

**IRISH GOVERNMENT
WILL STEAL YOUR
RIGHTS TO YOUR
HOME AND PROPERTY
/ INHERITANCE
THROUGH THE [THEFT]
39TH AMENDMENT
REFERENDUM IN 2023**



ÉireExit
The Christian Party

The [***THEFT***] 39th Amendment to the Irish Constitution means the theft or ending the right of owning your own home or private property - a huge impact on your inheritance rights. Owning your own home is a natural and legal right currently protected under the fundamental rights of the Constitution of Ireland - Bunreacht na hÉireann, 1937.

For example under the [***THEFT***] 39th Amendment the State is given new powers to take away your right to own a 3 bedroom home where only 2 persons or 1 person lives in that particular home which is called '***DELIMIT***' your property rights for '***OTHER RESIDENTS***' thereby removing Irish Citizens right to 100% ownership of their home ***through a referendum***. This Bill includes:-

1. ***Removing the owner's exclusive authority to determine how private home/property is used;***
2. ***Removing the owner's peaceful possession, control and enjoyment of his/her legally purchased, deeded home/private property;***



1916 to 1921: Irish people were evicted from their homes during the war of independence

3. ***Removing the owner's ability to make contracts to sell, rent, or Will as inheritance to their children all or part of the legally purchased/deeded home/private property;***

**THE IRISH CONSTITUTION
STATES BELOW THAT ARTICLE 43
PROTECTS YOUR
PROPERTY RIGHTS!**

1. The State acknowledges that man, in virtue of his rational being, has the natural right, antecedent to positive law, to the private ownership of external goods.
2. The State accordingly guarantees to pass no law attempting to abolish the right of private ownership or the general right to transfer, bequeath, and inherit property.

THIS NEW PROPOSED [*THEFT***]
39TH AMENDMENT WILL INSERT
THE FOLLOWING:**

1. ***The State, in particular, recognises the common good as including the right to secure, affordable, dignified housing, appropriate to need, for all the residents[?] of Ireland and shall guarantee this right through its laws, policies and the prioritisation of resources.***
2. ***The State, accordingly, shall delimit the right to private property where it is necessary to ensure the common good and to vindicate the said right to housing for all residents[?] of Ireland.***

DELIMIT THE RIGHT TO PRIVATE PROPERTY?

The wording of the Bill raises concerns regarding the State's power to 'delimit' private property where 'necessary to ensure the common good' and to 'vindicate the said right to housing for all residents[?] of Ireland'.

SIGNIFICANT QUESTIONS ARISE:

If a right to housing is enshrined in the Constitution, in what circumstances will the State determine it necessary to 'delimit' the purchase of private property? Will this power to delimit private property restrict citizens from purchasing or owning a family home?

Does it mean the State will have the power to invoke a Compulsory Purchase Order if it deems it 'necessary' to 'vindicate' the said right to housing for all residents of Ireland?

For example, if a couple own a four bedroom property or a single person a three bedroom property and it is deemed under-occupied.



In 1919 the first Dáil was formed to establish a sovereign and independent nation

WHAT ABOUT A PERSON THAT MAY OWN MORE THAN ONE PROPERTY?

For example, a person may have inherited a property or purchased another property to rent out. **This should be distinguished from foreign investors or corporations that purchase properties en masse i.e. The Vulture Funds.**

The difficulty with the proposed right to housing is the potential implications. It is not definite or clear and there is the risk that a citizen's legitimate expectations and interests are not protected.

Ireland has been prohibited by EU commissioners from increasing spending to construct enough affordable homes in order to maintain the overall economic stability of the European Union.

WHAT ABOUT FOREIGN INVESTORS AND CORPORATIONS?

The proposed Referendum fails to get to the crux as to why so many people in Ireland are denied the right to secure and affordable housing. The reality is there is a housing crisis in Ireland because of corporate and foreign investors purchasing housing stock.

THE VULTURE FUNDS: foreign investors accounted for 78% of property funding between 2017 and 2019 (*RTE, May, 11th, 2021*). This is the beginning of the end of property rights for citizens of Ireland if the [**THEFT**] 39th Amendment is passed and this virus will transfer into inheritance rights including the ownership of land, family farms etc., (*note see current inheritance rights on page 6 of 8*).

Michael Burke

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"I believe in Éire Exit / leaving the European Union, controlling our own borders, economic prosperity and sovereignty as an independent nation."



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THE CURRENT INHERITANCE TAX

Capital Acquisition Tax (CAT) Parent's children can inherit €335,000 [this includes value of home with all money assets] before they pay tax at 33%. In 2009, a parent's child could inherit or be gifted €542,544 before having to pay tax with the rate at the time being at 22%. The government - Fianna Fáil, Fine Gael, the Green Party appointed Commission want a Substantial Reduction on the €335,000 the current sum. To this sum the Commission recommends the tax-free threshold is reduced to €32,500 for parents children and €16,250 for more distant relatives or friends.

The proposed [**THEFT**] 39th Amendment to your/our constitution frequently refers to all residents of Ireland - instead of citizens of Ireland. **By law this actually means that citizens will be downgraded to residents** resulting in severe implications for future generations - as the [**THEFT**] 39th Amendment threatens the very core of what sovereignty means and Irish people's right to exist as a distinct culture. The [**THEFT**] 39th Amendment to our constitution like all amendments will be acted upon if passed and will delimit your right as the 100% owner of your home - before and after you bequeath your home as inheritance, which is in-fact **THEFT** of your life's work. This Bill - the [**THEFT**] 39th Amendment is sponsored by *People Before Profit* - however *Fianna*

Fáil, Fine Gael and the Green Party have provided their Dáil time to enable this Bill and this clearly means that the government are sponsoring this Bill by proxy and intend to have it passed by deceit.

DEFINITIONS

A CITIZEN MEANS:

- A citizen of Éire

A RESIDENT MEANS:

- A non-citizen residing in Ireland

The [***THEFT***] 39th Amendment keeps referring to residents rights - where will these rights come from? Only citizens rights to be delimited in property and inheritance rights?

Remember the Bacon report published more than 30 years ago which concluded by saying Irish people have to be made to rent as this means more money for the LANDLORDS etc.

Do you want to live in a country like that-again?

THE STATE INTENDS TO TAKE AWAY YOUR FUNDAMENTAL RIGHTS IF THE 39TH AMENDMENT IS PASSED

(READ THE BILL ON OIREACTHAS WEBSITE)

<https://data.oireachtas.ie/ie/oireachtas/bill/2020/21/eng/initiated/b2120d.pdf>