

LAW ON BASIC PROVISIONS OF ELECTIONS AND VOTER REGISTERS ⁽¹⁾

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*For the invalid provisions of this Law see..
 "Repealed Provisions Corpus for Some Applicable Laws"
 Volume: 2 Page: 657*

SECTION ONE

Principles

Scope of the Law⁽²⁾:

Article 1 – (Amendment: 28/3/1986 - 3270/21 article)

In the elections of Presidency, member of parliaments, membership of provincial councils, mayors, membership of municipal council, mukhtars, membership of council of elders and in presenting laws related with amendments in constitution to referendum, provisions of this Law are implemented.

Basis of election:

Article 2 – The elections are undertaken on the basis of freedom, equality and universal direct suffrage.

Voters use their own votes.

Votes are given in secret ballot.

Polling, casting and registering of the votes are undertaken openly.

Electoral district:

Article 3 – Notwithstanding district distributions in special laws, each province in elections is considered as an electoral district.

Precinct:

Article 4 – Each neighborhood unit is an precinct.

(1) Provisions related with "Republic Senate" defined in the articles of this Law are removed due to Article 43 of 10/6/1983 dated and 2839 numbered Law.

(2) With Article 22 of 19/1/2011 dated and 6271 numbered Law, the term "President" has been added before the term "MP" in the first clause.

Polling station:

Article 5 – (Amendment: 17/5/1979 - 2234/1 article) (1)

In the elections, each precinct is separated into the necessary numbers of polling stations.

(Amended second clause: 28/12/1993 - 3959/1 article) A ballot are is in principle composed of (200) in villages and 150 in districts and provinces - of voters. Mukhtars areas, without considering the aforementioned numbers, may be separated into the adequate and necessary polling stations due to distance and transportation conditions.

(last clause repealed: 28/12/1993 - 3959/1 article.)

Voter:

Article 6 – (Amendment: 27/10/1995 - 4125/1 article)

Each Turkish citizen over the age of 18, has the right to vote and participate to referendum.

Individuals who are not allowed to vote:

Article 7 – Individuals mentioned below are not allowed to vote:

1. Privates, corporals and sergeants under military service (for any reasons, the provision includes the ones who are off duty)

2. Military students.

3. **(Annex: 10/6/1983 - 2839/44 article Amendment: 27/10/1995-4125/2 art)** Prisoners in the in penal institutions

Individuals who are not accepted as voters:

Article 8 – People below are not accepted as voters:

1. Those who are under legal disability,

2. Those who are banned from public service.

SECTION TWO

Election Boards

Execution of Electoral Works:

Article 9 – (Amendment: 17/5/1979 - 2234/1 article)

Electoral works are executed by election boards.

Governors, district governors, mayors, mukhtars and all public servants are obliged to present the information and documents requested by election boards for all kinds of electoral works and writing of electoral register without any delay, on time and accurately.

Election boards:

Article 10 – (Amendment: 17/5/1979 - 2234/1 article)

There is one Higher Election board in Ankara, one District Election Board in each district, and a ballot box committee for each ballot in precincts. **(Added sentence: 13/3/2008-5749/1 article)** In order to manage the electoral transactions for the citizens abroad, Overseas District Election Board has been constituted associated to Ankara District Election Board. When considered necessary, more than one Overseas District Election Boards may be constituted.

In city centers there is also a central District Election Board.

In the districts which have more than 200.000 population, more than one District Election Boards are constituted considering the borders of villages and neighborhoods (precincts) and paying attention to equality of population as much as possible.

Apart from provincial municipalities and district municipalities, other municipalities within the scope of district (including central districts), are attached to one of District Election Boards as a whole along with the neighborhoods without any division.

(1) The amendment in this article made due to 28/12/1993 dated and 3959 numbered Law, will not be implemented in first general and local elections according to the 2nd provisional article of the same law.

*Supreme Election Council:***Article 11 – (Amendment: 19/2/1987 - 3330/1 article)**

Supreme Election Council is composed of seven permanent and four reserve members. Six of the members are chosen by Court of Cassation and five members are chosen by general boards of Council of State with the majority of full member numbers in secret ballot. These members choose one president and one vice president with majority in secret ballot.

Term of office of members of Supreme Election Council are six years. Members whose term of office are expired, may be reelected.

Old members continue their missions unless new members are elected.

Vice president assists president while undertaking his duties and deputize him at his absence. In case vice president is also unavailable, the oldest member acts as president.

After each renewal elections, among the members of Supreme Election Council chosen from Court of Cassation and State Council, two of each reserve members are reserved by lot. President and vice president are not included in lot.

In case president or vice president leaves duty, election has been undertaken for the empty chair by Supreme Election Council; president or vice president is replaced by the elected member.

(Annex: 5/6/1997 - 4265/1 article) President of Supreme Election Council is excused from his own institution during his mission. But he continues to get benefit from monthly payment, allowance and all wage increase and other personal rights from his institution.

(Attached clauses: 11/9/1987- DFL 290/1 art.; verbatim accepted: 26/8/1999 - 4448/1 art.)

In order to execute secretary and administrative and financial and other support services of Supreme Election Council, within the scope of the institution, “Administrative and Financial Works Head of Department” has been established.

Head of Department and division directors are chosen by the decision of Supreme Election Council upon the request of President of the Supreme Election Council, and the other personnel is assigned by President of the Supreme Election Council. Provisions related with transfer of personnel to other institutions defined in second and third clauses of Article 30 of this Law are also implemented for Department and its personnel.

*Election time for the members:***Article 12 – (Change: 19/2/1987 - 3330/2 art.)**

For determination of new members whose term of missions are over in Supreme Election Council, elections are being undertaken in the second half of January once in three years.

In case there has been an increase in number of members, such absence is filled with due to aforementioned article. Members who are chosen with this method, serves for the period of the predecessor member. In case the election is undertaken due to leave of president and vice president, following the election of president and vice president with the contribution of new members, due to the result of this election and principle defined in last clause of Article 11, position of new member is determined.

Decision taking:

Article 13 – Supreme Election Council takes decisions with simple majority; in case of equal votes, vote of the president is considered superior.

Final decisions of Supreme Election Council and principal decisions are published in Official Gazette as soon as possible.

*Duties and authorities:***Article 14 – (Change: 17/5/1979 - 2234/1 art.)**

Duties and authorities of Supreme Electoral Council are as follows:

1. **(Change: 31/3/1988 - 3420/1 art.)** To get adequate number of envelopes having Republic of Turkey Supreme Election Council mark in different colors and sizes other than in market or in the warehouses of State Supply Office for different colors or sizes for each elections when considered necessary in which ballot papers will be put in, all phases for

envelopes, beginning from the dough stage to manufacture and delivery stages, considering size, duration and specification of the work, the make the work undertaken under the on manufacture and on delivery site supervising of its member or members or president of District Election Board or judge or judges it assigns and to send these envelopes to District Election Boards at the necessary amounts in return of certificate of receipts.

2. To exercise making of envelope size moulds and watermark “Republic of Turkey Supreme Election Council” moulds necessary for manufacture of special envelopes and to keep the moulds after manufacturing adequate amount of envelopes,

To have split tickets manufactured which can be transformed into envelopes after folding over the edge and stuck carrying “Republic of Turkey Supreme Election Council” watermark with the condition each package composed of 400 units have the same number and to transmit one package for each ballot to District Election Boards on time.

(Repealed last paragraph: 13/3/2008-5749/15 art.)

3. To have done design and print of all kinds of imprinted papers such as forms, papers and lists required for aforementioned transactions and to transmit to District Election Boards on time and with adequate amount,

4. **(Change: 31/3/1988 - 3420/1 art.)** To determine and declare the names of all political parties which have completed their first general councils due to their regulations and which have completed their organizations in at latest half of the provinces six months prior on the second week of the months foreseen for reestablishment of District Election Boards,

5. To provide establishment of province and District Election Boards, to declare final decisions to any claims of establishment, transactions and decisions of province election boards before the day of voting and with adequate speed that the subject of claim requires,

6. To give final decisions about objections related with candidacy in competence with this Law and special laws,

7. To immediately examine and decide the objections related with voting day transactions raised by Provincial Election Boards,

8. To examine and give final decisions on claims raised against written proceedings arranged by Provincial Election Boards,

9. To examine and give final decisions on any objections and claims raised within defined period of time, which may have a significant effect on the results of elections and may require the cancellation of election of that area or cancellation of written proceedings of one or more electee without considering the sequence and duration of the objections,

10. To answer immediately the issues raised by presidencies of Provincial Election Boards on the subjects related with the executions of the works and to take necessary measures for proper undertaking of elections throughout the country and to declare necessary circulars for this purpose,

11. **(Change: 31/3/1988 - 3420/1 art.)** For political parties to attend to parliamentary general and interim elections, elections for mayors and provincial council memberships interim and general elections, they have to complete their first general councils due to their regulations and complete their organizations in at latest half of the provinces six months prior to day of voting or they should have group in Turkish Grand National Assembly.

Organization in one province requires being organized at least two third of the districts of such province including central district. To determine and declare political parties which may attend elections within these principles ten days before the beginning of elections and in five days following the announcement of elections in case elections are renewed.

(Additional clauses: 17/5/1979 - 2234/1 art)

12. To determine principles related with establishment and administration of Directorate General of Electoral roll and other works, to declare regulations, to prepare programs and to undertake monitoring.

13. **(Addition:13/3/2008-5749/2 art.)** To make necessary arrangements for establishment of Overseas District Election Board and to provide necessary conditions for participating of citizens Overseas to the elections. ⁽²⁾

14. **(Addition: 9/5/2012-6304/1 art.)** To assign one of the members of Ministry of Foreign Affairs at the level of head of department by taking into account the opinion of the Ministry to perform the missions ordered by Overseas District Election Board during the schedule of elections on Overseas election works and transactions.

15. To undertake other missions assigned by the Law. ⁽¹⁾⁽²⁾⁽³⁾

*Provincial Election Board:***Article 15 – (Changed: 22/12/2005 - 5435/44 art.)**

Provincial Election Board meets at the last week of January once in every two years and is composed of two senior members of District Election Board after president and headed by the eldest judge serving in the central district. Provincial Election Board established with these principles, stays in duty for two years. Seniority of judges are determined due to article 15 of 24.2.1983 dated and 2802 numbered Law on Judges and Prosecutors. But while determining this seniority, those who were subject to condemnation or heavier discipline penalties are considered less senior than the others.

In case any of the judges in permanent or reserve membership of Provincial Election Board or District Election Board, is incapable of performing his missions and no judge can be determined in the area to perform such duty, a judge who performs within the jurisdiction of such area from high criminal court and whose leave of office is not considered inconvenient, is assigned to such duty.

In cases the deficiencies can not be filled by the judges within the jurisdiction of supreme criminal court of such area, a judge from the neighboring jurisdiction of supreme criminal court is assigned to duty with the aforementioned conditions and principles.

Presidency of the election board is executed by a member who has been elected by the board in secret ballot until the authorized judge starts his mission.

Duties and Authorities:

Article 16 – Main duties and authorities of Provincial Election Board are as follows:

1. To take all necessary precautions for proper execution of the elections within provincial precinct and to monitor election works,

(1) Look attached article 1 and 5 for the implementation of this provision.

(2) With the article 2 of 13/3/2008 dated and 5749 numbered Law (13) numbered clause is added to follow the clause (12) and (13) numbered clause is changed as (14).

(3) With the article 1 of 9/5/2012 dated and 6305 numbered Law, (14) numbered clause is added to follow the clause (13) and (14) numbered clause is changed as (15).

2. To send ballots to District Election Boards and other devices necessary for elections,
3. To examine and to decide objections raised against establishment, transactions and decisions of District Election Boards,
4. To answer the issues asked by District Election Boards immediately on executing of electoral works,
5. To take and announce candidate declarations or lists and to examine the objections related with these and to decide on the invalid ones among such declarations or lists to send permanent or final candidate lists to their areas and to announce them,
6. By combining written proceedings of District Election Boards, to arrange single written proceeding for provincial precinct,
7. To exercise other duties defined by Law.

Representatives of political parties:

Article 17 – (Change: 17/5/1979 - 2234/1 art)

Any political parties, which at least one member elected from their lists to one of the legislative assemblies in recent parliamentary or Republican Senate elections or those which have organizations in such province and district determined and declared by Supreme Election Council as defined in fourth clause of article 14, have one representative in provincial and District Election Boards. **(added second sentence: 8/4/2010-5980/1 art.)** Furthermore, four political parties that took the highest amount of votes in recent parliamentary general elections, and the parties that have groups in Turkish Grand National Assembly, with the condition of written consent of leaders of such political parties, may have one permanent and one reserve members in Supreme Election Council. These representatives attend all works and meetings of the Council but do not participate voting. But, the right to have a representative diminishes for representatives of political parties which are not found eligible to attend elections by Supreme Election Council due to 11th clause of article 14.

In case representatives deliver their opinions on negotiating subject, Council, after listening such opinions, negotiates the subject and decides and announces its final decision to representatives.

Absence of representatives of political parties does not hinder the negotiations of the works.

District Election Board:

Article 18 – (Change: 22/12/2005 - 5435/45 art.)

District Election Board is gathered on the last week of January once in each two years with one chairman, six permanent and reserve members. The judge with the highest seniority in district acts as president of the board. Boards gather with permanent members. In case one permanent member does not attend the meeting, his reserve member is invited.

Chairmanship of central and District Election Boards is executed by judges with the highest seniority following the judge acting as the president of Provincial Election Board.

Temporary District Election Boards may be composed in districts with more than 25.000 voters, in order to execute the duty of gathering and distributing of electoral documents and combining and delivering of documents to District Election Boards composed of ballot box committee chairmen and at least one member who has taken necessary training. These boards are composed of one chairman and six members. Judges with highest seniority following the judges acting as presidents of provincial and District Election Boards perform the chairmanship of such boards. Two members of the board are assigned by the president among public officials. Four members, including their reserves are taken from the political parties in line with the principles defined in Article 19. Supreme Election Council decides working principles and methods, number of districts and their terms of duty for such boards.

Seniority of judges are determined due to Article 15 of 2802 numbered Law. But while determining this seniority, those who were subject to condemnation or heavier discipline penalties are considered less senior than the others.

Membership of District Election Boards:

Article19 – (Change: 17/5/1979 - 2234/1 art)

1. Four permanent and four reserve members of District Election Board are taken from political parties. These members are determined as defined below:

President of the election board notifies four political parties which have the highest vote in recent parliamentary elections and have completed their organizations in district to deliver the names for one permanent and one reserve member within the beginning of the period defined in article above.

In case the number of parties determined due to these principles, or parties delivered the names are less than four, remaining members are completed with same method considering the votes of the parties in recent elections. Dots are drawn in case of equality of votes.

In case all of four permanent and four reserve members are not determined even the provisions above are implemented, due to fourth clause of article 14, among the parties, those which are organized in such district are determined and dots are drawn among them. Names drawn for the political parties become members of District Election Boards.

Members who are missing in district electoral board are completed due to the provisions of second clause.

2. For other two permanent and reserve memberships that are missing at the result of transactions defined in this clause are determined by drawing lots among the state official candidates within the top eight list prepared due to their terms of service who have been working in the borders of district more than ten years and have never been attended any of legislative assembly and local administrative elections as the candidates of a political party and never been registered to a political party before. Drawing lots is executed by president of district election board before the members determined by provisions of first clause. While drawing lot, the ones whose names are drawn prior are accepted as permanent members. Notwithstanding obligatory conditions, two permanent members from the same Ministry is not allowed.

3. President of District Election Board informs the political parties the date and time of drawing lot.

Deficiencies of permanent members during the term of the mission, is completed by the reserve member of such missing permanent member. Deficiencies in reserve memberships are completed due to the provisions implemented according to the specifications of such missing members.

According to eleventh clause of Article 14, mission of members in the board are terminated for political parties, in case such political parties are not allowed to participate elections due to the determination of Supreme Election Council. Missing memberships due to this reason are completed among the political parties which are not represented in the board according to the provisions defined in first clause.

Member assigned to the missing position performs for the working duration of his predecessor.

Missions and authorizations:

Article 20 – Here are the main missions and authorizations of District Election Boards:

1. To provide proper execution of elections in district precinct, to take necessary precautions and supervise electoral works,
2. To establish ballot box committees,
3. To send necessary electoral materials and ballots to ballot box committees in the district,
4. To examine and decide on any objections rose against establishment, transactions and decisions of ballot box committees,
5. To answer the questions of presidencies of ballot box committees immediately on the execution of electoral works,
6. To arrange district electoral written proceeding by combining written proceedings coming from ballot box committees around district, to deliver such proceeding to Provincial Election Board along with other necessary documents,,
7. To perform other duties assigned by Law.

Missions and authorities of Overseas District Election Board

Article 20/A – (Addition: 9/5/2012-6304/2 art.)

Here are the missions and authorizations of *Overseas District Election Board*:

1. To provide proper execution of voting of citizens registered to Overseas voters registry and to take all necessary precautions.
2. To establish Overseas ballot box committees.
3. To transmit ballot papers and stamped vote envelopes and other electoral materials to diplomatic missions via Ministry of Foreign Affairs at latest seven days prior to beginning of voting or when considered necessary to demand locally the purchase of ballots and voting booths from Ministry of Foreign Affairs.
4. To examine and decide on objections against transactions and decisions of Overseas District ballot box committees.
5. To answer the questions of presidencies of Overseas District ballot box committees immediately on the execution of electoral works.
6. To finalize the objections against Overseas voters registry either directly or via consulates and to transmit decisions to General Directorate of Civil Registrations and Nationality and to make necessary registration and amendments.
7. For the voters who are registered to Overseas voters registry but who are inside the country for pending duration for any reason, to approve their address declaration forms transmitted directly or via District Election Boards for registration to Overseas registry and to send such forms to General Directorate of Civil Registrations and Nationality.
8. For the ones discharged from military service and whose limitations are lifted, to accept their applications either directly or via District Election Boards and provide their registrations to Overseas electoral register.
9. To decide on suspending the registration of voters under military service (even they are off duty), military students and voters who are limited by a finalized court order, even they are registered to Overseas electoral register.
10. For the voters who do not take place in Overseas electoral register even their applications are accepted to be registered to Overseas electoral register, to decide on their participation to register without considering whether electoral registers are finalized and to send this information to General Directorate of Electoral Register.
11. To open and to count the sealed sacks after voting process has been completed in line with general principles by establishing ballot box committee composed of one president, one public officer member and permanent and reserve members from three political parties which take the highest three voting amounts in recent parliamentary elections, to make the written proceedings and to undertake combining transactions and furthermore, to combine the results coming from temporary customs gate election boards and to transmit such results to Ankara Provincial Election Board.
12. To perform other duties assigned by Law.

Ballot box committee:

Article 21 – (Change: 17/5/1979 - 2234/1 art.)

Ballot box committee is composed of one president, six permanent and six reserve members. This board gathers with permanent members.

Election of president of ballot box committee:

Article 22 – (Change: 17/5/1979 - 2234/1 art.)

President of District Election Board, by negotiating with permanent members other than members coming from political parties, prepares a list, one for each ballot among the voters within or without the borders of precinct who have good reputation and are literate.

Each of the members of the board assigned by political parties also prepare a list within the period determined by president of District Election Board and deliver these lists to presidency. Any representative of political parties who do not deliver the list within determined time is considered as waived from this right.

The president of the ballot box committee by drawing lot among the proposed candidates for each of the ballots for the lists prepared in line with principles defined in previous clauses.

According to 648 numbered Law on Political Parties, individuals who are not allowed to be member to political parties and mukhtars can not be presidents of boards.

In case of absence of president of board, the eldest member of the board performs presidency.

Membership of ballot box committee:

Article 23 – (Change: 17/5/1979 - 2234/1 art.)

Members of ballot box committee are determined as follows:

President of District Election Board notifies five political parties which take the highest vote amount in recent parliamentary elections to deliver names for one permanent and one reserve member within five days following notification.

In case the number of members are less than five, remaining memberships are completed with other political parties meeting similar conditions according to the amount of their votes.

In case of equal votes, lot is drawn.

In case five permanent and five reserve members are not determined with the provisions mentioned above, lot is drawn among the political parties which have organizations within the borders of district.

Addition to this, two members are chosen among permanent and reserve members of village or neighborhood community councils by method of drawing. In this process, first name is considered as permanent and the second name is considered as reserve member. In the villages and neighborhood where necessary numbers of members from community councils can not be determined, deficient members are completed by implementing the provisions of this clause on political parties which have not contributed to ballot box committees mentioned in clauses above.

For the members of ballot box committees who are determined with principles above, in case of absence of member, his reserve is taken.

Drawing lots of president and members of ballot box committees are executed before District Election Board and by the president of such board.

In case memberships are unable to be completed with such methods, president of District Election Board assigns members who have no legal limitation to be a member.

Establishment and duration of ballot box committees:

Article 24 – (Change: 17/5/1979 - 2234/1 art.)

Ballot box committees are established on date determined and announced by Supreme Election Council.

Permanent and reserve members of such boards start their mission on the date determined by Supreme Election Council considering the local characteristics of such areas and continue to perform their missions unless documents related with ballots are delivered to District Election Boards.

Candidates and their observers:

Article 25 – In order to monitor on ballot transactions, political parties and independent candidates may assign one observer.

Those who are not allowed to take duty in boards:

Article 26 – (Change: 17/5/1979 - 2234/1 art.)

Administrative officers, municipal police superiors and officers, military officers defined in the Article 3 of Military Penal Code, members or candidates of Turkish Grand National Assembly, are not allowed to participate these boards.

According to 648 numbered Law on Political Parties, those who are not allowed to be a member of political parties, are also not allowed to be assigned by political parties as observers or representatives.

Taking of oath:

Article 27 – Supreme Election Council, provincial and District Election Boards, presidents, permanent and reserve members take the oath before the boards as follows:

(without being influenced, without fear or favor, I swear on my conscience and dignity that I will perform my duty directly in line with the provisions of Law)

PART THREE

Pre Electoral Works

SECTION ONE

Electoral Works

Establishment and definitions:

Article 28 – (Change: 17/5/1979 - 2234/1 art.)

A) Establishment:

Depending on Supreme Election Council, a “Voters Registry Directorate General” in Ankara and “Bureau of Voters Registry” for every districts have been establishment.

B) Definitions:

1. Computer environment that defines voters and citizens individually, determines their resident addresses, is called “Electoral Register”.
2. Electoral roll is obtained by Directorate General of Electoral Roll depending on Supreme Election Council with works designed, planned and executed in competence with this Law.
3. All records used to define the voter such as name, surname, date of birth and place of birth are called as “data”.
4. Whole of data that define a voter individually is called “Information related to voter”.

5. The district where the permanent residence of the voter exists, mukhtar, street names and building and flat number is called as “address of the voter.

6. All voters are determined and defined with electoral roll line number, name, surname, names of mother and father, place of birth and date of birth.

7. Change, amendment and completion of information in electoral roll is called “Updating” of electoral register.

8. **(addition 13/3/2008-5749/3 art.)** Information composed in line with address registry system for the citizens living Overseas due to this Law is called “Overseas Electoral roll”.

Working purposes and principles of Directorate General of Electoral Roll:

Article 29 – (Change: 17/5/1979 - 2234/1 art.)

The establishment and working purpose of Directorate General of Electoral Roll are to determine voter citizens without any deficiencies, to avoid duplications, to provide easy, fast and correct voting for citizens, to provide fast completing of elections, to determine repeated voting, to gather, arrange, protect, process, use and to transmit to necessary places of information that is required for citizens to use their political rights in line with their duties and liabilities.

Directorate General of Electoral Roll executes its missions in line with project, program, reporting and advanced administrative techniques within the framework of principles determined by Supreme Election Council. Director General presents his monthly and weekly reports about his working schedule approved by Supreme Election Council.

Monitoring method and principle of Directorate General is determined and implemented by Supreme Election Council.

Supreme Election Council makes utmost effort for distribution and building awareness among public about the importance of electoral roll, its arranging methods, liabilities of voters, contribution and benefits of this work to governing activities.

Establishment and management of Directorate General of Electoral Roll and Electoral roll Bureaus:

Article 30 – (Change: 17/5/1979 - 2234/1 art.)

Electoral roll Directorate General is administrated by a director general assigned permanently or with contract by Supreme Election Council, while central district or district electoral roll bureaus are administrated by president of District Election Board within the principles defined in this Law.

Establishment scheme of Directorate General of Electoral Roll and electoral roll bureaus, provisions related with their units, relations among units, definitions of duties, authorities and liabilities, their recruitment, their promotion, transfers, disciplinary proceedings and other transactions related with personal rights, are determined with a circular prepared by directory in line with article 31 of this Law and related provisions of 657 numbered Public Servants Law and approved by Supreme Election Council.

(Change Third clause: 11/9/1987 – DFL 290/2 art; verbatim accepted: 26/8/1999 - 4448/2 art.) Director General, Deputy Director General and branch directors are assigned with the decision of Supreme Election Council, other personnel are assigned by President of Supreme Election Council. Personnel of electoral roll bureaus are assigned by Supreme Election Council either ex officio or upon the request of presidents of District Election Boards. Personnel of Directorate General may be assigned due to the provisions of 657 numbered Law to public institutions upon the request of their superiors who are legally eligible to decide on such assignments.

(Fourth and fifth clauses repealed: 11/9/1987 - DFL 290/2 art.; verbatim accepted: 26/8/1999 - 4448/2 art.)

Registry superiors of officials working in electoral roll bureaus (...) ⁽¹⁾ are presidents of related District Election Boards. Presidents of election boards are authorized to directly implement exclamation and reprimands about those.

President of the District Election Board may give permission for these personnel to work temporarily in justice services within the borders of such district considering their working program.

(addition: 13/9/1991 - DFL- 455/1 art.; verbatim accepted: 26/8/1999 - 4448/2 art.) There are electoral directors in electoral bureaus of districts.

(addition: 31/7/1998 - 4381/4 art.) Republic Senior Prosecutors and administrative superiors are authorized to allocate adequate space for district electoral roll bureaus and District Election Boards in court or government houses.

(addition: 22/12/2005- 5435/46 art.) Electoral bureaus are inspected by presidents of election boards and for other works judicial inspectors within the ground and principles determined by regulation that will be delivered by Ministry of Justice with the condition of taking the opinion of Supreme Election Council.

(addition 22/12/2005- 5435/46 art.) Electoral bureaus are inspected at least once in a year by presidents of election boards. This inspection is undertaken on January considering the transactions of the previous year. One copy of the inspection reports are protected by electoral bureaus and one other copy is sent to presidency of Supreme Election Council at latest to the end of such month.

Authorization of assigning temporary or permanent personnel:

Article 31 – (Change: 17/5/1979 - 2234/1 art.)

Supreme Election Council may employ personnel with temporary, permanently and with contract in Directorate General of Electoral Roll and permanent or temporary personnel for other electoral works.

Temporary and permanent personnel of Directory are chosen among individuals who have never been registered to a political party or become candidates in elections.

In electoral works and writing, arranging, monitoring and updating of electoral roll, presidents of districts and provinces, within the principles determined by Supreme Election Council, members of village or neighborhood councils, all officials working in state, private administrations, value added budget administrations, municipalities, state economic enterprises and public legal entities (excluding judges, republic prosecutors, individuals in military service, officials of municipality police) and other officials considered necessary may be assigned.

Bindingness of decisions of Supreme Election Council:

Article 32 – (Change: 17/5/1979 - 2234/1 art.)

For establishment, updating of electoral roll and distribution and transmitting of lists, schedules and other materials, decisions of the Supreme Election Council have binding characteristics for all public institutions and officials.

(1) Within this interval, the term “chief” has been removed with the 1st Article of 13/9/1991 dated and 455 numbered DFL and 2nd Article of 26/8/1999 dated and 4448 numbered Law.

Supreme Election Council determines principles, methods and rules on missions and autorizations of those who will be assigned in writing and inspection works, types of inspection forms and what kind of information they will include, how they will be filled, what kinds of documents will be used in writing, inspection and interim works, delivery of the documents and inspection of writing.

Arranging of electoral roll:

Article 33 – (Change: 17/5/1979 - 2234/1 art)

(Changed first clause: 13/3/2008-5749/4 art.) Electoral roll is rearranged each year within the methods and principles which will be determined by Supreme Election Council by taking information in address registry system as basis and is being updated in each election period.

Along with arranging, continuous updating and general inspection rules, methods and techniques, data processing principles, rules and methods for Directorate General of Electoral Roll are determined with a regulation delivered by Supreme Election Council.

Electoral roll is established and updated due to changing information of voters such as names, surnames, change of gender, losing of electoral right (being restricted, prohibition from public service) or regaining of electoral rights, losing or taking citizenship, information on voters who have passed away and information on change of addresses within the borders of precinct and other information gathered in line with rules, principles and methods determined by Supreme Election Council.

Principles of being written on registry:

Article 34 – (Change: 17/5/1979 - 2234/1 art.)

Electoral roll is taken basis in determining voters title.

Electoral roll includes voter's name, surname, mothers name, father's name, date of birth, district of birth, resident address.

(Change: 27/10/1995 - 4125/3 art.) In implementation of this Law, everybody is processed due to month and day of birth written in electoral roll. But in case elections are held in such year, while preparing voters list while calculating the age of eighteen, day of elections (including such date) is taken into account.

In case there is missing information related with voter, such voter is not written in electoral roll unless missing information is completed.

Completing rules are determined and published by Supreme Election Council.

Ballot voters lists including information related with voters in polling station, are extracted from electoral roll.

Voters who do not exist in ballot voters lists, are not allowed to vote.

Voter is written once in electoral roll and can not vote more than once.

Writing process is undertaken by officials visiting the places of residences and making on-site examinations.

Registry officials record only voters who exist in the place. The address of the voter is recorded. Registry form with serial number is signed by each voter.

Overseas electoral roll and voters lists ⁽¹⁾

Article 35 – (Change: 13/3/2008-5749/5 art.)

Overseas electoral roll is determined by taking the information in address registry system within the methods and principles that will be determined by Supreme Election Council.

(additional clause: 9/5/2012-6304/3 art.) Overseas voters lists are composed and announced electronically by considering duty environments of representations in which ballots will be established and taking Overseas electoral roll as basis.

General writing and inspection:

Article 36 – (Change: 17/5/1979 - 2234/1 art.)

(Changed first clause: 13/3/2008-5749/6 art.) Electoral roll is composed by updating annually considering the information in address registry system. If considered necessary, Supreme Election Council may decide undertaking of writing process on the first Sunday of April throughout Turkey in order to rearrange electoral roll once in four years and to gather information necessary for inspection that will be undertaken once in two years.

On the day of writing, from 05.00 till the announcement of completion of process, people other than officials are not allowed to leave their places.

But, writing and inspection should be completed till 19.00 in the same day.

(1) The title "Writing of Citizens Living Overseas" of this article was changed as "Overseas Electoral roll" due to Article 5 of 13/3/2008 dated and 5749 numbered Law and again changed as it is written in text due to article 3 of 9/5/2012 dated and 6304 numbered Law.

Supreme Election Council, during arrangement and writing of the registry, uses methods, techniques and rules defined in regulations based on requirements of this Law.

District chairman of political parties, that will be announced by Supreme Election Council according to fourth clause of Article 14 of this Law, may give one representative accompanying registry official.

Names of the representatives are delivered in a list upon the request of District Election Board within defined period of time. Representatives of political parties, whose names have been delivered, perform their representation mission with documents taken from District Election Boards. Names and place of assignments in this list can not be changed.

(Addition: 30/5/1997 - DFL - 572/26 art.) During the writing of electoral roll, if any disability is determined related with voter, this is recorded in the form. ⁽¹⁾

Information sources taken basis in writing:

Article 37 – (Change: 17/5/1979 - 2234/1 art.)

During writing of electoral roll, while determining information to be written in forms, official documents are taken as basis.

During writing schemes and calendar defined in Article 38 are used.

While determining the permanent address of the voter, records of mukhtars and if any, records of apartment administrations are used.

Scheme of mukhtars and buildings table:

Article 38 – (Change: 17/5/1979 - 2234/1 art.)

In the cities and towns, under the supervision of District Election Boards, municipalities have to arrange “Scheme of Mukhtars” for each mukhtars once in two years.

A) In the chart:

1. With the borders of mukhtars and names of the streets within these borders and the numbers of buildings at the beginning and end of the streets.

2. In case mukhtars are composed of dispersed structure, these dispersed buildings with their numbers.

B) In case it is not possible to arrange charts in cities or towns, in order to take the place of charts, (chart of buildings) is arranged for each of mukhtars.

(Chart of buildings) is prepared by municipalities in towns and cities and by mukhtars in villages.

C) In case there are residences where people leave without numbers, these places are also numbered.

Chart of Buildings defined in clause (B) and process of numbering for the buildings without numbers defined in clause (C), are undertaken in accordance with principles of Numbering Regulation of Directorate General of Statistics.

Chart of mukhtars and chart of buildings are arranged in a way to show the situation at the end of the year.

Due to article above, one approved copy of schemes or chart of buildings for each mukhtars will be sent to the district presidencies of political parties due to fourth clause of article 14 once in two years in return of certificate of receipt in a month determined by Supreme Election Council.

Mukhtar area voter list for public review:

Article 39 – (Change: 17/5/1979 - 2234/1 art.)

In order to correct the mistakes and complete the missing information in electoral roll;

(1) Due to Article 1 of 25/4/2013 dated and 6462 numbered Law, the term “fault” in this clause has been changed as “disability”.

The list, which includes electoral roll numbers, names, surnames, father and mother names, date of birth, place of birth, address arranged in alphabetical order due to surname for voters living in the same muhktar area, is called "Muhktar Area Voter list for public review".

Muhktar Area Voter list for public review is obtained from electoral roll based on finalized information at the end of each year.

In March of each year, Muhktar Area Voter list for public review is sent to;

1. a) Two copies to muhktar it belongs to,
- b) One copy to the district presidencies of political parties announced due to fourth clause of Article 14,
- c) Two copies to presidencies District Election Boards in order to be used in works of District Election Boards,
2. One copy to Provincial Election Boards in order to be used in transactions.

Banns time and duration:

Article 40 – (Change: 17/5/1979 - 2234/1 art.)

(Changed first clause: 13/3/2008-5749/7 art.) Muhktar area voter list for public review is announced in muhktars and stayed there for two weeks.

Muhktar area voter lists for public review are hang in a place in villages or neighborhoods they place on an appropriate place where it can easily be read by voters. Hanging places and dates, along with charts exposing polling stations, are announced in local newspapers and other known means and methods.

Hanging dates and places of the lists, methods of announcement is determined by an authorized people with written proceeding assigned by president of District Election Board. These written proceedings are kept by president of District Election Board in a separate file.

President of District Election Board, immediately informs the administrative superior of such district about the places and hanging dates of the lists.

Administrative superiors and municipality police officers and superiors are responsible of protection of the lists for the period they are hanged.

President of the District Election Board takes necessary precautions for voters to search for their names easily during the hanging period considering the numbers of voters, provides one member of local council or any assigned official to be present nearby the list o respond to questions and any applications.

Duplicate writing:

Article 41 – (Change: 17/5/1979 - 2234/1 art.)

In electoral roll, information on name, surname, mother's and father's name, place and date of birth, define one single voter.

In such case, Supreme Election Council Directorate General of Electoral Roll leaves the information of which voter number is bigger on the registry and takes the other in duplicate list.

Information is kept in duplicate list for two years.

On the voter list for public review, information about voters is as below;

- a) Name, surname same, but information on father or mother's name, place of birth, date of birth are different.

- b) One or two letters in name and surname and one of data defined in clause (a) are different,
- c) Name and surname same, one name is more in the other and one of data defined in clause (a) are different
- d) Address is different and one or more of data defined in clause (a) are different.
- e) Furthermore, in cases determined by Supreme Election board, upon any request or ex officio, president of District Election Board gives decision whether the information is about one or more than one voters. The decision is sent to Supreme Election Council Directorate General of Electoral Roll for registration.

Polling station Voter list for public review:

Article 42 – (Change :17/5/1979 - 2234/1 art.)

According to Article 122 of this Law, polling station voter list for public review is prepared after the decisions which should be issued on electoral roll are issued.

Polling station voter lists for public review include information in the ballot voters list defined in Article 43.

This list is transmitted to provincial or District Election Board presidencies. Presidents of District Election Boards send one copies of such lists to head of political parties in such district which are announced according to fourth clause of Article 14.

Ballot voters list:

Article 43 – (Change: 17/5/1979 - 2234/1 art.)

The list, which includes electoral roll numbers, names, surnames, father and mother names, date of birth, place of birth, address arranged in alphabetical order due to surname for voters living in the same polling station, is called “ballot voters list”. On each page of ballot voters list, names of province, district, mukhtar, ballot number and validity period are written. In addition, in copies that will be delivered to ballot box committee, there are also necessary columns for on-ballot transactions.

Ballot voters lists are arranged 120 days prior to voting based on finalized information in the electoral roll.

Ballot voters lists are sent 30 days prior to elections to related election board presidencies to be transmitted to;

1. a) For each ballot, two copies to president of ballot box committee,
- b) 20 days prior to voting day, one copies each of the presidents of political parties which attend to elections,
- c) 20 days prior to elections, one copy to related mukhtar.
2. Two copies to presidencies of District Election Boards in order to be used in District Election Board transactions,
3. One copy to the related Provincial Election Board for to be used in transactions.

Citizens may examine any time the ballot voters lists in the mukhtars.

Mukhtars are obliged to answer the questions of voters 10 days prior to elections and until 17.00 on election day on number of ballots, place of ballots and voting process; to distribute the publishing of election boards, to hand and distribute the materials, brochures, signs to help voters and also obliged to assist the personnel in case a personnel is assigned by election board.

*Voter Information Document:***Article 44 – (Change: 17/5/1979 - 2234/1 art.)**

A voters information document is prepared for all voters registered in electoral roll including information in which precinct and which ballot he will vote, voters number and other necessary information and they will either be sent or distributed within the principles decided by Supreme Election Council considering the characteristics of precincts.

Voter information document can not be used as document to define identity in any condition and this issue is written on document.

*Voters registry province and district lists:***Article 45 – (Change: 17/5/1979 - 2234/1 art.)**

Information related with voters registered in electoral roll, are sent in one copy to presidencies of provincial and District Election Boards as lists separated due to provinces and districts of voters.

The lists belonging to last two years are open to the examination of members of board.

Methods and principles on arranging, sending and protection of these lists are determined by Supreme Election Council.

Supreme Election board Directorate General of Electoral Roll determines the principles and durations of lists prepared on the basis of provinces and district according to alphabetical order due to surnames for examination of political parties.

*Negotiation of Works:***Article 46 – (Change: 17/5/1979 - 2234/1 art.)**

Report of Directorate General of Electoral Roll including program, prepared regulations and all implementations, may be negotiated in a meeting that will be held in Supreme Election Council before representatives of political parties that are declared due to fourth clause of article 14, members of Supreme Election Council and three personnel whose attendance to meeting is considered necessary by the Electoral roll Directorate General.

The meeting date is determined by the President of Supreme Election Council once in each three months. The meeting is gathered with the presence of attendees who are present at the meeting. The meeting aims to give information to attendees, decisions are not taken.

Meeting is closed for the attendees other than the ones mentioned here. Summary of the meeting is sent to the attendees by Supreme Election Council within an hour.

Meeting and negotiation rules and principles of the meetings are determined by Supreme Election Council and notified to attendees.

*Protecting of electoral roll and delivery to related: ⁽¹⁾***Article 47 – (Change: 17/5/1979 - 2234/1 art.)**

Supreme Election Council Directorate General of Electoral Roll delivers at the end of each year electoral roll and copy of list derived from this registry to Supreme Election Council.

Copies of electoral roll are kept in Directorate General of Electoral Roll.

Protection and examination rules related with electoral roll delivered to President of Supreme Electoral Board, are determined and announced by Supreme Election Council.

(Addition: 29/11/2000 - 4609/1 art.) Electoral roll is delivered to political parties which are considered eligible to attend elections by presidents of provincial or District Election Boards upon request, in return of certificate of receipt of the expense deposited to Treasury offices determined by Supreme Election Council and by president of District Election Boards to any volunteers in computer environment or at the level of list not more than twice in one election period.

(1) The title of this article was "Protection of electoral roll" but issued on text as written above due to 29/11/2000 dated and 4609 numbered Law.

The methods and principles for other public institutions and organizations using the information in Directorate General of Electoral Roll are determined by Law.

Distribution of voting cards:

Article 48 – (Repealed: 17/5/1979 - 2234/5 art.)

SECTION TWO

Electoral Propaganda

Liberty of Propaganda and its duration:

Article 49 – (Change: 25/8/1961 - 356/1 art.)

Propaganda in elections is free within the context of provisions of this Law.

(Change: 10/9/1987 - 3403/1 art.) Propaganda starts in the morning of tenth day before elections and ends at 18.00 one day before the elections.

Propaganda in public area:

Article 50 – During the terms of elections, verbal propaganda is not permitted on general roads, sanctuaries, buildings and facilities served for public services and other areas defined by District Election Boards.

District Election Boards determine the places where verbal propaganda can be undertaken considering situation of the roads, not hindering the bazaar areas and the existence of electricity of installation.

Upon the request of political parties to make verbal propaganda, District Election Board draws lot for areas, meetings, sequences, dates and hours and announces the results to parties. A day of the week is also reserved for independent candidates.

(Changed last clause: 8/4/2010-5980/2 art) In public areas, verbal propaganda is not allowed two hours after sunset until sunrise.

Propaganda in closed areas:

Article 51 – Political parties and independent candidates may arrange meetings in closed areas.

Those who want to make closed meetings, compose a delegation of three people and notify the closest municipality superior or officer. In villages, notification to mukhtars or their deputies will be considered enough.

The liabilities of such delegations are to provide the order of the meetings and to provide words and actions that are either illegal or improper considering customs and traditions.

Delegation tries to prevent situations mentioned above and calls municipal police if considered necessary.

Delegation decides and limits the ones who will take the floor in the meetings.

Speeches in these meetings can be published with loudspeakers reserving the provisions of Article 56.

Municipal police officers and superiors, mukhtars and members of local councils may not intervene the meetings in any conditions other than the request of delegation or decision of District Election Boards.

Closed area meetings are not permitted in sanctuaries, schools, military facilities and buildings and other places of public services.

*Election bureaus***Article 51/A – (Ek: 8/4/2010-5980/3 art.)**

Beginning with the opening day of elections, political parties and individual candidates may open electoral bureaus in order to execute their electoral works in electoral environment where they will attend elections. But buildings and facilities that belong to state and public institutions and their affiliates, buildings of joint ventures where state is direct or indirect partner, vocational institutions that have public characteristics, manufacturers unions, cooperative unions, labor unions and banks can not be used for this purpose.

Electoral bureaus are considered opened by sending notification to the highest administrative senior of the district within the time period from beginning of electoral process to the beginning date of propaganda or after beginning of propaganda by notifying District Election Board including the address of the bureau and contact information of at least one of the responsible. Lists of electoral bureaus opened with notification method, are sent to District Election Boards by the administrative officer with the highest rank within the borders of district.

Authorized personnel of bureaus which do not meet the conditions for opening, are given three days of extra time to complete the deficiencies. Bureaus, that are unable to meet such conditions, are closed by senior administrative officer until such conditions are met.

Notwithstanding other electoral activities, visual and verbal propaganda can be undertaken in electoral bureaus. But voiced activities that will be undertaken in bureaus should follow the rules and procedures of legislations on ambient noise.

Electoral bureaus may exercise activities from 09.00 till 23.00.

*Propaganda with radio and television:***Article 52 – (Change: 17/5/1979 - 2234/1 art.)**

(Change: 10/6/1983 - 2839/46 art.) notwithstanding the provisions in private laws, political parties attending to elections are allowed to make propaganda on radio and television beginning with the seventh days before the voting day till 18.00 one day before the elections.

(Change: 23/5/1987 - 3377/3 art.) Political parties attending to elections;

- a) First day 10, last day not exceeding 10 days two speeches explaining their programs and scheduled works,
- b) For political parties that have groups in Assembly, additional ten minutes,
- c) **(Change: 27/10/1995 - 4125/4 art.)** Governing party or biggest of the governing parties 20 minutes, other governing parties additional 15 minutes.

d) To main opposition party additional 10 minutes of right to propaganda is given.

These political parties may exercise not exceeding the half of durations in visual form. Visual propagandas are prepared other than TRT. In visual propagandas, political parties explain their programs and the works they have or will undertake. In these propagandas, abetting visuals are not allowed. These propagandas of political parties will not be less than two minutes once and will not exceed 10 minutes total in a day. Political parties may exercise their propaganda rights in more than one channel of TRT. Supreme Election board will determine, considering the capabilities of TRT, when these visuals will be delivered to TRT and their times of broadcasting. In case any abetting is determined in these visual propaganda, Supreme Election board does not permit broadcasting of these visuals. Political parties, in their first broadcast on radio and television, explain their electoral declarations.

Radio and television speeches are broadcasted simultaneously in all radio and television posts.

Date, hour and sequence of political parties for propaganda speeches are announced by Turkish Radio and Television in news broadcasting.

(Change: 10/6/1983 - 2839/46 art.) Objectivity of propaganda broadcasting on radio and television is obtained by Supreme Election Council and Turkish Radio and Television.

(Change: 28/3/1986 - 3270/22 art.) In the propaganda speeches of political parties on television due to the provisions of article above (...) ⁽¹⁾, no other visuals are permitted other than Turkish national flag and flag of political party of which size and position is determined by Supreme Election Council. Speakers should wear jacket and tie and women should wear suits.

(repealed clause: 10/9/1987 - 3403/2 art.)

(Addition: 27/10/1995 - 4125/4 art.) Propaganda speeches of political parties on private televisions and radios are undertaken with same principles as in TRT. National ones of these propaganda are monitored by Supreme Election Council while local broadcastings are monitored by District Election Boards. Propaganda, other than the provisions of this clause, are not permitted. For those, who act against the provisions of this clause will be subject to 151/2 verdict of 298 numbered Law on Basic Provisions of Elections and Electoral roll.

(1) In this clause, the term "except from paragraph (d) of 2nd clause", has been cancelled by 22/5/1987 dated and E. 1987/3, K. 1987/13 numbered decision of Constitutional Court.

*Application:***Article 53 – (Change: 17/5/1979 - 2234/1 art.)**

Headquarters of political parties send written notification to Supreme Election Council until the end of 21st days prior to elections in case they want to make propaganda on radio and television.

*Determination of broadcasting times:***Article 54 – (Change: 17/5/1979 - 2234/1 art.)**

Supreme Election Council determines broadcasting times and sequences by drawing lots among the political parties which apply for propaganda on radio and televisions before the representatives of parties and representatives of Turkish Radio and Television. Drawing lot is undertaken at latest 21 days prior to elections. Starting time of radio and television broadcastings is determined by Supreme Election Council considering the highest possible listening opportunities. Radio and television broadcastings last until at latest 22.00.

*Determination of speeches of radio and television:***Article 55 – (Change: 17/5/1979 - 2234/1 art.)**

Speeches of political parties on radio and television, are recorded before and during broadcasting upon the decision of political parties with visual or voice recorders before the presence of a member assigned by Supreme Election Council. With the presence of member of Council or representative of radio and television, written proceeding is arranged including the name of the political party and name of the speaker. Recordings of the speeches are protected by Supreme Election Council.

These records are delivered to judicial authorities in case they become a subject of claim.

Legal penalties about the speakers are undertaken by one or two times.

*Broadcasting with private radio and televisions:⁽¹⁾⁽²⁾***Article 55/A- (Rearrangement: 15/7/2003-4928/3 art.)**

Private television and radio institutions are subject to articles 5, 20, 22 ve 23 and second clause of Article 31 of 2954 numbered Turkish Radio and Television Law in their broadcastings from the beginning date of the elections until the end of elections.

(Additional second clause: 8/4/2010-5980/4 art) Political parties representatives and independent candidates may attend programs, panels, interviews on radios and televisions from the beginning of elections until 24 hours prior to election date. Political parties and candidates open or closed area meetings may be broadcasted live.

According to the provisions of article above, Supreme Election Council is fully authorized to determine broadcasting principles of private radio and television broadcastings.

(1) The title of this article was “Private Radio and Television Broadcasting”, but changed as the way in the text according to article 3 of 15/7/2003 dated and 4928 numbered Law.

(2) With article 4 of 8/4/2010 dated and 5980 numbered Law, a clause as the second clause is added and the remaining clauses continued due to this order.

For monitoring, inspection and evaluation of appropriateness of the broadcasting, Supreme Election Council is authorized for radios and televisions at national basis and for local radios and televisions, District Election Boards are authorized.

Claims may be issued against the decisions of District Election Boards within twenty four hours to Provincial Election Boards. Decisions of Provincial Election Boards are final.

Supreme Election Council is authorized to determine nation-wide broadcasting radios and televisions. Decisions of Supreme Election Council on this issue are published in Official Gazette.

Media, communication tools and propaganda on internet

Article 55/B – (Addition: 8/4/2010-5980/5 art.)

Political parties and independent candidates may make written and visual propaganda by adds and announcements in media and by opening internet sites until the end of propaganda period.

Propaganda is not undertaken by sending mails to e-mail addresses of voters or sending written and visual messages to their mobile phones and fixed lines. But political parties are free to send such messages to their members.

In the ten days period before the voting date, it is definitely forbidden to make broadcasting or sending any messages which include information that may positively or negatively affect the opinions of voters under any names such as polls, public inquiry, estimations or mini referendums. Broadcasting other than this period of time should follow the principles of objectivity, accuracy and reality. During the publishing of public polls and public inquiries, it is obligatory to announce the number of participants as well as the name of the institution undertaking the inquiry.

Principles of propaganda and broadcastings exercised within the framework of this article are determined by Supreme Election Council.

Propaganda with loudspeakers: (1)

Article 56 – (Change: 17/5/1979 - 2234/1 art.)

From the beginning of electoral calendar till the end of propaganda period, propaganda with loudspeakers is allowed unless following the provisions of last clause of Article 50 and in condition not to disturb public peace and comfort. But in case there is an open or closed meeting of a political party, propaganda with loudspeakers can not be performed in the same area in order not to disturb such meetings.

(1) With the article 8 of 13/3/2008 dated and 5749 numbered Law, the term “from the beginning of the electoral calendar until the ending day of propaganda” was added and issued on text.

District Election Boards are authorized by proxy or upon the request of political parties to decide place, time and other conditions related with propaganda with loudspeakers considering the characteristics of local area..

Political parties, if considered necessary may use loudspeakers of municipalities in return of price in equal duration and conditions.

Distribution of materials and publishing with purpose of propaganda ⁽¹⁾

Article 57 – (Change: 8/4/2010-5980/6 art.)

Political parties and candidates are free to distribute brochures, hand guides, party flags, CD and DVD's including audio and video during the period beginning with the electoral period and end of propaganda time. Political parties and other candidates are not allowed to distribute any kind of souvenirs, gifts other than the ones defined in this clause or make them distributed by the hands of third parties and offices or institutions.

Those who distribute the materials defined above should be over eighteen years old.

Prohibitions related with propaganda and language to be used in propaganda:⁽²⁾

Article 58 – (Change: 8/4/2010-5980/7 art.)

Turkish flag and religious expressions are not allowed to be printed on handbills and all kinds of publishing used for propaganda.

(Change:2/3/2014-6529/1 art.) All kinds of propaganda of political parties and candidates may be in other languages and dialect than Turkish.

Exemption:

Article 59 – (Change: 17/5/1979 - 2234/1 art.)

Publishing in the characteristics of handbills used for propaganda are free of all kinds of charges and fees until the end of propaganda period.

Announcement and advertisement places ⁽³⁾

Article 60 – (Change: 8/4/2010-5980/8 art.)

Political parties and candidates are allowed to hang or stick materials such as posters, banners or similar materials in their electoral bureaus during the period beginning with the electoral period and end of propaganda time. Political parties are allowed to hang such materials any time in their province, district or village buildings.

Political parties are free to use banners, posters or similar materials in their open or closed area meetings as well as their vehicles during the period beginning with the electoral period and end of propaganda time.

On the days of meetings, such materials are free to be used around the destinations of meeting area until the end of such meeting.

(1) The title of this article was "hand bills", changed due to 8/4/2010 dated and 5980 numbered Law.

(2) The title of this article was "Prohibitions related with propaganda broadcasting" and it was changed as in text due to article 1 of 2/3/2014 dated and 6529 numbered Law.

(3) The title of this article was "Propaganda prohibition with show bill and banners" and it was changed as in the text due to Article 8 of 8/4/2010 dated and 5980 numbered Law.

Apart from the places mentioned above, announcement and advertisement materials are hanged or stucked to places only defined principles and methods defined by District Election Boards.

Political parties and candidates that will attend to elections, may equally use the fixed advertisement places determined by District Election Boards in return of their prices to hang or stick the posters, banners, party flags or any other electoral materials to introduce themselves with the condition of equal price and equal place. No fees are charged for the places which are allocated free of charge to volunteers. These places are distributed equally among the political parties and candidates.

For fixed advertisement and promotion places that are established by private institutions under the permission of municipalities, for to be used with purpose of advertisement by these individuals and institutions for political propaganda purposes, upon the request applied to District Election Boards, district election boards determines the allocation of such places.

District Election Board determines the commercial purposed fixed advertisement places within the borders of such district until the fortieth day prior to election day and notifies this to political parties and candidates. Political parties and independent candidates inform District Election Board in written form within three days about the places they intend to use and for how long they intend to use.

District Election Board allocates such places among the applied political parties and independent candidates.

In case political parties and independent candidates apply for the same places, District Election Board invites the related parties and ask them to notify their final preferences in written form. In case related political parties and independent candidates are unable to reach to consensus, such advertisement places are allocated in return of equal charge by drawing lots. Drawing lot transaction is undertaken separately for each advertisement place by dividing the propaganda period to the number of volunteers.

Provincial Election Boards are also authorized for allocation of fixed announcement and advertisement places on sides of roads out of cities. But Provincial Election Board may transfer this authority to District Election Board.

After drawing lots, political parties and independent candidates notify in written form that they will not use the advertisement places allocated for them, those places may be allocated for political parties and independent candidates upon their request.

Except from the places prohibited in this Law, visual propaganda can be undertaken in digital advertisement panels which are eligible for advertisement. But voiced propaganda can not be undertaken with these means. After determination of election boards on which conditions political propaganda can be executed, duration and principles of propaganda will be determined according to the methods defined in articles above, they will be allocated to political parties and candidates.

Beginning with 30 days before the day of elections until the end of propaganda period, citizens are allowed to hang or stick flags, banners, posters and other promotion materials to their residences, vehicles or working places. These announcements and advertisements are free of all kinds of taxes and charges.

Announcement and advertisement materials defined in this article are not allowed to be hanged or exposed in any condition after the end of electoral propaganda period.

Supreme Election Council determines methods and principles related with implementation of this Article.

Prohibitions related with announcement and advertisement places ⁽¹⁾

Article 61 – (repealed: 17/5/1979-2234/5 art.; Rearrangement: 28/12/1993-3959/4 art.; Change: 8/4/2010-5980/9 art.)

From the beginning date of elections until the following date of elections, apart from political parties and independent candidates, apart from the places determined by the Law, it is forbidden to hang or stick political announcements, advertisements, posters, banners or similar materials. Otherwise, these advertisements announcements are removed and the costs are received from related parties. The authority to make transactions related with these prohibitions belong to administrative authorities from the beginning day of elections until thirtieth days before election date and from that time on, the authority belongs to District Election Board. Municipalities are responsible of providing necessary devices, materials and personnel in order to eliminate the deficiencies of this article upon the request of mentioned authorities.

From the beginning date of elections to the following date of elections, broadcasting including political propaganda is not allowed either inside or outside the city in public transportation vehicles, air, land, marine or railway vehicles. The same is necessary for the closed places where allocated for passengers. District Election Boards make necessary inspection via administrative offices in order to prevent violation of these prohibitions.

(1) The title of this article was “hanging to other places, public surveys and delivering gift prohibition” and changed as in the text due to article 9 of 8/4/2010 dated and 5980 numbered Law.

Distribution of printed publication:

Article 62 – People who will distribute the printed publication like handbills should be eligible for voting.

Employees and servants of public, annexed budgeted administrations, provincial special administrations, municipalities and their related institutions and organizations, public economic enterprises and other public legal entities, are not allowed to distribute notices.

Works which should not be undertaken during elections:

Article 63 – Along with the ones defined in Article 62 and officers and servants in societies with public interest, should preserve their objectivity during elections.

Notwithstanding the provision of prohibitions defined in 5830 numbered Law, during the term of elections :

- a) They are not allowed to assist or make donations to political parties or candidates in any conditions,
- b) To make their officers and employees or capabilities and equipments in service of a political party or an independent candidates or in service of any political activities.

The ones defined in first clause and entities working under the Banks Law are not allowed to make any kinds of publishing for and against of any political parties which may affect the voting of voters. ⁽¹⁾

All kinds of books, brochures and banners previously printed or published and have the characteristics mentioned in the article above, are subject to the same provision.

Prohibitions related with ceremonies:

Article 64 – (Change: 19/2/1987 - 3330/4 art.)

Within the period from beginning date of the propaganda to the following date of elections, it is forbidden for all offices, entities and institutions, to arrange any ceremonies about works and services deriving from ventures subject to Banking Law (including opening and groundbreaking ceremonies), to make speeches and to make any publishing related with these activities. (...) ⁽²⁾

Prohibitions related with prime minister and ministers:

Article 65 – (Changed first clause: 19/2/1987 - 3330/5 art.)

Within the period from beginning date of the propaganda to the following date of elections, prime minister, ministers and MP's are not allowed to use their official vehicles with the purpose of electoral activities and visits within the framework of electoral visits inside the country. In their visits within the context of this purpose, welcoming and send-off ceremonies are not undertaken and official feasts are not arranged.

Prime Minister and Ministers are bound with the provisions of this Law related with their electoral activities within the period defined above.

(1) For implementation of this provision, look article 6.

(2) The term in this article as "Prohibitions in this article are limited with precincts in interim elections" was cancelled with 22/5/1987 dated and E. 1987/6, K. 1987/14 numbered decision of Constitutional Court.

Prohibition of public servants to attend visits:

Article 66 – (Change: 19/2/1987 - 3330/6 art.)

Within the period from beginning date of the propaganda to the following date of elections, any public servants are not allowed to attend electoral visits of prime minister, ministers, MP's or independent candidates.

SECTION THREE

Tools

Providing of devices:

Article 67 – Presidents of election boards are responsible of providing and sending all tools and money on time and properly.

On these issues, upon the orders of presidents of election boards, municipality police superiors and officials, municipalities and mukhtars should provide necessary assistance.

Voting tools and their delivery: ⁽¹⁾

Article 68 – (Change: 17/5/1979 - 2234/1 art.)

(Additional first clause: 8/4/2010-5980/10 art.) Ballots should be prepared with the sizes of width 40, length 55, height 50 cm, composed of fragile, heat-resistant, hard plastic, their caps are eligible to be tied with rope and seal and on caps there is a hole in length 25, width 1 cm for envelopes to be put in.

(Additional second clause: 8/4/2010-5980/10 art.) In MP, provincial assembly, municipality or mukhtar elections, separate ballots are used.

(Additional third clause: 8/4/2010-5980/10 art.) Voting booths will be prepared at the sizes of width 120, length 120 and height 180 cm, portable, light metal profiled, one side collapsible, covered with dark colored synthetic fabric, easy to be carried and foldable.

(Additional fourth clause: 8/4/2010-5980/10 art.) Supreme Election Council phrase and logo are put on ballots and cabins. Supreme Election Council, when considered necessary, may make changes in standards of ballots and voting booths.

(Additional fifth clause: 8/4/2010-5980/10 art.) Supreme Election Council is responsible of composing stamp, ink and inking pad to be used in elections in order not to cause cancellation of elections.

Presidency of Supreme Election Council send ballot box committee stamps (...) ⁽²⁾ and all kinds of materials and tools that are unable to be provided locally to presidencies of provincial and District Election Boards. ⁽²⁾

(1) With article 10 of 8/4/2010 dated and 5980 numbered Law first, second, third, fourth and fifth clauses are added to this article and remaining clauses continued in sequence.

(2) With article 15 of 13/3/2008 dated and 5749 numbered Law, the phrase "voters marker dye and inking pad" is repealed.

Presidents of Provincial Election Boards provide below mentioned tools and materials to District Election Boards ten days prior to elections and district electoral to presidencies of ballot box committees at latest 48 hours prior to elections.

1. Numbered stamp (it is recorded which number is given to which ballot) put in a sealed bag for each ballots in the precinct.

2. Approved list of environment candidates equal to total of number of closed voting places in each precinct along with plate defined in Article 76,

3. Packet composed of envelopes for ballot papers sealed with the stamp of District Election Board,

4. Ballots,

5. Inking pads and inks equal to the numbers of ballots,

6. Approved written proceeding notebooks equal to the number of ballots,

7. Census calendars in line with the examples,

8. Printed written proceeding documents in line with examples,

9. Empty bags equal to the number of ballots,

10. Copy pens at appropriate numbers,

11. Materials to construct voting place when considered necessary,

12. Adequate numbers of empty white papers and other necessary materials considering the characteristics of such precinct,

13. Two copies of ballot voters lists of which each paper is stamped by District Election Board and final paper is stamped,

14. Printed ballot papers which were delivered by political parties to District Election Boards to be put into closed voting areas,

15. Ballot papers of each of independent candidates including their names and surnames delivered to District Election Boards to be put into closed voting place,

16. Sealed and numbered package of combined ballot paper including stamp of District Election Board,

17. "Yes" stamp for each ballots,

18. **(Repealed: 13/3/2008-5749/15 art.)**

Minute book:

Article 69 – There is one minute book in each board. Provincial Election Boards approve their own minute books by seal and stamp on each paper while District Election Boards approve minute books of their own and ballot box committees.

Decisions and transactions of the boards are written in books and signed by president and members.

PART FOUR
Election Day Works
SECTION ONE
On Ballot Works

Taking of oath:

Article 70 – President and members of ballot box committee, on the day of election, before starting to perform their duties, take the oath mentioned below one by one before the ballot box committees and those present at the place:

(Without being influenced, without fear or favor, in order to provide correct and accurate results of elections, I swear on my honor and on my life I will perform my duty in line with the provisions and requirements of law.)

Missions and authorizations:

Article 71 – Here are the main duties and authorizations of ballot box committees:

1. To take necessary precautions for proper undertaking of elections, to execute and to monitor voting transactions,
2. To determine the place of ballot in the polling station and to put necessary guiding signs on the head of streets and to announce the place with regular means,
3. To examine and to decide any objections on voting transactions, to write and to sign the decisions on minute books,
4. To send immediately the decisions objected to District Election Boards,
5. to count ballot papers put into ballots within the principles defined in this Law, to register the results to minute book and to send them District Election Boards along with other necessary electoral documents,
6. To perform other duties assigned by Law.

Observers:

Article 72 – Observers and candidates of political parties and observers of independent candidates may be present to monitor the voting process. In case the number of observers is more than three for an independent candidate, president of ballot box committee draws lot. Three observers are left in near ballot. The others are allowed to stay in polling station.

Obtaining majority in the board:

Article 73 – On ballot, before voting process starts or during voting, in case one or two of the members of the board from political parties do not perform their duties, one of the reserve members are brought without prejudice to penal clauses. In case this can not be done and member number of the board becomes less than three, this situation is registered on minute book and missing members are chosen among literate individuals who are eligible to be elected by the president of the board.

Places of ballots:

Article 74 – (Change: 31/7/1998 - 4381/5 art.) Ballot box committees, under the supervision of District Election Boards, determine the places of ballots and necessary precautions for completing the voting process within defined time period. While determining the places of ballots, easy reaching of the voters is taken into account. Necessary measures are taken for disabled voters to attend elections. Ballots are placed in schools (including private schools and private teaching institutions) and when required at cafes and restaurants that will be rented. Ballots are not allowed to be placed in military buildings and facilities, police stations, buildings of political parties and rooms of mukhtars. Supreme Election Council determines the working principles of responsible in the buildings including more than three ballots. ⁽¹⁾

*Closed voting area:***Article 75 – (Change: 17/5/1979 - 2234/1 art.)**

Ballot box committees prepare adequate numbers of closed voting areas to provide freedom and confidentiality of voting.

In the closed voting area, voter should fold the ballot paper with his own hands, to stick the gummy edge or in elections with envelope, should close the envelope himself.

Characteristics of voting place:

Article 76 – Closed voting place will be in type and characteristics to provide enough space for voter to examine the ballot paper and to close the envelope while not allowing surveillance from outside.

Plate composed of printed list of candidates and provisions related with freedom and confidentiality of voting is hang in closed voting place.

Table or similar furniture is kept inside the closed voting place.

*Sealing of ballot, combined ballot papers and envelopes:***Article 77 – (Change: 17/5/1979 - 2234/1 art.)**

President of the ballot box committee, determines that the ballot is empty before the presence of members and observers before closing and sealing the ballot.

In the elections where combined ballot papers are used (combined ballot papers that are folded and transferred into envelopes by folding the cohesive edge) are accepted as envelope in situations defined as envelope in this Law.

Provisions that there should be two seals in envelopes are not implemented for combined ballot papers.

(1) With article 1 of 25/4/2013 dated and 6462 numbered Law, the term “defective” was changed as “disabled”.

Ballot box committee, after fulfilling oath, placing of ballot, arranging voting place duties, counts the combined ballot papers before those who are present, puts seal of ballot box committee on each of them and thus determines the number of combined ballot papers. In the elections where combined ballot papers are not used, the board counts special envelopes carrying the seal of District Election Boards that have been received by District Election Board, puts seal of ballot box committee on them and thus determines the number of special envelopes carrying two seals one District Election Board and one of ballot box committee.

Ballot box committee register and sign these transactions on minute books.

Combined ballot papers and envelopes ⁽¹⁾

Article 78 – (Change: 8/4/2010-5980/11 art.)

In the elections of MP's, provincial assemblies, municipal assemblies and mayors, combined ballot papers are used prepared in line with the provisions of this Law and private laws.

Voting envelopes are prepared in different colors for each elections at the size of 15 cm of width and 21 cm of length by Supreme Election Council. On the left edge on the envelope, 4x4 cm emblem of Republic of Turkey Supreme Election board exists. If considered necessary, Supreme Election board may make changes in the standards of envelope in line with the provinces of this Law.

SECTION TWO

Prohibitions and on ballot Order

Prohibition of alcohol and carrying gun :

Article 79 – During the election day, sale of alcoholic beverages, drinking and sale of alcoholic beverages in public places.

All entertainment places are kept closed during the day of election. Restaurants only serve food during this period.

On the day of elections, anyone other than those who are responsible of maintaining security and order, are not allowed to carry guns.

(Changed fourth clause: 23/1/2008-5728/286 art.) The term guns define in the implementation of this Law, are the ones in (1), (2), (3) and (5) sub clauses of first clause of Article 6 of Turkish Penal Code.

(1) The title of this article was "Combined Ballot paper" and changed due to article 11 of 8/4/2010 dated and 5980 numbered Law.

Prohibition of broadcasting:

Article 80 – Until 18.00 of election day, news, estimations and interpretations related with the results of elections can not be broadcasted on radios and on any other media organs.

Between 18.00 and 21.00 radios may broadcast news and notifications related with elections delivered by Supreme Election Council.

Broadcasting is free after 21.00 o'clock.

Polling station and ballot environment ⁽¹⁾⁽²⁾**Article 81 – (Change: 8/4/2010-5980/12 art.)**

Polling station is the area with 100 meters diameter of which ballot is located at centre. This provision is not implemented for ballots placed abroad, at customs, at penal institutions. Presidents of ballot box committees determine a distance considering the conditions in such places and record these distances to minute books.

Ballot environment is the area with 15 meters of diameter where the working place of the ballot box committee exists at the centre.

Providing order in ballot environment ⁽³⁾**Article 82 – (Change: 8/4/2010-5980/13 art.)**

President of the ballot box committee is responsible of providing order in the ballot environment. Measures that are taken within ballot environment, should not hinder those who have right to be in ballot environment to perform their duties.

No other persons other than president and members of ballot box committee, candidates, MP's, voters registered to that ballot environment, observers assigned to such ballot and officers in that building are allowed to be in board environment. Representatives and individuals authorized to make objections whose names are delivered to election boards by may be inside the ballot environment only with the documents they are given to. Media members are allowed to make shooting and gather information in the board environment with the purpose of news.

President of the board warns any individuals who hinder the freedom of confidentiality of voting process of voters or those who intend to disturb ballot box committee while performing their duties on counting or registering of the votes. Individuals who ignore this warning are removed from the ballot environment by police force.

In case president of the ballot box committee does not fulfill his duties mentioned in this article, ballot box committee takes initiative and uses this authority and immediately informs president of District Election Board about the situation.

Those who attend to disturb on ballot order by using force ad threat, are immediately removed from the area by calling police force by either president or the members of ballot box committee.

(1) The title of this article was “providing order of polling station and ballot place”, it was chnged as in the text due to Article 12 of 8/4/2010 dated and 5980 numbered Law.

(2)With article 4 of 9/5/2012 dated and 6304 numbered Law, the term “places determined in Overseas and at customs” was added after the term of “but” and written in text.

(3) The title of this article was “Authorities of President”, and changed as in the text due to article 13 of 8/4/2010 dated and 5980 numbered law.

Those who do not obey the measures mentioned above in penal institutions and prisons, after taking the opinion of administrations of prisons, are removed from ballot environment in order not to lose the security.

Police force who are called due to this article, has to obey the request of the president or decision of the board.

It is not allowed to speak with mobile phones in places where the ballot box committee is performing duties. But the speeches of president and members of the board for their electoral works are considered exception of this provision. Those who do not follow the provisions of this article, are warned by the president of the board. Those who insist to speak, are immediately removed from the area.

In case of occurring crime around the polling station, ballot box committee registers this situation to minute book and calls military police to make the necessary actions.

President of the District Election Board takes necessary measures for proper undertaking of on ballot transactions. Within this scope, ballot box committees, administrative and government officers have to obey the instructions delivered by District Election Boards.

Prohibitions and safety measures to be taken in polling station ⁽¹⁾

Article 83 – (Change: 8/4/2010-5980/14 art.)

In the polling station, no other people are allowed other than those who are permitted to be in and the police forces who are responsible of providing the safety of elections.

Other than police forces who are responsible of providing the safety of elections, individuals carrying guns such as private safety officers and municipal police officers, are not allowed to enter in polling station.

In case there are violations of these provisions or actions against law or crimes, necessary transactions are being undertaken by the police powers who are invited to the polling station. In case the absence of responsible of the buildings, these authorities are being undertaken by president of ballot box committee or any members assigned by the president.

In the polling station, no one is allowed to carry any symbols, pins, any other materials or publishing with the purpose of propaganda of a political party or candidate, and is not allowed to make any verbal or visual propaganda.

President of District Election Board takes necessary precautions to provide people obeying the prohibitions defined in this law and prevents all kinds of actions that may hinder voters exercising their voting rights and their free entry to ballot area. Administrative and governing authorities have to follow the instructions of presidents of District Election Boards.

Measures of military police in polling station:

Article 84 – (Repealed: 8/4/2010-5980/32 art.)

(1) The title of this article was “Committing crime in polling station” but changed as in the text due to article 14 of 8/4/2010 dated and 5980 numbered Law.

Military measures out of polling station:

Article 85 – Out of polling station, measures that will be taken by authorities which give instructions to municipal police and superiors and officials of municipal police, will not hinder voters to freely access to polling station.

(Repealed first clause: 8/4/2010-5980/32 art.)

Principles to be applied ballots in penal institutions and prisons

Article 85/A – **(Addition: 27/10/1995 - 4125/6 art.)**

Principles to be applied in ballots in penal institutions and prisons, will be determined by Supreme Election Council, without subject to articles 81, 82, 83, 84 and 85 of this Law.

SECTION THREE

Voting

Authorization of voting

Article 86 – **(Change: 8/4/2010-5980/15 art.)**

Each voters whose names are written on approved ballot lists, have the authority to vote.

Along with the exceptions defined in this Law, those whose names are not written on approved ballot lists are not allowed to vote. But, for voters whose names are not written on ballot voters lists which are multiplied and delivered to ballot box committees although their names have been written on finalized mukhtar area voter list for public review or who have applied within defined period of time for writing of their names on such lists and whose applications have been approved, president of the District Election Board decide their addition to ballot voters list as well as list in District Election Board and voting of such voter is maintained with a notice delivered to voter from District Election Board to be presented to ballot box committees.

Apart from the exceptions defined in this Law, each voter can only vote at the ballot in which he is registered.

Voters are not allowed to vote more than once.

A voter is only allowed to vote for the elections in his electoral district in which he is registered.

Until the day of voting, those who have lost their eligibility of voting due to official documents of related authorities and those who have been registered on prisoners ballot list but discharged or those whose penalties are finalized for crimes other than inattentive offenses, are not allowed to vote even they have been registered in electoral lists and this issue is recorded in minute books by ballot box committees.

Identification:

Article 87 – (Change : 17/5/1979 - 2234/1 art.)

Identification of voters registered in ballot electoral lists is determined by official documents including the identification number such as identification card and any other official documents. Supreme Election board determines and announces prior to elections which documents will be accepted valid for identification process. Identification documents arranged by municipalities and mukhtar offices are not considered valid in implementation of this article.⁽¹⁾

(Repealed second clause: 13/3/2008-5749/15 art.)

(Additional clause: 8/4/2010-5980/16 art.) For any voters to exercise his voting right by presenting an identification document without Republic of Turkey identification number on it, he should also present voters information document or any documents to prove his identification which have been announced by Supreme Electoral Council prior to elections.

(Additional clause: 8/4/2010-5980/16 art.) For voters who are in penal institutions or have been convicted from inattentive offenses, document delivered by administration of penal institution, are accepted as identification document.

Voting order:

Article 88 – Intervention, advice or suggestion is not allowed for any of the voters on ballot and none of the voters are allowed to stay in polling station after they have fulfilled their right to vote.

(1)With article 15 of 13/3/2008 tarihli dated and 5749 numbered Law, after the phrase of “arranged in order to determine identity”, the phrase “including the identification number of Republic of Turkey” has been added and issued on text.

Duration of voting:

Article 89 – On the day of elections, period between eight to seventeen is accepted as duration of voting. In case there are voters on ballot waiting to give vote at seventeen, they are counted by the president of ballot box committee and allowed to use their votes.

(Addition: 28/12/1993 - 3959/6 art.) Beginning and ending times of duration of voting is determined by Supreme Election Council at latest one week prior to elections considering season, regional characteristics and transportation possibilities with the condition keeping the total hours of voting duration.

Sequence in voting: ⁽¹⁾

Article 90 – Voters coming to ballots, are taken in voting area one by one by the president of the ballot box committee. Pregnant women, patients and disabled people are not waited.

Works before voting process:

Article 91 – (Change: 17/5/1979 - 2234/1 art.)

Individual who comes before ballot box committee, presents his identification document to the president and proves his identity.

President finds the name of the voter in electoral list and gives him one of the ballot papers on the table and guides him which closed voting place he will go in case there are more than one closed areas and tells him to go out after folding and closing the envelope.

Voter who takes combined ballot paper or envelope, directly goes into closed area, voter is not allowed to go any other place before voting.

Voter, who does not enter into closed area or who takes combined ballot paper but does not vote, should return combined ballot paper.

Rules to be followed by voters in closed voting areas ⁽²⁾

Article 92 – (Change: 8/4/2010-5980/17 art.)

Nobody is allowed to get in inside the closed voting area unless the voter inside gets out. But voters who stay inside the cabin more than a reasonable period of time, are warned by the president of the board. Voters who do not leave the closed area despite warning, are removed from the cabin.

Voters are not allowed to enter into closed voting area with mobile phones, cameras, audio or video recorders or any other communication tools. These kinds of devices are turned off and presented to the president of the board before voting. Devices are returned to owners after voting by the president of the board.

Using of combined ballot papers and marking :

Article 93 – (Change: 17/5/1979 - 2234/1 art.)

After folding and sticking the combined ballot paper, voter leaves the place and personally throws the envelope inside the ballot.

(1) With article 1 of 25/4/2013 dated and 6462 numbered Law, the term “handicapped” was changed as “ disabled”.

(2) The title of this Article was “staying inside the closed voting area” and changed as it is in the text due to Article 17 of 8/4/2010 dated and 5980numbered Law.

Blinds, apoplectics, or those who have visible disability, may use their votes in company of their relatives in same precinct, and if not with the company of another voter. Disabled voters are not accompanied by more than one person. ⁽¹⁾

(Change third clause: 13/3/2008-5749/9 art.) President of the board, after returning the identification card to the voter, has the voters signature on the list. If the voter is not able to sign, fingertip of his left thumb is taken. If the voter does not have this finger, it is written on minute book of which finger the print is taken from.

Voting of voters who are not registered in electoral list ⁽²⁾

Article 94 – (Change: 8/4/2010-5980/18 art.)

President of District Election Board, delivers documents proving that individuals are voters, at which elections they will vote and including the information in ballot electoral lists for those below:

- a) President and members of ballot box committee and responsible of building,
- b) Law enforcement officers who are responsible of providing order in elections,
- c) People who are assigned for transportation of members of ballot box committee to their working places by District Election Board.

Furthermore, presidencies of ballot box committees, which these voters are actually registered in, are informed in written form.

Officers who take documents from District Election Boards that they have the right to vote, exercise their right to vote at the ballots they are assigned at.

MP's and candidates of MP's are allowed to vote in precincts other than they are registered in by presenting their voter information document.

Ballot box committee takes the documents of individuals who vote according to the provisions of this article before they give their votes. These documents are presented to District Election Board along with other electoral papers.

According to this article, names, surnames and identification information of these people are added at the end of electoral lists and their signatures are taken.

Voting methods of Overseas voters and general principles

Article 94/A – (Addition: 13/3/2008-5749/10 art.)

(Changed first clause: 9/5/2012-6304/5 art.) Supreme Election Council, by taking the opinion of Ministry of Foreign Affairs, determine separately or individually implementation of voting methods either using electronically or at ballots or customs considering the type of elections and conditions of country. In the works and transactions related with voting of voters registered in Overseas electoral roll, informatics infrastructure of Foreign Ministry may be used. Within the framework of methods and principles determined by Supreme Election board, Ministry of Foreign Affairs takes necessary measures for establishment and safety of informatics infrastructure.

(1) With article 1 of 25/4/2013 dated and 6462 numbered Law, the term "handicapped" was changed as "disabled".

(2) The title of this article was "Voting of board members, MP's and candidates of MP's" and due to Article 18 of 8/4/2010 dated and 5980 numbered Law, it was changed as in the text.

In the MP general elections, on the combined ballot papers specially designed and including watermarks of Supreme Election Council, special signs of political parties, their abbreviations and their full names and empty circles with the diameter of 2 cm under the names of political parties exist.

Voters Overseas may vote in MP general elections, President elections and in referendums.

Voters Overseas may only vote for political parties attending to elections.

Propaganda is not allowed Overseas and in foreign representatives.

Voting by letter for Overseas voters ⁽¹⁾

Article 94/B – (Addition: 13/3/2008-5749/10 art.)

Supreme Election board sends Overseas District Election Boards specially manufactured ballot papers and specially colored voting envelopes. Foreign District Election Board, send ballot papers and envelopes which are sealed with its own seal to the registered addresses of voters Overseas seventy five days before the elections. Among the envelopes sent to voters, in the small one carrying the seal of Foreign District Election Board, ballot paper is put in. This envelope is put in middle sized envelope on which "Foreign District Election Board Ankara/TÜRKİYE" is written and this envelope is put in the third envelope on which the foreign registered address of the voter is written.

Voter who takes the letter opens the envelope on which his address is written, he marks the part (X) which he prefers in the column of political party, or the part in presidential elections or in referendum, puts the ballot paper in the small envelope and closes the envelope. He puts this envelope inside the envelope on which "Yurt Dışı İlçe Seçim Kurulu Ankara/TÜRKİYE" address is written, closes the envelope and sends it in a way to be arrived to Foreign District Election Board at latest at 17.00 on day of elections.

Methods and principles related with sending, safety and determination of identity of letters, are determined by Supreme Election Council by taking opinion of Directorate General of Mail and Telegram Organization. Posting expenses are met by Supreme Election Council.

Letters coming to Foreign District Election Board are opened by ballot box committees after determination of identity of voter is determined and marked in the electoral list and the envelope that includes the ballot paper and is thrown n ballot without being opened. Ballot is opened at 17.00 daily by authorized ballot box committees, envelopes are compared with numbers of voters and their convenience are determined. Without being opened, voting envelopes are put in a sealed bag along with minute of proceedings and delivered to Foreign District Election Board by ballot box committees.

(1) 94/B article was cancelled in terms of voting by letter with 29/5/2008 dated and E.: 2008/33, K.: 2008/113 decision of Constitutional Court.

Letters which arrive later than 17.00 on election day, are determined in minute book and destroyed by burning.

After 17.00 on election day, sacks are opened by Overseas District Board and counting and combining transactions are undertaken and results are sent to Ankara Provincial Election Board. This Board prepares combination minute book and sends it to Supreme Election Council.

Number of valid votes used by voters abroad, is added to the number of valid votes in Turkey by Supreme Election board and at nation level the general amount of votes and the amount of votes each party take, are determined.

With this method, total number of votes defined in Article 33 of 2839 numbered MP Election Law are found.

Total valid votes in each electoral environment are increased at the ratio obtained by dividing of total votes delivered to Ankara Provincial Election Board to votes delivered by other election boards. Difference between total votes used in such electoral environment and votes calculated with this method, are shared among political parties at the ratio of their shares of the votes coming from Ankara Provincial Election Board and numbers obtained are added to the valid votes taken in such electoral environment. Thus, total valid amount of votes and total valid votes of political parties are determined by article 34 of MP Election Board are determined.

On ballot voting of Overseas voters

Article 94/C – (Addition : 13/3/2008-5749/10 art.)

(Changed first clause: 9/5/2012-6304/6 art.) Voters registered to Overseas electoral roll, may use their votes until 17.00 of the seventh day prior to elections within the principles determined by Supreme Election Council in ballots located in foreign representatives and in other ballots located in other places beginning with forty five days prior to election day. Supreme Election board may shorten this period of time, by taking the opinion of Ministry of Foreign Affairs considering the number of voters in such foreign country. Hours of voting is between 08.00-17.00 according to local time. Supreme Election Council, by taking the opinion of Ministry of Foreign Affairs, decides in which Overseas representatives and places voters may use their votes in twenty four hours and in which less considering the conditions of such country and such decision is announced electronically. In case the number of voters is high in such country, each of the voters may vote on the determined day and ballot which are previously decided.

(Changed second clause: 9/5/2012-6304/6 art.) Supreme Election Council, by taking the opinion of Ministry of Foreign Affairs, decides in which foreign representatives and places the ballots will be located and from which officials ballot box committees will be composed of. According to this determination, election of president and members of ballot box committee are undertaken by Overseas District Election Board. Ballot box committee is composed of one president, one public servant member and one members delivered by three political parties that have taken the three highest amount of votes in recent general election and reserve members are determined with same method. In case political parties do not deliver names, missing members are filled with public servants or voters. Election of president and members of board is primarily undertaken among public servants and voters of the area where the ballot will be located.

President and members of ballot box committee, start their missions with taking oath due to the provisions of article 70.

Ballot box committees prepare adequate numbers of closed voting places to provide freedom and confidentiality of voting.

(Changed fifth clause: 9/5/2012-6304/6 art.) Supreme Election board sends Overseas District Election Board specially manufactured ballot papers and voting envelopes in special colors. Supreme Election Council may differently decide about the sizes of ballots, voting booths and other electoral materials by taking the opinion of Ministry of Foreign Affairs considering the conditions of the foreign country.

(Changed sixth clause: 9/5/2012-6304/6 art.) When voter comes to exercise his/her voting right, president of the ballot box committee determines his identification from ID card including identification number of Turkish Republic or from his passport and controls whether he has exercised his voting right over Computer Supported Central electoral roll System. Voter, in case it is determined he has not voted yet, gets into voting booth by taking ballot paper with ballot box committee stamp and “Yes” and “Preference” stamp. Voter, who has voted, signs the place in the presence of his name.

(Changed seventh clause: 9/5/2012-6304/6 art.) In case any other time has not determined by ballot box committees other than 17.00 as the end of daily voting process, at this hour, ballot is opened due to explained methods in Law. Without opening the envelopes, the voting envelopes and number of voters are compared and convenience is registered in minute books.

(Changed eighth clause: 9/5/2012-6304/6 art.) Ballot box committees in Overseas are established by Overseas District Election Boards composed by taking opinion of Ministry of Foreign Affairs, under the presidency of head of mission of such place, a public servant working in that place and members whose names are delivered by three political parties that have the three highest voting amounts in recent general elections in order to deliver the sealed sacks to Overseas District Election Boards with the methods determined by Supreme Election Council and reserve members are chosen with same method. In case the political parties do not deliver names, missing members are filled with names among public servants.

Without opening, the envelopes are put in a bag along with original of the minute book and sealed with the stamp of ballot box committee and sent to related commission by the president of the ballot box committee. Commission sends immediately the sacks to Overseas District Election Board. One copy of the minute book is kept by Overseas representatives.

(Changed tenth clause: 9/5/2012-6304/6 art.) Sealed sacks are opened, counted and registered into minute books by ballot box committees under the supervision of Overseas District Election Board. These minutes are taken as basis of combination, combined minute book is prepared and transmitted to Ankara Provincial Election Board. Furthermore, results in the temporary consolidation minutes coming from the temporary customs stations, are combined and sent to Supreme Election Council by using the fastest means.

Evaluation of the votes used in Overseas ballots, are undertaken due to related provisions of article 94/B.

*Electronically voting of voters abroad***Article 94/D – (Addition:13/3/2008-5749/10 art.)**

Supreme Election board is authorized to establish the technical infrastructure and take necessary measures to provide the electronically voting of the citizens living Overseas with their Turkish Republic identification number and to compose passwords and similar safety measures to prevent the multiple voting.

Voters abroad, beginning with a date 30 days prior to election date, may vote electronically until 17.00 Turkish time.

Votes that are used electronically, are determined by Supreme Election board at after 17.00 on election date, counting and combining transactions are being undertaken and results are transmitted to Ankara Provincial Election Board. And after completion of combining transactions, they are sent to Supreme Election board.

Evaluation of the votes used electronically, is undertaken according to the provisions defined in article 94/B.

*Voting of Overseas voters at custom stations ⁽¹⁾***Article 94/E – (addition: 13/3/2008-5749/10 art.)**

Voters registered in Overseas electoral roll, beginning with forty five days prior to elections, until 17.00 on election day, may vote at the ballots that will be located on custom gates (...)⁽¹⁾.

Supreme Election board send specially manufactured ballot papers and envelopes in special colors to related district boards at latest three days prior to election.

At the custom gates which are determined by Supreme Election Council, voting can be exercised from 08.00 on forty fifth day prior to elections to 17.00 on election date. Supreme Election Council is authorized to determine at which gates voting can be exercised for 24 hours including holidays and at which gates in less hours. ⁽²⁾

Supreme Election Council previously determines numbers of temporary custom gate election board and ballot box committees that will work during election period, numbers of members and reserves and definitions of their missions. ⁽³⁾

(1) With article 7 of 9/5/2012 dated and 6304 numbered Law, the phrase “seventy five days” in the first clause was changed as “forty five days” and, the phrase “seventy five days” in the third clause was changed as “forty five days”, and the phrase in the same article “in access and exit in the country” was removed from the text..

(2) With article 7 of 9/5/2012 dated and 6304 numbered Law, the phrase “seventy five days” in this clause was changed as “forty five days”.

(3) With article 7 of 9/5/2012 dated and 6304 numbered Law, after the phrase “to take mission”, “related temporary custom gate” phrase was added.

Ballot box committees, prepare adequate numbers of closed voting places to provide the freedom and confidentiality of voting. Related administrative authorities provide all necessary assistance to ballot box committees.

Propaganda is not allowed at custom gates.

(Changed seventh clause: 9/5/2012-6304/7 art.) When a voter comes to customs gate to exercise his voting right, president of the ballot box committee determines his identification with official documents or passport including the identification number delivered by Republic of Turkey and on Computer Supported Central electoral roll controls whether the voter has exercised his vote electronically and after determination he hasn't, he is given ballot paper sealed with stamp of ballot box committee and "Yes" or "Preference" stamp, enters into closed voting area and completes his voting process according to general principles.

(Repealed first sentence: 9/5/2012-6304/7 art.) (...) Voter, who has exercised his vote, signs and completes voting process on the schedule.

During the voting process, at the change times of ballot box committees, ballot is opened in the method described by Law, the numbers of envelopes and numbers of voters are compared and convenience is determined with minute book.

Ballot papers and one copy of the minute book are put into bag and sealed and delivered to temporary custom gate election board by the president of ballot box committee.⁽¹⁾

(Changed eleventh article: 9/5/2012-6304/7 art.) Beginning with 17.00 on election date, bags are opened in line with the general principles and they are counted and determined by temporary customs gate boards. Temporary customs gate board arranges combination minute book and along with other necessary electoral documents, they are sent to Overseas District Election Board with fastest possible means.

Evaluation of votes exercised at customs gates, is being undertaken according to the provisions of article 94/B.

SECTION FOUR

Counting and tabulating of the votes

Counting measures:

Article 95 – Counting and tabulating of the votes are done open. Those who are present at voting place may be ready during counting and tabulating.

Board, considering the order and safety of the activity, determines the area that should be left empty and may take necessary measures (such as tightening rope) in order to prevent those who are present to disturb such transactions.

(1) Due to article 7 of 9/5/2012 dated and 6304 numbered Law, after the phrase "related", phrase "temporary customs gate" was added and issued on text.

Control of number of voters:

Article 96 – (Changed first article: 28/12/1993 - 3959/7 art.) The ballot is not opened before 17.00 unless otherwise has been determined by Supreme Election board according to the last clause of article 89. The president of the ballot box committee announces the end of voting process. All items on the table other than ballot are removed. The ending time of voting is written in minute book.

The names of the voters on the electoral roll and signatures and fingerprints on the list are compared and number of voters are determined and recorded in minute book. The result is announced loudly.

*Unused combined ballot papers and envelopes:***Article 97 – (change: 17/5/1979 - 2234/1 art.)**

The unused ballot papers and envelopes are counted, added to the number of voters and thus it is determined whether the ballot papers and envelopes delivered to board are at convenient numbers. Unused ballot papers and envelopes are sealed in a pack and their numbers are written on.

After that, it is determined that the bag for the ballot papers is empty. All these transactions are recorded in minute book.

*Opening of ballot and counting of envelopes:***Article 98 – (change: 8/4/2010-5980/19 art.)**

After completing the works and transactions mentioned above, president of the ballot box committee opens the ballot before those who are present at the voting area.

Envelopes in the ballot are counted twice loudly by president of the ballot box committee. If the results are different, they are counted for the third time and the numbers of envelopes are determined. The determined number of envelopes are issued on the related part of the minute book special to that election.

After all envelopes are counted, they are controlled in terms of validity.

Envelopes that are not in determined size and color, those which do not have seals of District Election Board and ballot box committees, those which are totally thrown, those which have seals other than District Election Board and ballot box committees or signatures and finger prints on or any marks, are considered invalid. But those envelopes that have any spots and scratches will be considered valid in case it is not decided whether they are put to make a special sign.

President of the ballot box committee separates the envelopes subject to objection and those which are considered invalid without any objections. after all envelopes are controlled, ballot box committee examines the envelopes subject to objection and decides whether they are valid or invalid. After that, number of valid and invalid envelopes are written in the minute book special to that election.

Invalid envelopes are packed, sealed and their numbers are written on. These envelopes are kept and definitely not opened.

After these transactions are being undertaken, the numbers of valid and invalid envelopes and the number of voters who exercised their voting rights, are compared.

In case the number of envelopes are equal or less than number of voters that have exercised their voting rights, than no additional transaction is undertaken.

In case the number of envelopes are more than the voter exercised voting, in order to obtain equality, first number of invalid envelopes are deducted. In case equality can not be reached with this method, president of the ballot box committee randomly chooses envelopes among the valid ones until the number of equality and selected envelopes are immediately burnt without opening. The number of terminated envelopes are written in minute book.

After above mentioned transactions are being undertaken, valid envelopes are again put in ballots and counting is started.

All these transactions are also recorded in minute book and signed by president and members of ballot box committee and sealed.

Ballots are not taken out of voting area unless counting and tabulating transactions are completed.

Counting and tabulating of the votes:

Article 99 – (Repealed: 8/4/2010-5980/32 art.)

Opening o the envelopes, counting and tabulating of votes ⁽¹⁾

Article 100 – (Change: 8/4/2010-5980/20 art.)

The counting and tabulating processes are starting immediately and undertaken without interruption. The claims and objections do not cause suspending of process.

President of the ballot box committee, before starting counting and tabulating, show those who are present that counting and tabulating calendars are empty.

With the purpose of providing order of counting and tabulating of the votes, president of the ballot box committee assigns;

- a) One member to deliver the envelopes in the ballot,
- b) Two members to issue to read ballot papers on counting and tabulating calendars,
- c) One member to properly arrange and protect the read, counted and itemized votes on the table.

In counting and tabulating calendars, first names of the political parties in line with ballot paper are written from left to right on the upper part of the columns. After that, if any, a column is reserved for each independent candidate and names and surnames of the independent candidates are written as in the sequence of ballot paper.

Member, assigned by the president of the ballot box committee, takes the envelopes from ballot one by one and delivers to president. The president opens the envelope and reads loudly the frontal side of the ballot paper so that everybody can see.

On which political party or independent candidate has the "YES" stamp, name of such party or independent candidate is read. In elections of mukhtar, names and surnames of the mukhtar candidates are written on the ballot papers are read.

(1)The title of this article was "Opening of the envelopes" and was changed as in the text due to Article 20 of, 8/4/2010 dated and 5980 numbered Law.

In the elections of metropolitan municipalities, votes are counted and itemized for metropolitan municipalities first, then district municipalities and finally for membership of municipal councils. In other municipal elections, counting and tabulating are undertaken first for mayors and then for membership of municipal councils.

In the municipal and mukhtar elections where more than one vote is used in the same envelope, it is determined and issued on minute book that which ballot papers subject to which elections are missing and the amount of empty envelopes without any kinds of ballot papers after the opening of envelopes process.

Each vote for political parties and independent candidates without being subject to objections, are written and issued in calendars separately by the officers to the places in the columns separated for such parties and candidates. President of the ballot box committee continuously monitors whether these transactions are undertaken properly.

Assigned member places on the table and protects the read ballot papers and their envelopes.

Invalid ballot papers or ballot papers that will not included in the counting although they are valid or ballot papers that are subject to objection or there are hesitations about their validity, are separated without issuing on counting and tabulating calendars and protected by president of the ballot box committee.

After all envelopes are opened and read, by comparing the recent numbers in both counting and tabulating lists, obtaining by issuing of votes without any objections, president of the ballot box committee determines whether the votes of political parties and independent candidates are the same on both calendars. If the numbers of votes are equal, the valid votes of each political parties and independent candidates are added, and these votes which have been considered without any objections, are written in a special minute book that has been arranged by ballot box committee.

In case the number of valid votes for political parties and independent candidates are not the same in both two calendars, second counting is exercised. In the second counting, voting documents are read one by one and they are issued in two empty and separate counting and tabulating lists. If the numbers of votes are same in both two calendars, valid votes of political parties and independent candidates are added and issued in a minute book special to that election both in letters and numbers.

In case the number of votes are again not equal in counting and tabulating calendars after the second counting, a third counting is exercised due to the methods explained above and the results are issued by a member of the board other than the ones representing political parties on a single counting and tabulating calendar and transactions are undertaken due to results of this third counting. In case there are more than one counting process, the counting and tabulating calendars related with these processes are kept.

President of the ballot box committee controls whether there is any unopened envelope left after the final valid envelope is opened and the voting document inside it is read, and number of opened envelopes and number of valid envelopes issued in minute book are compared and the results are issued in minute books.

After valid votes are issued in counting and tabulating calendars, ballot box committee individually examine all ballot papers which are subject to objection or whether there has been hesitation about their validity, decisions are taken and signed and sealed after being issued to minute books.

Ballot papers which are determined valid due to the decision of ballot box committees, are issued to the columns that belong to related political parties and independent candidates. Total numbers of votes that are determined valid with this method are issued on the related place of special minute books subject to such election.

Ballot papers that are either invalid or considered not to be taken into account, are tied as in separate packs and after writing the numbers on, packs are sealed and kept. These ballot papers are not thrown or terminated. number of these are issued on the related place in minute books related to that election.

After all above mentioned transactions are completed, the number of total votes taken by political parties and independent candidates in counting and tabulating calendars, are written at the bottom of their columns both in letters and numbers.

Votes taken by political parties and independent candidates in counting and tabulating lists, are announced loudly by the president to those who are present at the area.

Following this announcement, results in counting and tabulating calendars are issued in ballot result minute book. After the president of the ballot box committee compares the accuracy of information with the results in counting and tabulating calendars, ballot result minute book is signed by the president and members of the board and sealed.

All these transactions are written in minute book, signed by president and members of the ballot box committee and sealed.

Observers of the political parties may stay near the counting table and may see the ballot papers. But if the number of observers are more than five, president draws lot among the board for the five party observers with condition each of them will represent one of five parties. For other party and independent candidate observers, an appropriate place is reserved where they can closely monitor counting transactions.

Invalid ballot papers ⁽¹⁾

Article 101 – (Change: 8/4/2010-5980/21 art.)

Those;

1. Which are not in size and color arranged for that election and delivered by ballot box committee,
2. Which do not have “Republic of Turkey Supreme Election Council” watermark behind,
3. Which do not have ballot box committee stamp,

(1) The title of this article was “Monitoring of numbers of ballot papers and opened envelopes” and changed as in the text due to article 21 of 8/4/2010 dated and 5980 numbered Law. .

4. Which do not have “YES” stamp on any place of the document,
 5. Which have more than one “YES” stamp on places reserved for political parties and independent candidates,
 6. Which have effused “YES” stamp on more than one political parties and independent candidates,
 7. Which are arranged for another electoral environment other than the one ballot belongs to,
 8. Torn and shattered in a way that disturb their integrity,
 9. Which have any special name, signature stamp, seal or finger print including “YES” stamp or instead of “YES” stamp,
 10. Of which parts related to political parties and independent candidates are intentionally signed, written, scratched or marked,
 11. On which there are drawings, figures and letters apart from the imprinted letters, combined ballot papers are invalid.
- But below mentioned situations do not make ballot papers invalid:
1. Tearing of the envelopes during opening and reading of the votes.
 2. One part accidentally torn without disturbing the integrity.
 3. Which have spots but it was not determined that such spots were done with the purpose of putting a special mark.
 4. Passing of the ink of the “YES” stamp due to the folding of the ballot paper and putting into the ballot.
 5. Passing the ink of “YES” stamp only to the double lined area in the place of political party or independent candidate.
 6. In order not to pass to the area of a political party or independent candidate, putting more than one “YES” stamp on the area of a political party or independent candidate.

In elections where more than one ballot papers exist in an envelope, one of the invalid ballot paper inside the envelope, does not require the invalidity of the other ballot papers.

In mukhtar elections, addition to invalidity reasons defined in this article, Supreme Election Council determines the reasons of invalidity for the ballot papers.

Ballot papers that are included to or excluded from counting ⁽¹⁾

Article 102 – (Change: 8/4/2010-5980/22 art.)

Even there is erasing or mistake in combined ballot papers, in case it is clear that for which political party or independent candidate the vote has been exercised, are included to counting.

In case there is any of brochures, special marks, any papers with signs inside the envelope, all ballot papers inside the envelope are excluded from counting.

(1) The title of this article was “Name to be written on ballot paper”, but changed as in the text due to Article 22 of 8/4/2010 dated and 5980 numbered Law.

In elections where there is one ballot paper, in case there is another ballot paper in the envelope other than the ones subject to such elections, the ballot papers inside the envelope are not included into counting.

In elections where there are more than one ballot papers, in case there are more than one ballot papers for on type of elections, only the ballot papers of such election are considered invalid, while the ballot papers of other elections are included into counting.

In elections where there is more than one ballot paper inside the envelope, if there is another ballot paper other than the ones used in such elections, all ballot papers inside the envelope are excluded from counting.

In elections where there is more than one ballot paper inside the envelope, even one or more of the ballot papers are missing, ballot papers out of the envelope are included into counting.

Envelopes and combined ballot papers that are not reliable:

Article 103 – (Repealed: 8/4/2010-5980/32 art.)

Ballot papers that are included to or excluded from counting:

Article 104 – (Repealed: 8/4/2010-5980/32 art.)

Arrangement and announcement of ballot result minute book ⁽¹⁾

Article 105 – (Change: 8/4/2010-5980/23 art.)

Ballot box committee arranges two copies of ballot result minute books prepared separately for each types of elections based on the results of counting and tabulating calendars. After information related with all types of elections are issued completely on minute books, names and surnames of presidents and members are written and minute books are signed and sealed with seal of ballot box committee.

According to the clause above, here are the information that should be issued:

1. Name of the province, district and electoral environment that the ballot includes and number of the ballot.
2. Date and day of voting.
3. Opening hour and minute of the ballot before the members of the board, if the ballot is opened before 17.00, its reasons.
4. The numbers of voters who were present at the ending time of the elections and allowed to vote after 17.00.
5. Total number of envelopes taken from District Election Board and the number of remaining envelopes.
6. Total number of ballot papers taken from District Election Boards and total number of remaining ballot papers.
7. Number of voters written in ballot electoral lists.
8. Number of voters that are not registered on ballot voter list but are allowed to exercise their voting right at that ballot due to Law.
9. Number of total voters that use their votes.
10. Number of envelopes taken out of envelope.
11. Number of valid envelopes.

(1) The title of this article was “announcement of counting and their registry to minute book”, changed as in the text according to article 23 of 8/4/2010 dated and 5980 numbered Law.

12. Number of invalid envelopes and their reasons of invalidity.
13. In case the number of envelopes are more than the number of voters who exercised voting, the numbers of burned envelopes to achieve equality.
14. In municipal elections, in case there is missing ballot paper in the envelope, the information which type of election the missing ballot paper belongs to and their numbers.
15. The number of empty envelopes which do not include and ballot papers.
16. The number of ballot papers which are considered valid without objection.
17. The total of ballot papers which are considered valid or included into calculation upon objection.
18. Total of valid ballot papers.
19. The number of ballot papers which are considered invalid and their reasons of invalidity.
20. Number of ballot papers that are not included into counting and their reasons.
21. Total of ballot papers that are considered invalid or not included into accounting.
22. Amount of total valid votes taken by political parties and independent candidates in numbers and letters.
23. Complaints related with voting works and transactions and counting and tabulating of votes and decisions related with these complaints.
24. If counting and tabulating are undertaken more than once, their numbers.
25. The results of counting and tabulating are announced by the president of the board.

One approved copy of the ballot result minute book, is hang by the president around ballot environment where everyone can see. These minute books stay for one week beginning with the date of elections.

After being signed and sealed, one copy of ballot result minute book, upon request, is delivered to observers of political parties and independent candidates attending to the elections in such electoral environment. These minute books, upon their request, are given primarily to the members of the board from political parties. But in such case, copy of the minute books are not delivered to observers of such political parties. Ballot result minute books that are prepared for observers of political parties, are prepared in multi-paper copy form. Names and surnames of the observers of political parties and independent candidates who are delivered ballot result minute books, are written on ballot box committee minute books and their signatures are taken.

To each ballot box committees, ballot result minute books in number of five more of the total numbers of political parties and independent candidates, are delivered. Methods and principles related with preparation of these minutes are determined by Supreme Election Council.

Hanging of the minute book:

Article 106 – (Repealed: 8/4/2010-5980/32 art.)

Delivery of papers and documents related with counting:

Article 107 – At least two members of the board, whose names have been determined by the president of the board by drawing lot, deliver the sealed bag, sealed with the stamp of the ballot box committee with the signatures of president and the members, including separate packs each of which are signed and sealed, composed of ballot papers which are included into counting and considered valid, minute books prepared by ballot box committees, counting calendars that have been signed by the board that are used in counting and tabulating, ballot papers that are considered invalid and excluded from counting and ballot papers that are subject to objection, envelopes that are not included into counting to related District Election Board.

Other members of the board and observers may attend to delivery or with their own vehicles.

District Election Board, opens this bag before the ones who deliver it, and arranges three copies of minute books about the content of the bag. The bottom of this minute book is signed by president of District Election Board and one of the members of the board. One copy of this minute book is sent to Provincial Election Board. And one other copy is given to president of ballot box committee.

PART FIVE
Post election works
 SECTION ONE

Combination and supervision of election results by District Election Boards ⁽¹⁾

Article 108 – (Change: 8/4/2010-5980/24 art.)

Transactions of combination of result minute books coming from the ballot box committees by District Election Boards and determination of electoral results, are undertaken open and uninterruptedly.

During counting, itemization and combination transactions of District Election Boards, candidates and observers of political parties, independent candidates and their observers and representatives of political parties at District Election Boards, may be present upon their requests. In case present independent candidates and observers are more than three, three of them are determined by drawing lots. Drawing lot is not applied on candidates and observers of political parties. For those who are present, an adequate place is reserved in order to monitor the transactions closely.

District Election Boards, takes the ballot result minute book as they come, but they continue working without interruption and continue to combine by issuing according to election type and environment. After the final ballot result minute book has come, combination of all ballot results have completed and the result is determined with a minute book. These transactions may also be taken electronically within the rules and principles that will be determined by Supreme Election Council.

On the consolidation minutes that will be arranged by District Election Boards;

1. Name of the province,
2. Name of District Election Board and if any, its number,
3. Type of election and environment,
4. Number of pages in minute book,
5. Number of ballot box committee in the sequence of continuity,
6. Name of the electoral environment of the ballot,
7. Number of the voters written in ballot voters list,
8. Number of voters who exercised their voting rights,
9. Number of ballot papers that are considered valid without being subject to objection,
10. Number of ballot papers that are considered valid or included into counting upon objection,
11. Total of valid ballot papers,
12. Total of invalid or excluded ballot papers,
13. Names of the political parties in sequence of combined ballot paper and the amount of vote they take,
14. Names and surnames of the independent candidates due to their sequence in combined ballot paper and vote each of them have taken,
16. Other information considered necessary by Supreme Election Council, are written in numbers and letters.

(1) The title of this article was "Combination of electoral results at District Election Boards" but changed as it is in the text according to Article 24 of 8/4/2010 dated and 5980 numbered Law.

In case more than one minute books are used for combination transactions, each minute book is given a number.

In the elections where combined ballot papers are used, before signing of district combination minute book, it is determined whether there is a mistake in the numbers of votes issued on district consolidation minutes by reading loudly of one of the public servant members of the board assigned by the president, after counting calendar that includes all information about the ballot result minute books is delivered by District Election Board to the members of political parties.

In case necessary technical infrastructure is available on District Election Boards, monitoring transaction can be broadcasted visually to the ones present for monitoring.

President assigns one of the public servant member of the board to issue the determined mistakes to the inspection minute book. In the inspection minute book, there is a calendar available for issuing type and environment of the inspected elections, numbers of ballot where mistakes are determined during inspection. During inspection, mistakenly issued ballot result minute books are separated. In the end of inspection, arranged minute book is signed by president and the members and announced to residents loudly.

One approved copy of the minute book abstract that will be prepared in line with the information on district combination minute book, is announced by hanging for one week to an appropriate place that everyone can see.

In the district combination minute book abstracts that will be arranged by District Election Boards;

1. Name of the province,
2. Name of District Election Board and if any, its number,
3. Type and environment of elections,
4. Total number of ballot box committees in electoral environment,
5. Total number of voters written in ballot voter list,
6. Total number of voters who exercised their voting rights,
7. Total numbers of ballot papers that are considered valid without any objection,
8. Total number of ballot papers that are considered valid or included to counting upon objections,
9. Total number of valid ballot papers,
10. Total of ballot papers that are considered invalid or excluded from counting,
11. Names of the political parties in line with the sequence in combined ballot paper and total amount of vote they have taken,
12. Names of the independent candidates in line with the sequence in combined ballot paper and total amount of vote they have taken,
13. Other information considered necessary by Supreme Election Council, are written in numbers and letters.

With minute book abstract of district combination and one copy of signed and sealed inspection minute book, are given to the members of the board from political parties by District Election Board in return of signature. But, for only once, upon request in announcement period, it is delivered in return of signature to presidencies of political parties and independent candidates.

In districts where there are more than one District Election Boards, each of district election boards, after making combination of results of ballot box committees related to such district board, delivers one approved copy of the inspection and consolidation minutes to District Election Board with number one. One numbered District Election Board fulfills transaction of combination, either by writing the total amounts at the bottom of minute book or by arranging a separate minute book. About the announcement of minute book prepared by one numbered District Election Board and delivery to candidates of political parties, transactions are carried in line with the provisions of this clause.

In elections of MP's, metropolitan municipalities and municipalities, one approved copy of district combination minute book is immediately delivered to Provincial Election Board by president and at least two members of District Election Board.

Actual and permanent presidents of District Election Boards, in the places where the transactions of counting, itemization and combination transactions are undertaken, may exercise their rights in the ballot environment.

Methods and principles related with arranging minute books and abstracts of minute books and delivery of results of elections to superior election boards, are determined by Supreme Election board.

SECTION TWO

Combination at District Election Board

Provincial electoral minute books::

Article 109 – In cases they are assigned by the Law, District Election Boards, combine the electoral minute books sent from the District Election Boards and arrange provincial electoral minute books.

Content of the minute book that show the results of combination are announced to those who are present and one copy is hang on the door of Provincial Election Board by the president of such board and the copy of this minute book stayed hanged for a week.

According to articles 82, 83 and 84, presidents of the Provincial Election Boards have the same authorities presidents of the ballot box committees have at the polling station during counting, itemization and combination processes.

PART SIX
Objections and Complaints
SECTION ONE
General Provisions

People eligible to raise objection:

Article 110 – (Change: 24/3/1973 - 1700/1 art.)

Against the unascertained decisions of the boards and presidents of the boards defined in this Law, all citizens eligible of electing, political parties, leaders or authorities of political parties, observers, candidates and members of Republican Senate of MP's may make an objection.

Authority for complaints:

Article 111 – In this Law, against the unascertained decisions, all superior boards are also considered as authority for complaints for the boards operating under their superiority. The ex officio or upon request decisions of Supreme Election Council on objections are final.

Formal of Objection:

Article 112 – (Change: 17/5/1979 - 2234/1 art.)

Objections can be made in verbal and written forms. Verbal objections are written in minute books along with their reasons. The name, surname and resident address of the complainant are written and his signature is taken. For those who are unable to sign, their fingerprints are taken.

Complaints who are unable to prove their identity and who are not able to explain the reasons are not evaluated and it is written in the minute book that complaints are not examined for this reason.

In the written complaints, above mentioned conditions are searched for and they are added to complaint petition. Written complaints without evidences and reasons are also not examined. In both cases, complainant is given letter of receipt including the information of date and the complaint has been taken. Objections are made to president of the election board. In case the president of the election board is not present, written objection is made to competent prosecutor in return of letter of receipt. Prosecutor issues immediately the record of complaint and sends to president of the election board.

At the beginning of electoral process, political parties inform election boards the names of the authorized people to make objections. Certificate of signatures are approved by the leaders of political party and announced. For those who are authorized to make complaints in name of political parties, identification is not necessary. In objections, notifying which authorities have the necessary evidences is considered as evidence and election board is obliged to obtain such evidence.

Objections to Supreme Election Council should be in written form.

Decision upon objection:

Article 113 – A superior board, while examining objections to a board operating under its superiority, in case it decides to accept to examine the objection, it also decides on the transactions that should be undertaken.

Boards decide with simple majority. In case of equality of the votes, the vote of the president is taken into account. Supreme Election Council, while examining the objections related with the minute books delivered at the end of the elections, gathers with full number.

For other issues, the Council may be gathered with the majority of the members. In both cases, Council decides with simple majority.

In case of equality of the votes, the vote of the president is taken into account.

Information and Notification of Decisions:

Article 114 – Unascertained decisions taken upon request, is informed verbally in case the complainant is present.

In verbal notifications, the date and hour of such notification are issued in minute books and signature of the complainant is taken. Upon his request, a copy of the decision can be given to him.

If complainant is not present, in case an appropriate place is shown in the towns and cities of district boards, the decision is notified to such place. Final decisions of the boards are not notified. But, upon request, it can be notified to complainant and a copy of decision can be delivered.

Duties and charges:

Article 115 – All kinds of documents and papers subject to objection are free of duties and charges.

SECTION TWO

Complaint

Definition and authority:

Article 116 – Complaints are applications against presidents of District Election Boards who are assigned to arrange electoral registries, officials assigned for this purpose, against transactions and measures of provincial, district and ballot box committees based above mentioned authorities, against any measures and transactions of presidents or the boards, in order for the correction of the mistakes derived from the implementation of such provisions. Complaints are made to these boards or their presidents either written or verbal forms by the ones defined in the Article 110 .

Evaluation of the complaints:

Article 117 – (Change: 17/5/1979 - 2234/1 art.)

In case the complaint is accepted, transactions and measures subject to complaint are corrected and actions against law are prevented.

In case the complaint is not accepted, it is immediately written in minute book and decided. The copy of the decision is given to the complainant. In case otherwise is mentioned in the law, the objection can be made within forty eight hours.

Objections and complaints not suspending the process:

Article 118 – Objections and complaints against transactions, measures and decisions do not compose an obstacle for the continuing of the process and transactions.

SECTION THREE

Complaints and Objections against establishment and Transactions of the Boards

Objections and complaints subject to ballot box committees:

Article 119 – For the correction of transactions undertaken by president of District Election Board on the establishment of ballot box committees, correction can be demanded by the method of complaint within forty eight hours following the result of such transactions.

About the decisions on the refusal of complaints, in two days following the notification of decision, objection can be made to Provincial Election Board. Provincial Election Boards deliver their final decision in two days.

The fact that complaint has not been raised, does not hinder the objection against the establishment of ballot box committee.

But this complaint should be exercised to Provincial Election Board within two days following the establishment.

Decisions of Provincial Election Boards are final.

Objections and complaints against District Election Boards:

Article 120 – Against the establishment transactions of District Election Boards, objections can be done within two days following the establishment.

Provincial Election Boards give final decisions related with objections at latest in two days.

Objections and complaints related with Provincial Election Boards:

Article 121 – Against the establishment transactions of Provincial Election Boards, objections can be done within three days following the establishment to Supreme Election Council.

Supreme Election Council gives final decisions related with objections at latest in three days.

SECTION FOUR

Objections to ballot voter lists

Objection against mukhtar area voter lists for public review:

Article 122 – (Change: 17/5/1979 - 2234/1 art.)

District authorities of political parties defined in article 112 may make objections and complaints on mukhtar area voter lists for public review; to District Election Boards about the voters residents of such district, authorities of headquarters about all electoral roll to Presidency of Supreme Election Council; citizens eligible to vote, about transactions related with themselves to District Election Boards.

Objections against mukhtar area voter lists for public review, are finally decided by the president of the boards the objections are made to.

Copy of the decision is sent to Directorate General of Electoral Roll and issued on registry.

Objection to polling station voter list for public review:

Article 123 – (Change: 17/5/1979 - 2234/1 art.)

To polling station voter lists for public review, as described in fourth clause of article 14, provincial and district presidents of political parties, members of District Election Boards, about the claims that information in ballot voter lists for public review are not in competence with law and regulations related with separation of ballots, to District Election Board within the duration of voter list for public review.

This objection is being examined by District Election Board and complainant and presidency of Provincial Election Board are notified about the decision.

Complainant may raise objection against this decision before Provincial Election Board.

Final decision of the Provincial Election Board and decisions of presidents of District Election Boards that are not allowed to be subject of complaint are sent to Supreme Election Council Directorate General of Electoral Roll.

Method of objection to lists:

Article 124 – (Change: 17/5/1979 - 2234/1 art.)

Authorities of headquarters of political parties and Director General of Electoral roll, on final decisions about the complaints and objections defined in this article and articles 122 and 123, may demand examination and deciding of Supreme Election Council.

Supreme Election Council announces at latest one month prior to first banns, principles on duration, examination and finalizing of complaints and objections defined in this article and articles 122 and 123.

Information that change, extracts or adds the electoral roll are kept in a separate “updated registry”.

Objection to candidacy:

Article 125 – (Change: 17/5/1979 - 2234/1 art.)

In case otherwise is mentioned in special laws, within two days following the announcement of special laws, objections may be exercised against the candidates by the ones defined in article 110, based on the reasons that these candidates are not able to meet the conditions and qualifications.

During the determination of candidates taking place in the list of political parties, claiming that rules and regulations of such political parties are not followed, people other than members of such political party, are not allowed to raise an objection. In such objections, if document proving that complainant is also registered to such party is not attached to complaint petition, such petition is not put into process.

These objections are done to boards that are legally assigned for the administration of elections and against the decisions of such boards, complaints can be carried to superior election boards.

Objection should be made written and documents that are taken as ground of objection should be included.

(Addition: 27/10/1995 - 4125/7 art.; cancel: Cons. court 18/11/1995 dated and E.1995/54, K.1995/59 numbered decision.)

Duration of evaluation of objection:

Article 126 – Candidacies are being finalized within the period defined by special laws.

Superior councils that are assigned to give final decisions, decide on the objections before the date candidacies are finalized.

SECTION FIVE

Objection against decisions of ballot box committees and presidents:

Article 127 – Related parties may raise objections to the president of the election boards against the decisions on refusal of objections to the transactions of ballot box committees and their presidents exercised due to article 110.

President of the District Election Board, immediately examines and gives final decision on objection. In case the decision of the president has the characteristics of cancelling the decision of the ballot box committees upon request, president of the ballot box committee is immediately informed about this decision which he has to follow.

Complaints and objections are undertaken at latest unless arranging of minute book that determines the results of the elections.

*Objection against decisions of ballot box committees:***Article 128 – (Change: 8/4/2010-5980/25 art.)**

Against the decisions of ballot box committees on works and transactions related with arranging counting and tabulating minute books, objections can be done to District Election Boards.

These objections can be exercised via ballot box committees both in verbal and written forms unless ballot result minute book has been prepared and signed by president and the members of the board, as well as directly in written form to District Election Board until 15.00 on Tuesday following the elections.

In order to raise an objection to District Election Board about on ballot works and transactions, making objection or complaint to ballot box committee is not a pre-condition.

District Election Boards, decide on objections at latest 17.00 on the second day following the day of complaint. In case the complainant is present, he is informed about the decision and if not, he will be notified.

District Election Boards, before the duration of above mentioned objections ends or before examining and deciding on the complaint raised within the defined period of time, can not arrange district combination minute book. Arranging of such minute book despite this provision, does not constitute start of processes defined in Law for raising complaints to superior boards.

SECTION SIX

Objection against decisions delivered upon complaints of District Election Boards and their presidents and on district consolidation minutes:

Article 129 – Against decisions delivered upon complaints of District Election Boards and their presidents or against their other decisions, at latest until the arrangement of combination minute book, against the arrangement of district combination minute book and works and relater transactions, until 17.00 in the following day of arrangement of such minute book, objections can be raised to Provincial Election Boards either directly or via District Election Boards.

Objections of refusal decisions upon complaints on transactions, measures and actions of District Election Boards, are decided as final at latest in two days.

In case the complaint is accepted, president of the District Election Board is notified with the fastest means.

Other objections are decided finally in two days, in case the complainant is present he will be informed and if not, he will be notified.

SECTION SEVEN

Objection against decisions delivered upon complaints of Provincial Election Boards and their presidents and on district consolidation minutes:

Article 130 – (Change: 17/5/1979 - 2234/1 art.)

Objections are raised against the decisions of Provincial Election Boards as defined below:

1. Within three days of notification against the decisions of Provincial Election Boards and their presidents on complaints about their transactions,
2. Within three days against the establishment of such boards beginning with establishment of such boards,
3. Immediately against decisions related with transactions of election day,
4. Against miscellaneous decisions, within three days after learning of such decisions at latest until 17.00 in the third following arrangement of provincial combination minute book,
5. At latest until 17.00 in the third following arrangement of provincial combination minute book, about counting, itemization and separation of votes due to elected ones,
6. Against claims on eligibility of being elected, or those who were delivered minute books were not elected or against events that may affect the results of elections, until 17.00 of the third day following arrangement of minute book that will be delivered to elected ones,

Those individuals who are defined in article 110 may raise their objections before Supreme Election Councils either directly or via Provincial Election Boards.

Objections related with the decisions that may have affected the results of elections raised by provincial heads of political parties and their headquarters and independent candidates within seven (7) days following the arrangement of minute book, in case they are considered effective as the boards which have the authority to deliver final decisions on objections; the facts that delivered decisions of boards have been finalized and the applications have not been exercised on determined time of have not followed appropriate sequence, do not compose a reason for evaluation or refusal of such complaint.

These complaints are exercised in written form. The complaint petition must include the name, surname and open address of the complainants, declaration of content and reasons of the cases subject to complaint, presenting of the evidences and providing of necessary documents and in case such documents are impossible to purchase, the information on how and from where these documents can be obtained.

But after the finalization of candidacy, objections can not be raised against candidates other than the reasons that the candidate is not a Turkish citizen, his age is under the limit described in law, he is not literate or he has a conviction that hinders eligibility of being elected. This provision is also valid for extraordinary objections.

Petitions which do not meet these conditions are refused.

SECTION EIGHT

Complaints against transactions and measures of Supreme Election Council:

Article 131 – On the following of all kinds of elections, for other transactions of Supreme Election Council other than its decisions related with objections, the ones defined in Article 110 have the right to raise complaint to Supreme Election Council in written form considering other transactions, decisions, measures, for issues that are above the authorities of boards but do not have any authority to raise complaint according to law.

Written complaints should meet all conditions defined in article 112. Upon these complaints, Supreme Election Council immediately takes final decisions.

Investigation and verification methods:

Article 132 – Supreme Election Council makes investigations on the document. In addition, if considers necessary, the Council makes all kinds of further investigations and transactions. Council demands all kinds of papers and documents from related authorities. Such authorities should deliver papers and documents immediately, at latest in seven days.

President of the Board, due to the need and necessity, may assign officers of Court of Appeal and Council of State.

One copy of the complaint petition is delivered to the complainant. Any individual, whose minute book is subject to objection, may defend himself in written form, as well as he may defend himself or by proxy on the day and time that will be determined by Supreme Election Council. Council decides the informing and objections in at latest three months.

Decisions of the Council are final. Application to another authority and legal means is not possible.

According to the characteristics of elections, on the objections to the authority to give final decision, the provisions of 1st and 3rd clauses are implemented.

This Council decides on the objections within fifteen days.

Against decisions written in the articles above, application to another authority and legal means is not possible.

In case of cancellation of minute books, provisions of special laws are implemented.

PART SEVEN

*Electoral Crimes and their Penalties**Crimes against boards:***Article 133 – (Change: 23/1/2008-5728/287 art.)**

Those who hinder the activities of gathering and undertaking of duties of the boards by using force or threat or with fraudulent activities, are punished with 2 to 5 years of prison sentence.

If these activities mentioned above are undertaken by the hand of gun, the penalty can not be less than three years. In case these activities are undertaken at least three people one of who has gun, the responsible are sentenced from 5-10 years of prison sentence.

*Incompliancy to the measures of the boards:***Article 134 – (Change: 23/1/2008-5728/288 art.)**

During the undertaking the election boards, in order to obtain proper execution of elections, those who do not obey the rules and measures of such boards are sentenced with two hundred Turkish Lira of administrative fine.

Those who aggravate the implementation of measures and decisions or cause such measures remain inconclusive, are sentenced to prison sentence up to six months.

In case actions above are undertaken by authorized people and in case their actions cause crimes that require heavier penalties, the sentences due or first or second clause are increased half of the amounts mentioned.

Inconvenience of members of board to the decisions of board:

Article 135 – All member of the board who act inconvenient against the decisions of the boards, receive imprisonment from three months to a year.

Members of board not coming to their missions::

Article 136 – (Change: 23/1/2008-5728/289 art.)

Those who do not come to their missions after they have been elected to boards without any acceptable reasons, are sentenced to administrative fines not less than fifty days.

Those who leave their missions in the board after the elections have been started, receive imprisonment from three months to a year.

Inavailability of sending tools and materials on time:

Article 137 – (Change: 23/1/2008-5728/290 art.)

In case any of president of members of the boards or any individuals who have been assigned for undertaking of the works defined in this law, are unable to send ballot voters lists, papers or packages related with elections and ballot papers, ballots or material of financial means and all kinds of electoral necessary materials on time or hinder their delivery or do not deliver or do not receive such materials, they receive imprisonment from two to five years.

In case these actions are undertaken by individuals other then the assigned officers, the lower limit of the sentence is one year.

Malpractice: ⁽¹⁾

Article 138 – (Change: 23/1/2008-5728/291 art.)

In case any of the individuals who are responsible of implementing the provisions of this Law and those who are assigned due to the provisions of this Law, abuse their duties in a way, the sentence defined in the article 257 of Turkish Penal Code is implemented by increasing the sentences from one sixth to one third.

Penalties of civil servants:

Article 139 – (Change: 23/1/2008-5728/578 art.)

Crimes related with preparations of electoral roll:

Article 140 – (Change: 23/1/2008-5728/292 art.)

Those who have not delivered drawings and buildings calendar that will constitute basis for arrangement of electoral roll within the period of time determined by District Election Boards or do not prepare drawings and buildings calendar appropriately to allow the arrangement of registry, the penalties written in article 257 of Turkish Penal Code are increased to one sixth to one third amount.

Those who act and behaves against determined principles, those who do not answer the questions or intentionally give wrong answers or those who leave their places on first writing and counting day before determined time, are sentenced with one hundred Turkish Lira administrative fee unless their actions do not constitute a crime.

(1) The title of this article was “Omitting duty and abuse”, was changed as in the text due to article 291 of 23/1/2008 dated and 5728 numbered Law.

*Arrangement of electoral roll:***Article 141 – (Change: 17/5/1979 - 2234/1 art.)**

Even they are assigned by this Law, those who do not arrange the papers and documents related with electoral roll in line with determined time and principles, or those who do not protect such documents or do not deliver them to the related authorities, are sentenced to six months to two years in prison.

In case these actions are exercised due to omitting and not paying necessary attention, responsible are sentenced from six month to a year in prison.

In case writing of electoral registries and ballot voters lists become impossible in a region due to actions and behaviors mentioned above, and voters are unable to vote, responsible are sentenced one year to two year in the case of first clause and six months to two years in the cases mentioned in second clause in prison.

*Crimes related with arranging registry:***Article 142 – (Change: 17/5/1979 - 2234/1 art.)**

Those who right the names of those that are not eligible of voting on registries or who do not write the names of who are eligible of voting or who do not erase the name of the voter who should be erased or erase the name of the voter who should not be erased, are sentenced from one year to two in prison.

In case these actions are exercised due to omitting and not paying necessary attention, responsible are sentenced from three to six months in prison.

*Registry of those who are not eligible of voting:***Article 143 – (Change: 17/5/1979 - 2234/1 art.)**

Even being not eligible of voting, those who register themselves or others without this eligibility on electoral registries, or those who hinder erasing of the names registered like this from electoral registries or those who cause erasing of eligible voter from electoral registries, are sentenced from six months to two years (...) ⁽¹⁾ in prison. ⁽¹⁾

In case these actions are exercised by force, threat or by using power, the responsible will be sentenced to one to five years in prison.

*Duplicate registry on electoral roll:***Article 144 – (Change: 23/1/2008-5728/294 art.)**

Those who register the individuals more than once on electoral registries intentionally or those who intentionally behave to reach to these results, are sentenced from six months to two years in prison.

In case these crimes defined in above mentioned clause are undertaken by officials assigned with these duties, they are sentenced from one to three years in prison.

(1) With article 293 of 23/1/2008 dated and 5728 numbered Law, the term “three months to a year” was changed as “six months to two years” and the term “heavy fine from two thousand and five hundred Lira to ten thousand Lira” was removed from the article..

Encouragement for not registering electoral roll:

Article 145 – Those who encourage and suggest people not to register on electoral registries, are sentenced to three months to six months in prison.

In case voters are not registered to electoral registries as the result of actions defined above, the responsible will be sentenced six months to one year in prison.

In case these actions are exercised by force, threat or by using power, the responsible will be sentenced twice of the penalties defined above.

In case these actions and behaviors are undertaken by public servants or individuals acting as public servants, additionally the provisions of article 139 are implemented.

*Crimes on voters lists:***Article 146 – (Change: 17/5/1979 - 2234/1 art.)**

Actions defined in articles 141, 142, 143 and 144 are exercised on ballot voters lists that will be arranged due to polling stations after arrangement of electoral roll and other lists of which arrangement are determined by Supreme Election Council, penalties defined in related articles are implemented.

*Crimes related with voters lists:***Article 147 – (Change: 17/5/1979 - 2234/1 art.)**

Those who do not hang the lists or remove voter lists for public review before determined time, those who do not allow voters for the examination of the lists or do not respond any objections raised against the lists or do not transmit the objections to related authorities, are sentenced to three months to two years (...) ⁽¹⁾ in prison ⁽¹⁾

*Crimes on electoral roll, voters lists and other documents:***Article 148 – (Change: 17/5/1979 - 2234/1 art.)**

(Changed first clause: 23/1/2008-5728/296 art.) Those who arrange partially or totally false electoral registries, steal, disturb or terminate electoral registries, provisions related with forgery of documents defined in Turkish Penal Code are increased in half amount.

Those who steal, disturb or terminate or damage the documents related with electoral roll or voters lists, are sentenced with similar sentences.

Those who exercise above mentioned actions on any documents of voters proving their identities in order to hinder exercising their voting rights, are sentenced to six months to two years in prison.

In case the voter manages to prove his identity and exercises his voting right, then the above mentioned sentences are halved.

(1) With article 295 of 23/1/2008 dated and 5728 numbered Law, the term in the first clause as “heavy fine from thousand Lira to five thousand Lira” and the term in the second clause “from five hundred Lira to two thousand and five hundred Lira” are removed from article text.

*Crimes against propaganda meetings:***Article 149 – (Change: 23/1/2008-5728/297 art.)**

Those who take the floor in the meetings defined in article 51, are sentenced to three to six months in prison. .

Those who hinder gathering of any propaganda meeting by a mean and violate the meeting with arrangements in a way not allowing the continuing of meetings, are sentenced to six months to a year in prison. In case these actions are undertaken by more than two individuals by using force and violence, or by threat, responsible are sentenced to two to five years in prison. In case the actions are exercised by at least three people one having the gun, responsible are sentenced to five to eight years in prison.

*Crimes related with broadcasting of private radio and televisions⁽¹⁾***Article 149/A- (Rearrangement: 15/7/2003-4928/4 art.)**

In case of broadcasting against article 55/A of this Law and principles determined by Supreme Election Council, Supreme Election Council warns private radio and television institutions broadcasting nation-wide and District Election Boards warn private radio and television institutions broadcasting locally and invites them to announce official apology during broadcasting. In case of not meeting of this demand or continue of violence, Supreme Election Council or District Election Board suspend the program subject to violation from one to twelve times. In case the violation is repeated, for nation wide broadcasting private radios and televisions, Supreme Election Council may decide suspending of broadcasting from five to fifteen days while District Election Boards may decide suspending of broadcasting of local broadcasting radio and television institutions from three to seven days.

These decisions are immediately implemented by superior administrative officers of the related region.

(Changed third article: 23/1/2008-5728/298 art.) The executives of private radio and television institutions defined in first clause, are sentenced to fifteen thousand to one hundred thousand administrative fines while executives of private radio and television institutions defined in second clause are sentenced from five hundred to five thousand Turkish Lira administrative fine.

Crimes against meeting delegations:

Article 150 – Meeting organizers who do not compose the delegation mentioned in article 51 or do not inform the meeting or do not undertake the duties explained in related article, are sentenced to (...) ⁽²⁾ prison up to three months. ⁽²⁾

*Forbidden propaganda:***Article 151 – (Change : 23/1/2008-5728/300 art.)**

Those who gather propaganda meetings or make electoral propaganda in general and public places after 18.00 on the previous day before elections or those who make broadcasting with this purpose or those for any kind make propaganda in verbal or written form that may affect exercising of voting right with freedom or may disturb the order of elections or those who raise unfaithful and wrong claims, are sentenced to three months to one year in prison.

(1) The title of this article was “Crimes related with private radio and television broadcasting” but changed as in the text due to article 4 of 15/7/2003 dated and 4928 numbered Law. .

(2) With article 299 of 23/1/2008 dated and 5728 numbered Law, the term “from fifteen days” was removed from the text.

(Changed second clause: 8/4/2010-5980/26 art.) Those who act against the prohibitions defined in first clause of Article 58 of this Law and Articles 60 and 61, are sentenced to six months to one year in prison.

Unfair voting purchase:

Article 152 – (Changed first clause: 10/6/1983 - 2839/50 art.) Anyone who offers or suggests or gives any favors, assets or provides any official or general or private benefits to one or more voters for giving vote for himself or any other candidates in elections, are sentenced to from one to three years in prison. Even benefits or utilities are explained as the travel, food, drink or transfer costs of the voters, the penalties will remain the same.

The voter, who accepts above mentioned money, benefit, utility or services, will be subject to same punishment.

In case these actions are exercised by force, threat or by using power, the responsible will be subject to one times increased punishment.

Hindering the right of voting:

Article 153 – (Change: 10/6/1983 - 2839/51 art.)

Those who gather voters for the purposes of above mentioned purposes, those who preclude the coming of the voters from a place or a village to the polling stations, are sentenced to from one to four years in prison.

In case these actions are undertaken as the abuse of power derived from being public servant, or abuse of the authority the individual has, the sentence will not be less than two years.

(Additional clause: 8/4/2010-5980/27 art.) Any individual, who illegally hinders the entering of the voter to polling station or exercising his right to vote, is sentenced from one to three years in prison.

(Additional clause: 8/4/2010-5980/27 art.) Any individual who illegally hinders the entering of the voter to polling station or exercising his right to vote by using force, threat of use of power, is sentenced from three to five years in prison. In case these actions are undertaken against more than one voters, the sentence may be increased from one third to half.

Those who at against candidacy terms and those who are not allowed to make propaganda:

Article 154 – (Change : 23/1/2008-5728/301 art.)

Public servants and judges who announce their candidacies without following determined rules and principles or military officers who demand leaving military service for the purpose of being candidate but in a way make propaganda with official uniform even their demand of discharge has been accepted, are sentenced to administrative fine with condition not being less than one hundred days.

In case judges or officials serving as judges, military personalities and the officials defined in second clause of Article 62 of this Law make propaganda in favor or against a political party or an independent candidate or make encouragement or suggestions within the period beginning from the starting day of elections till the end of voting, they are sentenced to three months to one year unless their actions do not compose a crime that requires heavier punishment.

Those, who do not obey the prohibitions defined in Article 63, are sentenced to six months to a year in prison.

Prime Minister and other ministers not following prohibitions:

Article 155 – (Change : 23/1/2008-5728/302 art.)

Those, who do not follow the prohibitions mentioned in articles 64, 65 and 66, are sentenced three months to a year in prison.

Other propaganda offenses:

Article 156 – (Change : 23/1/2008-5728/303 art.)

About the responsible of other propaganda activities that are not in line with Law but not related with a criminal sentence in this Law, first clause of Article 32 of Law of Misdemeanor are implemented.

Destroying of printings and bulletins:

Article 157 – (Change: 10/6/1983 - 2839/52 art.)

Those who hinder printing or publishing of electoral propaganda materials or those who destroy them, are sentenced to three to six months in prison.

Crimes related with ballot order and voting:

Article 158 – (Change : 23/1/2008-5728/304 art.)

Voters, who do not exercise their duties in terms of voting defined in Law despite the warnings, are sentenced to two hundred and fifty Turkish Lira administrative fine.

Intervention on ballot and disobedience to warning:

Article 159 – (Change : 23/1/2008-5728/305 art.)

Those who do not leave polling station after giving vote despite the warnings or who intervene or make suggestions or attempt to intervene, are sentenced to three months to a year in prison.

Voting of those who are not voters:

Article 160 – (Change : 23/1/2008-5728/306 art.)

Anyone who attempts to give vote although he knows he is not eligible of voting, is sentenced to two to five years in prison.

Those who attempt to give vote in name of others or give such votes, are sentenced to three to five years in prison.

(Changed third clause: 3/3/2008-5749/12 art.) Those who attempt to give or give multiple vote, will be subject to provisions of second clause.

Crimes related with ballot:

Article 161 – (Change: 17/5/1979 - 2234/1 art.)

(Changed first clause: 23/1/2008-5728/307 art.) Those who change the place of ballot without appropriate procedure or without authority, remove the ballot, steal or damage or take the voting envelopes inside, steal or change the envelopes, are sentenced from three to five years in prison.

In case these actions are exercised by force, threat or by using power, the responsible will be subject to one times of the penalties.

Crimes on ballot papers of political parties and independent candidates

Article 162 – (Change: 10/6/1983 - 2839/56 art.) Those who confiscate the ballot papers and all kinds of documents related to elections, or disturb or hinder their delivery or distribution of such documents, are sentenced to one to three years in prison.

In case these actions are undertaken by using threat or force by more than one individuals at least one of them with the gun, or actions are undertaken by entering into residences or political party buildings, penalties in this article are implemented one times more.

In case these actions are undertaken by individuals with official titles, they will be subject to penalties mentioned in the clause above.

Electoral works being disturbed by president and members of the boards:

Article 163 – (Change: 17/5/1979 - 2234/1 art.)

(Changed first clause: 23/1/2008-5728/308 art.) In case president or members of the boards, due to their actions and interventions, make impossible undertaking of electoral works and voting totally or partially impossible, or intentionally cause invalidity of elections, they are sentenced to two to five years in prison.

In case they do not announce the results, do not hang minute books or do not deliver the copies as defined by law, they will be punished as the same.

Situations that may affect the result of voting:

Article 164 – (Change: 23/1/2008-5728/309 art.)

1. Those who vote or allow others voting in place of absent voters whose names are written on voters list by using false stamps, signatures and fingerprints, are sentenced to three to five years in prison.

2. In case these actions are undertaken by president of members of ballot box committee and official servants, the sentences will be increased half of the amount mentioned above.

3. Those who denature or makes denaturation of the results of elections or partially or totally disturb the electoral minute books or prepare fake minute books, are sentenced to five to eight years in prison.

4. In case these actions are undertaken by president of members of ballot box committee and official servants, they will be sentenced to five to ten years in prison.

5. (Repealed first paragraph: 13/3/2008-5749/15 art.)

Those who compel the boards to undertake the actions defined in third clause, the sentence in the third clause is implemented by increasing one third to half.

In case this action is the result of any affording advantage for members of the board, those who suggest any benefits and advantages to board members, the sentence will be implemented by adding one third to half of the sentence described in the fourth clause.

Not accepting complaints and objections:

Article 165 – (Change: 23/1/2008-5728/310 art.)

In case president or members of the boards refuse to register the complaints or objections which they are obliged to register, they are sentenced up to one year in prison.

Objection with bad faith:

Article 166 – (Change: 23/1/2008-5728/311 art.)

Those who raise objections to the minute books delivered to elected ones or to the eligibility of voters without an acceptable reason or with bad faith, are sentenced with administrative fine from thousand to five thousand Turkish Lira upon the notice of the authority that refuse the objection.

Complaint with bad faith:

Article 167 – Those who raise complaints or objections with bad faith in order to retard the proper order of elections or election boards undertaking their duties or results of the counting, will be subject to sentence of the clause mentioned above.

Miscellaneous provisions:

Article 168 – Change: 10/6/1983 - 2839/58 art.)

Those who tear, damage, remove the minute books that show the voting and election results arranged by boards, are sentenced from six months to a year in prison.

*Offenses against notices of official authorities:***Article 169 – (Change: 10/6/1983 - 2839/59 art.)**

Those who hinder announcement and hanging of documents, notices or communiqués related with electoral transactions delivered by authorities, or tear, damage or remove such documents, they are sentenced to three to six months in prison.

*Actions against alcohol prohibition:***Article 170 – (Change: 10/6/1983 - 2839/60 art.)**

On election day, during voting period, those who give or sell alcoholic drinks or those who sell alcoholic drinks in open or closed bottles or those who buy such drinks, are sentenced three to six months in prison.

*Carrying guns:***Article 171 – (Change: 23/1/2008-5728/312 art.)**

Those who carry guns against the gun prohibition defined in article 79, in case their actions do not compose an offense that requires heavier sentence, are sentenced with administrative fine not less than twenty five days. In case their actions require an offense that require heavier sentence, the sentences are increased in one third amount.

Actions against proceeding methods

Article 172 – Those who act against the prohibitions in the related article that defines investigation and proceeding methods, are sentenced six months to a year in prison.

PART EIGHT ⁽¹⁾*Investigation and Proceeding Methods and Types**Investigation and proceeding time ⁽²⁾***Article 173 – (Change: 23/1/2008-5728/313 art.)**

The investigation is started on the following day of arrangement of electoral minute books prepared by the related boards about the offenses of those assigned for electoral works realized on election day and 24 hours prior.

Investigation and proceedings are not exercised within this period except offenses that are subject to high criminal court and the case of red handed subject to penal court of first instance, verdicts that require execution and decision of arrest and warrant of arrest and on the day of elections and three days prior, any financial and administrative measures can not be taken that will restrict or remove the voting right of the voters.

*Implementation of general provisions:***Article 174 – (Change: 23/1/2008-5728/314 art.)**

Those who committed one of the offenses defined in this Law and those who hinder the implementation of this Law and thus should be sentenced in line with the provisions of this Law, will be subject to investigation and proceedings regardless of their titles and official authorities.

Investigations for governors are executed by Chief Public Prosecutor of Court of Cassation or Deputy Chief Prosecutor, while proceedings are executed by related penal chamber of Court of Appeals.

(1) The title of this part was "Proceeding Methods and Principles" but changed as in the text due to article 313 of 23/1/2008 dated and 5728 numbered Law.

(2) The title of this article was "Investigation and Proceeding Time" but changed as in the text due to article 313 of 23/1/2008 dated and 5728 numbered Law.

Chief Public Prosecutor of Court of Appeals has made investigations undertaken by Court of Appeal Republican prosecutors. But Chief Public Prosecutor has the authority to initiate a criminal case and to decide for non-prosecution.

Related penal chamber of Court of Appeals decide on warrant of arrest, detention, seizure or searching requested by Chief Prosecutor. The objections against these decisions are examined by the penal chamber with the following number. The authority to examine the objections to president of chamber with the last number belongs to First Penal Chamber.

Objection against the decision of non-prosecution of Chief Public Prosecutor of Court of Appeals, is examined by the president of penal chamber with the succeeding number of the chamber responsible of examining the heaviest of offence subject to investigation. In case offense subject to investigation is within the jurisdiction of penal chamber with the final number, President of the First Penal Chamber has the authority to examine the objection.

Provincial Republic Chief Prosecutors or deputy prosecutors are authorized to investigate and initiate criminal cases against district governors.

Provisions of Law on Judges and Prosecutors are reserved.

Related individuals and political parties may attend criminal case due to Law of Criminal Procedure.

Authority to decide on administrative fines⁽¹⁾

Article 175 – (Change: 23/1/2008-5728/315 art.)

Public Prosecutors are authorized to decide on administrative fines according to the provisions of this law.

Right of answer on election time:

Article 176 – Within electoral period, according to article 14 of 9/6/2004 dated and 5187 numbered Press Law, legal and real entities have the right to ask for answer or correction for any open or covered false broadcasting about their thoughts, actions, speeches that have damaged their honor and dignity. ⁽²⁾

Real and legal entities may give answers and corrections to the magistrate of such area. In case they pay the price, texts are sent by telegrams.

But after seventh day following the voting day, it is contented with the decision of magistrate.

About those who do not obey the clauses mentioned above, provisions of Press Law are implemented.

Cases which the judge in the boards may not attend:

Article 177 – Judges who exercise as presidents and members of District Election Boards, are not allowed to attend cases related with electoral offenses that have occurred within their precinct the boards.

In case there are not any judges in the area to attend cases and the court can not be established, such cases are managed by the judges with the similar ranking working in the closest area to such neighborhood.

Evidence of minute books:

Article 178 – (repealed: 23/1/2008-5728/578 art.)

(1) The title of this article was "Proceeding Method", changed and issued as in the text according to article 315 of 23/1/2008 dated and 5728 numbered Law. .

(2) With article 316 of 23/1/2008 dated and 5728 numbered Law, the term in this article "19th of 5680 numbered amended with 143 numbered Law" changed as "14 of 9/6/2004 dated and 5187 numbered Press Law".

Electoral crime:

Article 179 – According to this Law, electoral crimes mean actions and behaviors of people assigned to electoral works due to this Law and actions and behaviors against this Law exercised by any individuals.

Duration of case:

Article 180 – (Change: 17/5/1979 - 2234/1 art.)

(Change: 10/6/1983 - 2839/61 art.) In case criminal case related with electoral crimes has not been initiated within six months following the final day of elections, proceedings are not undertaken. ⁽¹⁾

In offenses that require official permission for public prosecution, the duration between application for such permission and date when the necessary permission has been taken, is not included to the duration of lawsuit. But, this period can not exceed three months.

PART NINE

*Miscellaneous Provisions**Electoral Expenses:*

Article 181 – (Change: 17/5/1979 - 2234/1 art.)

Expenses of Supreme Election Council and Directorate General of Electoral roll, and all other electoral expenses are met from general budget. Necessary allowance for this is shown in a separate program in the budget of Ministry of Justice.

Assigned officer for spending of this allowance is the President of Supreme Election Council. President may transfer some of these authorities to Directorate General of Electoral roll, and allow General Director to transfer these authorities to other officials.

Authorized people for the execution of such electoral expenses for electoral works in their areas are presidents of provincial and District Election Boards.

Charges to be paid:

Article 182 – (Change: 10/9/1987 - 3403/3 art.)

(Change: 26/8/1999 - 4448/3 art.) Supreme Election Council decides the amounts that will be paid to assigned personnel that will work within working hours, representatives of political parties, and those who will be assigned outside with condition not exceeding the amount obtained by multiplying public servants monthly coefficient with 600 (six hundred) indication number. (Additional sentence: 13/3/2008-5749/13 art.) Council of Ministers is authorized to increase these charges four times upon request of Supreme Election Council. These charges are not subject to any taxation. ⁽²⁾

Transportation costs of those who are assigned in another neighborhood, are paid due to the provisions of Travel Expenses Law.

Purchasing and advance:

Article 183 – (Change: 17/5/1979 - 2234/1 art.)

Necessary purchasing and renting transactions due to this Law can be undertaken without being subject to the provisions of 2490 numbered Law. Announcement is not necessary.

(1) Due to article 3 of 4/7/2012 dated and 6353 numbered Law, the term “two year” has been changed as “six months”.

(2) With 23/6/2008 dated and 2008/13851 numbered decision of Council of Ministers, 600 (six hundred) indicator number used to calculate the allowance has been increased to 2000 (two thousand) for members of Supreme Election Council and 1000 (thousand) for others.

For all kinds of electoral expenses, advance can be given up to one hundred thousand Turkish Lira upon the consent of presidents of provincial and District Election Boards to pay clerks of province and district judicial offices. Within the determined limit, new advances can be given. Supreme Election Council may increase the amount of advance if considered necessary.

(Addition: 23/5/1987 - 3377/5 art.) According to the provisions of this Law, purchasing and renting transactions due to this Law can be undertaken without being subject to the provisions of 2886 numbered Public Procurement Law. Announcement is not necessary.

Protection of electoral material:

Article 184 – Seals of provincial, district and ballot box committees, minute books subject to electoral transactions, related notebooks and other documents are protected in safety offices of provincial and district justice departments and goods and materials like ballots and closed voting places are kept by mukhtars in villages and by municipalities in towns and cities.

Exemption:

Article 185 – All kinds of papers and documents necessary for applications while executing the provisions of this Law and decisions of the boards are free of taxes and charges.

Paper need of political parties:

Article 186 – In case political parties prefer to purchase the paper required for ballot papers or propaganda materials from the facilities of state or factories of which state is an associate partner, Supreme Election Council meets this demand with condition the costs will be covered by political party.

Demands of Supreme Election Council before official authorities and factories are met immediately in optional form.

Transactions to be undertaken by Supreme Election Council:

Additional Article 1 – (Addition: 13/2/1965 - 533/10 art; Change: 24/3/1973 - 1700/1 art.)

By means of Turkish Radio and Television Institution, during the news and other appropriate broadcasting hours, Supreme Election Council announces and reminds voters issues such as liabilities and authorities of being an voter, arrangement of permanent electoral registries, undertaking of first counting and counting transactions, arrangement of ballot voters lists, their public review period and end of public review period, methods and principles of objections and registry transactions, distributing of voter cards and transactions related with elections and other issues considered necessary.

Furthermore, provincial and District Election Boards make announcements involving same content in order to increase public attention by means of generally used broadcasting and publishing devices.

Turkish radios do not make any charges for all kinds of notifications and announcements of Supreme Election Council and Provincial Election Boards on these issues.

In line with principle of registering of all voters to electoral registries and ballot voters lists and proper distribution of voters cards, Supreme Election Council show the necessary transactions and circulars to be published. Presidents of provincial and District Election Boards, in line with this principle and circulars of Supreme Election Council, provide training of officials and proper executing of their liabilities.

Additional Article 2 – (Addition: 14/7/1965 - 656/14 art.)

Radios broadcasting in Turkey do not make any charges for all issues of which broadcasting are considered necessary by Supreme Election Council and in all issues and subjects of which broadcasting are considered necessary by provincial and District Election Boards.

Additional Article 3 – (Addition: 14/7/1965 - 656/14 art.)

In districts and elections considered necessary by Supreme Election Council, from the beginning of elections to the arrangement of district combination minute book, judging missions of presidents of provincial and District Election Boards may be totally or partially undertaken by other judges authorized by High Board of Arbitration.

Additional Article 4 – (Addition: 17/5/1979 - 2234/2 art.)

Supreme Election Council, when considered necessary, for the electoral transactions such as application date to candidacy, examination of applications, objections against candidacies, temporary and final declaration of candidates, may change durations and dates defined in this Law and in other laws. Supreme Election Council immediately announces this decision including the reasons. This authorization of making changes in duration and dates can not be applied to candidates shown by political parties.

Additional Article 5 – (Addition 28/3/1986 - 3270/25 art.)

Supreme Election Council determines and announces shape of ballot papers that will be used in referendum related with constitutional amendments, voting, counting and tabulating of the votes, determining of invalid votes, their issuing on minute books, combination transactions that will be undertaken by district, Provincial Election Boards and Supreme Election Council, opinions of majority and minority in Turkish Grand National Assembly related with the subject of referendum, explaining of results of referendum and opinion of President to public via Turkish Radio and Televisions by considering the principles of this Law.

Additional Article 6 – (Addition: 19/2/1987 - 3330/7 art.)

Prohibitions mentioned in this Law are not implemented in national holidays, independence days, meeting and farewell of President, in meeting and farewell ceremonies of official visits of foreign state presidents or ministers, in opening ceremonies of judicial year, universities, international meetings and fairs and in case of natural disasters.

From the beginning day of electoral propaganda until the following day of election, all commercial, economic and marketing activities as a result of legal and administrative necessity of the offices, enterprises and institutions and enterprises subject to Banking Law defined in article 62, will not be subject to prohibition provisions of articles 63 and 64 unless these actions are undertaken in order to affect the votes of the citizens.

Additional Article 7 – (addition: 15/3/1990 - 3617/1 art.)

Except members of high courts, judges, prosecutors and those who are considered within this profession and military officers and sergeants, public servants who become candidates for nomination in parliamentary or local administration general or interim elections, in case of losing candidacy or elections, with condition of applying in a month following the declaration of results of elections, may return to their previous missions or another missions in line with their previous wages and ranking. ⁽¹⁾

Additional Article 8 – (Addition: 13/3/2008 - 5749/14 art.)

In this law and other jurisdiction, refers to (II) numbered clause of Article 94 of 298 numbered Law, are considered as referred to Article 94/E.

Additional Article 9 – (Addition: 8/4/2010-5980/28 art.)

Supreme Election Council takes all necessary measures for headquarters of political parties to simultaneously monitor ballot scaled electoral results sent by District Election Boards to Supreme Election Council in electronic environment, upon their request and to protect such information in computer. Political parties, may not send this information to their organizations or third parties within the period determined by Supreme Election Council.

Supreme Election Council, takes all necessary safety measures for data bases that will be opened to headquarters of political parties.

PART TEN

Provisional Clauses

Provisional Article 1 – As of date of entering into force of this Law:

A) Supreme Election Council is composed in three days.

B) Provincial and District Election Boards are constituted in seven days.

After that, provisions related with electoral registries are executed.

Provisional Article 2 – 1 500 000 Lira as the allowance of expenses related with electoral registries and cards in the 418th section of budget of Ministry of Interior, is transferred and added to section 420 of budget of Ministry of Justice.

Provisional Article 3 – With the provisions of articles 19 and 23 of this Law reserved on the necessity of political parties should have organizations in fifteen provinces and districts, the conditions that these organizations should be established at latest in six months and should exercise their first general council are not searched for once in all kinds of elections after publishing of this Law.

Provisional Article 4 – According to articles 2 and 18 of 157 numbered Law, in constitutional referendum, the provisions of this Law are not implemented.

(1) The term “except military officers and sergeants” in this article, changed as “members of high courts, judges, prosecutors and those who are considered within this profession and military officers and sergeant” according to article 47 of 22/12/2005 dated and 5435 numbered Law”.

Provisional Article 5 – (Addition: 16/8/1961 - 347/1 art; repealed: 27/10/1988 - 3488/1 art)

Provisional Article 6 – (addition: 16/8/1961 - 347/1 art; repealed: 27/10/1988 - 3488/1 art)

Provisional Article 7 – (addition: 16/8/1961 - 347/1 art; repealed: 27/10/1988 - 3488/1 art)

Provisional Article 8 – (addition: 16/8/1961 - 347/1 art; repealed: 27/10/1988 - 3488/1 art)

Provisional Article 9 – (addition: 16/8/1961 - 347/1 art; repealed: 27/10/1988 - 3488/1 art)

Provisional Article 10 – (addition: 16/8/1961 - 347/1 art; repealed: 27/10/1988 - 3488/1 art)

Provisional Article 11 – (24/3/1973 - 1700/2 art. Is the provision of provisional article without number and continued with number 17/5/1979 - 2234/2 art.)

Until necessary personnel cadre to be assigned in permanent electoral roll bureaus are taken foreseen in Article 29, in order to work for the services of these bureaus, presidents of District Election Boards may use the authority defined in Article 33. In such case, Supreme Election Council determines how these missions will be undertaken.

In case in the districts where assignment of chiefs and officers that will work in permanent electoral roll bureaus are not completed for any reasons, provisions of above mentioned clause may be applied.

Provisional Article 12 – (20/2/1979 - 2181/1 art. Is the provision of provisional article without number and continued with number 17/5/1979 - 2234/2.)

According to 35 and following of 26/4/1961 dated and 298 numbered Law changed by 24/3/1973 dated and 1700 numbered Law, in Turkey general, inspection of electoral registries that should be undertaken in March and April 1979 were postponed for a month. This monitoring process is undertaken only in Group (C) provinces where one third of Republican Senate renewal elections will be exercised and in provinces where Republican Senate elections will be exercised for empty memberships and parliamentary interim elections.

Provisional Article 13 – (Addition: 17/5/1979 - 2234/2 art.)

The mission of members of Supreme Election board who are in charge as of date of entry of this Law, will continue until the end of January 1981. In the first week of December of 1980, three members of each are separated by drawing lot among the members of Court of Cassations and Council of State. Drawing lot is exercised by President of Supreme Election Council, before the members. President and vice President are not included into drawing lot.

In the first week of January of 1981, elections are undertaken in general boards of Court of Cassation and Council of State, for the emptied 3 memberships.

The remaining memberships are renewed in January 1983.

Provisional Article 14 – (Addition: 17/5/1979 - 2234/2 art.)

In the last week of one month period following date of entry of this Law, Provincial Election Boards are established as defined in Article 15 and District Election Boards are established as defined in Articles 18 and 19. Renewing of these boards is undertaken at the end of following January a year after the date of entry of this Law.

Provisional Article 15 – (Addendum: 17/5/1979 - 2234/2 art.)

According to Article 28 and following articles of 298 numbered Law amended by 24/3/1973 dated and 1700 numbered Law, among those personnel whose staff are at permanent electoral roll bureaus, whose transfer to Directorate General of Electoral Roll are not considered appropriate by Directorate General, are assigned to other missions by Ministry of Justice and their staff are cancelled.

Provisional Article 16 – (Addendum: 17/5/1979 - 2234/2 art.)

The writing is undertaken in the first Sunday following sixtieth day the date of entry of this Law.

Information gathered in the first writing, are turned into lists in related District Election Boards and these lists are protected in District Election Boards, and in implementation of provisional article 17, information in these lists are taken as base.

Provisional Article 17 – (Addendum: 17/5/1979 - 2234/2 art.)

1. In preparation and publishing of electoral roll that has been arranged by Directorate General of Electoral Roll due to the provisions of this Law, priority is given to the provinces where on one third renewal of Republican Senate, and MP interim elections will be held on 14th October 1979 and to electoral environment where local administration elections will be exercised unless publishing of first ballot voters lists.

2. According to the undertaking dates of elections defined in first clause, in case Supreme Election Council decides that electoral roll and ballot voters list subject to that precinct can not be prepared on time by Directorate General of Electoral Roll;

a) In one third renewal of Republican Senate, membership of Republican Senate and MP interim elections which will be held on 14th October 1979, ballot voters lists that are prepared by district voters registry bureaus based on information obtained in first writing according to provisional article 16.

After ballot voters lists have been prepared due to this method, they are also valid in all local administrative elections in all precincts related with such provinces.

b) Within the period from the date of entry of this Law to the time ballot voters lists are prepared in competence with the structure mentioned in clause (a), arrangement principles of ballot voters lists that will be used in mayor, municipal and local council elections, village and neighborhood mukhtar elections, membership of board of alderman elections, and the arrangement of the lists that include the information obtained in first writing which take place in clause (a), their banning, removing from banning, separation of ballot voters lists and their finalization, duration and type of objections are determined by Supreme Election Council.

Provisional Article 18 – (Addendum: 19/2/1987 - 3330/8 art.)

The arrangement of electoral roll that will be used in elections and referendums which will be undertaken unless electoral registries defined in Article 28 of this Law are composed and become operational, rules and principles related with being written in registries, arrangement of mukhtar area banning lists, duration of banning, separation of ballot voters lists, their finalization and updating of registries, objection methods and durations against the lists, are determined and announced by Supreme Election Council by considering the characteristics of elections.

Provisional Article 19 – (Addendum: 19/2/1987 - 3330/8 art.)

Renewing elections will be held for Supreme Election Council in January 1990, in order to replace the ones elected in January 1985.

Provisional Article 20 – (Addendum: 5/6/1997 - 4265/3 art.)

Renewing elections will be held for Supreme Election Council in January 2000, in order to replace the ones elected in January 1993.

Provisional Article 21 – (Addendum: 26/8/1999 - 4448/6 art.)

Three names are determined by drawing lot among the members elected to Supreme Election Council from Court of Cassation and Council of State in January 1993 and 1996. President and deputy presidents are not included into drawing lot. For these six determined members, renewing elections will be held in second half of January 2001. Renewing elections for other five members, will be undertaken in January 2004.

Provisional Article 22 - (Addendum: 11/6/2003-4885/1 art.)

Within the scope of SEÇSİS Project which constitutes basis for composing infrastructure for electoral roll in computer environment defined in Article 28, Supreme Election Council does not undertake writing and monitoring estimated in first clause of Article 36 until the voter citizens are transferred to computer environment.

Provisional Article 23- (Addendum: 9/5/2012-6304/8 art.)

Overseas Electoral roll may be constituted by taking ID number of Republic of Turkey or with current information without being limited with the provisions of Article 35 of 298 numbered Law on Basic Provisions of Elections and Electoral roll in MP general elections. presidential elections and referendums with the condition that 31/12/2016 will be the final date.

Addendum Provisional Clause 1 – (Addendum: 5/4/1983 - 2812/1 art.)

In the first elections that will be undertaken in line with Law on Political Parties and Elections based on Constitution, according to 1/7/1982 dated and 2687 numbered Law, electoral registries that are prepared for to be presented in referendum for Constitution, will be used as being updated due to the related provisions of Law.

Updating process is being undertaken, after determining the ones who do not attend referendum for Constitution, by banning of registries as in the form of mukhtar area banning lists, allowing applications for the one who do not take place in such lists or whose names have been written properly, correcting of the mistakes and recovering of failures.

Supreme Election Council decides on banning date and duration, objections, documents of objections, finalization date of registries, the method and writing conditions for the writing of the ones who have not been registered before.

Those who have completed 21 years of age till the finalization dates of the registries among the ones whose names are not written on registries, are added to the registries upon their applications. Those whose month and day of birth are not written in registry, are considered as born on the last day of such year.

Additional Provisional Article 2 – (Addendum: 5/4/1983 - 2812/1 art.)

About the ones who are eligible of voting according to Article 8 of 1/7/1982 dated and 2687 numbered Law and not registered themselves to the coming registry officials, in case they apply within the banning duration of the registries for adding of their names, they will not be subject to proceeding due to this offense and their penal sentences are removed including the results. But their paid administrative fines are not returned.

Those, who have included their names in the registries as mentioned above, are allowed to exercise their voting rights in general, interim and local elections, as well as referendums.

Additional Provisional Article 3 – (Addendum: 5/4/1983 - 2812/1 art.)

Those, who are eligible of voting and have their names in the electoral roll for referendum of Constitution and ballot lists, but did not attend to referendum without having proper physical reason and have not presented their excuse within determined period of time or those who have applied but their applications have been refused due to failure of evidence, or duration or for any other reasons, who have taken the consent about their excuses from presidencies of District Election Boards before ending date of banning lists, restrictions defined in the first clause of article 12 of 24/9/1982 dated and 2707 numbered Law are not implemented.

Methods and principles related with examination of applications are determined by Supreme Election Council,

PART ELEVEN

*Final Provisions**Removed jurisdiction:*

Article 187 – 5545 numbered Law on MP Elections and 6272, 6428, 7037 and 7053 numbered laws that amended this Law, are repealed.

Validity:

Article 188 – This Law becomes valid on publishing date.

Authority of Execution:

Article 189 – Council of Ministers is responsible of executing the provisions of this Law.

PROVISIONS NOT ISSUED ON 26/4/1961 DATED AND 298 NUMBERED LAW:

1 – Provisional clause of 13/9/1991 dated and 455 numbered DFL:

Provisional Clause – Those, whose positions and mission titles have been changed or removed, are assigned in duties in line with positions unless they are assigned to a new position and within this period they continue to take their rights on wages, additional indicators and other rights subject to their previous missions.

2 – Provisional clause of 8/4/2010 dated and 5980 numbered Law:

Provisional Clause 1 – Supreme Election Council, prepares the materials necessary for the first elections that will be exercised following the date of entry of this law, in line with the provisions of this Law.

Current ballots, voting booths or electoral materials that will not be used, will be subject to deletion and transferred to treasury, "yes" and "preference" stamps will be transferred to General Directorate of Minting and Printing.

Allowance is reserved for purchase and manufacture of electoral materials and equipments that will be prepared in line with this Law.

**LIST SHOWING THE DATE OF ENTRY OF THE LEGISLATION THAT BRINGS ADDENDUM AND
CHENGE TO 298 NUMBERED LAW**

Number of changed law/Decree having the force of law	Changed and cancelled articles of 298 numbered Law	Date of Entry into Force
306	—	30/5/1961
347	—	17/8/1961
356	—	29/8/1961
533	—	20/2/1965
656	—	20/7/1965
1700	—	30/3/1973
1783	—	8/7/1973
2181	—	28/2/1979
2234	—	30/5/1979
2812	—	7/4/1983
2839	—	13/6/1983
3270	—	15/4/1986
3330	—	4/3/1987
3377	—	3/6/1987
3403	—	11/9/1987
DFL-290	—	20/10/1987
3420	—	13/4/1988
3488	—	27/10/1988
DFL/455	—	18/9/1991
3959	—	30/12/1993
3969	—	18/2/1994
4125	—	28/10/1995
DFL-572	—	6/6/1997
4265	—	11/6/1997
4381	—	2/8/1998
4448	—	29/8/1999
4609	—	2/12/2000
4885	—	17/6/2003

Number of changed law/Decree having the force of law	Changed and cancelled articles of 298 numbered law	Date of entry into force
4928	–	19/7/2003
5435	15,18,30,additional article 7	24/12/2005
5728	79,133,134,136,137,138,139,140,143,144,147,148,149,149/A, 150,151,154,155,156,158,159,160,161,163,164,165,166, 171,173,174,175,176,178	8/2/2008
5749	10,14,28,33,35,36,40,56,68,87,93,94,94/A,94/B,94/C,94/D,94/E, 106,160,164,182 and additional article 8	22/3/2008
5980	17, 50, 51/A, 55/A, 55/B, 57, 58, 60, 61, 68, 78, 81, 82, 83, 84, 85, 86, 87, 92, 94, 98, 99,100, 101, 102, 103, 104, 105, 106, 108, 128, 151, 153, additional article 9 and unissued provision	10/4/2010
6271	1	26/1/2012
6304	14, 20, 35, 81, 94/A, 94/C, 94/E, Provisional clause 23	18/5/2012
6353	180	12/7/2012
6462	36, 74, 90, 92, 93	3/5/2013
6529	58	13/3/2014