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 **LAW CONCERNING REFERENDUMS**

 **ON CONSTITUTIONAL AMENDMENTS**

 **Law Number : 3376**

 **Adopted date : 23.5.1987**

**Published on Official Gazette: 28.5.1987, Number : 19473**

 **Law Scheme : 5, Vol:26, Number:**

**Article 1 -** The provisions of this Law applies for referendums on constitutional amendments. In situations for which there are no provisions, Law no 298: Basic Provisions on Elections and Voter Register that are above board shall be adopted.

**Article 2 -** Constitutional amendment referendum shall be heldon the first Sunday,

sixty days after the constitutional amendment's publication in the Official Gazette. (1)

**Article 3 -** Referendum procedure shall be held according to the administration and

supervision of Supreme Election Council.

Supreme Election Council shall take necessary measures and do all the preparation for the referendum on constitutional amendments. The Council shall be responsible for taking resolution for clearly and orderly conduct of referendum.

**Article 4 -** (Amend. first sub-article: 7/8/1988-3468/1 Art.) A split ticket with two colours, "Yes" on White, "No" on Brown shall be used at the referendum.

Voters participating in the referendum shall use a stamp with a special sign, which is stamped on the preferred side.

**Article 5 -** Explaining constitutional amendments to citizens;

1. The provisions on Law number 298 on the freedom of propaganda shall be implemented on the seventh day before the day of the referendum.
2. To explain and promote constitutional amendments; without prejudice to the provisions of special laws, political party groups in the Grand National Assembly of Turkey and the President shall be free to make propaganda starting from the seventh day before the day of the referendum until 18:00 on radio and television according to following principles:
3. Two 10 minute speeches to political party groups in the Grand National Assembly of Turkey
4. 10 minute speech to each of ruling party or parties, 10 minute speech to coalition party with higher votes (ruling party speech shall be given after other parties finish their speeches. If there are coalition parties the last speech shall be given by the party with higher votes).

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*(1) Law number 5955 dated 3/3/2010 Article 1 amended "on the one hundred and twentieth day" with "on the sixtieth day" which was submitted and replaced.*

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 3. Two 10 minute speeches, one to be given in the end by the President, if required is entitled.

 c) After the constitutional amendment's publication in the Official Gazette, no other broadcast shall be made on Turkish Radio Television (TRT), besides provisions stated under subsection (b).

  **Article 6 -** All the citizens who are eligible of voting, registered in the ballot list and electoral register shall participate in the referendum and vote. According to Law number 298: Basic Provisions on Elections and Voter Registers provisions citizens who live in overseas countries shall start voting twenty days before the day of the referendum. (2)

 Voters who are registered in the ballot list and electoral register and who are capable of voting but did to participate in the referendum without legal or actual excuses are fined by the Chairman of the County Electoral Board twelve thousand and five hundred Turkish Liras. However, three months from the day of the referendum, citizens who state their legal or actual excuses, if accepted by the President of District Electoral, shall not be charged this fine. Fines given by the President of District Electoral Board are final resolutions.

 **Article 7 -** Ballot, district and provincial election board minutes shall separately state; a) Number of registered voters on ballot list,

1. Number of citizens participating to the referendum,
2. Number of valid votes,
3. Number of invalid votes,
4. Voters who vote "Yes" to the referendum,
5. Voters who vote "No" to the referendum.

 **Article 8 -** Provincial Election Boards gather minutes from the District Electoral boards. Provincial Election Boards deliver the results and a copy of the approved minute, stated on the provincial joint minutes instantly by a vehicle to the Supreme Election Council.

 Supreme Election Council gathers the results given by the Provincial Electoral Boards and declare the results.

 If the "Yes" votes are more than half the votes, it means that constitutional amendment is accepted by the Turkish nation.

**Temporary Article 1 -** Referendum on temporary article 4 of the Constitution, which was accepted under Law number 3361 dated 17.5.1987, gives two 10 minute speech right on the radio and television to political parties with a group under Grand National Assembly of Turkey and the President. The President may use this right to speak. If the President speaks, it shall be the last speech.

**Temporary Article 2-** Referendum on temporary article 4 of the Constitution, which was accepted under Law number 3361 dated 17.5.1987 shall be made on 6.9.1987 Sunday according to the basis of the rule of the law.

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*(2) Law number 5955 dated 3/3/2010 Article 1 and its' sub-article amended "According to Law Number 94, citizens who live in foreign countries shall start voting 40 days" with "According to Law Number 94, citizens who live in foreign countries shall start voting 20 days " which was submitted and replaced.*

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**Temporary Article 3 -** Referendum on temporary article 4 of the Constitution, which was accepted under Law number 3361 dated 17.5.1987, states that to register voters to the electoral registers and to prepare ballot lists, Supreme Election Council administrates and supervises the inscription on the second Sunday of July, 1987 all over Turkey.

The electoral registers to be inscribed shall be according to Law no 298: Key Provisions and Electoral Registers and other provisions above board.

**Temporary Article 4 -** Sufficient amount of funds are allocated from Ministries of Finance and Customs' extra budget allocation to the relevant department of Ministry of Justice to inscribe electoral registers to be used at the referendum and to hold the referendum.

Supreme Election Council shall employ temporary or casual staff for the rapid inscription, typewriting and the distribution of cards for electoral registers. Staff employed for these shall be paid between two thousand / ten thousand Turkish Liras per diem.

**Temporary Article 5 - (Annex: 7/8/1988 - 3468/2 article)**

After the date this article enters into force, the first constitutional amendment referendum to be held;

1. 120 days stated at article two of the law is applied as 40 days, 40 days stated at article six is applied as 10 days.
2. If found necessary, Supreme Election Council is entitled to shorten all the periods and its registration and announcement.
3. Supreme Election Council is entitled to print the split tickets to be used at the referendum through Provincial Election Boards and decide on the number of ballot papers packaged considering the need to be sent to Ballot Committees.
4. Sufficient amount of funds are allocated to the relevant bodies by the Finance and Customs Ministries.

**Article 9 -** This article shall enter into force on the date of issue.

**Article 10 -** Provisions of law are enforced by the Council of Ministers.

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**LIST OF DATES OF ENTRY INTO FORCE SHOWING AMENDMENTS AND ADDITIONS TO LAW NO 3376**

**Amending**

**Law No.**

 **Replaced articles of Law Number 3376 Date of Entry into force**

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