47.¹

Any Bill passed or deemed to have been passed by both Houses may be suspended for a period of ninety days on the written demand of two-fifths of the members of Dáil Eireann or of a majority of the members of Seanad Eireann presented to the President of the Executive

1. Amendment No. 10 Act.

* See Defence Forces (Temporary Provisions) Act, 1923 (No. 30 of 1923); Defence Forces (Temporary Provisions) Act, 1923 (Continuance and Amendment) Act, 1924 (No. 38 of 1924); Defence Forces (Temporary Provisions) Act, 1925 (No. 4 of 1925); Defence Forces (Temporary Provisions) Act, 1926 (No. 9 of 1926); Defence Forces (Temporary Provisions) Act, 1927 (No. 9 of 1927); Defence Forces (Temporary Provisions) (No. 2) Act, 1927 (No. 40 of 1927); Defence Forces (Temporary Provisions) Act, 1929 (No. 2 of 1929); Defence Forces (Temporary Provisions) Act, 1930 (No. 6 of 1930); Defence Forces (Temporary Provisions) Act, 1931 (No. 2 of 1931); Defence Forces (Temporary Provisions) (No. 2) Act, 1931 (No. 52 of 1931); Defence Forces (Temporary Provisions) Act, 1933 (No. 3 of 1933); Defence Forces (Temporary Provisions) Act, 1934 (No. 10 of 1934); Defence Forces (Temporary Provisions) (No. 2) Act, 1934 (No. 26 of 1934); Defence Forces (Temporary Provisions) Act, 1935 (No. 11 of 1935); and Defence Forces (Temporary Provisions) Act, 1936 (No. 3 of 1936).

† See Electoral Act, 1923 (No. 12 of 1923) (Sections 47, 48, and 49, and the Seventh Schedule to that Act); and Prevention of Electoral Abuses Act, 1923 (No. 38 of 1923) (Section 23).

Council not later than seven days from the day on which such Bill shall have been so passed or deemed to have been so passed. Such a Bill shall in accordance with regulations to be made by the Oireachtas be submitted by Referendum to the decision of the people if demanded before the expiration of the ninety days either by a resolution of Seanad Eireann assented to by three-fifths of the members of Seanad Eireann, or by a petition signed by not less than one-twentieth of the voters then on the register of voters, and the decision of the people by a majority of the votes recorded on such Referendum shall be conclusive. These provisions shall not apply to Money Bills or to such Bills as shall be declared by both Houses to be necessary for the immediate preservation of the public peace, health or safety.

Article 48.¹

The Oireachtas may provide for the Initiation by the people of proposals for laws or constitutional amendments. Should the Oireachtas fail to make such provision within two years, it shall on the petition of not less than seventy-five thousand voters on the register, of whom not more than fifteen thousand shall be voters in any one constituency, either make such provisions or submit the question to the people for decision in accordance with the ordinary regulations governing the Referendum. Any legislation passed by the Oireachtas providing for such Initiation by the people shall provide (1) that such proposals may be initiated on a petition of fifty thousand voters on the register, (2) that if the Oireachtas rejects a proposal so initiated it shall be submitted to the people for decision in accordance with the ordinary regulations governing the Referendum; and (3) that if the Oireachtas enacts a proposal so initiated, such enactment shall be subject to the provisions respecting ordinary legislation or amendments of the Constitution as the case may be.

1. Amendment No 10 Act.

Article 49.

Save in the case of actual invasion, the Irish Free State (Saorstát Eireann) shall not be committed to active participation in any war without the assent of the Oireachtas.

Article 50.

Amendments of this Constitution within the terms of the Scheduled Treaty¹ may be made by the Oireachtas but no such amendment, passed by both Houses of the Oireachtas² *Dáil Eireann*² after the expiration of a period of eight years³ *sixteen years*³ from the date of the coming into operation of this Constitution shall become law, unless the same shall, after it has been passed or deemed to have been passed by the said two Houses of the Oireachtas² *by Dáil Eireann*², have been submitted to a Referendum of the people, and unless a majority of the voters on the register shall have recorded their votes on such Referendum and either the votes of a majority of the voters on the register, or two-thirds of the votes recorded, shall have been cast in favour of such amendment. Any such amendment may be made within the said period of eight years³ *sixteen years*³ by way of ordinary legislation and as such shall be subject to the provisions of Article 47 hereof.⁴

*** Article 51.**

The Executive Authority of the Irish Free State (Saorstát Eireann) is hereby declared to be vested in the King, and shall be exercisable, in accordance with the law, practice and constitutional usage governing the exercise of the Executive Authority in the case of the Dominion of Canada, by the Representative of the Crown.⁵ There shall be a Council to aid and advise in the govern-⁵ *ment*⁵ exercise the executive authority and power⁵ of the Irish Free State (Saorstát Eireann) to be styled the

1. Constitution (Removal of Oath) Act,

3. Amendment No. 16 Act.

5. Amendment No. 27 Act.

2. Amendment No. 24 Act.

4. Amendment No. 10 Act.

* See Ministers and Secretaries Act, 1924 (No. 16 of 1924); Ministers and Secretaries (Amendment) Act, 1928 (No. 6 of 1928); and Executive Authority (External Relations) Act, 1936 (No. 58 of 1936).

Executive Council. *Provided that it shall be lawful for the Executive Council, to the extent and subject to any conditions which may be determined by law to avail, for the purposes of the appointment of diplomatic and consular agents and the conclusion of international agreements of any organ used as a constitutional organ for the like purposes by any of the nations referred to in Article 1 of this Constitution.*¹ The Executive Council shall be responsible to Dáil Eireann and shall consist of ~~not more than seven~~² ~~not more than twelve~~² nor less than five Ministers appointed by the Representative of the Crown on the nomination of the President of the Executive Council¹ in the manner hereinafter provided.¹

Article 52.³

~~Those Ministers who form the Executive Council shall all be members of Dáil Eireann and shall include the President of the Council, the Vice-President of the Council and the Minister in charge of the Department of Finance.~~

Article 52.

The Ministers who form the Executive Council shall include the President of the Council, the Vice-President of the Council, and the Minister in charge of the Department of Finance. The President of the Council, the Vice-President of the Council, the Minister in charge of the Department of Finance, and the other members of the Executive Council shall be members of Dáil Eireann, save that one of such other members may be a member of Seanad Eireann.^{4, 3}

Article 53.

The President of the Council shall be appointed on the nomination of¹ elected by¹ Dáil Eireann. He shall nominate a Vice-President of the Council, who shall act for all purposes in the place of the President, if the President shall die, resign, or be permanently incapacitated, until a new President of the Council shall have been elected. The Vice-President shall also act in the place of the

1. Amendment No. 27 Act.

3. Amendment No. 15 Act.

2. Amendment No. 5 Act.

4. Amendment No. 24 Act.

President during his temporary absence. The other **Ministers** who are to hold office as members of the Executive Council shall be appointed ~~on the nomination of¹ by¹~~ the President with the assent of Dáil Eireann, and he and the Ministers ~~nominated¹ appointed¹~~ by him shall retire from office should he cease to retain the support of a majority in Dáil Eireann, but the President and such Ministers shall continue to carry on their duties until their successors shall have been *respectively elected and¹* appointed: Provided, however, that the Oireachtas shall not be dissolved on the *advice¹ direction¹* of an Executive Council which has ceased to retain the support of a majority in Dáil Eireann.

*** Article 54.**

The Executive Council shall be collectively responsible for all matters concerning the Departments of State administered by Members of the Executive Council. The Executive Council shall prepare Estimates of the receipts and expenditure of the Irish Free State (Saorstát Eireann) for each financial year, and shall present them to Dáil Eireann before the close of the previous financial year. The Executive Council shall meet and act as a collective authority.

Article 55.

Ministers who shall not be members of the Executive Council may be appointed ~~by the Representative of the Crown¹ and shall comply with the provisions of Article 17 of this Constitution.²~~ Every such Minister shall be ~~nominated¹~~ by Dáil Eireann on the recommendation of a Committee of Dáil Eireann chosen by a method to be determined by Dáil Eireann, so as to be impartially representative of Dáil Eireann. Should a recommendation not be acceptable to Dáil Eireann, the Committee may continue to recommend names until one is found acceptable. The total number of Ministers, including the Ministers of the Executive Council, shall not exceed twelve.

1. Amendment No. 27 Act.

2. Constitution (Removal of Oath) Act.

* See Ministers and Secretaries Act, 1924 (No. 16 of 1924); and Ministers and Secretaries (Amendment) Act, 1928 (No. 6 of 1928).

*** Article 56.**

Every Minister who is not a member of the Executive Council shall be the responsible head of the Department or Departments under his charge, and shall be individually responsible to Dáil Eireann alone for the administration of the Department or Departments of which he is the head : Provided that should arrangements for Functional or Vocational Councils be made by the Oireachtas these Ministers or any of them may, should the Oireachtas so decide, be members of, and be recommended to Dáil Eireann by, such Councils. The term of office of any Minister, not a member of the Executive Council, shall be the term of Dáil Eireann existing at the time of his appointment, but he shall continue in office until his successor shall have been appointed, and no such Minister shall be removed from office during his term otherwise than by Dáil Eireann itself, and then for stated reasons, and after the proposal to remove him has been submitted to a Committee, chosen by a method to be determined by Dáil Eireann, so as to be impartially representative of Dáil Eireann, and the Committee has reported thereon.

~~**Article 57.**¹~~

~~Every Minister shall have the right to attend and be heard in Seanad Eireann and in Dáil Eireann.²~~

Article 58.

The appointment of a member of Dáil Eireann to be a Minister shall not entail upon him any obligation to resign his seat or to submit himself for re-election.

*** Article 59.**

Ministers shall receive such remuneration as may from time to time be prescribed by law, but the remuneration of any Minister shall not be diminished during his term of office.

1. Amendment No. 24 Act.

2. Amendment No. 15 Act.

* See Ministers and Secretaries Act, 1924 (No. 16 of 1924) ; and Ministers and Secretaries (Amendment) Act, 1928 (No. 6 of 1928).

* **Article 60.**¹

The Representative of the Crown, who shall be styled the Governor-General of the Irish Free State (Saorstát Eireann) shall be appointed in like manner as the Governor-General of Canada and in accordance with the practice observed in the making of such appointments. His salary shall be of the like amount as that now payable to the Governor-General of the Commonwealth of Australia and shall be charged on the public funds of the Irish Free State (Saorstát Eireann) and suitable provision shall be made out of those funds for the maintenance of his official residence and establishment.

† **Article 61.**

All revenues of the Irish Free State (Saorstát Eireann) 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 of the Irish Free State (Saorstát Eireann) in the manner and subject to the charges and liabilities imposed by law.

‡ **Article 62.**

Dáil Eireann shall appoint a Comptroller and Auditor-General to act on behalf of the Irish Free State (Saorstát Eireann). He shall control all disbursements and shall audit all accounts of moneys administered by or under the authority of the Oireachtas and shall report to Dáil Eireann at stated periods to be determined by law.

1. Amendment No. 27 Act.

* See Governor-General's Salary and Establishment Act, 1923 (No. 14 of 1923).

† Section 1 (1) of the Adaptation of Enactments Act, 1922 (No. 2 of 1922) provides that: "The Fund mentioned in Article 61 of the Constitution of Saorstát Eireann as the one fund to be formed subject as therein of all the revenues of Saorstát Eireann shall be called and known as 'The Central Fund of Saorstát Eireann,' and may for brevity be referred to in any Act of the Oireachtas, Statutory Rule or Order or other state or official document as 'The Central Fund.'"

‡ See Comptroller and Auditor-General Act, 1923 (No. 1 of 1923); and for Resolution of Dáil Eireann appointing a Comptroller and Auditor-General, see Proceedings of Dáil Eireann (volume 2, page 65).

*** Article 63.**

The Comptroller and Auditor-General shall not be removed except for stated misbehaviour or incapacity ~~on resolutions passed by Dáil Eireann and Seanad Eireann~~¹ by a resolution of Dáil Eireann for the passing of which not less than four-sevenths (exclusive of the Chairman or presiding member) of the full membership of Dáil Eireann shall have voted.¹ Subject to this provision the terms and conditions of his tenure of office shall be fixed by law. He shall not be a member of the Oireachtas nor shall he hold any other office or position of emolument. *Notwithstanding anything contained in any other Article of this Constitution, a Bill for legislation to amend this Article in relation to the passing of the said resolution shall not be introduced in Dáil Eireann unless or until the amendment proposed by such Bill has been approved by a resolution of Dáil Eireann for the passing of which not less than four-sevenths (exclusive of the Chairman or presiding member) of the full membership of Dáil Eireann shall have voted.*¹

† Article 64.

The judicial power of the Irish Free State (Saorstát Eireann) shall be exercised and justice administered in the public Courts established by the Oireachtas by judges appointed in manner hereinafter provided. These Courts shall comprise Courts of First Instance and a Court of Final Appeal to be called the Supreme Court. 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, and also Courts of local and limited jurisdiction with a right of appeal as determined by law.

1. Amendment No. 24 Act.

* See Comptroller and Auditor-General Act, 1923 (No. 1 of 1923); and for Resolution of Dáil Eireann appointing a Comptroller and Auditor-General, see Proceedings of Dáil Eireann volume 2, page 65).

† See Courts of Justice Act, 1924 (No. 10 of 1924); Courts of Justice Act, 1926 (No. 1 of 1926); Courts of Justice Act, 1927 (No. 29 of 1927); Courts of Justice Act, 1928 (No. 15 of 1928); Courts of Justice (No. 2) Act, 1928 (No. 35 of 1928); Courts of Justice Act, 1929 (No. 37 of 1929); Courts of Justice Act, 1931 (No. 1 of 1931); Courts of Justice (No. 2) Act, 1931 (No. 40 of 1931); and Courts of Justice Act, 1936 (No. 48 of 1936).

Article 65.

The judicial power of the High Court shall extend to the question of the validity of any law having regard to the provisions of the Constitution. In all cases in which such matters shall come into question, the High Court alone shall exercise original jurisdiction.

Article 66.

The Supreme Court of the Irish Free State (Saorstát Eireann) shall, with such exceptions (not including cases which involve questions as to the validity of any law) and subject to such regulations as may be prescribed by law, have appellate jurisdiction from all decisions of the High Court. The decision of the Supreme Court shall in all cases be final and conclusive, and shall not be reviewed or capable of being reviewed by any other Court, Tribunal or Authority whatsoever: ~~Provided that nothing in this Constitution shall impair the right of any person to petition His Majesty for special leave to appeal from the Supreme Court to His Majesty in Council or the right of His Majesty to grant such leave¹ and no appeal shall lie from a decision of the Supreme Court or of any other Court in the Irish Free State (Saorstát Eireann) to His Majesty in Council, and it shall not be lawful for any person to petition His Majesty for leave to bring any such appeal.¹~~

*** Article 67.**

The number of judges, the constitution and organisation of, and distribution of business and jurisdiction among, the said Courts and judges, and all matters of procedure shall be as prescribed by the laws for the time being in force and the regulations made thereunder.

1. Amendment No. 22 Act.

* See Courts of Justice Act, 1924 (No. 10 of 1924); Courts of Justice Act, 1926 (No. 1 of 1926); Courts of Justice Act, 1927 (No. 29 of 1927); Courts of Justice Act, 1928 (No. 15 of 1928); Courts of Justice (No. 2) Act, 1928 (No. 35 of 1928); Courts of Justice Act, 1929 (No. 37 of 1929); Courts of Justice Act, 1931 (No. 1 of 1931); Courts of Justice (No. 2) Act, 1931 (No. 40 of 1931); and Courts of Justice Act, 1936 (No. 48 of 1936).

*** Article 68.**

The judges of the Supreme Court and of the High Court and of all other Courts established in pursuance of this Constitution shall be appointed by the ~~Representative of the Crown on the advice of~~¹ the Executive Council. The judges of the Supreme Court and of the High Court shall not be removed except for stated misbehaviour or incapacity, and then only by ~~resolutions passed by both Dáil Eireann and Seanad Eireann.~~² *by a resolution of Dáil Eireann for the passing of which not less than four-sevenths (exclusive of the Chairman or presiding member) of the full membership of Dáil Eireann shall have voted.*² The age of retirement, the remuneration and the pension of such judges on retirement and the declarations to be taken by them on appointment shall be prescribed by law. Such remuneration may not be diminished during their continuance in office. The terms of appointment of the judges of such other courts as may be created shall be prescribed by law. *Notwithstanding anything contained in any other Article of this Constitution a Bill for legislation to amend this Article in relation to the passing of the said resolution shall not be introduced in Dáil Eireann unless or until the amendment proposed by such Bill has been approved by a resolution of Dáil Eireann for the passing of which not less than four-sevenths (exclusive of the Chairman or presiding member) of the full membership of Dáil Eireann shall have voted.*²

Article 69.

All judges shall be independent in the exercise of their functions, and subject only to the Constitution and the law. A judge shall not be eligible to sit in the Oireachtas, and shall not hold any other office or position of emolument.

1. Amendment No. 27 Act.

2. Amendment No. 24 Act.

* See Courts of Justice Act, 1924 (No. 10 of 1924); Courts of Justice Act, 1926 (No. 1 of 1926); Courts of Justice Act, 1927 (No. 29 of 1927); Courts of Justice Act, 1928 (No. 15 of 1928); Courts of Justice (No. 2) Act, 1928 (No. 35 of 1928); Courts of Justice Act, 1929 (No. 37 of 1929); Courts of Justice Act, 1931 (No. 1 of 1931); Courts of Justice (No. 2) Act, 1931 (No. 40 of 1931); and Courts of Justice Act, 1936 (No. 48 of 1936).

*** Article 70.**

No one shall be tried save in due course of law and extraordinary courts shall not be established, save only such Military Tribunals as may be authorised by law for dealing with military offenders against military law. The jurisdiction of Military Tribunals shall not be extended to or exercised over the civil population save in time of war, or armed rebellion, and for acts committed in time of war or armed rebellion, and in accordance with the regulations to be prescribed by law. Such jurisdiction shall not be exercised in any area in which all civil courts are open or capable of being held, and no person shall be removed from one area to another for the purpose of creating such jurisdiction.

*** Article 71.**

A member of the armed forces of the Irish Free State (Saorstát Eireann) not on active service shall not be tried by any Court Martial or other Military Tribunal for an offence cognisable by the Civil Courts, unless such offence shall have been brought expressly within the jurisdiction of Courts Martial or other Military Tribunal by any code of laws or regulations for the enforcement of military discipline which may be hereafter approved by the Oireachtas.

Article 72.

No person shall be tried on any criminal charge without a jury save in the case of charges in respect of minor offences triable by law before a Court of Summary Jurisdiction and in the case of charges for offences against military law triable by Court Martial or other Military Tribunal.

* See footnote to Article 46.

TRANSITORY PROVISIONS.

*** Article 73.**

Subject to this Constitution and to the extent to which they are not inconsistent therewith, the laws in force in the Irish Free State (Saorstát Eireann) at 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 74.

Nothing in this Constitution shall affect any liability to pay any tax or duty payable in respect of the financial year current at the date of the coming into operation of this Constitution or any preceding financial year, or in respect of any period ending on or before the last day of the said current financial year, or payable on any occasion happening within that or any preceding year, or the amount of such liability; and during the said current financial year all taxes and duties and arrears thereof shall continue to be assessed, levied and collected in like manner in all respects as immediately before this Constitution came into operation, subject to the like adjustments of the proceeds collected as were theretofore applicable; and for that purpose the Executive Council shall have the like powers and be subject to the like liabilities as the Provisional Government.

Goods transported during the said current financial year from or to the Irish Free State (Saorstát Eireann) to or from any part of Great Britain or the Isle of Man shall not, except so far as the Executive Council may otherwise direct, in respect of the forms to be used and the information to be furnished, be treated as goods exported or imported as the case may be.

For the purpose of this Article the expression " financial

* See Adaptation of Enactments Act, 1922 (No. 2 of 1922); and Adaptation of Enactments Act, 1931 (No. 34 of 1931).

year" means, as respects income tax (including super-tax) the year of assessment, and as respects other taxes and duties, the year ending on the thirty-first day of March.

Article 75.

Until Courts have been established for the Irish Free State (Saorstát Eireann) in accordance with this Constitution, the Supreme Court of Judicature, County Courts, Courts of Quarter Sessions and Courts of Summary Jurisdiction, as at present existing, shall for the time being continue to exercise the same jurisdiction as heretofore, and any judge or justice, being a member of any such Court, holding office at the time when this Constitution comes into operation, shall for the time being continue to be a member thereof and hold office by the like tenure and upon the like terms as heretofore, unless, in the case of a judge of the said Supreme Court or of a County Court, he signifies to the Representative of the Crown his desire to resign. Any vacancies in any of the said Courts so continued may be filled by appointment made in like manner as appointments to judgeships in the Courts established under this Constitution: Provided that the provisions of Article 66 of this Constitution as to the decisions of the Supreme Court established under this Constitution shall apply to decisions of the Court of Appeal continued by this Article.

Article 76.

If any judge of the said Supreme Court of Judicature or of any of the said County Courts on the establishment of Courts under this Constitution, is not with his consent appointed to be a judge of any such Court, he shall, for the purpose of Article 10 of the Scheduled Treaty, be treated as if he had retired in consequence of the change of Government effected in pursuance of the said Treaty, but the rights so conferred shall be without prejudice to any rights or claims that he may have against the British Government.

Article 77.

Every existing officer of the Provisional Government at the date of the coming into operation of this Constitution (not being an officer whose services have been lent by the British Government to the Provisional Government) shall on that date be transferred to and become an officer of the Irish Free State (Saorstát Éireann), and shall hold office by a tenure corresponding to his previous tenure.

Article 78.

Every such existing officer who was transferred from the British Government by virtue of any transfer of services to the Provisional Government shall be entitled to the benefit of Article 10 of the Scheduled Treaty.

Article 79.

The transfer of the administration of any public service, the administration of which was not before the date of the coming into operation of this Constitution transferred to the Provisional Government, shall be deferred until the 31st day of March, 1923, or such earlier date as may, after one month's previous notice in the Official Gazette, be fixed by the Executive Council; and such of the officers engaged in the administration of those services at the date of transfer as may be determined in the manner hereinafter appearing shall be transferred to and become officers of the Irish Free State (Saorstát Éireann); and Article 77 of this Constitution shall apply as if such officers were existing officers of the Provisional Government who had been transferred to that Government from the British Government. The officers to be so transferred in respect of any services shall be determined in like manner as if the administration of the services had before the coming into operation of the Constitution been transferred to the Provisional Government.

Article 80.

As respects departmental property, assets, rights and liabilities, the Government of the Irish Free State (Saorstát Eireann) shall be regarded as the successors of the Provisional Government, and, to the extent to which functions of any department of the British Government become functions of the Government of the Irish Free State (Saorstát Eireann), as the successors of such department of the British Government.

Article 81.

After the date on which this Constitution comes into operation the House of the Parliament elected in pursuance of the Irish Free State (Agreement) Act, 1922 (being the constituent assembly for the settlement of this Constitution), may, for a period not exceeding one year from that date, but subject to compliance by the members thereof with the provisions of Article 17 of this Constitution, exercise all the powers and authorities conferred on Dáil Eireann by this Constitution, and the first election for Dáil Eireann under Articles 26, 27 and 28 hereof shall take place as soon as possible after the expiration of such period.

Article 82.¹

Notwithstanding anything contained in Articles 14 and 33 hereof, the first Seanad Eireann shall be constituted immediately after the coming into operation of this Constitution in the manner following, that is to say:—

- (a) The first Seanad Eireann shall consist of sixty members, of whom thirty shall be elected and thirty shall be nominated.
- (b) The thirty nominated members of Seanad Eireann shall be nominated by the President of the Executive Council who shall, in making such

1. Amendment No. 24 Act.

nominations, have special regard to the providing of representation for groups or parties not then adequately represented in Dáil Eireann.

- (c) The thirty elected members of Seanad Eireann shall be elected by Dáil Eireann voting on principles of Proportional Representation.
- (d) Of the thirty nominated members, fifteen to be selected by lot, shall hold office for the full period of twelve years, the remaining fifteen shall hold office for the period of six years.
- (e) Of the thirty elected members the first fifteen elected shall hold office for the period of nine years, the remaining fifteen shall hold office for the period of three years.
- (f) At the termination of the period of office of any such members, members shall be elected in their place in manner provided by Article 32 of this Constitution.
- (g) Casual vacancies shall be filled in manner provided by Article 34 of this Constitution.

Article 83.

The passing and adoption of this Constitution by the Constituent Assembly and the British Parliament shall be announced as soon as may be, and not later than the sixth day of December, Nineteen hundred and twenty-two, by Proclamation of His Majesty, and this Constitution shall come into operation on the issue of such Proclamation.

TREATY OF 1921.

*Articles of Agreement for a Treaty between Great
Britain and Ireland.

1. Ireland shall have the same constitutional status in the Community of Nations known as the British Empire as the Dominion of Canada, the Commonwealth of Australia, the Dominion of New Zealand, and the Union of South Africa, with a Parliament having powers to make laws for the peace, order and good government of Ireland and an Executive responsible to that Parliament, and shall be styled and known as the Irish Free State.

2. Subject to the provisions hereinafter set out the position of the Irish Free State in relation to the Imperial Parliament and Government and otherwise shall be that of the Dominion of Canada, and the law, practice and constitutional usage governing the relationship of the Crown or the representative of the Crown and of the Imperial Parliament to the Dominion of Canada shall govern their relationship to the Irish Free State.

3. The representative of the Crown in Ireland shall be appointed in like manner as the Governor-General of Canada and in accordance with the practice observed in the making of such appointments.

4. The oath to be taken by Members of the Parliament of the Irish Free State shall be in the following form :—

I,.....do solemnly swear true faith and allegiance to the Constitution of the Irish Free State as by law established and that I will be faithful to H.M. King George V., his heirs and successors by

* An Agreement amending and supplementing this Treaty was confirmed by the Treaty (Confirmation of Amending Agreement) Act, 1925 (No. 40 of 1925).

law, in virtue of the common citizenship of Ireland with Great Britain and her adherence to and membership of the group of nations forming the British Commonwealth of Nations.

*5. The Irish Free State shall assume liability for the service of the Public Debt of the United Kingdom as existing at the date hereof and towards the payment of war pensions as existing at that date in such proportion as may be fair and equitable, having regard to any just claims on the part of Ireland by way of set-off or counter-claim, the amount of such sums being determined in default of agreement by the arbitration of one or more independent persons being citizens of the British Empire.

6. Until an arrangement has been made between the British and Irish Governments whereby the Irish Free State undertakes her own coastal defence, the defence by sea of Great Britain and Ireland shall be undertaken by His Majesty's Imperial Forces. But this shall not prevent the construction or maintenance by the Government of the Irish Free State of such vessels as are necessary for the protection of the Revenue or the Fisheries.

The foregoing provisions of this Article shall be reviewed at a Conference of Representatives of the British and Irish Governments to be held at the expiration of five years from the date hereof with a view to the undertaking by Ireland of a share in her own coastal defence.

7. The Government of the Irish Free State shall afford to His Majesty's Imperial Forces:—

(a) In time of peace such harbour and other facilities as are indicated in the Annex hereto, or such other facilities as may from time to time

* Article 2 of the Schedule to the Treaty (Confirmation of Amending Agreement) Act, 1925 (No. 40 of 1925) provides that: "The Irish Free State is hereby released from the obligation under Article 5 of the said Articles of Agreement to assume the liability therein mentioned." See also White Paper, entitled, "Heads of the Ultimate Financial Settlement between the British Government and the Government of the Irish Free State," presented to Dáil Éireann on the 16th November, 1926, and to Seanad Éireann on the 19th November, 1926.

be agreed between the British Government and the Government of the Irish Free State ; and

(b) In time of war or of strained relations with a Foreign Power such harbour and other facilities as the British Government may require for the purposes of such defence as aforesaid.

8. With a view to securing the observance of the principle of international limitation of armaments, if the Government of the Irish Free State establishes and maintains a military defence force, the establishments thereof shall not exceed in size such proportion of the military establishments maintained in Great Britain as that which the population of Ireland bears to the population of Great Britain.

9. The ports of Great Britain and the Irish Free State shall be freely open to the ships of the other country on payment of the customary port and other dues.

*10. The Government of the Irish Free State agrees to pay fair compensation on terms not less favourable than those accorded by the Act of 1920 to judges, officials, members of Police Forces and other Public Servants who are discharged by it or who retire in consequence of the change of government effected in pursuance hereof.

Provided that this agreement shall not apply to members of the Auxiliary Police Force or to persons recruited in Great Britain for the Royal Irish Constabulary during the two years next preceding the date hereof. The British Government will assume responsibility for such compensation or pensions as may be payable to any of these excepted persons.

11. Until the expiration of one month from the passing of the Act of Parliament for the ratification of this instrument, the powers of the Parliament and the govern-

* See Civil Service (Transferred Officers) Compensation Act, 1929 (No. 36 of 1929); and Civil Service (Transferred Officers) Compensation (Amendment) Act, 1930 (No. 14 of 1930).

ment of the Irish Free State shall not be exercisable as respects Northern Ireland and the provisions of the Government of Ireland Act, 1920, shall, so far as they relate to Northern Ireland remain of full force and effect, and no election shall be held for the return of members to serve in the Parliament of the Irish Free State for constituencies in Northern Ireland, unless a resolution is passed by both Houses of the Parliament of Northern Ireland in favour of the holding of such elections before the end of the said month.

*12. If before the expiration of the said month, an address is presented to His Majesty by both Houses of the Parliament of Northern Ireland to that effect, the powers of the Parliament and Government of the Irish Free State shall no longer extend to Northern Ireland, and the provisions of the Government of Ireland Act, 1920, (including those relating to the Council of Ireland) shall so far as they relate to Northern Ireland, continue to be of full force and effect, and this instrument shall have effect subject to the necessary modifications.

† Provided that if such an address is so presented a Commission consisting of three persons, one to be appointed by the Government of the Irish Free State, one to be appointed by the Government of Northern Ireland and one who shall be Chairman to be appointed by the British Government shall determine in accordance with the wishes of the inhabitants, so far as may be compatible with economic and geographic conditions the boundaries between Northern Ireland and the rest

* An address to the effect mentioned in this Article was presented to His Majesty by both Houses of the Parliament of Northern Ireland on the 7th December, 1922. An Agreement supplementing this Article was confirmed by the Treaty (Confirmation of Supplemental Agreement) Act, 1924 (No. 51 of 1924).

† Article 1 of the Schedule to the Treaty (Confirmation of Amending Agreement) Act, 1925 (No. 40 of 1925) provides that: "The powers conferred by the proviso to Article 12 of the said Articles of Agreement on the Commission therein mentioned are hereby revoked, and the extent of Northern Ireland for the purposes of the Government of Ireland Act, 1920, and of the said Articles of Agreement shall be such as was fixed by subsection (2) of section one of that Act."

of Ireland, and for the purposes of the Government of Ireland Act, 1920, and of this instrument, the boundary of Northern Ireland shall be such as may be determined by such Commission.

13. For the purpose of the last foregoing article, the powers of the Parliament of Southern Ireland under the Government of Ireland Act, 1920, to elect members of the Council of Ireland shall after the Parliament of the Irish Free State is constituted be exercised by that Parliament.

*14. After the expiration of the said month, if no such address as is mentioned in Article 12 hereof is presented, the Parliament and Government of Northern Ireland shall continue to exercise as respects Northern Ireland the powers conferred on them by the Government of Ireland Act, 1920, but the Parliament and Government of the Irish Free State shall in Northern Ireland have in relation to matters in respect of which the Parliament of Northern Ireland has not power to make laws under that Act (including matters which under the said Act are within the jurisdiction of the Council of Ireland) the same powers as in the rest of Ireland, subject to such other provisions as may be agreed in manner hereinafter appearing.

15. At any time after the date hereof the Government of Northern Ireland and the provisional Government of Southern Ireland hereinafter constituted may meet for the purpose of discussing the provisions subject to which the last foregoing article is to operate in the event of no such address as is therein mentioned being presented and those provisions may include:—

(a) Safeguards with regard to patronage in Northern Ireland:

(b) Safeguards with regard to the collection of revenue in Northern Ireland:

* See Article 5 of the Schedule to the Treaty (Confirmation of Amending Agreement) Act, 1925 (No. 40 of 1925).

(c) Safeguards with regard to import and export duties affecting the trade or industry of Northern Ireland :

(d) Safeguards for minorities in Northern Ireland :

(e) The settlement of the financial relations between Northern Ireland and the Irish Free State :

(f) The establishment and powers of a local militia in Northern Ireland and the relation of the Defence Forces of the Irish Free State and of Northern Ireland respectively :

and if at any such meeting provisions are agreed to, the same shall have effect as if they were included amongst the provisions subject to which the powers of the Parliament and Government of the Irish Free State are to be exercisable in Northern Ireland under Article 14 hereof.

16. Neither the Parliament of the Irish Free State nor the Parliament of Northern Ireland shall make any law so as either directly or indirectly to endow any religion or prohibit or restrict the free exercise thereof or give any preference or impose any disability on account of religious belief or religious status or affect prejudicially the right of any child to attend a school receiving public money without attending the religious instruction at the school or make any discrimination as respects state aid between schools under the management of different religious denominations or divert from any religious denomination or any educational institution any of its property except for public utility purposes and on payment of compensation.

17. By way of provisional arrangement for the administration of Southern Ireland during the interval

which must elapse between the date hereof and the constitution of a Parliament and Government of the Irish Free State in accordance therewith, steps shall be taken forthwith for summoning a meeting of members of Parliament elected for constituencies in Southern Ireland since the passing of the Government of Ireland Act, 1920, and for constituting a provisional Government, and the British Government shall take the steps necessary to transfer to such provisional Government the powers and machinery requisite for the discharge of its duties, provided that every member of such provisional Government shall have signified in writing his or her acceptance of this instrument. But this arrangement shall not continue in force beyond the expiration of twelve months from the date hereof.

18. This instrument shall be submitted forthwith by His Majesty's Government for the approval of Parliament and by the Irish signatories to a meeting summoned for the purpose of the members elected to sit in the House of Commons of Southern Ireland, and if approved shall be ratified by the necessary legislation.

On behalf of the British
Delegation.

(Signed)

D. LLOYD GEORGE.
AUSTEN CHAMBERLAIN.
BIRKENHEAD.
WINSTON S. CHURCHILL.
L. WORTHINGTON-EVANS.
HAMAR GREENWOOD.
GORDON HEWART.

On behalf of the Irish
Delegation.

(Signed)

ART O GRÍOBHTHA.
(Arthur Griffith).
MÍCHEÁL O COILEÁIN.
RÍOBÁRD BARTÚN.
EUDHMÓN S. O DÚGÁIN.
SEÓRSA GHABHÁIN
UÍ DHUBHTHAIGH.

December 6, 1921.

ANNEX.

1. The following are the specific facilities required.

DOCKYARD PORT AT BEREHAVEN.

(a) Admiralty property and rights to be retained as at the date hereof. Harbour defences to remain in charge of British care and maintenance parties.

QUEENSTOWN.

(b) Harbour defences to remain in charge of British care and maintenance parties. Certain mooring buoys to be retained for use of His Majesty's ships.

BELFAST LOUGH.

(c) Harbour defences to remain in charge of British care and maintenance parties.

LOUGH SWILLY.

(d) Harbour defences to remain in charge of British care and maintenance parties.

AVIATION.

(e) Facilities in the neighbourhood of the above Ports for coastal defence by air.

OIL FUEL STORAGE.

(f) Haulbowline } To be offered for sale to commercial companies under guarantee that purchasers shall maintain a certain minimum stock for Admiralty purposes.
Rathmullen }

2. A Convention shall be made between the British Government and the Government of the Irish Free State to give effect to the following conditions :—

(a) That submarine cables shall not be landed or wireless stations for communication with places outside Ireland be established except by agreement with the British Government; that the existing cable landing rights and wireless concessions shall not be withdrawn except by agreement with the British Government; and that the British Government shall be entitled to land additional submarine cables or establish additional wireless stations for communication with places outside Ireland.

(b) That lighthouses, buoys, beacons, and any navigational marks or navigational aids shall be maintained by the Government of the Irish Free State as at the date hereof, and shall not be removed or added to except by agreement with the British Government.

(c) That war signal stations shall be closed down and left in charge of care and maintenance parties, the Government of the Irish Free State being offered the option of taking them over and working them for commercial purposes subject to Admiralty inspection, and guaranteeing the upkeep of existing telegraphic communication therewith.

3. A Convention shall be made between the same Governments for the regulation of Civil Communication by air.

A. G.

D L I G.

B.

W S C

M O' C

A C

E. S. O'D.

R. B.

S. G. D.

Treaty (Confirmation of Agreements) Acts.

1. TREATY (CONFIRMATION OF SUPPLEMENTAL AGREEMENT) ACT, 1924.
2. TREATY (CONFIRMATION OF AMENDING AGREEMENT) ACT, 1925.

SAORSTÁT EIREANN.

Number 51 of 1924.

TREATY (CONFIRMATION OF SUPPLEMENTAL AGREEMENT) ACT, 1924.

AN ACT TO CONFIRM A CERTAIN AGREEMENT SUPPLEMENTING ARTICLE 12 OF THE TREATY OF 1921.

[*25th October, 1924.*]

BE IT ENACTED BY THE OIREACHTAS OF SAORSTÁT EIREANN AS FOLLOWS:—

Confirmation
of
Agreement.

1.—The Agreement set forth in the Schedule to this Act, being an agreement supplementing Article 12 of the Treaty of 1921, is hereby confirmed, and the said Treaty of 1921 shall have effect accordingly.

Short title
and
commence-
ment.

2.—(1) This Act may be cited as the Treaty (Confirmation of Supplemental Agreement) Act, 1924.

(2) This Act shall come into operation immediately on the passing thereof.

SCHEDULE.

Agreement supplementing Article Twelve of the Articles of Agreement for a Treaty between Great Britain and Ireland to which the force of law was given by the Irish Free State (Agreement) Act, 1922, and by the Constitution of the Irish Free State (Saorstát Eireann) Act, 1922.

TREATY (CONFIRMATION OF SUPPLEMENTAL AGREEMENT) ACT, 1924. 81

WHEREAS the Commissioners to be appointed under the said Article Twelve by the Government of the Irish Free State and by the British Government respectively have been duly appointed by those respective Governments, but the Government of Northern Ireland has declined to appoint the Commissioner to be so appointed by that Government, and no provision is made by the said Articles for such a contingency :

NOW it is hereby agreed, subject to the confirmation of this Agreement by the British Parliament and the Oireachtas of the Irish Free State, that, if the Government of Northern Ireland does not before the date of the passing of the Act of the British Parliament or of the Act of the Oireachtas of the Irish Free State confirming this Agreement, whichever is the later date, appoint the Commissioner to be so appointed by that Government, the power of the Government of Northern Ireland to appoint such Commissioner shall thereupon be transferred to and exercised by the British Government, and that for the purposes of the said Article any Commissioner so appointed by the British Government shall be deemed to be a Commissioner appointed by the Government of Northern Ireland and that the said Articles of Agreement for a Treaty shall have effect accordingly.

Signed on behalf of the
British Government :

Signed on behalf of the Irish
Free State Government :

J. RAMSAY MACDONALD. LIAM T. MAC COSGAIR.
August 4, 1924.

SAORSTÁT EIREANN.

*Number 40 of 1925.***TREATY (CONFIRMATION OF AMENDING AGREEMENT) ACT, 1925.**

AN ACT TO CONFIRM A CERTAIN AGREEMENT AMENDING AND SUPPLEMENTING THE TREATY OF 1921 AND TO AMEND ACCORDINGLY THE REFERENCES TO THE TREATY OF 1921 CONTAINED IN THE CONSTITUTION OF THE IRISH FREE STATE (SAORSTÁT EIREANN) ACT, 1922, AND THE CONSTITUTION. [17th December, 1925.]

BE IT ENACTED BY THE OIREACHTAS OF SAORSTÁT EIREANN AS FOLLOWS:—

Confirmation
of Agreement.

1.—The Agreement set forth in the Schedule to this Act, being an agreement amending and supplementing the Treaty of 1921, is hereby confirmed and the said Treaty of 1921 shall have effect accordingly.

Consequential
amendment of
No. 1 of 1922
and the
Constitution.

2.—All references in section 2 of the Constitution of the Irish Free State (Saorstát Eireann) Act, 1922 (No. 1 of 1922) to the Treaty of 1921 (in that section referred to as the Scheduled Treaty) shall be construed and have effect as references to the said Treaty of 1921 as amended by the Agreement set forth in the Schedule to this Act and accordingly all references in the Constitution to the Scheduled Treaty shall be construed as references to the said Treaty of 1921 as amended by the said Agreement.

Short title.

3.—This Act may be cited as the Treaty (Confirmation of Amending Agreement) Act, 1925.

TREATY (CONFIRMATION OF AMENDING 83
AGREEMENT) ACT, 1925.

SCHEDULE.

AGREEMENT AMENDING AND SUPPLEMENTING
THE ARTICLES OF AGREEMENT FOR A
TREATY BETWEEN GREAT BRITAIN AND
IRELAND TO WHICH THE FORCE OF LAW
WAS GIVEN BY THE IRISH FREE STATE
(AGREEMENT) ACT, 1922, AND BY THE CON-
STITUTION OF THE IRISH FREE STATE
(SAORSTÁT EIREANN) ACT, 1922.

WHEREAS on the 6th day of December, Nineteen
hundred and twenty-one, Articles of Agreement for a
Treaty between Great Britain and Ireland were entered
into :

AND WHEREAS the said Articles of Agreement were
duly ratified and given the force of law by the Irish Free
State (Agreement) Act, 1922, and by the Constitution of
the Irish Free State (Saorstát Eireann) Act, 1922 :

AND WHEREAS the progress of events and the
improved relations now subsisting between the British
Government, the Government of the Irish Free State,
and the Government of Northern Ireland and their
respective peoples make it desirable to amend and sup-
plement the said Articles of Agreement, so as to avoid
any causes of friction which might mar or retard the
further growth of friendly relations between the said
Governments and peoples :

84 TREATY (CONFIRMATION OF AMENDING
AGREEMENT) ACT, 1925.

AND WHEREAS the British Government and the Government of the Irish Free State being united in amity in this undertaking with the Government of Northern Ireland, and being resolved mutually to aid one another in a spirit of neighbourly comradeship, hereby agree as follows :—

1.—The powers conferred by the proviso to Article 12 of the said Articles of Agreement on the Commission therein mentioned are hereby revoked, and the extent of Northern Ireland for the purposes of the Government of Ireland Act, 1920, and of the said Articles of Agreement shall be such as was fixed by sub-section (2) of section one of that Act.

2.—The Irish Free State is hereby released from the obligation under Article 5 of the said Articles of Agreement to assume the liability therein mentioned.

*3.—The Irish Free State hereby assumes all liability undertaken by the British Government in respect of malicious damage done since the Twenty-first day of January, Nineteen hundred and nineteen to property in the area now under the jurisdiction of the Parliament and Government of the Irish Free State, and the Government of the Irish Free State shall repay to the British Government at such time or times and in such manner as may be agreed upon moneys already paid by the British Government in respect of such damage or liable to be so paid under obligations already incurred.

*4.—The Government of the Irish Free State hereby agrees to promote legislation increasing by Ten per cent. the measure of compensation under the Damage to

* See Damage to Property (Compensation) (Amendment) Act, 1926 (No. 19 of 1926).

TREATY (CONFIRMATION OF AMENDING 85
AGREEMENT) ACT, 1925.

Property (Compensation) Act, 1923, in respect of malicious damage to property done in the area now under the jurisdiction of the Parliament and Government of the Irish Free State between the Eleventh day of July, Nineteen hundred and twenty-one and the Twelfth day of May, Nineteen hundred and twenty-three, and providing for the payment of such additional compensation by the issue of Five per cent. Compensation Stock or Bonds.

5.—The powers in relation to Northern Ireland which by the Government of Ireland Act, 1920, are made powers of the Council of Ireland shall be and are hereby transferred to and shall become powers of the Parliament and the Government of Northern Ireland ; and the Governments of the Irish Free State and of Northern Ireland shall meet together as and when necessary for the purpose of considering matters of common interest arising out of or connected with the exercise and administration of the said powers.

6.—This Agreement is subject to confirmation by the British Parliament and by the Oireachtas of the Irish Free State, and the Act of the British Parliament confirming this Agreement shall fix the date as from which the transfer of the powers of the Council of Ireland under this Agreement is to take effect.

Dated this 3rd day of December, 1925.

Signed on behalf of the British Government :

STANLEY BALDWIN.
WINSTON S. CHURCHILL.
W. JOYNSON-HICKS.
BIRKENHEAD.
L. S. AMERY.

86 TREATY (CONFIRMATION OF AMENDING
AGREEMENT) ACT, 1925.

Signed on behalf of the Government of the Irish
Free State :

LIAM T. MAC COSGAIR,
KEVIN O'HIGGINS,
EARNÁN DE BLAGHD.

Signed on behalf of the Government of Northern
Ireland :

JAMES CRAIG.
CHARLES H. BLACKMORE,
Secretary to the Cabinet of
Northern Ireland.

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SAORSTÁT ÉIREANN

AGHT UM BUNREACHT
SHAORSTÁT ÉIREANN, 1922.

Houses of the Oireachtas

AN t-ÉIREANN

A THREASURÉAR AGUS AN t-ÉIREANN

THE TREATY CONFIRMATION (AMENDING
AGREEMENT) ACT, 1985

Enacted by the Houses of the Oireachtas as follows:

Seanad Éireann

1985

1985

Enacted by the Houses of the Oireachtas as follows:

Seanad Éireann

1985

1985

Houses of the Oireachtas

SAORSTÁT EIREANN.

ACHT UM BUNREACHT
SHAORSTÁIT EIREANN, 1922.

MAILLE LEIS

AN mBUNREACHT

MAR A LEASÚTEAR SAN LE hACHTACHÁIN INA
DHIAIDH SIN.

BAORSTAT EIREANN.

AN t-UM BUNREACHT
SHAORSTAT EIREANN, 1922.

Houses of the Oireachtas

AN t-UM BUNREACHT

MAIR A' LEASRUINAR NAH LE BAORSTAT EIREANN
DUBLIN 1922.

ACHT UM BUNREACTH SHAORSTÁIT EIREANN, 1922.

Acht chun Bunreacht do Shaorstát Eireann d'achtú agus chun an Connradh idir an Bhreatain Mhóir agus Eire do sionnódh i Lundain ar an 6adh lá de Mhí na Nodlag, 1921, do thabhairt chun críche.

Dáil Eireann 'na suidhe mar Dháil Bhunaidh sa Pháirlimint Shealadach so, á admháil gur ó Dhia a thagann gach údarás dleathach chun na ndaoine agus muinghin aici gur mar seo a tabharfar thar n-ais beatha agus aontacht Náisiúnta na hEireann, fógrann sí leis seo bunú Shaorstáit Eireann agus de bharr lán-chirt gan dearmad dineann sí a reachtú agus a achtú mar leanas:—

1. Is é an Bunreacht atá leagtha amach sa Chéad Sgeideal a ghabhann leis seo a bheidh mar Bhunreacht do Shaorstát Eireann.

2. *Scríosta.*

3. Chun gach críche féadfar an t-Acht um Bunreacht Shaorstáit Eireann, 1922, do ghairm den Acht so.

CÉAD SGEIDEAL.

BUNREACHT SHAORSTAIT
EIREANN.**Airtíogal 1.**

Ball có-ionann iseadh Saorstát Eireann den Chuideachta Náisiún a dhineann suas an Có-chiníochas Briotáineach.

Airtíogal 2.

Tagann gach combacht rialtais agus gach údarás reachtúcháin, feidhmiúcháin agus breithiúntais in Eirinn ó mhuintir na hEireann agus feidhmeofar iad i Saorstát Eireann trí sna có-ghléasanna a bunófar do réir an Bhunreachta so no fé no leis.

Airtíogal 2A.

CUID I.

ROIMHRAITEACH AGUS GENERALTA.

Oibriú Coda II go
V den Airtíogal
so.

1.—(1) Ní bheidh feidhm ná éifeacht ar bith ag Coda II, III, IV, agus V den Airtíogal so mara ndéinidh ná go dtí go ndéanfaidh an Ard-Chomhairle Ordú fén alt so á dhearbhu go dtiocfaidh Coda II, III, IV, agus V den Airtíogal so i bhfeidhm, ach má dheineann agus pé uair agus chó minic agus a dhéanfaidh an Ard-Chomhairle an t-ordú san tiocfaidh Coda II, III, IV, agus V den Airtíogal so i lán-feidhm agus i lán-éifeacht agus beidh lán-feidhm agus lán-éifeacht acu díreach ar an ordú san do dhéanamh agus leanfaid i bhfeidhm agus in éifeacht amhlaidh go dtí go ndéanfaidh an Ard-Chomhairle ordú fén alt so á dhearbhu go scuirfidh na Coda san den Airtíogal so de bheith i bhfeidhm agus leis sin scuirfidh na Coda san den Airtíogal so de bheith i bhfeidhm ach beidh san gan dochar do dhleathacht éinní do rinneadh fútha roimhe sin.

(2) Pé uair is dóich leis an Ard-Chomhairle rudaí do bheith ann go bhfuil sé oiriúnach dá ndruim Coda II, III, IV, agus V den Airtíogal so do chur i bhfeidhm, féadfaidh an Ard-Chomhairle a dhearbhu le hordú go dtiocfaidh Coda II, III, IV, agus V den Airtíogal so i bhfeidhm.

(3) Pé uair agus chó minic agus a bheidh Coda II, III, IV, agus V den Airtíogal so i bhfeidhm agus is dóich leis an Ard-Chomhairle ná fuil ann a thuilleadh rudaí go mbeadh sé oiriúnach dá ndruim na Coda san den Airtíogal so do bheith i bhfeidhm, féadfaidh an Ard-Chomhairle a dhearbhu le hordú go scuirfidh Coda II, III, IV, agus V de bheith bhfeidhm.

2.—Is fé réir forálacha an Airtíogail seo a léighfear agus a léireofar Airtíogal 3 agus gach Airtíogal ina dhiaidh sin den Bhunreacht so agus má bhíonn aon bhuinisciontacht idir an tAirtíogal so agus an tAirtíogal san 3 no aon Airtíogal ina dhiaidh sin, isé an tAirtíogal so bhuadhfaidh.

An tAirtíogal so do léiriú i dtéanta Airtíogal eile.

3.—(1) San Airtíogal so—

foluionn an focal “ comhlachas ” aon chomhluadar daoine pe’ca tugtar aon ainm fé leith don chomhluadar san no ná tugtar ;

Mínte agus léiriú.

foluionn an abairt “ scríbhinní tréasúnta no ceannairceacha ” aon scríbhinní mar gheall ar chomhlachas neadhleathach no a bhaineann leis no a tugadh amach no go bhfuil a dheallramh uirthi í bheith tugtha amach ag comhlachas neadhleathach no a tháinig no go bhfuil a dheallramh uirthi í bheith tagtha o chomhlachas neadhleathach; foluionn an focal “ cionta ” coir ;

cialluionn an focal “ tréimhseachán ” aon pháipeur nuachta, meagisín, irisleabhar no foillseachán eile foillsítear no a tugtar amach o am go ham go rialálta no nách mór go rialálta.

(2) Baineann an tAcht Léiriúcháin, 1923 (Uimh. 46 de 1923), le léiriú an Airtíogail seo fé mar a bhaineann sé le léiriú Achta do rith an tOireachtas tar éis an Iadh lae d’Eanáir, 1924.

CUID II.

AN BINSE BUNREACHTA (COMHCHTA SPEISEALTA.

An Bínse
Bunreacht
(Comhachta
Speisialta) do
bhunú.

4.—(1) Chó luath agus is féidir é tar éis gach ócáide ar a dtiocfaidh an t-alt so den Airtíogal so i bhfeidhm, bunófar bínse (dá ngairmtear an Bínse san Airtíogal so) ar a dtabharfar mar ainm agus mar theideal an Bínse Bunreacht (Comhachta Speisialta).

(2) Beidh an Bínse có-dhéanta de chúigear ball agus iad uile ina n-oifigh d'Fhórsaí Cosanta Shaorstáit Eireann nách isle céim ná ceannphort agus ceapfaidh an Ard-Chomhairle iad agus féadfaid iad do chur as oifig uair ar bith.

(3) Féadfaidh an tAire Airgid pé clárathóir, cléirigh, agus seirbhísigh is dóich leis is ceart do cheapadh chun crícheanna an Bhínse agus féadfar pé luach saothair agus liúntaisí chinnfidh an tAire Airgid d'foc leis an gclárathóir, leis na cléirigh agus leis na seirbhísigh sin agus le baill an Bhínse.

Nós imeachta an
Bhínse.

5.—(1) Beidh triúr ball den Bhínse, agus ní bheidh a thuilleadh, i láthair ag gach suidhe bheidh ag an mBínse agus isiad san a bheidh mar Bhínse chun crícheanna an tsuidhe sin agus gach ordú agus gníomh a dhéanfaidh an triúr ball san no móráireamh díobh ag an suidhe sin isé ordú no gníomh (pe'ca aca é) an Bhínse é chun gach críche.

(2) Beidh an chomhacht iomlán ag an mBínse féin am agus áiteanna a suidheanna do cheapadh agus an smacht iomlán acu féin ar a nós imeachta féin ar gach slí agus go sonnrách maidir leis an bpobal de leigint isteach chun a suidheanna no do choimeád amach uatha, le n-a chur fhiachaint ar fhínnithe teacht i láthair agus le scríbhinní do thabhairt i láthair.

(3) Beith an chomhacht iomlán ag an mBínse féin pionós do chur, i pé slí is oiriúnach leis an mBínse, ar gach duine do gheobhaidh an Bínse ciontach sa Bhínse no in aon bhall de do dhísbeagadh pe'ca i láthair an Bhínse déanfar an dísbeagadh san no nách eadh.

(4) Beídh ag an mBínse séala oifigiúil ar a dtabharfar áird i gcúrsaí oifigiúla agus i gcúrsaí breithiúntais agus gach scríbhinn a bheidh séaluithe leis an séala san agus a bhéarfaidh le tuisgint bheith ina hordú no ina gníomh eile do rinne an Bínse glacfar í i bhfianaise i ngach Cúirt gan a thuilleadh cruthúnais agus tuigfear gur ordú no gníomh eile í (pe'ca aca é) do rinne an Bínse go ndlighinse inniúil.

(5) Féadfaidh an Bínse gníonhú d'ainneoin folúntais no dhá fholúntas (ach gan níos mó ná dhá cheann) do bheith ina mballraíocht.

6.—(1) Beidh dlighinse ag an mBínse gach duine go gcuirfear ina leith cionta luaidhtear sa bhFo-Scríbhinn a ghabhann leis an Airtíogal so agus do bhéarfar os cóir an Bhínse féin Airtíogal so do thriail agus do chiontú no do shaoradh, agus fós dlighinse daor-bhreith do thabhairt ar gach duine chiontóidh an Bínse in aon chionta den tsórt san.

Dlighinse an
Bhínse.

(2) Beidh comhacht ag an mBínse fínnithe do chur fé mhionn.

(3) Beidh dlighinse ag an mBínse a ordú go gcoinneofar éinne do bhéarfar os cóir an Bhínse agus 'na gcuirfear in a leith cionta luaidhtear sa bhFo-Scríbhinn a ghabhann leis an Airtíogal so, agus fós é do choinneáil i gcoimeád, go dtí go dtrialfaidh an Bínse é agus le linn agus tar éis na trialach san go dtí n-a chiontú no a shaoradh.

(4) Beidh dlighinse ag an mBínse, in ionad no i dteanta aon phionóis do chur ar dhuine chiontóid i gcionta, a cheangal ar an duine sin dul fé bhannaí i láthair Breithimh den Chúirt Dúithche, i pé suim ordóidh an Bínse agus i dteanta no d'éamais urraithe fé mar ordóidh an Bínse, go gcoimeádfaidh an tsíocháin go ceann pé tréimhse luadh-faidh an Bínse.

(5) Ní luighfidh athchomharc ar bith i gcoinnibh aon orduithe, ciontuithé, daor-bhreithe ná gnímh eile dhéan-faidh no bhéarfaidh an Bínse agus ní chuirfidh cúirt ar

bith srian leis an mBínse ná ní chuirfidh isteach ortha agus iad ag feidhmiú a ndlighthinse no a gcomhacht fén Airtiogal so ná ní déanfar aon imeachta bheidh ar siúl os cóir an Bhínse d'aistriú chun cúirte ar bith le certiorari.

Daor-bhreacha
ón mBínse.

7.—(1) Pé uair do gheobhaidh an Bínse duine ar bith ciontach i gcionta luaidhtear sa bhFo-Scríbhinn a ghabhann leis an Airtiogal so féadfaidh an Bínse, in ionad an phionóis a foráitar le dlí (lasmuich den Airtiogal so) don chionta san, an duine sin do dhaoradh chun aon pionóis is mó ná san (agus pionós an bháis d'áireamh) más dóich leis an mBínse é bheith riachtanach no oiriúnach an pionós san atá níos mó do chur air.

(2) Fé réir na bhforálacha den Airtiogal so bhaineann le daoine dhaorfaidh an Bínse chun príosúntachta do chur i bpríosún, féadfaidh an Bínse a chinneadh conus a cuirfear agus cé hiad na húdaráis a chuirfidh i bhfeidhm aon ordú dhéanfaidh no aon daor-bhreith do bhéarfaidh an Bínse agus leis sin cuirfidh na húdaráis sin an t-ordú no an daor-bhreith sin i bhfeidhm do réir an chinnte sin.

(3) Má orduíonn an Bínse do sna húdaráis sibhialta ordú do rinne no daor-bhreith do thug an Bínse do chur i bhfeidhm, cuirfear an t-ordú no an daor-bhreith sin i bhfeidhm ag na húdaráis agus ag na hoifigigh shibhialta ar a mbíonn sé ceangailte agus sa tslí chéanna 'na mbíonn sé ceangailte ortha do réir dlí ordú no daor-bhreith den tsórt chéanna ón bPríomh-Chúirt Choiriúil do chur i bhfeidhm.

(4) Fé réir forálacha an Airtiogail seo, leanfaidh na nithe céanna fén dlí as gach ordú, ciontú, agus daor-bhreith ón mBínse, is do leanfadh as ordú, ciontú, no daor-bhreith den tsórt chéanna ón bPríomh-Chúirt Choiriúil agus go sonnrách bhéarfaidh gach ordú agus daor-bhreith ón mBínse do lucht a gcurtha i bhfeidhm an chosaint agus an tsaoirse chéanna do bheadh ag na húdaráis agus ag na hoifigigh shibhialta agus ordú no daor-bhreith ón bPríomh-Chúirt Choiriúil acu á chur i bhfeidhm.

(5) Ní cuirfear aon choiste coróineura ar bhás a thiocfaidh as breith bháis do thug an Bínse do chur i bhfeidhm.

8.—(1) Ní luighfidh aon aicsean, cúiseamh, ná imeacht eile, sibhialta ná coiriúil, i gcoinnibh aon bhaill den Bhínse maidir le haon ordú ná ciontú do rinne an Bínse ná maidir le haon daor-bhreith do thugadar ná le héinní eile do rinneadar, ná maidir le héinní do rinne an ball san agus é ag cólónadh a dhualgas no ag feidhmiú a chomhacht mar bhall den Bhínse no ar aon tslí eile mar bhall den Bhínse, pe'ca ba ghá no nár ghá an ní sin chun na ndualgas san do chólonadh no chun na gcomhacht san d'fheidhmiú.

(2) Ní luighfidh aon aicsean ná imeacht eile i dtaobh baint o chlú dhuine i gcoinnibh duine ar bith maidir le héinní do scríobh no adubhairt agus é ag tabhairt fianaise uaidh, i scríbhinn no de bhréithre béil, os cóir an Bhínse no le húsáid in imeachta os cóir an Bhínse.

(3) Ní luighfidh aon aicsean, cúiseamh, ná imeacht eile, sibhialta ná coiriúil, i gcoinnibh aon chláráthóra, cléirigh ná seirbhísigh don Bhínse maidir le héinní do rinne agus é ag cólónadh a dhualgas mar chláráthóir, cléireach, no seirbhíseach den tsórt san, pe'ca ba ghá no nár ghá an ní sin chun na ndualgas san do chólonadh.

9.—Gach éinne, agus é ag tabhairt fianaise uaidh fé mhionn no tré dhearbhu, i scríbhinn no de bhréithre béil, os cóir an Bhínse no le húsáid in imeachta os cóir an Bhínse, a dhéanfaidh ráiteas ar bith is eol do bheith bréagach no ná creideann sé bheith fíor do thabhairt uaidh, de bhréithre béil no i scríbhinn, mar chuid den fhianaise sin beidh sé ciontach i gcointa is intrialta ag an mBínse agus ar a ciontú ann dlighfear pé pionós do chur air is oiriúnach leis an mBínse do chur air.

Mionn éithigh o fhínnithe os cóir an Bhínse.

10.—(1) San alt so cialluíonn an focal “príosúnach” duine—

(a) a coinneofar i gcoimeád fén Airtíogal so go dtí go dtabharfar os cóir an Bhínse é, no

(b) a coinneofar i gcoimeád le hordú ón mBínse, pe'ca roimh a thriail ag an mBínse é no le n-a linn no ina diaidh, no

Na háiteanna agus an tslí ina gcoinneofar daoine agus ina gcuirfear i bpríosún iad fén Airtíogal so.

(c) a bheidh i bpríosún do réir daor-bhreithe príosúnachta do thug an Bínse air.

(2) Féadfaidh an tAire Cosanta rialacháin do dhéanamh chun gach críche no aon chríche acu so leanas, sé sin le rá :—

(a) á ordú cadriad na príosúin, na campaí braighdeanais agus na háiteanna eile ina bhféadfar príosúnaigh do choinneáil no do choimeád i bpríosún ;

(b) ag socrú chun na bpríosún, na gcampaí, agus na n-áiteanna eile sin do bhainistí, do choimeád sláintiúil, do rialú agus do ghárdadh go héifeachtúil ;

(c) ag socrú chun smachta do chur i bhfeidhm agus do choimeád imeasc príosúnach ;

(d) ag socrú chun aireachais liaghachta, mháinliaghachta, agus bhanaltrais do thabhairt do phríosúnaigh ;

(e) ag socrú chun príosúnach a bheidh ag feitheamh le n-a dtríail no ná beidh a dtríail críochnuithe do dheighilt amach o phríosúnaigh do trialadh, do ciontuíodh, agus do daoradh ;

(f) ag socrú chun príosúnach do chose ar éalódh agus á údarú go ndéanfaí, maidir le príosúnach do bheadh ad' iarraidh éaluithe no le héinne do bheadh ag cabhrú le príosúnach san iarracht san, ní ar bith is gá chun é do chose ar éalódh ;

(g) ag socrú chun príosúnach éalóidh d'ath-ghabháil agus á údarú go ndéanfaí gach cuardach agus fiosrú is gá chun iad d'ath-ghabháil ;

(h) ag ordú no ag socrú i dtaobh éinní no aon ruda eile bhaineann le príosúnaigh do choinneáil no do choimeád i bpríosún go héifeachtúil.

(3) D'ainneoin éinní atá in Acht ar bith coinneofar gach príosúnach no coimeádfar i bpríosún é (pe'ca aca é) fé sna rialacháin agus do réir na rialachán a dhéanfaidh an tAire Cosanta fén alt so agus a bheidh i bhfeidhm de thurus na huaire.

(4) Gach duine chabhróidh no neartóidh le príosúnach chun éaluithe as áit choinneála no phríosúntachta a hordófar le rialacháin a déanfar fén alt so beidh sé ciontach i gcionta is intrialta ag an mBínse agus ar a chiontú ann dlighfear pé pionós do chur air is oiriúnach leis an mBínse do chur air.

11.—(1) Pé uair a déanfar duine go mbeidh cionta luaidhtear sa bhFo-Scríbhinn a ghabhann leis an Airtioagal so curtha ina leith do chur ar aghaidh (pe'ca roimh an Airtioagal so do chur isteach sa Bhunreacht so é no dá éis sin no roimh an alt so do theacht i bhfeidhm no dá éis sin) chun go dtrialfadh an Phríomh-Chúirt Choiriúil no an Chúirt Chuarda sa chúis sin é agus a bheidh sé ag feith-eamh go dtrialfaidh an Chuir sin sa chúis sin é, féadfaidh an Bínse, ar a iarraidh sin do bhall den Ghárda Síochána nách ísle céim ná cigire, a ordú go n-aistreofaí triail an duine sin sa chúis sin chun an Bhínse agus leis sin tuigfear an duine sin do bheith curtha ar aghaidh chun go dtrialfaidh an Bínse sa chúis sin é pé uair agus i pé áit ordóidh an Bínse.

(2) Pé uair a dhéanfaidh Breitheamh den Chúirt Dúithche no Feadhmannach Síochána duine ar bith go mbeidh cionta luaidhtear sa bhFo-Scríbhinn a ghabhann leis an Airtioagal so curtha ina leith do chur siar i gcoimeád no fé bhannaí (pe'ca roimh an Airtioagal so do chur isteach sa Bhunreacht so é no dá éis sin no roimh an alt so do theacht i bhfeidhm no dá éis sin) féadfaidh an Bínse, ar a iarraidh sin do bhall den Ghárda Síochána nách ísle céim ná cigire, a ordú go n-aistreofaí triail an duine sin sa chúis sin chun an Bhínse agus leis sin tuigfear an duine sin do bheith curtha ar aghaidh chun go dtrialfaidh an Bínse sa chúis sin é pé uair agus i pé áit ordóidh an Bínse.

(3) Pé uair ordóidh an Bínse fén alt so triail duine d'aistriú chun an Bhínse beidh éifeacht ag na forálacha so leanas, sé sin le rá :—

(a) bhéarfar an duine sin os cóir an Bhínse chun a thrialta pé uair agus i pé áit ordóidh an Bínse ;

Trialacha
d'aistriú chun ar
Bhínse.

(b) má bhíonn an duine sin i gcoimeád nuair a déanfar an t-ordú san, féadfar é choinneáil i gcoimeád go dtí go dtabharfar os cóir an Bhínse chun a thrialta é ;

(c) má bhíonn an duine sin saor fé bhannaí nuair a déanfar an t-ordú san, beidh sé de cheangal air é féin do thabhairt suas i gcoimeád ag stáisiún éigin leis an nGárda Síochána laistigh de dhá uair déag is trí fichid 'a chluig tar éis do bhall den Ghárda Síochána fógra i scríbhinn i dtaobh an orduithe sin do thabhairt do féin no dá urra no do dhuine dá urraithe ;

(d) má dheineann duine go mbeidh san de cheangal air féin mír sin roimhe seo den fho-alt so é féin do thabhairt suas i gcoimeád, féadfar é choinneáil i gcoimeád go dtí go dtabharfar os cóir an Bhínse chun a thrialta é agus mara dtugaidh suas é féin amhlaidh laistigh den am a ceaptar leis an mír sin féadfaidh ball ar bith den Ghárda Síochána é ghabháil gan barántas agus féadfar é choinneáil i gcoimeád go dtí go dtabharfar os cóir an Bhínse chun a thrialta é.

Comhacht don
Ard-Chomhairle
maithiúnas do
thabhairt uatla,
pionós do,
mhaithreamh, etc.

12.—(1) Féadfaidh an Ard-Chomhairle, más rogha leo féin é, saor-mhaithiúnas do thabhairt uair ar bith d'éinne bheidh ciontuithe i gcionta ar bith ag an mBínse agus an pionós do chuir an Bínse ar an duine sin do mhaithreamh ar fad.

(2) Féadfaidh an Ard-Chomhairle aon uair, más rogha leo féin é, pionós ar bith do ghearr an Bínse do mhaithreamh i bpáirt no go hiomlán no d'atharú (tré n-a mhaolú amháin) no do chur ar athló (ar choinnfoll no gan coinnfoll).

CUID III.

COMHACHTA SPEISIALTA DO SNA POILINI.

13.—(1) Pé uair do bhéarfaidh ball ar bith den Ghárda Síochána no d'Fhórsaí Cosanta Shaorstáit Eireann fé ndeara duine 'na mbeidh sé in amhrus é bheith tar éis no chun cionta luaidhtear sa bhFo-Scríbhinn a ghabhann leis an Airtíogal so do dhéanamh no baint do bheith aige ansan no roimhe sin le n-a dhéanamh no a fhios do bheith aige aon chionta den tsórt san do bheith déanta no le déanamh, féadfaidh an ball san (ach más ball nea-choimisiúnta de sna Fórsaí Cosanta san é ní fhéadfaidh ach i gcás údarás (generálta no speisialta) do bheith aige ón Aire Cosanta na comhachta bronntar leis an alt so d'fheidhmiú) an duine sin do stop agus é do chuardach agus do cheistniú agus féadfaidh láithreach baill an duine sin do ghabháil gan barántas agus féadfaidh pé neart is gá do chur i bhfeidhm chun an stop, an cuardach, agus an ghabháil sin no aon ghníomh acu do dhéanamh.

Comhacht chum duine do ghabháil ar amhrus i gcásanna áirithe.

(2) Pé uair a dhéanfaidh ball den Ghárda Síochána no d'Fhórsaí Cosanta Shaorstáit Eireann duine do ghabháil féin alt so aistroidh sé an duine sin go dtí stáisiún caothúil leis an nGárda Síochána no go dtí aon áit eile fé chúram baill den Ghárda Síochána agus féadfaidh pé neart is gá do chur i bhfeidhm chun an aistrithe sin do dhéanamh.

(3) Pé uair a haistrefar duine go dtí stáisiún leis an nGárda Síochána no go dtí áit eile féin alt so, déanfaidh an ball den Ghárda Síochána bheith an uair sin i gcúram an stáisiúin no na háite sin an t-aistriú san do chur in úil do bhall den Ghárda Síochána nách ísle céim ná cigire agus leis sin déanfaidh an ball deiridh sin a luaidhtear, laistigh de shé huaire déag ar fhicid 'a chluig tar éis an duine sin d'aistriú amhlaidh go dtí an stáisiún san, a ordú go gcoinn-eofaí an duine sin féin Airtíogal so no a chur fé ndear go gcuirfí cionta i leith an duine sin agus go ndeighleálfai leis dá réir sin no go leigfí saor é.

(4) Féadfar duine a haistrefar go dtí stáisiún leis an nGárda Síochána no go dtí áit eile féin alt so do choinneáil sa stáisiún no san áit sin go dtí go ndeighleálfar leis do réir

an fho-ailt deiridh sin roimhe seo den alt so ach ní coinn-eofar é de bhuidh an fho-ailt seo ar feadh níos mó ná sé huairé déag ar fhichid a' chluig tar éis an aistrithe sin.

(5) Má abran ball den Ghárda Síochána no d'Fhórsaf Cosanta Shaorstáit Eireann ar a mhionn in aon Chúirt Bhreithiúnais go raibh sé in amhrus, nuair do stop agus do cheistnigh duine áirithe fén alt so, an duine sin do bheith tar éis no chun cionta luaidhtear sa bhFo-Scríbhinn a ghabhann leis an Airtíogal so do dhéanamh no baint do bheith aige ansan no roimhe sin le n-a dhéanamh no a fhios do bheith aige aon chionta den tsórt san (gan an cionta san do luadh) do bheith déanta no le déanamh, beidh san ina fhianaise dho-chlaoite, nách féidir cur ina coinnibh ná í do chur i gceist tré chros-cheistniú, tré fhrith-fhianaise, ná ar aon tsli eile, go raibh an t-amhrus san ag an mball san ar an duine sin an uair sin agus go raibh sé i dteideal an uair sin an duine sin do stop agus do cheistniú fén alt so.

Comhach chun
duine do
choinneáil ar
amhrus i
geásanna áirithe.

14.—(1) Duine gabhfar agus a haistrefar go dtí stáisiún leis an nGárda Síochána fén Airtíogal so, féadfar, ar ordú baill den Ghárda Síochána nách ísle céim ná cigire do thabhairt laistigh de shé huairé déag ar fhichid a' chluig tar éis an aistrithe sin, an duine sin do choinneáil i gcoimeád in aon stáisiún leis an nGárda Síochána, no in aon phríosún, no in aon áit chaothúil eile go dtí go dtárlóidh pé ní acu so leanas is túisce thárlóidh, sé sin le rá :—

(a) ball den Ghárda Síochána dá chur in úil don duine sin i scríbhinn go dtabharfar os cóir an Bhínse é; no

(b) dhá uair déag is trí fichid a' chluig do bheith caithte o gabhadh an duine sin amhlaidh.

(2) Má abran ball den Ghárda Síochána nách ísle céim ná cigire ar a mhionn in aon Chúirt Bhreithiúnais gur orduigh sé, laistigh de shé huairé déag ar fhichid a' chluig tar éis duine do ghabháil fén Airtíogal so, an duine sin do choinneáil i gcoimeád, beidh san ina fhianaise dho-chlaoite, nách féidir cur ina coinnibh ná í do chur i gceist tré chros-

cheistniú, tré fhrith-fhianaise, ná ar aon tslí eile, gur thug an ball san an t-ordú san uaidh laistigh den tréimhse sin agus go raibh sé dleathach an duine sin do choinneáil do réir an orduithe sin.

(3) Déanfar tagairtí san Airtíogal so do dhuine do choinneáil ar amhrus fén Airtíogal so do léiriú mar thagairtí do dhuine do choinneáil i gcoimeád fén alt so.

15.—(1) Pé uair a coinneofar duine ar amhrus fén Airtíogal so beidh sé dleathach do bhall ar bith den Ghárda Síochána, faid a coinneofar an duine sin amhlaidh, gach ní no éinní acu so leanas do dhéanamh, sé sin le rá :—

Duine coinneofar ar amhrus do scrúdú.

- (a) an duine sin do chuardach no a chur fé ndeár é chuardach ;
- (b) an duine sin do ghrian-ghrafadh no a chur fé ndeár é ghrian-ghrafadh ;
- (c) priontaí méire an duine sin do thógaint no a chur fé ndeár iad do thógaint ;
- (d) a ainm agus a sheoladh d'éileamh ar an duine sin agus fós cuntas iomlán ar a ghluaiseachtaí agus a ghníomhartha i gcaitheamh aon tréimhse áirithe ;
- (e) gach eolas no aon eolas a bheidh aige, i dtaobh duine eile do bheith tar éis no chun aon chionta dá luaidhtear sa bhFo-Scríbhinn a ghabhann leis an Airtíogal so do dhéanamh, d'éileamh ar an duine sin

(2) Gach duine coinneofar ar amhrus fén Airtíogal so agus a dhéanfaidh éinní acu so leanas, agus é á choinneáil amhlaidh, sé sin le rá :—

- (a) bac na cosc do chur ar bhall den Ghárda Síochána agus é ag feidhmiú comhachta ar bith dá mbronntar leis an alt so an duine sin do chuardach no do ghrian-ghrafadh no a phriontaí méire do thógaint ; no

- (b) nuair éileoidh ball den Ghárda Síochána a ainm no a sheoladh air fén alt so, diúltadh don ainm sin no don tseoladh san do thabhairt uaidh no san do theip air no ainm no seoladh bheidh bréagach no mí-threorach do thabhairt uaidh ; no
- (c) nuair éileoidh ball den Ghárda Síochána cuntas ar a ghluaiseachtaí no ar a ghníomhartha air fén alt so, diúltadh don chuntas san do thabhairt uaidh no san do theip air no cuntas a bheidh neamh-iomlán no bréagach no mí-threorach do thabhairt uaidh ; no
- (d) nuair éileoidh ball den Ghárda Síochána air fén alt so aon eolas a bheidh aige, diúltadh don eolas san do thabhairt uaidh no san do theip air no eolas a bheidh bréagach, neamh-iomlán, neachruinn, no mí-threorach do thabhairt uaidh ; no
- (e) aon bhall den Ghárda Síochána d'ionnsuidhe ; no
- (f) díobháil do dhéanamh d'aon mhaoin ; no
- (g) é féin d'iompar go mí-ordúil ; no
- (h) an áit ina mbeidh sé á choinneáil amhlaidh d'fhágaint gan cead o bhall den Ghárda Síochána ;

beidh sé ciontach i gcionta is intrialta ag an mBínse agus ar a chiontú ann dligheafar pé pionós do chur air is oiriúnach leis an mBínse do chur air.

Daoine i
gcoimeád do
scrúdú.

16.—(1) Pé uair a bheidh duine á choinneáil go dleathach i gcoimeád (ar aon tsli seachas bheith á choinneáil ar amhrus fén Airtíogal so) in aon phríosún, stáisiún leis an nGárda Síochána, no áit eile, beidh sé dleathach do bhall ar bith den Ghárda Síochána dul isteach san áit sin, an duine sin d'agallamh, agus cuntas iomlán ar a ghluaiseachtaí agus a ghníomhartha i gcaitheamh aon tréimhse áirithe d'éileamh air agus fós aon eolas a bheidh aige i dtaobh duine eile do bheith tar éis no chun aon chionta dá luaidhtear sa bhFo-Scríbhinn a ghabhann leis an Airtíogal so do dhéanamh.

(2) Gach duine go ndéanfaidh ball den Ghárda Síochána é d'agallamh féin alt so agus—

(a) nuair éileoidh an ball den Ghárda Síochána cuntas ar a ghluaiseachtaí no a ghníomhartba air féin alt so san agallamh san, go dteipfidh air an cuntas san do thabhairt uaidh no dhiúltóidh d'é thabhairt uaidh no do bhéarfaidh uaidh cuntas a bheidh neamh-iomlán no bréagach no mí-threorach ; no

(b) nuair éileoidh an ball san den Ghárda Síochána air féin alt so san agallamh san aon eolas a bheidh aige, go dteipfidh air an t-eolas san do thabhairt uaidh no dhiúltóidh d'é thabhairt uaidh no do bhéarfaidh uaidh eolas a bheidh bréagach, neamh-iomlán, nea-chruinn, no mí-threorach ; beidh sé ciontach i gcionta is intrialta ag an mBínse agus ar a chiontú ann dlighfear pé pionós do chur air is oiriúnach leis an mBínse do chur air.

17.—(1) Féadfaidh ball ar bith den Ghárda Síochána, laistigh de dhá uair déag is trí fichid a' chluig tar éis duine do ghabháil féin Airtíogal so, fógra i scríbhinn do thabhairt don duine sin, le linn é bheith á choinneáil ar amhrus féin Airtíogal so, go dtabharfar os cóir an Bhínse é.

Conhacht chun duine bheidh á choinneáil do thabhairt os cóir an Bhínse.

(2) Nuair do bhéarfar fógra do dhuine féin bhfó-alt san roimhe seo den alt so bhéarfar an duine sin os cóir an Bhínse laistigh de mhí tar éis an fhógra san do thabhairt do agus cuirfear ina leith san áit sin ceann no níos mó de sna ciontaí luaidhtear sa bhFo-Scríbhinn a ghabhann leis an Airtíogal so.

(3) Nuair a bheidh fógra tugtha do dhuine féin gcéad fho-alt den alt so, coinneofar an duine sin i gcoimeád go dtí go dtabharfar os cóir an Bhínse é do réir an dara fo-ailt den alt so.

Comhacht chun
feithicil do stop
agus do
chuardach.

18.—(1) Féadfaidh ball ar bith den Ghárda Síochána aon uair, gan barántas, aon fheithicil do chuardach agus an té bheidh i bhfeighil na feithicle sin agus éinne bheidh sa bhfeithicil sin do cheistniú agus, chun an chuardaigh agus an cheistnithe sin do dhéanamh, féadfaidh aon fheithicil a bheidh ar gluaiseacht do stop agus féadfaidh pé neart is gá do chur i bhfeidhm chun an cuardach agus an stop san no ceachtar acu do dhéanamh.

(2) Féadfaidh ball ar bith den Ghárda Síochána aon uair, gan barántas, aon long, bád no ártach eile ar uiscí intíre no cósta no tíriúla Shaorstáit Eireann do chuardach agus an té bheidh i gceannas no i bhfeighil an ártacha sin agus éinne bheidh san ártach san do cheistniú agus, chun an chuardaigh agus an cheistnithe sin do dhéanamh, féadfaidh aon long, bád, no ártach eile bheidh ar gluaiseacht ar na huiscí sin do stop, agus féadfaidh pé neart is gá do chur i bhfeidhm chun an cuardach agus an stop san no ceachtar acu do dhéanamh.

CUID IV.

COMHLACHAISÍ NEA-DLEATHACHA.

Comhlachaisí
nea-dhleathacha.

19.—(1) Is comhlachas nea-dhleathach gach comhlachas—

- (a) go bhfuil ar a chuspóirí admhuithe no a mholann no a mhisníonn no adeir go misníonn sé Rialtas Shaorstáit Eireann do threascairt le lámh láidir no an Bunrecht so no an dlí d'atharú le lámh láidir ; no
- (b) a dheineann no a thugann fé no a thugann le tuisgint go ndeineann sé, gan údarás dleathach chuige, fórsa armtha do chó-ghléasadh no do choimeád ar bun ; no
- (c) a chuireann ar aghaidh no a mhisníonn seilbh nea-dhleathach do bheith ag a bhail ar airm theine ; no

(d) atá ag gabháil d'aon ghníomh, gnó, no cúrsa gníomhachta de shaghas thréasúnta no cheannairceach no a dheineann a leithéid do chur ar aghaidh no do mhisniú no do mholadh no a chuireann ar aghaidh, a mhisníonn, no a mholann aon chrích de shaghas thréasúnta no cheannairceach do bhaint amach ; no

(e) a chuireann ar aghaidh, a mhisníonn, no a mholann ciontaí do dhéanamh no bac no cur isteach do chur ar riaradh cirt no ar fheidhmiú na dlí ; no

(f) a chuireann ar aghaidh, a mhisníonn, no a mholann gan airgead d'íoc is iníoctha leis an bPrímh-Chiste no le haon chiste puiblí eile pe'ca tré chánachas é no ar aon tslí eile no gan cánacha áitiúla d'íoc.

(2) Ordú dhéanfaidh an Ard-Chomhairle á dhearbhu gur comhlachas nea-dhleathach comhlachas áirithe dar leis an Ard-Chomhairle, beidh sé ina fhianaise dho-chlaoithe chun gach críche gur comhlachas nea-dhleathach an comhlachas san.

(3) Déanfar gach ordú dá dtagartar sa bhfo-alt deiridh sin roimhe seo den alt so d'fhoillsiú san *Iris Oifigiúil* chó luath agus is féidir é tar éis a dhéanta.

20.—Gach éinne is ball de chomhlachas nea-dhleathach beidh sé ciontach i gcionta is inrialta ag an mBínse agus ar a chiontú ann dlighfear pé pionós do chur air is oiriúnach leis an mBínse do chur air.

Pionós mar gheall ar bhallaíocht i gcomhlachas nea-dhleathach.

21.—Má faightear ag éinne no ina sheilbh, no ar thailte no in áitreabh is leis no atá ar seilbh aige no fé n-a chúram, aon scríbhinn (fé dháta ar bith no gan dáta) a tugadh amach no go bhfuil a dheallramh uirthi í bheith tugtha amach ag comhlachas nea-dhleathach no tháinig no go bhfuil a dheallramh uirthi í bheith tagtha o chomhlachas nea-dhleathach no thugann le tuisgint í bheith ag cabhrú no ag neartú le comhlachas nea-dhleathach no mar gheall ar chomhlachas nea-dhleathach no bhaineann leis ar aon

Seilbh ar scríbhinní bhaineann le comhlachas nea-dhleathach.

tslí eile, beidh an duine sin, maran oifigeach don Stát é agus gur i gcúrsaí a chuid dualgas mar oifigeach den tsórt san atá an scríbhinn sin ina sheilbh no ina choimeád aige no mara gcuirfe sé ina luighe ar an gCúirt no ar an mBínse (pe'ca aca é) nárbh eol do go raibh an scríbhinn sin ina sheilbh no ar na tailte no san áitreabh san no nárbh eol do cadé an saghas an scríbhinn sin ná cad do bhí inti, beidh sé ciontach i gcionta fén alt so agus ar a chiontú ann ar an slí achmair dlighfear fíneáil ná raghaidh thar caoga punt do chur air no, más rogha leis an gCúirt é, príosúntacht ar feadh aon téarma nách sia ná ráithe no an fhíneáil sin agus an phríosúntacht san le chéile no, ar a chiontú ann don Bhínse, pé pionós is oiriúnach leis an mBínse do chur air.

Cruthú ar
bhallraocht i
gcomhlachas
nea-dhleathach.

22.—(1) Pé uair a cúiseofar duine i mbeith ina bhall de chomhlachas nea-dhleathach agus a cruthófar chun sás-tachta an Bhínse go bhfuarthas ag an duine sin no ina sheilbh no ar thailte no in áitreabh is leis no atá ar seilbh aige no fé n-a chúram, scríbhinn (fé dháta ar bith no gan dáta) a tugadh amach no go bhfuil a dheallramh uirthi í bheith tugtha amach ag comhlachas nea-dhleathach no tháinig no go bhfuil a dheallramh uirthi í bheith tagtha o chomhlachas nea-dhleathach no thugann le tuisgint í bheith ag cabhrú no ag neartú le comhlachas nea-dhleathach no mar gheall ar chomhlachas nea-dhleathach no bhaineann leis ar aon tslí eile, tuigfear an duine sin do bheith i a bhall den chomhlachas nea-dhleathach gur mar gheall air an scríbhinn sin no le n-a mbaineann sí mara gcruthuighe sé nách ball é an uair sin den chomhlachas san agus nár bhall é den chomhlachas san aon uair tar éis an Airtioigail seo do chur isteach sa Bhunreacht so.

(2) Duine tuigfear, de bhuaadh an ailt seo, do bheith ina bhall de chomhlachas nea-dhleathach ní tuigfear gur chruthuigh sé nách ball é an uair sin den chomhlachas san agus nár bhall de é o cuireadh an tAirtioigal so isteach sa Bhunreacht so mara ndeine sé (i dteanta pé fianaise eile chuirfidh ina luighe ar an mBínse nách ball agus nár bhall amhlaidh é) a dhearbhu ar a mhionn (agus bhéarfaidh an

Bínse caoi dho ar an dearbhú san do dhéanamh) nách ball é an uair sin den chomhlachas nea-dhleathach san agus nár bhall de é aon uair o cuireadh an tAirtíogal so isteach sa Bhunreacht so.

23.—(1) Ní bheidh sé dleathach aon leabhar, páipeur nuachta, meagisín, tréimhseachán, paimpléid, duilleog, imleidir ná scríbhinn eile tugtar amach no foillsítear thar ceann comhlachais nea-dhleathaigh do chlóbhualadh, d'fhoillsiú, do scaipeadh, do dhíol ná do thairisgint ná do thaisbeáint chun a dhíolta.

(2) Gach éinne dhéanfaidh aon leabhar, páipeur nuachta, meagisín, tréimhseachán, paimpléid, duilleog, imleidir no scríbhinn eile do chlóbhualadh, d'fhoillsiú, do scaipeadh, do dhíol no do thairisgint no do thaisbeáint chun a dhíolta contrárdha don alt so, beidh sé ciontach i gcionta fén alt so agus ar a chiontú ann ar an slí achmair dlighfear fineáil ná raghaidh thar céad punt do chur air no, más rogha leis an gCúirt é, príosúntacht ar feadh aon téarma nách sia ná sé mhí no an fhíneáil sin agus an phríosúntacht san le chéile no, ar a chiontú don Bhínse, pé pionós is oiriúnach leis an mBínse do chur air agus fós, i gcás ar bith, geallbhruideadh gach cóipe den scríbhinn sin a bheidh ar seilbh aige agus fós, i gcás duine do gheobhfar ciontach i gclóbhualadh aon scríbhinne den tsórt san, geallbhruideadh an ghléasra chlóbhualte go léir a bheidh ar seilbh aige.

(3) San alt so foluionn tagairtí do chlóbhualadh aon tslí chun focail do thaisbeáint no do thabhairt amach i bhfuirm sho-fheisce agus léireofar na focail “ chlóbhualadh ” agus “ chlóbhualte ” dá réir sin.

CUID V.

ILGHNEITHEACH.

24.—(1) Pé uair do chífear don Ard-Chomhairle gur deallrathach gurb é thiocfadh as cruinnithe puiblí do chomóradh in aon fhoirgint áirithe no ar aon bhóthar no shráid áirithe no in aice leo ná go mbrisfí an tsíocháin no

Toirmeasc ar shaghasanna áirithe scríbhinní do chlóbhualadh, etc.

Combacht chun cruinnithe puiblí do thoirmeasc.

go ndéanfaí dochar do dhlí agus d'ordú do choimeád, féadfaidh an Ard-Chomhairle furógra do thabhairt amach ag cur toirmeasc le cruinniú puiblí ar bith no le haon chruinniú puiblí comórfar ar shlí seachas fé choinníollacha áirithe no i gcóir cuspóirí áirithe (pe'ca saghas acu san is oiriúnach leis an Ard-Chomhairle do luadh) do chomóradh i líomataíste áirithe no laistigh de líomataíste áirithe (le n-a n-áirmhítear an fhoirgint, an bóthar no an tsráid sin agus ná téidheann níos sia ná míle ón gcéanna) go ceann tréimhse áirithe (nách sia ná ráithe) o dháta an fhuróga.

(2) Pé uair do chífear d'Aire den Ard-Chomhairle, maidir le haon chruinniú puiblí bheidh beartuithe, gur deallrathach go gcuirfe sé ar aghaidh no go ngríosfa sé gníomhartha fóiréigin no imeagluithe do dhéanamh no go gcuirfe sé isteach ar riaradh na dlí no ar dhlí agus ordú do choimeád, féadfaidh an tAire sin den Ard-Chomhairle furógra do thabhairt amach ag cur toirmisc leis an gcrúinniú san do chomóradh san áit agus san am ina raibh sé beartuithe é chomóradh no in áit ar bith eile laistigh de thrí lá roimh an am san no dá éis.

(3) Pé uair do bhéarfaidh an Ard-Chomhairle no Aire den Ard-Chomhairle furógra amach fén alt so, beidh gach duine chomórfaidh cruinniú puiblí no bheidh páirteach i gcrúinniú puiblí do chomóradh no 'na mbeidh baint aige le cruinniú puiblí do chomóradh contrárdha don fhurógra san no bheidh páirteach in aon chruinniú no i láthair ag aon chruinniú comórfar contrárdha don fhurógra san, beidh sé ciontach i gcionta fén alt so agus ar a chiontú ann ar an slí achmair dlighfear fineáil ná raghaidh thar fiche punt do chur air no, más rogha leis an gCúirt é, príosúntacht ar feadh aon téarma nach sia ná mí no, ar a chiontú ann don Bhínse, pé pionós is oiriúnach leis an mBínse do chur air.

(4) Déanfar gach furógra do bhéarfar amach fén alt so d'fhoillsiú sa tsli ordóidh an Ard-Chomhairle no an tAire den Ard-Chomhairle do bhéarfaidh amach an furógra san

(do réir mar bheidh) d'fhonn an furógra san do chur in úil do gach n-aon le n-a mbaineann, ach má fágtar an foillsiú san gan déanamh no má bhíonn sé nea-dhóthanach ní dhéanfaidh san dochar ná deifir do dhleathacht an fhurógra san.

(5) San alt so—

foluionn an focal “ cruinniú ” aon chódháil, mór-shiúl no tionól eile daoine chun aon chríche ; agus cialluionn an abairt “ cruinniú puiblí ” cruinniú ag a dtugtar cuireadh no ag a gceadúitear no ag a mbeartúitear a cheadú do gach duine den phobal no d'aon aicme no dream no aicmí no dreamanna áirithe den phobal bheith i láthair

25.—(1) Pé uair is deimhin leis an Ard-Chomhairle go bhfuil ball de cheachtar Tigh den Oireachtas tar éis bháis de dheascaibh gnímh nea-dhleathaigh duine eile, go díreach no go nea-dhíreach, no go bhfuil sé á chosc ar bheith i láthair ag suidheanna an Tighe den Oireachtas dar ball é agus bheith páirteach ionta, de dheascaibh mí-chumais chuirp do tháinig, go díreach no go nea-dhíreach, as gníomh nea-dhleathach duine eile no de dheascaibh príosúntachta nea-dhleathaighe no de dheascaibh bagartha no imeagluithe féadfaidh an Seanascal, ar chomhairle na hArd-Chomhairle, éinni acu so leanas no iad araon do dhéanamh, sé sin le rá :—

- (a) duine do cheapadh, le hordú, chun bheith ina bhall den Tigh sin den Oireachtas in ionad an bhaill sin, pé duine is oiriúnach leis an Seanascal d'ainmniú san ordú san ar an gcomhairle roimhraithe agus ag féachaint do sna tuairimí is eol a bheith ag an mball do fuair bás no bheidh á chosc amhlaidh (pe'ca aca é) ;
- (b) ceachtar Tigh den Oireachtas no iad araon do chur ar ath-ló, le hordú, ar feadh pé tréimhse, nách sia ná mí, is oiriúnach leis an Seanascal ar an gcomhairle roimhraithe do luadh san ordú san.

Combachta
bheidh ag an
Seanascal nuair
a coisctear ar
bhall teacht chun
an Oireachtais.

(2) Duine ceapfar le hordú déanfar fén alt so chun bheith ina bhall de Tigh den Oireachtas tiocfa sé chun bheith, díreach ar an ordú san do dhéanamh, agus beidh sé, go dtí go gcuirfear deireadh le n-a bhallraocht fén alt so, ina bhall den Tigh sin i ngach slí agus chun gach críche agus cearta, príbhleídí agus saoirsí uile baill den Tigh sin aige ach ní bheidh sé i dteideal a shuidheacháin do thógaint sa Tigh sin go dtí go dtuga sé do réir Airtíogail 17 den Bhunreacht so an mhóid a luaidhtear san Airtíogal san.

(3) Duine ceapfar le hordú déanfar fén alt so chun bheith ina bhall de Thigh den Oireachtas in ionad baill de bheith tar éis bháis scuirfe sé de bheith ina bhall den Tigh sin ar thárlachtaint do pé ní acu so leanas is túisce thárlóidh, sé sin le rá :—

(a) rit do thabhairt amach no ordú do dhéanamh (fé mar is gá sa chás) chun toghacháin do chomóradh chun áite an bhaill sin a bheidh tar éis bháis do líonadh ; no

(b) Dáil Eireann do scur.

(4) Duine ceapfar le hordú déanfar fén alt so chun bheith ina bhall de Thigh den Oireachtas in ionad baill de a bheidh á chosc ar bheith i láthair ag suidheanna an Tighe sin scuirfe sé de bheith ina bhall den Tigh sin ar thárlachtaint do pé ní acu so leanas is túisce thárlóidh, sé sin le rá :—

(a) an ball féin gur ina ionad do ceapadh an duine sin amhlaidh do theacht i láthair ag suidhe den Tigh sin ; no

(b) Dáil Eireann do scur.

(5) Nuair a déanfar ordú fén alt so ag cur ceachtar Tigh den Oireachtas no iad araon ar ath-ló, beidh an Tigh no na Tithe sin (do réir mar bheidh) ar ath-ló ar feadh na tréimhse bheidh luaidhte san ordú san agus ní bheidh suidhe ná cruinniú ag an Tigh no ag na Tithe sin go dtí deireadh na tréimhse sin.

(6) Gach ordú déanfar fén alt so ag ceapadh duine chun bheith ina bhall de Thigh den Oireachtas no ag cur Tighe amháin de Thithe an Oireachtais ar ath-ló cuirfear in úil do Chléireach an Tighe sin é agus cuirfidh Cléireach an Tighe sin é i gCinn-lae an Tighe sin.

(7) Gach ordú déanfar fén alt so ag cur dhá Thigh an Oireachtais ar ath-ló cuirfear in úil do Chléireach gach Tighe acu san é agus cuirfidh gach Cléireach acu san é i gCinn-lae an Tighe dar Cléireach é.

26.—(1) Féadfaidh an Bínse, ar iarratas bhaill den Ghárda Síochána nách ísle céim ná cigire, ordú do dhéanamh á dhearbú go bhfuil aon leabhar, tabhairt amach de thréimhseachán, paimpléid, póstaer no scríbhinn eile ceannairceach.

Comhacht ag an mBínse a dhearbú go bhfuil thréimhseachán, etc., ceannairceach.

(2) Pé uair a dhéanfaidh an Bínse ordú fén alt so á dhearbú go bhfuil scríbhinn ceannairceach féadfaidh aon bhall den Ghárda Síochána aon chóip den scríbhinn sin do gheobha sé in aon áit do ghabháil agus do bhreith leis, agus, chuige sin, féadfaidh dul isteach ar thailte no in áitreabh ar bith 'narb eol do no 'na bhfuil amhrus aige cóip den scríbhinn sin do bheith agus féadfaidh cuardach do dhéanamh ar an gcóip sin ann.

27.—(1) Pé uair do chítear don Bhínse, ar iarratas bhaill den Ghárda Síochána nách ísle céim ná cigire, go bhfuil no go raibh aon fhoirgint á húsáid chun cionta luaidhtear sa bhFo-Scríbhinn a ghabhann leis an Airtíogal so do dhéanamh no maidir le n-a dhéanamh féadfaidh an Bínse ordú do dhéanamh (dá ngairmtear ordú um dhúnadh san alt so) ag dúnadh an áitreibh sin go ceann-pé tréimhse (dá ngairmtear an tréimhse dhúnta san alt so) nách sia ná sé mhí o dháta an ordúithe agus a luadhfaidh an Bínse san ordú san.

Comhacht ag an mBínse foirgintí do dhúnadh.

(2) Pé uair a bheidh an Bínse tar éis ordú um dhúnadh do dhéanamh féadfaidh an Bínse aon uair i rith na tréimhse dúnta bheidh luaidhte san ordú san an t-ordú san do leasú tré dheireadh do chur leis an tréimhse dhúnta san no tré n-a laigheadú.

(3) Pé uair a dhéanfaidh an Bínse ordú um dhúnadh ní bheidh sé dleathach d'éinne an fhoirgint ná aon chuid den fhoirgint le n-a mbaineann an t-ordú san d'úsáid ná bheidh ina seilbh i rith na tréimhse dúnta bheidh luaidhte san ordú san.

(4) Gach éinne úsáidfidh foirgint no aon chuid d'fhoirgint no bheidh ina seilbh contrárdha don alt so, beidh sé ciontach i gcionta is inrialta ag an mBínse agus ar a chiontú ann dlighfear pé príosúntacht do chur air is oiriúnach leis an mBínse do chur air.

(5) Féadfaidh aon bhall den Ghárda Síochána nách ísle céim ná cigire gach ní do dhéanamh a cheapfa sé is gá no is oiriúnach chun cosc do chur le haon fhoirgint áirithe no le haon chuid den fhoirgint sin d'úsáid no do shealbhú contrárdha don alt so.

(6) Déanfar tagairtí san alt so d'fhoirgint do léiriú mar thagairtí fholuionn gach clós, garraidhe agus mion-tigh laistigh de chúirt-mháigh na foirginte sin.

Aicín shíbhiaita i gcoinnibh ball den Ghárda Síochána do thriail.

28.—Ní bheidh teideal ag aon pháirtí le haicsean no le himeacht shíbhialta eile san Ard-Chúirt no sa Chúirt Chuarda i gcoinnibh baill den Ghárda Síochána, pe'ca ina aonar no le daoine eile é, chun giúiré do bheith aige chun na n-imeacht san do thriail más damáiste no faoiseamh eile, mar gheall ar choinneáil nea-dhleathach no ionnsuidhe no có-cheilg adeirtear a rinneadh, an faoiseamh no cuid den bhfaoiseamh a héilítear sna himeachta san.

Scríbhinní tréasúnta no ceannairceacha d'iompar.

29.—(1) Féadfaidh aon bhall den Ghárda Síochána aon duine go mbeidh a fhios aige no go mbeidh amhras aige é do bheith ag iompar aon scríbhinní tréasúnta no ceannairceacha do stop agus do chuardach agus fós é do ghabháil gan barántas, agus pe'ca ghabhfa sé é no ná gabhfaidh féadfaidh sé gach scríbhinn a bheidh á iompar aige agus a chífear don bhall san do bheith tréasúnta no ceannairceach do ghabháil agus do choinneáil.

(2) Má abrannt aon bhall den Ghárda Síochána ar a mhíonn in aon Chúirt Bhreithiúnais go raibh sé in amhrus, nuair do stop no do chuardaigh no do ghaibh (pe'ca aca é) aon duine fén alt so, an duine sin do bheith ag iompar scríbhinní tréasúnta no ceannairceacha beidh san ina fhianaise dho-chlaoite, ná beidh aon dul tháirsi agus nách féidir cur ina coinnibh ná í do chur i gceist tré chros-cheistniú, tré fhrith-fhianaise ná ar aon tslí eile, go raibh an t-amhrus san ag an mball san ar an duine sin agus go raibh sé i dteideal an uair sin an duine sin do stop, do chuardach, agus do ghabháil fén alt so.

30.—(1) Más é tuairim bhaill den Ghárda Síochána nách ísle céim ná cigire cúis réasúnta do bheith le hamhrus go bhfuil scríbhinní tréasúnta no ceannairceacha, airm theine no amuinisean in aon áit no áitreabh, féadfa sé ordú i scríbhinn (dá ngairmtear ordú cuardaigh san alt so) do thabhairt amach d'aon bhall no baill den Ghárda Síochána bheidh ainmnithe san ordú, chun aon áit no áitreabh a bheidh ainmnithe san ordú san do chuardach.

Orduithe
cuardaigh.

(2) Déanfaidh ordú cuardaigh a údarú don bhall no do sna baill den Ghárda Síochána bheidh ainmnithe ann dul isteach san áit no san áitreabh le n-a mbaineann an t-ordú san aon uair laistigh de cheithre huairé fichead a' chluig tar éis an t-ordú cuardaigh sin do thabhairt amach, agus san le fóiréigean más gá é, agus an áit no an t-áitreabh san do chuardach do scríbhinní tréasúnta no ceannairceacha, airm theine agus amuinisean agus gach scríbhinn do gheobhfar ar dhéanamh an chuardaigh sin agus a dheallróidh don bhall no do sna baill sin bheith tréasúnta no ceannairceach agus gach arm teine agus amuinisean do gheobhfar ar dhéanamh an chuardaigh sin do ghabháil agus do bhreith leo.

(3) Féadfaidh aon bhall den Ghárda Síochána bheidh ag déanamh cuardaigh fé ordú cuardaigh gach ní no aon ní no nithe acu so leanas do dhéanamh, sé sin le rá :—

(a) éinne do gheobhfar san áit no san áitreabh le n-a mbaineann an t-ordú do chuardach ;

- (b) ainm agus seoladh éinne do gheobhfar san áit no san áitreabh san d'éileamh agus (gan dochar d'aon chomhacht eile ghabhála bheidh dílsithe ann do réir dlí no de bhuidh aon bharántais dhleathaigh) gabháil do dhéanamh gan barántas ar éinne den tsórt san a dhiúltóidh dá ainm no dá sheoladh do thabhairt don bhall san no do bhéarfaidh uaidh ainm no seoladh gurb eol don bhall san no go mbeidh amhrus aige é do bheith bréagach no mí-threorach ; no
- (c) gabháil do dhéanamh gan barántas ar éinne do gheobhfar san áit no san áitreabh san agus 'na mbeidh amhrus ag an mball san go raibh aon scríbhinn tréasúnta no ceannairceach, arm teine no amuinisean ar seilbh aige san áit no san áitreabh san.

(4) San alt so tá ag an bhfocal " arm teine " agus ag an bhfocal " amuinisean " na brigheanna ceaptar dóibh fé seach in Acht na nArm Teine, 1925 (Uimh. 17 de 1925).

Geallbhruideadh agus dí-cháiliú de dheascaibh ciontuithe áirithe.

31.—(1) Pé uair a thárlóidh duine ciontófar, le linn an ailt seo do bheith i bhfeidhm, i gcionta atá luaidhte sa bhFo-Scríbhinn a ghabhann leis an Airtíogal so do bheith, le linn an chiontuithe sin, i seilbh oifige no fostaíochta le n-a ngabhann luach saothair a híoctar amach as an bPrímh-Chiste no as airgead a sholáthruíonn an tOireachtas no as airgead a cruinnítear le cánachas áitiúil, no i mbord no i gcólucht no fé bhord no fé chólucht no mar bhall íoctha de bhord no de chólucht do bunúidh le hAcht den Oireachtas no fé, geallbhruidfidh an duine sin, láithreach ar dhéanamh an chiontuithe sin, an oifig, an fhos-taíocht, an t-ionad, no an sochar san agus tiocfaidh an céanna chun bheith agus beidh sé folamh láithreach.

(2) Pé uair a thárlóidh duine ciontófar, le linn an ailt seo do bheith i bhfeidhm, i gcionta atá luaidhte sa bhFo-Scríbhinn a ghabhann leis an Airtíogal so do bheith, le linn an chiontuithe sin, ag fáil pinsin no aois-liúntais is infoctha amach as an bPrímh-Chiste no as airgead a sholáthruíonn an tOireachtas no as airgead a cruinnítear le cánachas áitiúil no as cistí búird no cóluchta do bunúfodh le hAcht den Oireachtas no fé, geallbhruidfidh an duine sin an pinsean no an t-aois-liúntas san láithreach ar dhéanamh an chiontuithe sin agus scuirfidh an pinsean no an t-aois-liúntas san láithreach de bheith infoctha.

(3) Gach éinne ciontófar, le linn an ailt seo do bheith i bhfeidhm, i gcionta atá luaidhte sa bhFo-Scríbhinn a ghabhann leis an Airtíogal so beidh se, ón gciontú san agus dá éis sin ar feadh seacht mblian o dháta an chiontuithe sin, dí-cháilithe chun bheith i seilbh aon oifige no fostaíochta le n-a ngabhann luach saothair a híoctar amach as an bPrímh-Chiste no as airgead a sholáthruíonn an tOireachtas no as airgead a cruinnítear le cánachas áitiúil, no i mbord no i gcóluacht no fé bhord no fé chóluacht no mar bhall íoctha de bhord no de chóluacht do bunúfodh le hAcht den Oireachtas no fé.

(4) Pé uair a cuirfear ar neamh-ní no ar nea-mbrí ciontú as a dtagann aon gheallbhruideadh no dí-cháiliú de bhua dh an ailt seo no a deonfar saor-mhaithiúnas don duine chiontuithe beidh an geallbhruideadh no an dí-cháiliú san curtha ar nea-mbrí, i gcás cur-ar-neamh-ní no cur-ar-neamh-ní, o dháta an chiontuithe agus i gcás saor-mhaithiúnais, o dháta an mhaithiúnais sin.

32.—(1) Tuigfead gach scríbhinn a ghabhfaidh ball den Ghárda Síochána i bhfeidhmiú comhachta bronntar leis an

Cad déanfar le scríbhinní gabhfar féin Airtíogal so

Airtiogal so no fé do bheith i gcoimeád Choimisineura an Ghárda Síochána agus, go dtí go ndítheofar no gcuirfear thar n-ais í no go ndeighleálfar léi ar shlí eile fén alt so, déanfaidh pé duine ordóidh an Coimisinéir í do choinneáil i pé áit ordóidh an Coimisinéir.

(2) Féadfaidh éinne adeir gur leis scríbhinn a tuigfear, leis an alt so, do bheith i gcoimeád Choimisineura an Ghárda Síochána, féadfa sé, laistigh de mhí tar éis na scríbhinne sin do ghabháil, a iarraidh ar an gCoimisinéir sin an scríbhinn sin do thabhairt thar n-ais do agus leis sin féadfaidh an Coimisinéir sin an scríbhinn do thabhairt thar n-ais don duine sin no treoir d'iarraidh ar an mBínse agus pé ní ordóidh an Bínse do dhéanamh leis an scríbhinn sin, pe'ca aca is dóich leis is ceart.

(3) Gach scríbhinn a tuigfear leis an alt so do bheith i gcoimeád Choimisineura an Ghárda Síochána agus ná tabharfar thar n-ais don té gur leis í féadfaidh an Coimisinéir sin a chur fé ndéar go ndítheofar í no go ndeighleálfar léi ar shlí eile chó luath agus a cheapfaidh an Coimisinéir sin ná beidh an scríbhinn sin ag teastáil i gcóir imeachta coiriúla fén Airtiogal so no ar shlí eile ach gan san do dhéanamh níos luatha ná mí tar éis na scríbhinne sin do ghabháil.

Alt 8 den *Law of Libel Amendment Act, 1888*, do dhúradh amach.

33.—Ní bheidh feidhm ag alt 8 den *Law of Libel Amendment Act, 1888*, maidir le haon chúiseamh coiriúil um chlú-mhilleadh scríbhthe cheannairceach do bhéarfar os cóir an Bhínse.

Costaisi.

34.—Sa mhéid go gceadóidh an tAire Airgid é, is amach as airgead a sholáthróidh an tOireachtas a híocfar gach costas fé n-a raghfear ag cur an Achta so i bhfeidhm.

FO-SCRIBHINN A GHABHANN LEIS AN
AIRTIOTAL SAN ROIMHE SEO.

1. Aon chionta (pe'ca roimh an Airtíogal so do chur isteach sa Bhunreacht so no dá éis sin do rinneadh é no roimh ailt 4 go 34 den Airtíogal so do theacht i bhfeidhm no dá éis sin) a dearbhuítear leis an Acht um Chiontaí Tréasúnta, 1925 (Uimh. 18 de 1925), do bheith ina thréasún no ina fheleontacht no ina mhí-iompar.

2. Aon chionta fé Acht na nGiúirithe (Cosaint), 1929 (Uimh. 33 de 1929), pe'ca roimh an Airtíogal so do chur isteach sa Bhunreacht so no dá éis sin do rinneadh é no roimh ailt 4 go 34 den Airtíogal so do theacht i bhfeidhm no dá éis sin.

3. An cionta san fé Acht na nArm Teine, 1925 (Uimh. 17 de 1925), eadhon, arm teine do bheith ar seilbh ag duine no é d'úsáid no d'iompar gan deimhniú airm theine do bheith aige dho no aon chionta fé Acht san maidir le harm toirmisceithe i ngach cás pe'ca roimh an Airtíogal so do chur isteach sa Bhunreacht so no dá éis sin do rinneadh é no roimh ailt 4 go 34 den Airtíogal so do theacht i bhfeidhm no dá éis sin.

4. Clú-mhilleadh scríbhthe ceannairceach pe'ca roimh an Airtíogal so do chur isteach sa Bhunreacht so no dá éis sin do rinneadh é no roimh ailt 4 go 34 den Airtíogal so do theacht i bhfeidhm no dá éis sin.

5. Cionta fé aon alt den Airtíogal so.

6. Aon chionta atá luaidhte go speisialta san Airtíogal so mar chionta is intrialta ag an mBínse.

7. Cionta ar bith (pe'ca roimh an Airtíogal so do chur isteach sa Bhunreacht so no dá éis sin do rinneadh é no roimh ailt 4 go 34 den Airtíogal so do theacht i bhfeidhm no dá éis sin) go ndeimhneoidh Aire den Ard-Chomhairle 'na thaobh i scríbhinn fé n-a láimh go ndearnadh an gníomh is abhar don chionta san, chó fada le n-a thuairim, chun cosc no bac do chur leis an ngléas rialúcháin no le riaradh chirt.

Airtogal 3.

Saoránach de Shaorstát Eireann iseadh gach duine idir fireann agus buineann ar a bhfuil buan-chomhnuí i líomatáiste údaráis Shaorstáit Eireann le linn an Bhunreachtá so do theacht i bhfeidhm agus gur in Eirinn do rugadh é féin no a athair no a mháthair no ar a raibh gnáth-chomhnuí i líomatáiste údaráis Shaorstáit Eireann ar feadh seacht mblian ar a luighead, agus beidh aige na príbhleídí agus tuitfidh air na hoibleagáidí a ghabhann leis an saoránacht san : Ar choiníoll go bhféadfaidh aon duine atá 'na shaoránach de Stát eile a bhreith de rogha gan an tsaoránacht a tugtar leis seo dho do ghlaca ; agus socrófar le dlí na coiníollacha a rialóidh feasta saoránacht Shaorstáit Eireann d'fháil agus do chríochnú.

Airtogal 4.

Sí an Ghaedhilig teanga Náisiúnta Shaorstáit Eireann, ach có-aithneofar an Béarla mar theanga oifigiúil. Ní choiscfidh éinní san Airtogal so ar an Oireachtas forálacha speisialta do dhéanamh do cheanntair no do líomatáistí ná fuil ach teanga amháin i ngnáth-úsáid ionta.

Airtogal 5.

Ní bronnfar ar aon tsaoránach de Shaorstát Eireann aon teideal onóra i dtaobh aon tseirbhísí do thabhairt uaidh i Saorstát Eireann no 'na thaobh ach le cead no ar mhola Ard-Chomhairle an Stáit.

Airtogal 6.

Is slán saoirse an duine, agus ní bainfeair a shaoirse d'aon duine ach do réir na dlí. Ar aon duine do dhéanamh ghearáin no ar ghearán do dhéanamh ar a shon go bhfuiltear á chimeád go nea-dhleathach, fiosróidh an Ard-Chúirt agus aon bhreitheamh agus gach breitheamh di an gearán san láithreach agus

féadfaid ordú do dhéanamh á chur d'fhiachaibh ar an nduine atá ag cimeád an duine sin corp an duine atá i gcimeád do thabhairt i láthair na Cúirte no an bhreithimh gan mhoill agus deimhniú do dhéanamh i scríbhinn i dtaobh cúise a chimeáidtha agus órdóidh an Chúirt no an breitheamh san an duine sin do sgaoile ansan mara mbeifear sásta go bhfuiltear á chimeád do réir na dlí: Ar choiníoll, ámh, le linn chogaidh no rebiliúntachta armtha ná gairmfear éinní dá bhfuil san Airtíogal so chun aon ghníomh dá ndéanfaidh fórsaí airm Shaorstáit Eireann do chosc, do smachtú ná do thoirmeasc.

Airtíogal 7.

Is slán do gach saoránach a árus comhnuithe agus ní raghfair isteach ann le fóirneart ach do réir dlí.

Airtíogal 8.

Is slán do gach saoránach saoirse choinsiais agus saor-chleachta agus admháil phuiblí chreidimh, ach gan dochar don rialtacht ná don mhoráltacht phuiblí, agus ní déanfar aon dlí go díreach ná go mí-dhíreach chun maoin do bhronna ar aon chreideamh, ná chun cosc ná teora do chur le saor-chleachta aon chreidimh, ná chun aon bhontáiste do thabhairt do dhuine ná aon mhí-ábaltacht do chur air mar gheall ar a thuairim ná a chéim i gcúrsaí creidimh, ná baint go díobhálach ó cheart aon leinbh dul chun scoile atá ag fáil airgid phuiblí i dtaobh gan é bheith láithreach ag an dteagasc chreidimh sa scoil sin, ná chun aon deifríocht do dhéanamh i dtaobh cabhrach Stáit idir scoileanna atá fé bhainisteoireacht lucht chreidimh dheifriúla, ná chun aon chuid dá maoin do thógaint ó aon lucht creidimh ná ó aon fhundúireacht oideachais ach amháin chun bóithre, bóithre iarainn, oibreacha soluis, uisce no draeneála, no chun oibreacha eile d'úsáid phuiblí, agus ar chúiteamh do dhíol.

Airtiagal 9.

Is slán ceart oipineon do chur in úil gan chosc agus ceart teacht le chéile go síochánta gan airm, agus ceart cumainn no aontaisí do bhunú ar aon toisg ná fuil i gcoinne mhoráltacht phuiblí. Na dlithe a rialóidh an tslí 'na bhféadfar ceart cumainn do bhunú agus ceart saor-theacht le chéile do chur i bhfeidhm, ní dhéanfaid aon leithreachas i dtaobh polaitíochta ná creidimh ná aicme.

Airtiagal 10.

Tá de cheart ag gach saoránach de Shaorstát Eireann bun-oideachas d'fháil in aisce.

Airtiagal 11.

Gach talamh agus uisce, gach mianach agus minearál, laistigh de chrích Shaorstáit Eireann dá raibh go dtí so i seilbh an Stáit, no i seilbh aon roinne dhe, no do bhí á chimeád chun úsáide no tairbhe puiblí, agus fós gach maoin nádúrtha den chrích chéanna (mar aon leis an aer agus le gach abhar gníomh-chomhachta) agus fós gach rí-chíos agus reacht-shaoirse laistigh den chrích sin, is le Saorstát Eireann iad ó dháta an Bhunreachta so do theacht i bhfeidhm, gan dochar d'aon mhuinghineachas, bronntas, léas, ná cead 'na dtaobh do bhí an uair sin ann, no d'aon cheart dlisteanach príobháideach 'na leith, agus smachtóidh agus riarfaidh an t-Oireachtas iad, do réir pé rialacha agus forálacha a ceadófar le reachtúchán ó am go ham, ach ní aistrefar a seilbh sin ná seilbh aon choda acu, ach féadfar chun an leasa phuiblí iad do leigeant amach ó am go ham ar léas no ar chead, chun iad d'oibriú no a dtairbhe d'fháil, fé údarás agus do réir smachta an Oireachtais: Ar choiníoll ná féadfar aon léas ná aon chead den tsórt san do dhéanamh ar théarma a raghaidh thar naoi mbliana déag is cheithre fichid ó dháta a dhéanta, agus ná féadfar de bhri a théarmaí féin aon léas ná aon chead den tsórt san d'athnuachtaint.

Airteogal 12.

Bunúitear leis seo Cóir Reachtúcháin dá ngeifear an t-Oireachtas. Beidh ann Tigh amháin, Dáil Eireann. Is ag an Oireachtas amháin a bheidh an t-aon-chomhacht chun dlithe i dtaobh síochána, rialtacha agus deáriartha Shaorstáit Eireann do dhéanamh.

Airteogal 13.

Suidhfidh an t-Oireachtas i gcathair Bhaile Atha Cliath no 'na haice no i pé áit eile a shocróidh sé ó am go ham.

Airteogal 14.

Beidh de cheart ag gach saoránach de Shaorstát Eireann idir fireann agus buineann go mbeidh aois bhliana is fiche slán aige agus a chó-líonfaidh forálacha dlithe toghacháin na haimsire, vótáil le teachtaí de Dháil Eireann, agus páirt do thógaint sa Referendum. Ní chaithfidh aon vótálaí níos mó ná aon vóta amháin i dtoghachán do Dháil Eireann agus is le ballóid shicréideach a déanfar an vótáil. Socrófar le dlí an chuma agus an áit 'na mbainfeadh feidhm as an gceart so.

Airteogal 15.

Gach saoránach go mbeidh aois bhliana is fiche slán aige, agus ná beidh curtha fé mhí-ábaltacht ná fé mhíchumas ag an mBunreacht ná ag an ndlí beidh sé iontoghtha chun bheith 'na theachta de Dháil Eireann.

Airteogal 16.

Sciosta.

Airteogal 17.

Sciosta.

Airtíogal 18.

Beidh de phríbhléid ag gach ball den Oireachtas, ach amháin i gcás tréasúin, feleontachta no brise síochána, go mbeidh sé saor ó thógaint le linn do bheith ag dul chun Dáil Eireann no ag teacht uaithe, no le linn do bheith fé ia Dháil Eireann, agus ní féadfar aon aicsean ná aon imeachta in aon Chúirt ach i nDáil Eireann féin do thabhairt ina choinne i dtaobh éinní dá ndéarfa sé i nDáil Eireann.

Airtíogal 19.

Beidh gach tuairisc agus foillsiúchán oifigiúil den Oireachtas no de Dháil Eireann fé phríbhléid agus beidh gach ní adéarf ar i nDáil Eireann fé phríbhléid is cuma cá bhfoillseofar é.

Airtíogal 20.

Déanfaidh Dáil Eireann a rialacha agus a Buan-Orduithe féin agus beidh de chomhacht aici pionós do chur i bhfeidhm i dtaobh a mbriste agus beidh de chomhacht aici saoirse dhíospóireachta do chur in áirithe, a scríbhinní oifigiúla agus páipéirí príobháideacha a ball do chosaint agus i féin agus a baill do chosaint ar aon duine no daoine a bhainfidh le n-a baill no a chuirfidh isteach ortha no a thabharfaidh fé iad do bhreaba le linn dóibh a ndualgaisí do chó-lóna.

Airtíogal 21.

Déanfaidh Dáil Eireann a Ceann Comhairle agus a Leas-Cheann Comhairle féin do cheapa agus a gcomhachta, a ndualgaisí, a luach saothair, agus a dtéarmaí oifige do leaga amach.

An ball san de Dháil Eireann is Ceann Comhairle ar Dháil Eireann díreach roimh an Oireachtas do scur tuigfar, gan aon togha achtúil do dhéanamh, agus fé bhun é a chraola do Dháil Eireann roimh an scur san nách mian leis leanúint de bheith ina bhall de Dháil Eireann, tuigfar é do bheith tofa do réir an Bhunreachta so sa chéad thoghachán gheanála ina dhiaidh sin mar bhall de

Dháil Eireann don dáilcheanantar dar bhall é díreach roimh an scur san no, i gcás aith-bhreithniú do bheith déanta ar dháilcheanantar, don dáilcheanantar aith-bhreithnithe do fógrúodh ar na n-aith-bhreithniú san do bheith ar aon dul leis an dáilcheanantar san do céad-luaidheadh. Pé uair a tuigfar duine ba Cheann Comhairle ar Dháil Eireann do bheith tofa amhlaidh i dtoghachán ghenerálta mar bhall do dháilcheanantar is lú de bhall an líon ball a bheidh le togha go hachtúil don dáilcheanantar san sa toghachán ghenerálta san ná mar ba riachtanach do thogha don dáilcheanantar san in aon chás eile.

Airtiogal 22.

Socrófar gach ceist i nDáil Eireann, ach amháin mar a bhfuil a mhairt de shocrú sa Bhunreacht so, le mór-áireamh de vótanna na mball atá láithreach, lasmuich den Cheann Chomhairle no den bhall atá i gceannas, ag a mbeidh vóta réitigh agus ar a mbeidh é chaitheamh má's ionann vótanna an dá thaobh. Socróidh Buan-Orduithe Dháil Eireann an mó ball a dhéanfaidh cruinniú dlathach de Dháil Eireann chun a comhachta do chur i bhfeidhm.

Airtiogal 23.

Déanfaidh an t-Oireachtas soláthar chun a bhail do dhíol agus féadfaidh sé fós saor-thaisteal do sholáthar dóibh in aon pháirt d'Eirinn.

Airtiogal 24.

Tionólfaidh an t-Oireachtas siosón amháin ar a luighead gach bliain. Déanfaidh Ceann Comhairle Dháil Eireann ar ordú i scríbhinn ón Ard-Chomhairle fé lámh Uachtaráin na hArd-Chomhairle an t-Oireachtas do ghairm agus do sgur agus ar na hachtaibh sin ceapfaidh Dáil Eireann dáta aith-thionóil an Oireachtais.

Airtiogal 25.

Beidh suidheanna Dháil Eireann go puiblí. Ar ócáidí de riachtanas speisialta féadfaidh Dáil Eireann suidhe príobháideach do bheith aici ach dhá dtrian na mball a bheidh láithreach do thoiliú leis.

Airtíogal 26.

Beidh i nDáil Eireann teachtaí agus iad ag ionadú dáilcheanantar a socrófar le dlí. Socróidh an t-Oireachtas uimhir na dteachtaí ó am go ham, ach ní socrófar lán-uimhir theachtaí Dháil Eireann fé bhun teachta in agha gach deich míle fichead den líon tíre, ná os cionn teachta in agha gach fiche míle den líon tíre: Ar choinnoll gurb é an cothrom céanna, chó fada agus is féidir, a bheidh ar fuaid na tíre idir uimhir na dteachtaí a bheidh le togha aon uair do gach dáilcheanantar agus líon tíre gach dáilcheanntair, ar n-a fháil sin amach sa chomhaireamh deireanach roimhe sin. Is do réir Ionadúochta Cothromúla a toghfar na teachtaí. Déanfaidh an t-Oireachtas ath-chóiriú ar na dáilcheanntair uair amháin gach deich mbliana ar a luighead, gan sóinseáil in áireamh áitiúil an lín tíre do dhearmhad, ach ní thiocfaidh aon atharú sna dáilcheanntair i bhfeidhm i rith téarma na Dála a bheidh ann le linn a leithéid d'ath-chóiriú do dhéanamh.

Airtíogal 27.

Scríosta.

Airtíogal 28.

Le linn Toghacháin Ghenearála do Dháil Eireann déanfar an vótáil ar an lá céanna ar fuaid na tíre, agus ní bheidh an lá san thar deich lá fichead tar éis dáta an sgurtha. Tiocfaidh Dáil Eireann le chéile fé cheann mí ón lá san, agus, mara sguirfear níos túisce í, leanfa sí ar feadh sé mblian, no pé tréimhse níos giorra ná san a ceapfar le reachtúchán, ó dháta a céad chruinnithe, agus ní leanfa sí níos sia ná san. Ní féadfar Dáil Eireann do sgur aon uair ach ar chomhairle na hArd-Chomhairle.

Airtíogal 29.

I gcás teachta de Dháil Eireann d'fháil bháis, do thabhairt suas no do theacht fé mhí-cháilíocht, líonfar an follambhantas le togha ar chuma a socrófar le dlí.

Airtíogal 30.*Scriosta.***Airtíogal 31.***Scriosta.***Airtíogal 31a.***Scriosta.***Airtíogal 32.***Scriosta.***Airtíogal 32a.***Scriosta.***Airtíogal 32b.***Scriosta.***Airtíogal 33.***Scriosta.***Airtíogal 34.***Scriosta.***Airtíogal 35.***Scriosta.***Airtíogal 36.**

Breithneoidh Dáil Eireann, chó luath agus is féidir tar éis tosnuithe gach bliana airgid, meastacháin fháltais agus chaiteachais Shaorstáit Eireann i gcóir na bliana san, agus, ach sa méid go ndéanfaí achtú sonrách 'na thaobh i ngach cás, achtófar fé cheann na bliana an reachtúchán is gá chun Rúin Airgid gach bliana d'fheidhmiú.

Airtíogal 37.

Ní cuirfear airgead i leithreas le vóta, le rún ná le dlí, mara ndéanfar sa tsíósón céanna intinn a churtha i leithreas do mhola trí theachtaireacht ón Ard-Chomhairle agus í fé láimh Uachtarán na hArd-Chomhairle.

Airtíogal 38.

Scríosta.

Airtíogal 38a.

Scríosta.

Airtíogal 39.

Scríosta.

Airtíogal 40.

Scríosta.

Airtíogal 41.

Chó luath agus a bheidh aon Bhille rithte ag Dáil Eireann, síghneoidh Ceann Comhairle Dháil Eireann an Bille sin agus tiocfaidh an céanna chun bheith agus beidh sé ina dhlí ar dháta agus o dháta an tsíghnithe sin.

Airtíogal 42.

Chó luath agus féadfar tar éis d'aon dlí bheith síghnithe ag Ceann Comhairle Dháil Eireann, cuirfidh an cléireach no pé oifigeach eile a cheapfaidh Dáil Eireann chuige sin dhá chóip chearta den dlí sin á dhéanamh, ceann aca i nGaedhilg agus an ceann eile i mBéarla (agus síghneoidh Ceann Comhairle Dháil Eireann ceann de sna cóipeanna san chun é do chur ar rolla cuimhnte in oifig an oifigh sin den Chúirt Uachtarach ar a gcinnfidh Dáil Eireann), agus beidh na cóipeanna san mar fhíneacht chríochnuithe ar fhorálacha gach dlí dá sórt agus, i gcás coinbhliocht

idir an dá chóip a cuirfear i dtaisce mar sin, sé an ceann a bheidh sionnaithe ag Ceann Comhairle Dháil Eireann a bhuaidhfídh.

Airtiogal 43.

Ní bheidh de chomhacht ag an Oireachtas a fhógairt gur brise dlí gníomhartha nár bhrise dlí iad le linn a ndéanta.

Airtiogal 44.

Féadfaidh an t-Oireachtas cóireanna íochtaracha reachtúcháin do bhunú agus pé comhachta a socrófar le dlí do thabhairt dóibh.

Airtiogal 45.

Féadfaidh an t-Oireachtas soláthar do dhéanamh chun Comhairlí Feidhme no Gairm-bheatha do bhunú a ionadóidh brainsí de bheatha chó-mhuinteartha agus chó-ionmhasach an Náisiúin. Déanfaidh an dlí le n-a mbunófar Comhairle dá sórt a comhachta, a cearta agus a dualgaisí agus an bhaint a bheidh aici le rialtas Shaorstáit Eireann do shocrú.

Airtiogal 46.

Is ag an Oireachtas amháin atá an t-aon cheart chun rialú do dhéanamh i dtaobh tógaint agus cothú na bhfórsaí armtha san i gcócha Shaorstáit Eireann atá luaidhte sa Chonnradh Sgeidealta, agus beidh gach fórsa dá shórt fé smacht an Oireachtais.

Airtiogal 47.

Scríosta.

Airtiogal 48.

Scríosta.

Airtíogal 49.

Ní cuirfear Saorstát Eireann fé oibleagáid páirt ghníomhach do thógaint in aon choga gan aontú an Oireachtais, ach amháin i gcás ionsuidhe do dhéanamh ar Eirinn.

Airtíogal 50.

Féadfaidh an t-Oireachtas leasú do dhéanamh ar an mBunreacht so ach, tar éis sé mbliain déag ó dháta an Bhunreachtas so do theacht i bhfeidhm, ní dhéanfaidh dlí de n-a leithéid de leasú, ar n-a rith ag Dáil Eireann, mara ndéanfar, tar éis do Dháil Eireann é rith, an leasú san do chur fé Referendum na ndaoine agus mara gcaithfidh mór-áireamh de sna vótáluithe ar an gclár a vótanna le linn a leithéid de Referendum, agus vótanna mór-áirimh de sna vótáluithe ar an gclár, no dhá dtrian na vótanna sa chomhaireamh, do chaitheamh i bhfabhar an leasuithe. Féadfar aon leasú dá shórt do dhéanamh laistigh den tréimhse sé mbliain déag roimh-ráite mar ghnáth-reachtúchán.

Airtíogal 51.

Beidh Comhairle ann dá ngoirfear an Ard-Chomhairle chun feidhmithe údaráis agus combachta fheidhmiúcháin Shaorstáit Eireann. Ach beidh sé dleathach don Ard-Chomhairle, sa mhéid agus fé réir aon choinníollacha cinnfear le dlí, feidhm do bhaint, chun gníomhairí dioplomáideacha agus consulta do cheapadh agus chun có-aontuithe eadarnáisiúnta do chríochnú, as aon ghléas a dheineann aon cheann de sna náisiúin dá dtagartar in Airtíogal 1 den Bhunreacht d'úsáid mar ghléas bhunreachtúil chun na grícheanna céanna. Beidh an Ard-Chomhairle freagarthach do Dháil Eireann, agus is é a líon dáréag Airí ar an gcuid is mó dhe no cúigear Airí ar an gcuid is lú dhe ar n-a gceapa sa tslí foráitar anso ina dhiaidh seo.

Airteogal 52.

Ar Airí na hArd-Chomhairle beidh Uachtarán na hArd-Chomhairle, Leas-Uachtarán na hArd-Chomhairle, agus an tAire a bheidh i gceannas na Roinne Airgid. Beidh Uachtarán na hArd-Chomhairle, Leas-Uachtarán na hArd-Chomhairle, an tAire a bheidh i gceannas na Roinne Airgid agus na baill eile den Ard-Chomhairle ina mbaill de Dháil Eireann.

Airteogal 53.

Toghfaidh Dáil Eireann Uachtarán na hArd-Chomhairle. Ainmneoidh sé sin Leas-Uachtarán den Ard-Chomhairle a ghníomhóidh chun gach críche in ionad an Uachtaráin ar an Uachtarán d'fháil bháis, do thabhairt suas no do thuitim fé mhí-chumas bhuan, go dtí go dtoghfad Uachtarán nua den Ard-Chomhairle. Gníomhóidh an Leas-Uachtarán thar ceann an Uachtaráin, leis, le linn eisean do bheith as láthair go sealadach. Isé an t-Uachtarán, le haontú Dháil Eireann, a cheapfaidh na hAirí eile atá chun bheith in oifig mar bhaill den Ard-Chomhairle, agus imeoidh an t-Uachtarán agus na hAirí a cheapfa sé as oifig má chailleann seisean tacuíocht mhór-áirimh i nDáil Eireann, ach leanfaidh an tUachtarán agus na hAirí sin ag déanamh a ndualgaisí go dtí go ndéanfar a gcomharbaí do thogha agus do cheapadh fé seach: Ar choinioll, ámh, ná sguirfean an t-Oireachtas ar ordú aon Ard-Chomhairle go mbeidh tacuíocht mhór-áirimh i nDáil Eireann cailte aici.

Airteogal 54.

Beidh an Ard-Chomhairle freagarthach in aonacht i ngach cúrsa bhaineas leis na Ranna Stáit a bheidh á riará ar Baill den Ard-Chomhairle. Ullamhóidh an Ard-Chomhairle Meastacháin d'fháltas agus de chaiteachas Shaorstáit Eireann i gcóir gach bliana airgid, agus cuirfidh ós cóir Dháil Eireann iad roimh dheire na bliana airgid roimhe sin. Tiocfaidh an Ard-Chomhairle i gceann a chéile agus gníomhóid in aonacht mar aon údarás.

Airtíogal 55.

Féadfaidh Dáil Eireann Airí ná beidh 'na mbaill den Ard-Chomhairle do cheapa ar mhola Choiste de Dháil Eireann a toghfar i slí a bheartóidh Dáil Eireann i dtreo go n-ionadóid Dáil Eireann gan leithreachas. Mara mbeidh Dáil Eireann sásta le aon mhola áirithe féadfaidh an Coiste leanúint ar ainmneacha do mhola go dtí go bhfaghfar ceann le n-a mbeifear sásta. Ní raghaidh lán-uimhir na n-Airí, agus Airí na hArd-Chomhairle d'áireamh ortha, thar dháréag.

Airtíogal 56.

Beidh gach Aire nách ball den Ard-Chomhairle 'na cheann freagarthach ar an Roinn no ar na Ranna a bheidh fé n-a chúram, agus beidh sé freagarthach uaidh féin do Dháil Eireann amháin i riara na Roinne no na Rann ar a mbeidh sé 'na cheann: Ar choiníoll, má dhineann an t-Oireachtas socrú i gcóir Comhairlí Feidhme no Gairm-bheatha, go bhféadfaidh na hAirí seo no aon duine aca, má chinneann an t-Oireachtas amhlaidh, bheith 'na mbaill de sna Comhairlí sin agus bheith molta acu do Dháil Eireann. Is é téarma oifige aon Aire, nách ball den Ard-Chomhairle, téarma na Dála a bheidh ann le linn a cheaptha, ach leanfa sé in oifig no go gceapfar a chomharba, agus is í Dáil Eireann féin amháin a chuirfidh aon Aire dá shórt as oifig le linn a théarma, agus san ar chúis a luadhfar, agus tar éis an tairisgint go gcuirfear as oifig é do chur fé bhráid Choiste, a toghfar i slí a bheartóidh Dáil Eireann, i dtreo go n-ionadófar Dáil Eireann gan leithreachas, agus tar éis don Choiste sin tuairisc do thabhairt ar an scéal.

Airtíogal 57.

Scríosta.

Airteogal 58.

Má ceaptar teachta de Dháil Eireann 'na Aire ní bheidh d'oibleagáid air a shuidheachán do thabhairt suas ná dul fé ath-thogha.

Airteogal 59.

Gheobhaidh Airí pé luach saothair a socrófar ó am go ham le dlí, ach ní luigheadófar luach saothair aon Aire i rith a théarma oifige.

Airteogal 60.

Scríosta.

Airteogal 61.

Déanfaidh ciste amháin d'fháltas uile Shaorstáit Eireann pé as é, gan dochar do pé eisceacht a socrófar le dlí, agus cuirfear i leithreas é chun úsáide Shaorstáit Eireann ar an gcuma agus fé sna muirir agus na fiachaisí ordófar le dlí.

Airteogal 62.

Ceapfaidh Dáil Eireann Ard-Sgrúdoir chun gníomhuithe ar son Shaorstáit Eireann. Smachtóidh sé d'fóluocht agus scrúdoídh cuntas gach airgid a riarfar ar ordú nó fé údarás an Oireachtais, agus tabharfa sé tuairisg uaidh do Dháil Eireann ar uairibh áirithe a socrófar le dlí.

Airteogal 63.

Ní cuirfear an t-Ard-Sgrúdoir as oifig ach mar gheall ar droch-iompar nó mí-chumas a luadhfar agus le rún do Dháil Eireann go mbeidh ceithre sheachtú ar a laighead (gan an Ceann Comhairle nó an ball i gceannas d'áireamh) de bhaill uile Dháil Eireann tar éis vótála le n-a rith. Gan dochar don bhforáil seo socrófar le dlí téarmaí agus coiníollacha sealbhuíochta a oifige. Ní bheidh sé 'na bhall den Oireachtas ná ní bheidh aon oifig ná ionad eile sochair aige. D'ainneoin éinní atá in aon Airteogal eile den Bhunreacht so ní tabharfar isteach i nDáil Eireann Bille i gcóir reachtúcháin chun an Airteogail seo do leasú.

maidir leis an rún san do rith mara ndeintear ná go dtí go ndéanfar an leasú bheidh beartuithe a dhéanamh leis an mBille sin do cheadú le rún o Dháil Eireann go mbeidh ceithre sheachtú ar a laighead (gan an Ceann Comhairle no an ball i gceannas d'áireamh) de bhail uile Dháil Eireann tar éis vótála le n-a rith.

Airtiogal 64.

Is i sna Cúirteanna puiblí a bhunóidh an t-Oireachtas a cuirfead comhacht bhreithiúntais Shaorstáit Eireann i bhfeidhm agus a riarfar ceart le breithiúin a ceapfar i slí a forálar 'na dhiaidh seo. Beidh ar na Cúirteanna so Cúirteanna Céad-Chéime agus Cúirt Aith-éisteachta Deire dá ngairmfear an Chúirt Uachtarach. Ar na Cúirteanna Céad-Chéime beidh Ard-Chúirt ag a mbeidh lán-údarás bunaidh agus comhacht chun socruithe gach cúrsa agus gach ceiste bhaineas le dlí no le ffrinne, pe'ca síbhialta no coiriúil, agus fós Cúirteanna go mbeidh a n-údarás go háitiúil agus go teoranta maille le ceart aith-éisteachta mar a cinnfead le dlí.

Airtiogal 65.

Raghaidh comhacht bhreithiúntais na hArd-Chúirte chó fada le ceist dlisteanachta aon dlí maidir le forálacha an Bhunreachta. Is í an Ard-Chúirt amháin a chuirfidh údarás bunaidh i bhfeidhm i ngach cás 'na dtiocfaidh cúrsaí den tsórt san i gceist.

Airtiogal 66.

Gan dochar do pé rialacha agus maille le pé éisceachtaí a cinnfead le dlí (lasmuich d'aon chás do thabharfadh ceist dlisteanachta aon dlí anuas) beidh údarás aith-éisteachta ag Cúirt Uachtarach Shaorstáit Eireann ar gach breith den Ard-Chúirt. Ní bheidh dul thar breith na Cúirte Uachtaraighe in aon chás, agus ní déanfar aith-bhreithniú ná ní féadfar aith-bhreithniú do dhéanamh ar an mbreith sin ag aon Chúirt, Bínse ná Udarás eile ar bith: Agus ní luighfidh aon athchomharc, i gcoinnibh breithe den Chúirt Uachtaraigh no d'aon

Chúirt eile i Saorstát Eireann, chun a Shoillse i gComhairle, agus ní bheidh sé dleathach d'éinne cead chun aon athchomhairc den tsórt san do bhunú d'achuinge ar a Shoillse.

Airtíogal 67.

Do réir na ndlithé bheidh i bhfeidhm de thurus na huaire agus do réir na rialacha a déanfar fútha iseadh bheidh uimhir na mbreithiún, bunú agus có-ghléasa agus roinnt ghnótha agus údaráis imeasg na gCúirteanna agus na mbreithiún roimhráite, agus gach ní bhaineas le nós imeachta.

Airtíogal 68.

Is é an Ard-Chomhairle cheapfaidh breithiúin na Cúirte Uachtaraighe agus na hArd-Chúirte agus na gCúirteanna eile go léir a bunófar do réir an Bhunreachta seo. Ní cuirfear breithiúin na Cúirte Uachtaraighe ná na hArd-Chúirte as oifig ach mar gheall ar mhí-iompar no mí-chumas a luadhfar, agus ansan féin le rún o Dháil Eireann go mbeidh ceithre sheachtú ar a laighead (gan an Ceann Comhairle no an ball i gceannas d'áireamh) de bhaill uile Dháil Eireann tar éis vótála le n-a rith. Socrófar le dlí aois oifige d'fhágaint, luach saothair agus pinsean a leithéidí de bhreithiúin ar oifig d'fhágaint dóibh agus na dearbhtha a thabharfaid uatha le linn a gceaptha. Ní féadfar an luach saothair sin do luigheadú an fhaid a leanfaid in oifig. Socrófar le dlí téarmaí ceaptha breithiúin aon chúirteanna eile a bunófar. D'ainneoin éinní atá in aon Airtíogal eile den Bhunreacht seo ní tabharfar isteach i nDáil Eireann Bille i gcóir reachtúcháin chun an Airtíogail seo do leasú maidir leis an rún san do rith mara ndeintear ná go dtí go ndéanfar an leasú bheidh beartuithe a dhéanamh leis an mBille sin do cheadú le rún o Dháil Eireann go mbeidh ceithre sheachtú ar a laighead (gan an Ceann Comhairle no an ball i gceannas d'áireamh) de bhaill uile Dháil Eireann tar éis vótála le n-a rith.

Airtíogal 69.

Le linn feidhmithe dhóibh beidh na breithiúin uile nea-spleách agus fé riail an Bhunreachta agus an dlí amháin. Ní bheidh breitheamh iontoghtha chun suidhe san Oireachtas, agus ní bheidh aon oifig ná ionad eile sochair aige.

Airtíogal 70.

Ní trialfar éinne ach do réir chúrsaí cuibhe na dlí, agus ní bunófar cúirteanna nea-choitianta, ach amháin pé Binsí Airm a údarófar le dlí chun lucht airm a bhrisfidh dlí airm do thriail. Ní shroichfidh údarás na mBinsí Airm chun an phobail sibhialta ná ní cuirfear i bhfeidhm ortha é ach in aimsir chogaidh no rebiliúntachta armtha agus mar gheall ar ghníomhartha a déanfar in aimsir chogaidh no rebiliúntachta armtha, agus do réir na rialacha a socrófar le dlí. Ní cuirfear an t-údarás san i bhfeidhm in aon líomatáiste 'na bhfuil na cúirteanna sfbhialta go léir oscailte no 'narbh fhéidir iad do chomóra agus ní aistreofar aon duine ó líomatáiste go chéile chun a leithéid d'údarás do chruithniú.

Airtíogal 71.

Aon duine d'fhórsaí armtha Shaorstáit Eireann ná beidh ar seirbhís chogúil ní thrialfaidh aon Chúirt Airm ná aon Bhínse eile Airm é in aon choir intrialta ag sna Cúirteanna Síbhialta mara dtabharfar an choir sin go speisialta laistigh d'údarás Chúirteanna Airm, no aon Bhínse eile Airm, le haon chórus dlithe no rialacha chun smacht airm do chur i bhfeidhm a mholfaidh an t-Oireachtas 'na dhiaidh seo.

Airtíogal 72.

Ní trialfar aon duine in aon chúis choiriúil gan choiste ach i gcás cúiseanna timpeal mion-choirthe atá intrialta le dlí i láthair Chúirt Údaráis Achmair agus i gcás cúiseanna timpeal coirthe i gcoinnibh dlí airm atá intrialta ag Cúirt Airm no Bínse eile Airm.

FORALACHA DIOMBUANA.

Airtiogal 73.

Gan dochar don Bhunreacth so agus sa mhéid ná fuilid buiniscionn leis, leanfaidh na dlithe atá i bhfeidhm i Saorstát Eireann le linn teacht i ngníomh don Bhunreacth so i lán-neart agus i lán-fheidhm go dtí go n-athghairmfear no go leasófar iad no aon cheann aca le hachtú den Oireachtas.

Airtiogal 74.

Ní dhéanfaidh éinní sa Bhunreacth so deifir d'aon fhiachas chun aon cháin no diuité do dhíol i dtaobh na bliana airgid ag rith le linn dáta an Bhunreactha so do theacht i bhfeidhm, ná i dtaobh aon bhliana airgid roimhe sin, ná i dtaobh aon tréimhse a chríochnóidh ar an lá deireannach den bhliain airgid reatha roimhráite no roimhe, ná i dtaobh aon ócáide laistigh den bhliain sin no d'aon bhliain roimhe sin, ná fós aon deifir do mhéid a leithéid d'fhiachas; agus i gcaitheamh na bliana airgid reatha roimhráite leanfar de gach cáin agus diuité agus gach riaráiste den bhfiachas san do ghearra agus do leaga agus do bhailiú ar an gcuma cheanan chéanna do dintí é díreach roimh an mBunreacth so do theacht i bhfeidhm, agus déanfar an cóiriú céanna do dintí roimhe seo ar an méid a baileofar; agus chun na críche sin beidh na comhachta céanna ag an Ard-Chomhairle do bhí ag an Rialtas Sealadach agus beidh sí freagarthach sa tsli chéanna 'na raibh an Rialtas san.

Earraí a beirtear i gcaitheamh na bliana airgid reatha roimhráite ó Shaorstát Eireann go dtí aon pháirt den Bhreatain Mhóir no d'Oileán Mhanainn, no a tugtar ó aon pháirt den Bhreatain Mhóir no d'Oileán Mhanainn go dtí Saorstát Eireann, ní áireofar iad mar earraí amach no isteach do réir mar bheidh, ach sa mhéid go n-órdóidh an Ard-Chomhairle a mhalairt i dtaobh na bhfuirmeacha a bheidh le húsáid agus an eolais a bheidh le tabhairt na dtaobh.

Chun críche an Airtíogail seo, ciallúfonn an focal " bliain airgid " maidir le cáin ioncuim (mar aon le barra-cháin) bliain a gearrtha, agus maidir le cánacha agus diuitéthe eile, an bhliain a chríochnúfonn ar an t-aonú lá déag ar fhichid de Mhárta.

Airtíogal 75.

Go dtí go mbunófar Cúirteanna do Shaorstát Éireann do réir an Bhunreachta so, leanfaidh an Chúirt Uachtarach Udaráis, na Cúirteanna Contae, na Cúirteanna Ceathrú Shiosóin agus na Cúirteanna Udaráis Achmair, mar atáid anois, don údarás céanna do chur i bhfeidhm de thurus na huaire mar a dhinidís go dtí so, agus aon bhreitheamh no giúistís, atá 'na bhall d'aon Chúirt dá sórt, agus atá in oifig le linn an Bhunreachta so do theacht i bhfeidhm, leanfa sé de thurus na huaire ar bheith 'na bhall di, agus fanfa sé in oifig do réir na seilbhe céanna agus ar na téarmaí céanna do bhí aige go dtí so, ach i gcás breithimh den Chúirt Uachtarach roimhráite no de Chúirt Chontae, mara gcuirfidh sé in úil d'Ionadaí na Coróinneach gur mian leis tabhairt suas. Féadfar aon fholamhantas in aon cheann de sna Cúirteanna roimhráite ar a leanfar amhlaidh do líona le ceapa a déanfar sa tslí chéanna a ceapfar breithiúin sna Cúirteanna atá á bhunú fén mBunrecht so: Ar choinfoll go mbainfidh forálacha Airtíogail 66 den Bhunrecht so i dtaobh breitheanna den Chúirt Uachtarach a bunófar fén mBunrecht so le breitheanna Cúirte na hAith-éisteachta ar a leanfar do réir an Airtíogail seo.

Airtíogal 76.

Má bhíonn aon bhreitheamh den Chúirt Uachtarach Udaráis roimhráite no d'aon cheann de sna Cúirteanna Contae roimhráite le linn Cúirteanna do bhunú fén mBunrecht so, ná ceaptar le n-a thoil féin chun bheith 'na bhreitheamh d'aon Chúirt dá sórt, déanfar leis, chun críche Airtíogail 10 den Chonradh Sgeidealta, i leith is gur fhág sé oifig toisc an atharuithe Rialtais do tháinig

i bhfeidhm de dheasgaibh an Chonnartha roimhraithe ach beidh gach ceart a bronnfar amhlaidh gan dochar d'aon cheart ná éileamh a bheadh aige i gcoinnibh Rialtais na Breataine.

Airtíogal 77.

Gach oifigeach den Rialtas Sealadach atá ann le linn an Bhunreachtá so do theacht i bhfeidhm (agus nách oifigeach é gur thug Rialtas na Breataine a sheirbhísí ar iasacht don Rialtas Sealadach) aistrefar é ar an ndáta san agus déanfaidh de oifigeach de Shaorstát Eireann, agus beidh aige seilbh oifige a bheidh ar có-réir leis an seilbh oifige do bhí aige cheana.

Airtíogal 78.

Gach oifigeach den tsórt san ann do haistríodh ó Rialtas na Breataine de bhrí aon aistriú seirbhísí chun an Rialtais Shealadaigh beidh sé i dteideal tairbhe Airtíogail 10 den Chonradh Sgeidealta d'fháil.

Airtíogal 79.

Aon tseirbhís phuibli nár aistríodh a riará go dtí an Rialtas Sealadach roimh dháta an Bhunreachtá so do theacht i bhfeidhm, cuirfear aistriú a riartha siar go dtí an 31adh lá de Mhárta, 1923, no go dtí dáta is luaithe ná san ar a gcinnfidh an Ard-Chomhairle tar éis fógra mí do thabhairt roimh ré san Iris Oifigiúil; agus an méid sin de sna hoifigigh ag obair i riará na seirbhísí sin ar dháta an aistrithe ar a gcinnfear sa tsli atá luaidhte 'na dhiaidh seo, aistrefar iad agus déanfaidh dfobh oifigigh de Shaorstát Eireann; agus beidh d'fheidhm ag Airtíogal 77 den Bhunreacht so 'na dtaobh i leith is gur oifigigh den Rialtas Sealadach do haistríodh chun an Rialtais sin ó Rialtas na Breataine na hoifigigh sin. Cinnfear ar na hoifigigh a bheidh le haistriú amhlaidh i dtaobh aon tseirbhísí sa tsli chéanna i leith is go raibh riará na seirbhísí aistrithe chun an Rialtais Shealadaigh roimh an mBunreacht so do theacht i bhfeidhm.

Airtíogal 80.

Maidir le maoin, earraí, cearta agus fiachaisí bhaineas le ranna Rialtais, tuigfear gurb iad Rialtas Shaorstáit Éireann comharbaí an Rialtais Shealadaigh, agus sa mhéid go ndéanfaidh feidhmeanna de Rialtas Shaorstáit Éireann d'fheidhmeanna aon roinne de Rialtas na Breataine, tuigfear gurb iad Rialtas Shaorstáit Éireann comharbaí na roinne sin de Rialtas na Breataine.

Airtíogal 81.

Tar éis dáta an Bhunreachtá so do theacht i bhfeidhm féadfaidh Tigh na Párliminte, do toghadh do réir an Achta um Shaorstát Éireann (Socrú), 1922 (gurb í an dáil bhunaidh í chun an Bunreacht so do shocrú) na combachta agus na húdaráis uile a thugann an Bunreacht so do Dháil Éireann do chur i bhfeidhm ar feadh tréimhse ná raghaidh thar bliain ón ndáta san, ach chuige sin go mbeidh ar theachtaí na Párliminte sin forálacha Airtíogail 17 den Bhunreacht so do chóilona agus déanfar an chéad toghachán do Dháil Éireann fé Airtíogail 26, 27, agus 28 de seo chó luath agus is féidir tar éis deire na tréimhse sin.

Airtíogal 82.

Scríosta.

Airtíogal 83.

Fógrófar chó luath agus is féidir, agus ar an séú lá de Mhí na Nodlag, Naoi gcéad déag agus a dó fichead, an tráth is déanaí dhe, le Furógra ó n-a Shoillse, gur rith agus gur ghlac an Dáil Bhunaidh agus Párlimint na Breataine an Bunreacht so agus tiocfaidh an Bunreacht sc i bhfeidhm ar fhoillsiú an Fhurógra san.

DARA SCEIDEAL.

CONNRADH 1921.

Airtíogail Chó-aontuithe do Chonnradh idir an Bhreatain Mhóir agus Éire.

Feic leathanaigh 70 go 78 ante.

Achtanna an Chonnartha (Daingniú ar Chó-Aontuithe).

1. ACHT AN CHONNARTHA (DAINGNIÚ AR AN gCÓ-AONTÚ
FÓIRLÍONTACH), 1924.
2. ACHT AN CHONNARTHA (DAINGNIÚ AR AN gCÓ-AONTÚ
LEASATHACH), 1925.

SAORSTÁT EIREANN.

Uimhir 51 de 1924.

ACHT AN CHONNARThA (DAINGNIU AR AN gCÓ-AONTU FOIRLIONTACH), 1924.

ACHT CHUN DAINGNIU DO DHEANAMH AR CHO-AONTU AIRITHE LE N-A bhFOIRLIONTAR AIRTIOGAL 12 DE CHONNRA 1921. [25adh *Deire Fomhair*, 1924.]

ACHTUIGHEADH OIREACHTAS SHAORSTÁIT EIREANN MAR LEANAS:—

Daingniú ar an gCó-aontú.

1.—Daingnítear leis seo an Có-aontú atá sa Sceideal a ghabhann leis an Acht so, eadhon, có-aontú le n-a bhfóirlíontar Airtíogal 12 de Chonnra 1921, agus beidh éifeacht dá réir sin ag Connra san 1921.

Gearr-theideal agus tosach feidhme.

2.—(1) Féadfar Acht an Chonnartha (Daingniú ar an gCó-aontú Fóirlíontach), 1924, do ghairm den Acht so.

(2) Tiocfidh an tAcht so i ngníomh láithreach tar éis a riththe.

SCEIDEAL.

Có-aontú le n-a bhfóirlíontar Airtíogal a Dó-Dhéag de sna hAirtíogail Chó-aontuithe do Chonnra idir an Bhreatain Mhóir agus Eire dar tugadh feidhm dlí leis an *Irish Free State (Agreement) Act, 1922*, agus leis an Acht um Bunreacht Shaorstáit Eireann, 1922.

ACHT AN CHONNARTHA (DAINGNIÚ AR 143
AN GCÓ-AONTÚ FÓIRLÍONTACH), 1924.

DE BHRI, na Coimisinéirí a bhí le ceapa fén Airtíogal san a Dó-Dhéag ag Rialtas Shaorstáit Éireann agus ag an Rialtas Briotáineach fé seach, go bhfuilid ceaptha go cuibhe ag na Rialtaisí sin fé seach, ach, go bhfuil diúltuithe ag Rialtas Tuaiscirt Éireann don Choimisinéir do cheapa a bhí le ceapa amhlaidh ag an Rialtas san, agus ná fuil aon fhoráil sna hAirtíogail sin i gcóir a leithéid de theagmhas :

ANOIS có-aontútear leis seo, fé réir an Pháirlimint Bhriotáineach agus Oireachtas Shaorstáit Éireann do dhaingniú an Chó-aontuithe seo, mara ndinidh Rialtas Tuaiscirt Éireann an Coimisinéir atá le ceapa amhlaidh ag an Rialtas san do cheapa roimh dháta rithe Achta na Páirliminte Briotáinighe no Acht Oireachtais Shaorstáit Éireann chun an Có-aontú so do dhaingniú, pe'ca dáta aca is déanaí, go n-aistrefar láithreach chun an Rialtais Bhriotáinighe, agus go bhfeidhmeoidh an Rialtas san láithreach, an chomhacht atá ag Rialtas Tuaiscirt Éireann chun an Coimisinéir sin do cheapa agus, chun crícheanna an Airtíogail sin, go dtuigfar gur Coimisinéir a cheap Rialtas Tuaiscirt Éireann aon Choimisinéir a cheapfidh an Rialtas Briotáineach amhlaidh agus go mbeidh éifeacht dá réir sin ag na hAirtíogail Chó-aontuithe sin do Chonnra.

Sighnithe thar ceann an
Rialtais Bhriotáinighe :

Sighnithe thar ceann
Rialtais Shaorstáit
Éireann :

J. RAMSAY MACDONALD.
Lúnasa 4, 1924.

LIAM T. MAC COSGAIR.

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