

Ballot 1

The Oireachtas established this Citizens' Assembly to consider the Eighth Amendment to the Constitution and to make such recommendations as it sees fit. The Eighth Amendment inserted Article 40.3.3 into the Constitution. The Thirteenth and Fourteenth Amendments added clauses in relation to the right travel and the right to information. The text of Article 40.3.3 is provided at the bottom of this page.

Ballot 1: Do you think Article 40.3.3 should be <u>retained</u> in full or <u>not retained</u> in full?	
	Mark X in one box
Option 1- Article 40.3.3 should be retained in full	
Option 2- Article 40.3.3 should not be retained in full	

If a majority votes in favour of Option 1 the voting process is complete.

If a majority votes in favour Option 2 proceed to Ballot 2.

ARTICLE 40.3.3

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

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

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

**Eighth Amendment
7th October, 1983**

**Thirteenth Amendment,
23rd December, 1992**

**Fourteenth
Amendment
23rd December, 1992**

Ballot 2 [This ballot to be used if in Ballot 1 the Citizens' Assembly voted by a majority that Article 40.3.3 should not be retained in full.]

In Ballot 1 the Citizens' Assembly voted by a majority that Article 40.3.3 should not be retained in full, which gives rise to two options.

Option 1- Article 40.3.3 should be repealed (i.e. deleted and not replaced)

Option 2- Article 40.3.3 should be replaced or amended.

Ballot 2: Do you think Article 40.3.3 should be repealed (i.e. deleted and not replaced) <u>or</u> replaced or amended?	
	Mark X in one box
Option 1- Article 40.3.3 should be repealed (i.e. deleted and not replaced)	
Option 2- Article 40.3.3 should be replaced or amended	
Prefer not to state an opinion	

If a majority votes in favour of Option 1 proceed to Ballot 4A

If a majority votes in favour of Option 2 proceed to Ballot 3

Ballot 3 [This ballot to be used if in Ballot 2 the Citizens' Assembly voted by a majority that Article 40.3.3 should be replaced or amended]

In Ballot 1 the Citizens' Assembly voted by a majority that Article 40.3.3 should not be retained in full. In Ballot 2, the Citizens' Assembly voted by a majority that Article 40.3.3 should be replaced or amended.

Two types of replacement or amendment are possible.

Option 1 - Article 40.3.3 should be replaced with a constitutional provision that explicitly authorises the Oireachtas to legislate to address both termination of pregnancy and any rights of the unborn. This constitutional provision would grant the Oireachtas the exclusive power to make law on these issues.

Option 2 - Article 40.3.3 should be replaced or amended with a new constitutional provision that directly addresses both termination of pregnancy and any rights of the unborn. This constitutional provision, as interpreted by the courts, would limit the law-making power of the Oireachtas.

Ballot 3: How do you think Article 40.3.3 should be changed?	
	Mark X in one box
Option 1 - Article 40.3.3 should be replaced with a constitutional provision that explicitly authorises the Oireachtas to legislate to address both termination of pregnancy and any rights of the unborn.	
Option 2 - Article 40.3.3 should be replaced or amended with a new constitutional provision that directly addresses both termination of pregnancy and any rights of the unborn.	
Prefer not to state an opinion	

If a majority votes in favour of Option 1 move to Ballot 4B

If a majority votes in favour of Option 2 move to Ballot 4C

Ballot 4A- [This ballot s to be used if the Citizens' Assembly voted by a majority in Ballot 2 to repeal]

In Ballot 2, the Citizens' Assembly voted by a majority to repeal.

This Ballot will provide the recommendations of the Citizens' Assembly to the Oireachtas about the reasons, if any, for which termination of pregnancy should be lawful in Ireland, as well as any gestational limits that should apply.

In respect of each of the 8 reasons listed on the left-hand side below, please indicate your recommendation by placing an X in **one** of the five boxes.

Ballot 4A		Mark X in <u>one</u> of the five boxes below for each of the 8 reasons				
		Recommendation				
		A	B1	B2	B3	C
	Reasons	Never for this reason	Up to 12 wks gestation only	Up to 22 wks gestation only	With no restriction as to gestational age	Prefer not to state an opinion
1	Real and substantial physical risk to the life of the woman					
2	Real and substantial risk to the life of the woman by suicide					
3	Serious risk to the physical health of the woman					
4	Serious risk to the mental health of the woman					
5	Pregnancy as a result of rape					
6	The unborn child has a foetal abnormality that is likely to result in death before or shortly after birth					
7	The unborn child has a significant foetal abnormality that is not likely to result in death before or shortly after birth					
8	Available on request (i.e. no restriction as to reasons)					

Ballot 4B [This ballot s to be used if the Citizens’ Assembly voted by a majority in Ballot 3 to amend the Constitution to explicitly authorise the Oireachtas to legislate]

In Ballot 3, the, the Citizens’ Assembly decided that Article 40.3.3 should be replaced with a constitutional provision that explicitly authorises the Oireachtas to legislate to address both termination of pregnancy and any rights of the unborn.

This Ballot will provide the recommendations of the Citizens’ Assembly to the Oireachtas about what should be included in legislation. Specifically, it will provide the recommendations of the Citizens’ Assembly as to the reasons, if any, for which termination of pregnancy should be lawful in Ireland, as well as any gestational limits that should apply.

In respect of each of the 8 reasons listed on the left-hand side below, please indicate your recommendation by placing an X in **one** of the five boxes.

Ballot 4B		Mark X in one of the five boxes below for each of the 8 reasons				
		Recommendation				
		A	B1	B2	B3	C
	Reasons	Never for this reason	Up to 12 wks gestation only	Up to 22 wks gestation only	With no restriction as to gestational age	Prefer not to state an opinion
1	Real and substantial physical risk to the life of the woman					
2	Real and substantial risk to the life of the woman by suicide					
3	Serious risk to the physical health of the woman					
4	Serious risk to the mental health of the woman					
5	Pregnancy as a result of rape					
6	The unborn child has a foetal abnormality that is likely to result in death before or shortly after birth					
7	The unborn child has a significant foetal abnormality that is not likely to result in death before or shortly after birth					
8	Available on request (i.e. no restriction as to reasons)					

Ballot 4C [This Ballot to be used if the Citizens' Assembly voted by a majority in Ballot 3 that the Constitution should limit the law-making powers of the Oireachtas]

In Ballot 3, the Citizens' Assembly voted by a majority that Article 40.3.3 should be replaced or amended with a new constitutional provision that directly addresses both termination of pregnancy and any rights of the unborn.

This Ballot has two parts.

Part 1

Part 1 will provide the recommendations of the Citizens' Assembly to the Oireachtas about the reasons, if any, for which terminations of pregnancy should be lawful in Ireland, as well as any gestational limits that should apply.

You may consider that different recommendations should be made in respect of different reasons.

In respect of each of the 8 issues listed on the left-hand side below, please indicate your recommendation by placing an X in **one** of the five boxes.

Ballot 4C- Part 1		Mark X in <u>one</u> of the five boxes below for each of the 8 reasons				
		Recommendation				
		A	B1	B2	B3	C
	Reasons	Never for this reason	Up to 12 wks gestation only	Up to 22 wks gestation only	With no restriction as to gestational age	Prefer not to state an opinion
1	Real and substantial physical risk to the life of the woman					
2	Real and substantial risk to the life of the woman by suicide					
3	Serious risk to the physical health of the woman					
4	Serious risk to the mental health of the woman					
5	Pregnancy as a result of rape					
6	The unborn child has a foetal abnormality that is likely to result in death before or shortly after birth					
7	The unborn child has a significant foetal abnormality that is not likely to result in death before or shortly after birth					
8	Available on request (i.e. no restriction as to reasons)					

Part 2

Part 2 will provide the recommendations of the Citizens' Assembly to the Oireachtas on whether provision should be made for each reason primarily through the text of the Constitution, with legislation filling in the details, or exclusively by legislation.

You may consider that different recommendations should be made in respect of different reasons.

In respect of each of the 8 issues listed on the left-hand side below, please indicate your recommendation by placing an X in **one** of the three boxes.

Ballot 4C- Part 2		Mark X in <u>one</u> of the three boxes below for each of the 8 reasons		
		Recommendation		
		I	II	III
	Reasons	To be implemented primarily by a provision in the Constitution with the Oireachtas passing legislation to fill in the details	To be implemented by legislation only	Prefer not to state an opinion
1	Real and substantial physical risk to the life of the woman			
2	Real and substantial risk to the life of the woman by suicide			
3	Serious risk to the physical health of the woman			
4	Serious risk to the mental health of the woman			
5	Pregnancy as a result of rape			
6	The unborn child has a foetal abnormality that is likely to result in death before or shortly after birth			
7	The unborn child has a significant foetal abnormality that is not likely to result in death before or shortly after birth			
8	Available on request (i.e. no restriction as to reasons)			