



**An Bille um an Aonú Leasú is Daichead ar an
mBunreacht (An Comhaontú maidir le Cúirt Aontaithe
um Paitinní), 2024**
**Forty-first Amendment of the Constitution (Agreement
on a Unified Patent Court) Bill 2024**

Meabhrán Míniúcháin
Explanatory Memorandum



**FORTY-FIRST AMENDMENT OF THE CONSTITUTION
(AGREEMENT ON A UNIFIED PATENT COURT) BILL 2024**

EXPLANATORY MEMORANDUM

Purpose of Bill

The Referendum Bill allows Ireland to ratify the Agreement on a Unified Patent Court.

Provision of Bill

The Bill consists of two sections and the Schedule.

Section 1 provides that the text set out in both the Irish and English languages in the Schedule to the Bill will be inserted as a new subsection 11 in section 4 of Article 29. The proposed new subsection will permit the State to ratify the Agreement on a Unified Patent Court done at Brussels on the 19th day of February 2013.

Section 2 is a standard form provision and provides that the Bill may be cited as the Forty-first Amendment of the Constitution (Agreement on a Unified Patent Court) Act 2024.

The Schedule consists of two parts.

Part 1 sets out the wording of the proposed constitutional amendment in Irish – this will be inserted after subsection 10 of section 4 of Article 29.

Féadfaidh an Stát an Comhaontú maidir le Cúirt Aontaithe um Paitinní, arna dhéanamh sa Bhruiséil an 19ú lá d’Fheabhra, 2013, a dhaingniú. Ní dhéanann aon fhoráil atá sa Bhunreacht seo dlíthe a d’achtaigh, gníomhartha a rinne nó bearta a ghlac an Stát de bhíthin riachtanais na n-oibleagáidí atá ar an Stát faoin gComhaontú sin a chur ó bhail dlí ná cose a chur le dlíthe a d’achtaigh, gníomhartha a rinne nó bearta a ghlac comhlachtaí atá inniúl faoin gComhaontú sin ó fheidhm dlí a bheith acu sa Stát.

Part 2 sets out the wording of the proposed constitutional amendment in English – this will be inserted after subsection 10 of section 4 of Article 29.

The State may ratify the Agreement on a Unified Patent Court done at Brussels on the 19th day of February 2013. No provision of this Constitution invalidates laws enacted, acts done or measures adopted by the State that are necessitated by the obligations of the State under that Agreement or prevent laws enacted, acts done or measures adopted by bodies competent under that Agreement from having the force of law in the State.

*An Roinn Fiontar, Trádála agus Fostaíochta,
Feabhra, 2024.*



**AN BILLE UM AN AONÚ LEASÚ IS DAICHEAD AR AN
mBUNREACHT (AN COMHAONTÚ MAIDIR LE CÚIRT
AONTAITHE UM PAITINNÍ), 2024**

MEABHRÁN MÍNIÚCHÁIN

Cuspóir an Bhille

Ceadaítear d'Éirinn leis an mBille Reifrinn an Comhaontú maidir le Cúirt Aontaithe um Paitinní a dhaingniú.

Foráil an Bhille

Dhá alt agus Sceideal atá sa Bhille.

Foráiltear le *halt 1* go ndéanfar an téacs a leagtar amach sa Ghaeilge agus sa Sacs-Bhéarla sa Sceideal a ghabhann leis an mBille a chur isteach mar fho-alt 11 nua in alt 4 d'Airteagal 29. Ceadófar don Stát leis an bhfo-alt nua an Comhaontú maidir le Cúirt Aontaithe um Paitinní, arna dhéanamh sa Bhruiséil an 19ú lá d'Fheabhra, 2013, a dhaingniú.

Foráil i bhfoirm chaighdeánach is ea *alt 2* agus foráiltear leis go bhféadfar an tAcht um an Aonú Leasú is Daichead ar an mBunreacht (An Comhaontú maidir le Cúirt Aontaithe um Paitinní), 2024 a ghairm den Bhille.

Tá dhá chuid sa Sceideal.

Déantar foclaíocht an leasaithe bheartaithe ar an mBunreacht sa Ghaeilge a leagan amach i gCuid 1 – cuirfear an méid sin isteach i ndiaidh fho-alt 10 d'alt 4 d'Airteagal 29.

Féadfaidh an Stát an Comhaontú maidir le Cúirt Aontaithe um Paitinní, arna dhéanamh sa Bhruiséil an 19ú lá d'Fheabhra, 2013, a dhaingniú. Ní dhéanann aon fhoráil atá sa Bhunreacht seo dlíthe a d'achtaigh, gníomhartha a rinne nó bearta a ghlac an Stát de bhíthin riachtanais na n-oibleagáidí atá ar an Stát faoin gComhaontú sin a chur ó bhail dlí ná cosc a chur le dlíthe a d'achtaigh, gníomhartha a rinne nó bearta a ghlac comhlachtaí atá inniúil faoin gComhaontú sin ó fheidhm dlí a bheith acu sa Stát.

Déantar foclaíocht an leasaithe bheartaithe ar an mBunreacht sa Sacs-Bhéarla a leagan amach i gCuid 2 – cuirfear an méid sin isteach i ndiaidh fho-alt 10 d'alt 4 d'Airteagal 29.

The State may ratify the Agreement on a Unified Patent Court done at Brussels on the 19th day of February 2013. No provision of this Constitution invalidates laws enacted, acts done or measures adopted by the State that are necessitated by the obligations of the State under that Agreement or prevent laws enacted, acts done or measures adopted by bodies competent under that Agreement from having the force of law in the State.

*An Roinn Fiontar, Trádála agus Fostaíochta,
Feabhra, 2024.*