



Strasbourg, 22 August 2018

CDL-REF(2018)031

Opinion No. 926/2018

Or. Engl.

EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

TURKEY

**THE LAW ON BASIC
PROVISIONS ON ELECTIONS AND
VOTER REGISTERS**

**(WITH TRACK CHANGES INDICATING THE AMENDMENTS
MADE BY LAWS 7062 ON 30 NOVEMBER 2017,
7102 ON 13 MARCH 2018
AND 7140 ON 25 APRIL 2018)**

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

Number of Law : 298 Adoption Date: 26.4.1961
Number of Gazette : 10796 Date of Publication in the Gazette: 02.5.1961

CHAPTER ONE

The Elections Within the Purview of this Law

The Scope of the Law:

ARTICLE 1- (Article 21st of Law 3270, amended on 28 March 1983) The provisions of this law apply to referenda held for constitutional amendments, and for elections which are subject to their exclusive laws such as the elections of the Members of the Parliament, members of the provincial general councils, mayors, members of the municipal councils, chief aldermen, members of local aldermen councils and aldermen.

Principles of the Election:

ARTICLE 2- Elections are conducted according to free, equal, single stage general suffrage principles.

The voter casts his/her vote directly.

The vote is cast in secret.

The counting, documentation and recordings of the votes are conducted publicly.

The Electoral District:

ARTICLE 3- Reserving the provincial distinction conditions in their exclusive laws, each province is considered as an electoral district in the elections.

Constituencies:

ARTICLE 4- Each “*muhtarlık*” is a constituency in the elections.

Polling Station Zones:

ARTICLE 5- (Article 1 of the Law 2234, as amended on 17th May 1979) Each constituency is divided into as many Polling Station Zones as required. **(Additional sentence: Amended on 13/3/2018 in accordance with Article 1 of Law 7102) Voters who live in the same building might be registered in the different polling station zones, provided that the integrity of the households is preserved, and they remain in the same electoral constituency.**

~~(The second paragraph of the article was abolished on 13.03.2018 in accordance with article 1 of Law 7102)(Article 1 of Law 3959 as amended 28th December 1993) Each Polling Station Zone covers principally (200) voters in villages, (150) voters in towns and provinces. Regardless of the voter number requirement above, large provinces constituted from more than one neighbourhood and «*muhtarlık*» may be divided into a necessary number of Polling Station Zones, taking into account the distance and transportation difficulties.~~

(1 Article of Law 3959 was abolished on 28th December 1993)

Voters:

ARTICLE 6- (1st Article of Law 4125 as amended on 27 October 1995) Every Turkish citizen over eighteen has the right to vote and participate in referendum.

⁽¹⁾ “Provisions on the Senate of the Republic” which were present in the articles of this law have been abolished by 43rd article of Law 2839, on 10th June 1983, and have been excluded from the content of the article.”

Persons not eligible to vote:

ARTICLE 7- Following persons are not eligible to vote:

1. Privates, corporals, sergeants who are performing their military service (including those who are on leave regardless of the reason of their leave.)
2. Military Students.
3. (Annex: 44th Article of Law 2839 on 10 June 1983; 2nd article of Law 4125 as amended on 27 October 1995) Convicts sentenced in the Institutions of Judicial Execution.

Non-Voters:

ARTICLE 8- Following persons cannot be voters;

1. Legally incapable (placed under the care of a guardian).
2. Those who are prohibited from public service.

CHAPTER TWO**Electoral Boards****Election Administration:**

ARTICLE 9- (1st Article of Law 2234, amended on 17 May 1979) The administration of the election is implemented by electoral boards.

Governors of the Provinces, governors of the towns, mayors, aldermen and all public servants have the responsibility to dispatch the information and documents concerning all sorts of election procedures and issues of voter registers correctly, timely and without delay when requested by the electoral boards.

Electoral Boards:

ARTICLE 10- (1st Article of Law 2234, amended on 17 May 1979) The Supreme Board of Elections is permanently located in Ankara, whereas there is a Provincial Electoral Board for each province, a District Electoral Board for each district and a Polling Station Committee for each polling station zone according to the number allocated in each electoral district. (Annex sentence: Added by Article 1 of Law 5749 on 13 March 2008) A Foreign Country District Electoral Board under the Ankara Provincial electoral Board is constituted in order to manage the election procedures of citizens living abroad. If needed, more than one foreign country district electoral board can be established.

An additional central district electoral board is constituted for the centres of the provinces.

In towns whose populations are over 200.000 in the last census, more than one District Electoral Board is constituted within the village and neighbourhood boundaries (constituencies) respecting the equality in population ratio.

Municipalities within the town boundaries (including the central town municipality) other than provincial municipalities and town municipalities, are affiliated to one of the District Electoral Boards, with their neighbourhoods as a whole without any allocation.

The Supreme Board of Elections:

ARTICLE 11- ~~(Abolished on 30/11/2017 in accordance with article 12 of Law 7062)(1st Article of Law 3330, amended on 19 February 1987) The Supreme Board of Elections consists of seven members and four substitutes. Six of the members are elected by the Plenary Assembly of the High Court of Appeals whereas five of them are elected by the Plenary Assembly of the Council of State amongst its members with the quorum in secret votes. These members appoint a chairman and a vice-chairman in quorum through secret votes amongst themselves.~~

~~The Supreme Board Members serve for a term of six years. Members who have come to the end of this term may be re-elected.~~

~~The former members continue to serve until all of the new members are appointed.~~

~~The vice-chairman assists the chairman concerning the implementation of chairmanship tasks, and serves as the deputy of the chairman in his absence. In case the vice-chairman is not present as well, the oldest of the members performs the chairmanship tasks.~~

~~After each renewal election, two substitute members drawn by lot amongst members, each of whom elected from the Supreme Court of Appeals and from the Supreme Council of~~

~~State, are appointed to the Supreme Board of Elections. Chairman and vice-chairman are not allowed to participate in the lot.~~

~~In case chairman or the vice-chairman resign from their positions, the Supreme Board of Elections re-elect new members for these vacant positions; the member resigned from the chairmanship or from the vice-chairmanship position replaces the former position of the new chairman or vice-chairman.~~

~~(Annex: 1st Article of Law 4265, on 5 June 1997) The Chairman of the Supreme Board of Elections is considered on leave from his own institution, during his chairmanship of the SBE. But the chairman has the right to benefit from salaries, allowances, raises, all sorts of premiums and personnel rights of his previous institution.~~

~~(Annex: 1st Article of Law 4448, on 26 August 1999) An "Administration and Financial Affairs Directorate" has been constituted within the institutional body of Supreme Board of Elections, in order to perform the secretarial, financial and other collateral services of the Supreme Board of Elections.~~

~~(Annex: 1st Article of Law 4448, on 26 August 1999) The Director and the Managers of the Subsidiary Offices are appointed according to the resolution of Supreme Board of Elections that follows the legislative proposal paper of the Chairman, whereas the rest of the staff is appointed directly by the Chairman. The provisions in the second and third paragraphs of the 30th article of this law concerning the transfer of the staff to other institutions, covers the Directorate and its staff as well.~~

The Timing of the SBE Election:

~~ARTICLE 12- (Abolished on 30/11/2017 in accordance with article 12 of Law 7062) (2nd Article of Law 3330, amended on 19 February 1987) In order to replace members whose term of service has expired in the Supreme Board of Elections, an election is held in the second half of January every three years.~~

~~In case the number of members decreases within this period, the number is essentially completed according to the article above. A person elected in this way serves until the end of expiry date of the member he replaces. If the election is held due to the resignation of the Chairman or the Vice-Chairman, the Board elects the Chairman and the vice-chairman with the participation of the new member, prior to assigning a position for him according to the conclusion of this election and the principle stated in the last paragraph of Article 11.~~

Decision-taking:

~~ARTICLE 13- (Abolished on 30/11/2017 in accordance with article 12 of Law 7062)The resolution of the Supreme Board of Elections requires quorum, the chairman's vote determines the predominant side in equality.~~

~~The absolute resolutions and the principally approved resolutions of the Supreme Board of Elections are published in the Official Gazette as soon as possible.~~

Tasks and Authorities:

ARTICLE 14- (1st Article of Law 2234, amended on 17 May 1979) The tasks and the authorities of the Supreme Board of Elections cover the following:

1. (1st Article of Law 3420, amended on 31 March 1988) Providing the production of all envelopes with watermark of "The Republic of Turkey, Supreme Board of Elections" for the insertion of the ballots, if necessary in different colours and dimensions from those either sold in the market or produced/outsourced or preserved by the State Supply Office. Providing every stage of this task regarding the volume, duration and nature of the production beginning from the pulp paper production until the delivery of the paper to be used, with the continuous supervision and inspection of a member or members appointed by the Chairman of the Board, or of the chairman of the District Electoral Board, or of judges those are either chairmen or members of the Provincial Electoral Board authorized by SBE. Dispatching these envelopes to the Provincial Electoral Boards according to the number of envelopes they require, obtaining a receipt paper in exchange.

2. Concerning the exclusive envelopes, providing the production of moulds for the watermark of "The Republic of Turkey, Supreme Board of Elections" and moulds for the envelopes of a

certain dimension, and preserving the moulds after producing envelopes and papers in the necessary amount,

Having the joint ballots printed with the watermark of "The Republic of Turkey, Supreme Board of Elections" in a way that allows the voter to fold and glue one side of the ballot into an envelope, every 400 or every pack of 400 of which has the same number to be dispatched to each ballot box for all District Electoral Boards on time.

(Last paragraph repealed: 15th Article of Law 5749 on March 13, 2008)

3. Providing the designation and print issues of the forms, documents, lists and all sorts of printed material required for the procedures mentioned in this law, dispatching them to the Provincial and District Electoral Boards according to their needs on time.

4. (1st Article of Law 3420, amended 31 March 1988) Determining and announcing the names of the political parties which have already performed their first congress according to their regulations and constituted their organisations in at least half of the provinces and districts at least six months prior to the elections, within the second week of months left for re-appointing the District Electoral Boards.

5. Providing the formation of Provincial and District Electoral Boards, taking the final decisions on any objection concerning the formation, procedures and decisions of Provincial Electoral Boards, as fast as the objection requires and well before the election.

6. Taking the final resolutions for the objections concerning the candidature according to this law, as well as to their exclusive laws,

7. Immediately investigating and taking the final resolutions for the objections on the decisions of the Provincial Electoral Boards, concerning the procedures of the election day,

8. Scrutinizing and taking final decisions concerning the objections against the protocols issued by the Provincial Electoral Boards,

9. Examining and taking final decisions on objections which may affect the result of the election before the predetermined deadline after the elections, and may result with the cancellation of the protocol of one or a few of elected members or the election of that district; regardless of the objection's compliance to the time restraints or to the necessary hierarchal path of objection beginning from the sub-committees.

10. Immediately responding to inquiries of the Provincial Electoral Boards concerning the implementation of the election procedures and taking measures in order to carry out the elections evenly nationwide, and issuing the necessary circulars on time regarding this issue.

11. (1st Article of Law 3420, amended on 31 March 1988) The political parties have to have established their organizational bodies in at least half of the cities and convened for their grand congress prior to the election day, or they should already have a group in the Turkish Grand National Assembly in order to run for the general and bye-elections of parliamentarians, or for the general and bye-elections of mayors, municipal council and provincial general council.

Having an organizational body in a certain province means being organized in at least one third of the total districts of that province, including its central district. Regarding these principles, The Supreme Board of Elections is assigned for determining the political parties those are eligible to run for the elections, as well as announcing them within ten days prior to the initiation of the election or within five days after the resolution of re-election in case of a re-election.

12. (Annex: 1st Article of Law 2234, on 17 May 1979) Identifying the principles on the establishment, operations and other missions of Voter Registers General Directorate, issuing and monitoring regulations, providing their operational agenda.

13. (Annex: 2nd Article of Law 5749 on 13 March 2008) Constituting the Foreign Country Resident Voters District Electoral Board and making the arrangements for citizens who are abroad to cast their votes. ⁽²⁾

14. When deemed necessary, by consulting the opinion of the Ministry of Foreign Affairs, to assign someone among the Ministerial officials working under the title of department head at minimum, in order to perform the duties granted by the Overseas District Election Council with regards to overseas election transactions and procedures throughout the election process. (1st Article of Law 6304, amended on 18 May 2012)

15. (Annex : 2nd Article of Law 7102 on 13/03/2018) Determining the number of voters for the polling station zones according to the type of the election.

16. (Annex : 2nd Article of Law 7102 on 13/03/2018) To decide on moving the polls to the nearest election constituency, merging the polling station zones, merging the constituencies except for the elections of muhtarlık and arranging the voters list as a mixed form and to decide on announcing all the above mentioned matters if it is deemed necessary in terms of the election security, if the governor or president of the provincial election board submits a request at the very latest one month before the voting day.

17. (Annex : 2nd Article of Law 7102 on 13/03/2018) Determining the procedures and the principles regarding the establishment of a mobile balloting committee, voting, merging with the count and documentation procedures in order to ensure the participation of the voters who are confined to bed due to their illness or disability except for the elections of muhtarlık.

185. ¹Implementing other tasks assigned for SBE by the law. ^{(1) (2)}

Provincial Electoral Boards:

ARTICLE 15- (1st Article of Law 2234, amended 17 May 1979) (44th Article of Law 5375, amended 29 June 2005.) The Provincial Electoral Board is formed in the last week of January every two years and it is composed of a chairman who is the top senior judge assigned for that province, and two other senior members whose ranks follow the chairman of the central District Electoral Boards. The Board also has two subsidiary members who are judges as well. Established as such, The Provincial Electoral Board serves for a term of two years. The ranks of the judges are determined according to the 15th Article of Law 2802 on Judges and Prosecutors, on 24 February 1983. However, judges those have been condemned or forfeited due to serious indiscipline, are considered less senior in this rank determination.

In case one of the judges appointed as the member or the subsidiary member or the chairman of the Provincial Electoral Board is somehow unable to implement his/her task and no other judge is present to replace his/her position; a judge who is already assigned within the jurisdiction territory of the criminal court of that province and whose absence in his former position would not create problems, is authorized for the position by his superiors.

When it is not possible to replace this position by appointing judges within the jurisdiction territory of the criminal court of that province, one of the judges who are assigned within the jurisdiction territory of the nearest criminal court is authorized and assigned for the position according to the procedures above.

Until the judge who is authorized as such takes over the responsibility, a member elected amongst the members of the board by secret vote performs the chairmanship of the election board.

¹ (The number of the paragraph has been changed (from 15 to 18) in accordance with article 2 of Law 7102)

Tasks and Authorities:

ARTICLE 16- The basic tasks and authorizations of the Provincial Electoral Board are as follows;

1. Taking all the necessary measures for the fair and orderly conduct of the elections in the electoral district, and supervising the procedures of the election,
2. Dispatching the ballot boxes and all other election related materials mentioned in this law to the District Electoral Boards,
3. Carrying out investigations, taking immediate final decisions on all complaints and objections concerning the formation, procedures and decisions of the District Electoral Boards,
4. Responding to inquiries of the District Electoral Boards concerning the implementation of the election procedures immediately,
5. Obtaining and announcing the candidate lists or declarations, inspecting and taking the decisions on the objections concerning these lists or declarations, dispatching and announcing the temporary and absolute lists excluding those which are not compatible with the law.
6. Issuing a minute for the electoral district province through combining the protocols which came from the District Electoral Boards affiliated to that province,
7. Implementing other tasks assigned for itself by the law.

(1) See 1st and 5th Articles of the Annex, concerning the implementation of this provision.

Representatives of the Political Parties:

ARTICLE 17- (1st Article of Law 2234, as amended on 17 May 1979) Political parties those have at least one member elected from their list for one of the legislation councils in the last Parliamentary Election and bye-elections, or those determined and announced by the Supreme Board of Elections as their organizational bodies within that province and district complies with the fourth paragraph of the 14th Article, each hold a representative in the province and District Electoral Boards. (Annex second sentence: 1st Article of Law 5980, on 8 April 2010) Furthermore, among the political parties running in the elections, the four political parties who have received the highest number of votes in the last parliamentary elections and political parties who have groups in the Grand National Assembly of Turkey can assign one principal and one alternate representative to the Supreme Board of Elections, provided that they are authorized in writing by the leader of that political party. These representatives participate to the operations and meetings of the board but do not have the right to vote. However, when it occurs that a certain party is not eligible to run in the elections in that electoral district due to the announcement made by the Supreme Board of Elections according to the eleventh paragraph of 14th Article, the party loses the right to hold a representative in these boards.

(1) Refer to annex articles 1 and 5 for the implementation of this provision.

(2) With Article 2 of Law 5749 dated 13 March 2008, annex paragraph (13) was added following paragraph (12) and the number of former paragraph (13) was changed to (14).

In case political party representatives comment on the affairs being discussed, the board consults and takes the decision amongst its members after listening these comments and informs the party representatives concerning the final decision.

The absence of the party representatives in the meetings does not stop the discussion of the affairs.

District Electoral Boards:

ARTICLE 18- (1st Article of Law 2234, amended 17 May 1979.) (45th Article of Law 5375, amended 29 June 2005) District Electoral Board is formed in the last week of January every two years and it is composed of a chairman, six regular and six substitute members, to serve for a term of two years. The top senior judge in the district is the chairman of the District Electoral Board. The board convenes with its regular members. When a regular member is not present in a meeting, his substitute is called to replace him.

The judge who is the second senior judge following the top senior one appointed as the chairman of the Provincial Electoral Board, presides the central District Electoral Board in the centre of the province.

In counties whose populations are over 25.000, it is possible to establish temporary District Electoral Boards, composed of people trained by the chairman and at least one member in order to distribute and collect election documents, obtain and deliver the combined results from the Polling Station Committees to the related District Electoral Boards. These boards are composed of a chairman and six members. The most senior judges after those who have been appointed in the Provincial and District Electoral Boards previously, preside these boards. The chairman of the board appoints two members from amongst civil servants. Four members together with their substitutes are obtained from political parties according to the provisions stated in the 19th Article. The decisions on how these boards will implement their tasks according to which principles, where and how many of them are going to be established for which period, are taken by the Supreme Board of Elections.

The ranks of the judges are determined according to the 15th Article of Law 2802. However, judges those have been condemned or forfeited due to serious indiscipline, are considered less senior in this rank determination.

District Electoral Board Memberships:

ARTICLE 19- (1st Article of Law 2234, amended on 17 May 1979.) 1. Four regular and four substitute members of the District Electoral Board are gathered from political parties. These members are determined as follows:

At the beginning of the time period stated in the above article for reformation of this board, chairman of the District Electoral Board asks four political parties those have organizational bodies in the district and gathered most of the votes in the last election, to submit one regular and one substitute member name within two days.

In case the number of political parties which have been determined as such or parties those have submitted names within the required time period is less than four, free positions are replaced by the other political parties requiring the same conditions, in the same way according to the number of votes they have gathered in that district.

In case the number of votes are equal names are drawn by lot.

In case the provisions above have been applied without a result concerning the determination of the names of four regular and four substitute members, political parties which have organizations in that district and whose names are announced by the Supreme Board of Election according to the fourth paragraph of 14th article, are drawn by lot. According to the order of names drawn by lot, persons whose names are declared according to the above method by the party becomes the member of the District Electoral Board.

The remaining free membership positions of the District Electoral Board, other than those replaced according to the provisions of this paragraph, are completed according to the provisions of the second paragraph.

2. The remaining two regular and substitute memberships, and the regular and substitute membership positions left empty after the procedures written above, are filled after drawing lot amongst first eight names of civil servants those are listed according to the duration of their service in that district; as for the qualifications of these civil servants, they should be commissioned for a total service term of more than ten years in that district, should not have participated as a candidate or candidate of the candidate for the elections of the legislation councils or municipality elections, they should have never registered for a political party previously. The names are drawn by the chairman of the District Electoral Board before the regular members who are determined according to the provisions of the first paragraph. Those persons whose names are drawn first become the regular members whereas the latter ones become the substitute members during this determination. The substitute of the

regular member is determined in this way. However, only one regular member can exist from civil servants commissioned for the same ministry, excluding the mandatory situations.

3. The chairman of the District Electoral Board notifies the political parties those participate in the evaluation, concerning the day and time of the name selection procedure.

In case one of a regular member's position is released within the term of his assignment, this regular member is replaced by his own substitute member. The free positions of substitute memberships are filled according to the provisions applied for the election of the member, regarding the qualifications of the former member.

The assignment term of the member who is qualified ineligible for the election after the determination and announcement according to the eleventh paragraph of fourteenth article, or District Electoral Board member of a political party which is not participating to the election in that district, expire consequently. The membership positions emptied as such, are filled according to the provisions written in the first paragraph concerning the parties participating to the election, but these parties should not have members in the District Electoral Board.

Person who have been appointed to replace a free position in the District Electoral Board, fulfils the term of his predecessor.

Tasks and Authorities:

ARTICLE 20- The basic tasks and authorizations of District Electoral Boards are as follows:

1. Taking all necessary measures for the fair and orderly conduct of the elections and scrutinizing the procedures of the election throughout the district,
2. Establishing Polling Station Committees,
3. Dispatching the ballot boxes and other instruments and materials written in this law, to the district Polling Station Committees,
4. Investigating and taking the final decisions concerning the objections stated against the formation, procedures and decisions of the Ballot Box Committees,
5. Immediately responding to inquiries by Polling Station Committees concerning the implementation of the procedures of election,
6. Preparing the district election minute by combining the protocols forwarded from the Polling Station Committees throughout the district, and immediately delivering the combined minute to the Provincial Electoral Board with other documents relevant to the election procedures.
7. Implementing other tasks assigned for itself by the law.

Duties and Powers of the Overseas District Election Council

(2nd Article of Law 6304, amended on 18 May 2012)

ARTICLE 20/A – The duties and powers of the Overseas District Election Council are as follows:

1. To ensure that election transactions and procedures for voting of the citizens registered in the overseas election registry are executed in an orderly manner and to take all necessary measures;
2. To form overseas balloting committees;
3. To send ballots, ballot envelopes stamped with the cachet of the Ministry of Affairs on their back, and other election items and equipment by means of the Ministry of Foreign Affairs in a manner rendering them ready at the concerned foreign mission at the latest seven days prior to the date the voting procedures will begin, or when deemed necessary, to request from the Ministry of Foreign Affairs to supply the necessary equipment such as ballot boxes, ballot booths at the locality;

4. To review and resolve objections and complaints against resolutions of overseas balloting committees;
5. To immediately respond to questions to be asked by the heads of overseas balloting committees on election transactions and procedures;
6. To conclude objections filed directly or through consulates against the overseas electoral registry during the period from their announcement to the end of the period of objections, to submit decisions to be made to the General Directorate of Population and Citizenship Affairs, and to make them perform the necessary registration and correction procedures according to these decisions;
7. To approve address declaration forms that have been sent directly or through district election boards of voters who have their residential addresses overseas, although they are temporarily in Turkey due to any reason during the period from the announcement of the overseas electoral registries to the end of their objection period, and to forward them to the General Directorate of Population and Citizenship Affairs;
8. To accept the applications filed directly or via district election boards by individuals that have been discharged, are not registered in the overseas electoral registry, and whose status of restriction has ended; and to ensure their registration in the overseas electoral registry;
9. To make decisions on freezing the overseas electoral registry record of recruited privates, non-commissioned officers, conscripts, and military students (even if they are on leave) and voters whose rights were restricted with a finalized court judgment, who are all registered in the overseas electoral registry;
10. To decide on the addition of voters to the registry, whose names are not in the finalized overseas electoral registry even though a decision has been made to register the application filed to the overseas electoral registry within the period from their announcement to the end of the objection period, regardless of the finalization of the overseas electoral registry, and to forward it to the General Directorate of Electoral Registry;
11. To have sealed ballot bags coming from overseas opened under its supervision after the voting period has finished in Turkey in a manner complying with general principles by establishing an adequate number of balloting committees consisting of a chairman, a public official member, and one actual and one reserve member notified by each of the three political parties receiving the most votes in the most recent parliamentary election in Turkey, and to count and tally them, to have reports issued and perform combination procedures, to combine results additionally incoming from temporary election boards of customs gates and to forward them to the Ankara Provincial Election Council; and
12. To perform other duties assigned by laws.

The Ballot Box Committee~~Polling Station Committee:~~

ARTICLE 21- (1st Article of Law 2234, amended on 17 May 1979.) Polling Station Committee is composed of a chairman and six regular and six substitute members. The meetings of this committee is held with the regular members.

The election of the Polling Station Committee ~~Determination of the Ballot Box Committee:~~

ARTICLE 22- ~~(Amended on 13/3/2018 in accordance with Article 3 of Law 7102) (1st Article of Law 2234, amended on 17 May 1979.) The chairman of the District Electoral Board consults with the regular members brought to the District Electoral Board excluding members from political parties, and prepares a list for each ballot box in the election district all of which are affiliated to the board, containing the names of well-reputed and literate persons~~

~~amongst voters within or out of the election district, in which the ballot box is going to be established.~~

~~Each regular board member who is elected from the political parties submit a list, prepared according to the qualifications explained in the above paragraph, within the time restraint defined by the chairman of the District Electoral Board. The party representative who does not submit a list within the previously defined period is considered to relinquish this right.~~

~~The chairmen of the each Polling Station Committee is drawn by lot amongst the chairman candidates whose names are proposed and written on the list prepared according to the above paragraphs, for the chairmanship of the ballot box.~~

~~Those who are not qualified to be a member of a party according to the Law 2820 on Political Parties and governors of the villages, cannot be chairman of the Polling Station Committee in their assigned districts.~~

~~In case the chairman of the Polling Station Committee is not present for his task, the oldest member of the board replaces the chairman.~~

~~The list of all the civil servants serving in the district shall be sent to the relevant District Electoral Board by the chief of the local administration based on their residence.~~

~~The president of the District Electoral Board shall determine the public officers by drawing of lots for the twice amount of the necessary number of President of the Ballot Box Committee and shall determine the presidents from those who does not have any obstacle.~~

~~In the event that the President of the Ballot Box Committee does not come to the duty, the member determined among the public officials and if there is no any public official, the oldest member acts as president of the committee.~~

The memberships of Polling Station Committees:

ARTICLE 23- (1st Article of Law 2234, amended on 17 May 1979.) The memberships of Polling Station Committees are determined as follows:

The chairman of the District Electoral Board asks five parties which have organizational bodies and have run for the elections and gathered most of the votes in the last general deputy elections in that district, to submit the names of one regular and one substitute member for each ballot box within five days.

In case the number of ballot box board members defined as such is less than five, the remaining membership positions are filled in the same way, from equally qualified other political parties according to the number of votes they have gathered.

In case the votes are equal the names are drawn by lot.

In case all five regular and five substitute members are not determined although the provisions above have been applied, the names are drawn by lot amongst other parties participated in the election and which have organizational bodies in that district. According to the order of the names drawn, persons defined with the method explained above by the political parties become members of the Polling Station Committee.

~~Besides, two persons are appointed whose names are drawn amongst the regular and substitute members of the aldermen council of the village or the district. The name drawn first is the regular member whereas the second is substitute. In villages and districts of which the number of regular and substitute members of the aldermen council is deficient for appointing regular and substitute members of the Polling Station Committee according to this paragraph, the free positions are filled according to the provisions of above paragraph applying it to the parties which have not given members to the Polling Station Committees. (Amended on 13/3/2018 in accordance with Article 4 of Law 7102) The president of the district election board will first determine the remaining one principal and one substitute member from the list which includes the ones who have not been chosen as President of the Polling Station Committee and has been determined according to the Article 22 paragraph 1 by drawing lots of civil servants as twice amount of the necessary number of Polling Station Committee members. Those who does not have any obstacles will be determined as the~~

principal and reserve member of the Polling Station Committee within the above mentioned civil servants.

The substitute member is called for replacement in case his regular, defined according to the paragraphs above is not present for mission.

The names for Polling Station Committee memberships and chairman are drawn before the District Electoral Board, by the chairman of the board.

In case it is not possible to fill all the membership positions as such, the chairman of the District Electoral Board appoints some inhabitants of that district, who are considered eligible for an assignment for the Polling Station Committee.

The Formation and Service Term of the Polling Station Committees:

ARTICLE 24- (1st article of Law 2234, amended on 17 May 1979.) Polling Station Committees are formed on the date which is determined and announced by the Supreme Board of Elections.

The regular and substitute members of these committees start their mission on a date which is determined by the Supreme Board of Elections regarding the local qualifications of each election district, and they continuously work until the documents and forms relevant to the election are delivered to the District Electoral Board.

Candidates and Observers:

ARTICLE 25- Political parties and independent candidates may send observers in order to follow the ballot box procedures.

Those who are not eligible for an assignment in the committees:

ARTICLE 26- (1st Article of Law 2234, amended on 17 May 1979.) Administrative governors, officials of the municipal police, those who are stated in the 3rd article of Military Law, members and candidates of the TGNA cannot be elected for the committees stated in this law.

People who are stated ineligible to be a political party member according to the Law 2820 on Political Parties, cannot be assigned to be a representative, observer or a member in one of these committees, by the political parties.

Oath:

ARTICLE 27- Each regular and substitute member and chairman of the Supreme Board of Elections, Provincial Electoral Boards and District Electoral Boards take an oath as follows before they start mission;

(I hereby swear on my conscience, on my honour and on my all sacred values that I am going to execute my task fairly and properly according to the law, in order to reach a true and absolute result in the evaluation of the elections, without being affected and being afraid from anyone.)

CHAPTER THREE

Pre-election Tasks

PART ONE

Voter Registers

Establishment and Definitions: (Amended on 30/11/2017 in accordance with article 12 of Law 7062)

ARTICLE 28- (1st Article of Law 2234, amended on 17 May 1979.)

A) ~~–(Abolished on 30/11/2017 in accordance with article 12 of Law 7062) Establishment: Associated to the Supreme Board of Elections, a “Voter Register General Directorate” in Ankara and “Voter Register Office” in every district have been established.~~

B) Definitions:

1. According to this law, “Voter Register” is a computer medium that uniquely defines each citizen as voter and contains the residence information of each voter.

2. Voter Register is obtained through studies designed, planned, managed and implemented according to this Law, by Voter Register General Directorate established in association to the Supreme Board of Elections.

3. Each record related to a voter and used to identify that specific voter like the name, family name, date of birth, place of birth is called “data”.

4. The collective data uniquely identifying a voter is called the “Voter Information.”

5. The name of district, the «*muhtarlık*», the street on which the voter resides permanently, the number and -if exists- the number of apartment is the “Voter Address”.

6. Each voter is determined and identified with the Voter Register item number, name, family name, mother’s and father’s names, place and date of birth.

7. Changing, correcting and identifying the information in the Voter Registers according to this law is called the Voter Register “Update”.

8. (Annex: 3rd Article of Law 5749, on 13 March 2008) The body of information created based on the information registered in the address registry system of citizens who are voters as per this law and who live abroad is called the ‘Foreign Country Voter Registry’

Operational Aims and Principles of Voter Registers General Directorate:

~~ARTICLE 29- (1st Article of Law 2234, amended on 17 May 1979.) The operational aim in establishing the Voter Registers General Directorate is determining the voter citizen properly according to the law; preventing double registrations; providing the voter with an easy, fast and correct voting opportunity; achieving immediate results in the elections; determining the double voters after the elections; gathering, organizing, conserving, processing, dispatching to the related recipient and distributing the information which allows the citizen to benefit from his/her political rights as much as possible.~~

~~The Voter Registers General Directorate implements its tasks according to the principles determined by the Supreme Board of Elections, using the techniques of advanced reporting, program and project management. The General Director provides monthly and weekly report presentations to the Supreme Board of Elections, according to the program approved by the Supreme Board of Elections.~~

~~The supervision and management principles of the General Directorate is determined and implemented by the Supreme Board of Elections.~~

~~The importance of the voter registers, the methods of its regulation, the duties of voters, the contributions and benefits of this operation to the lives of the citizens and well being of the State, the information and techniques used for this task are generalized throughout the country, covering all the citizens with publicizing campaigns by the Supreme Board of Elections. (Abolished on 30/11/2017 in accordance with article 12 of Law 7062)~~

The establishment and Management of Voter Registers General Directorate and Voter Registers Offices:

~~ARTICLE 30- (Amended on 30/11/2017 in accordance with article 12 of Law 7062) (1st Article of Law 2234, amended on 17 May 1979.) The Voter Registers General Directorate is managed by a General Director appointed on contract terms or on a permanent basis by the Supreme Board of Elections amongst its own members, whereas the provincial or district voter offices are managed by the related election board chairman according to the provisions stated in this law.~~

~~The provisions on the organizational charts, departments, relations among its departments, job descriptions of the Voter Register Offices and of the Voter Registers General Directorate; authorizations and responsibilities, qualifications, conditions in hiring, promotions, transfers, disciplinary prosecutions and other personnel procedures concerning their employees are regulated with a circular prepared by the General Directorate, adopted and approved by the Supreme Board of Elections according to the 31st article of this law along with the relevant provisions of Law 657 on Civil Servants.~~

~~(2nd Article of Law 4448, amended on 26 August 1999.) Voter Registers General Director, the Assistant of the General Director and the Directors of the Offices are appointed by the resolution of the Supreme Board of Elections, whereas the chairman of SBE appoints the rest of the personnel directly. The employees of Voter Register Offices are appointed upon the proposal of the chairman of District Electoral Board or the chairman of the Supreme Board of Elections instead. The employees of the General Directorate can be appointed upon the proposal of the authorised body as stated above, by the managers of such organisations authorised, according to the provisions of the Law 657 on Civil Servants.~~

~~4th paragraph as abolished. (2nd Article of Law 4448 on 26 August 1999.)~~

~~5th paragraph as abolished. (2nd Article of Law 4448 on 26 August 1999.)~~

~~The superior officers of employees assigned in the Voter Register Offices are the chairmen of the related District Electoral Boards. The chairman of the District Electoral Board is directly authorized to execute their penalties concerning condemnation or warning.~~

~~The chairman of the District Electoral Board can assign the employees of the voter register offices temporarily for the justice services of that district, to the extent their own assignments allow.~~

~~(Annex: 2nd Article of Law 4448, on 26 August 1999.) Each district election office has its own election manager.~~

~~(Annex: 4th Article of Law 4381, on 31 July 1998.) the Head Public Prosecutor and administrative governors are responsible for reserving the sufficient positions in the justice halls and governing offices for the election directorate, ~~district voter register offices and Provincial Electoral Boards.~~~~

~~(Annex: 46th Article of Law 5375 on 29 June 2005.) The election offices are subject to the inspection of the chairmen of the election boards whereas they are inspected by forensic inspectors according to the methods and principles of the regulation released by the Ministry of Justice after consulting with the Supreme Board of Elections concerning issues other than election tasks and procedures.~~

~~Election offices are inspected by the chairmen of the election boards at least once in a year. This inspection is carried out in January in order to cover all procedures of the previous year. A copy of the report which is issued after the inspection is kept in the election offices, and another copy is forwarded to the Supreme Board of Election until the end of that month.~~

~~(1) the phrase that states "the head and" which was present in the articles of this law have been abolished by 2nd article of Law 4448, on 26th August 1999, and have been excluded from the content of the article accordingly.~~

Authority to commission permanent or temporary employees:

~~ARTICLE 31- (Abolished on 30/11/2017 in accordance with article 12 of Law 7062) (4st Article of Law 2234, amended on 17 May 1979.) The Supreme Board of Elections may commission permanent, temporary or contracted employees in Voter Register General Directorate, whereas it commissions permanent and temporary employees in other election related issues.~~

~~The permanent and temporary employees of The General Directorate are chosen amongst those people who have never joined to a political party and who have never been submitted as a candidate by a political party previously.~~

~~In election related jobs and recording, editing, supervising and updating issues of the Voter Registers, the chairmen of the Provincial and District Electoral Boards may appoint chief aldermen, members of aldermen committees, members of aldermen councils; all public servants, workers and officers (excluding judges, public prosecutors, administrative governors of the provinces, districts and towns, military officers, executive officers of~~

~~municipal police) those are assigned for the positions in institutions with mixed budget, private administrations, municipalities, state enterprises and public entities and other necessary persons other than referred here according to the principles determined by the Supreme Board of Elections.~~

The obligations of the resolutions of the Supreme Board of Elections:

ARTICLE 32- (1st Article of Law 2234, emended on 17 May 1979.) The resolutions taken by the Supreme Board of Elections for establishing, updating the voter register and the delivery and distribution of the voter lists to the related authorities binds all public institutions and servants.

As for the responsibilities and authorizations of the people those will be commissioned for recording and supervising; the necessary preparations for recording; the format, content and the way of recording and supervising documents; the types of documents which will be used in supervision and bye-procedures; principles, methods and delivery conditions are determined by the Supreme Board of Elections.

Organizing the Voter Registers:

ARTICLE 33- (1st Article of Law 2234, amended on 17 May 1979.)

(Amended first paragraph: 4th Article of Law 5749, amended on 13 March 2008, amended on 13/3/2018 in accordance with the article 23 of Law 7102)

Voter Registers are reorganized each year in accordance with the procedures and principles determined by the Supreme Board of elections on the basis of the residential address information in the address registry system, and updated each election period through continuous gathering of data.

The rules, methods and techniques of organizing, continuously updating and general supervision, along with the principles, rules and methods of data processing of Voter Register General Directorate are all determined according to the regulation prepared by the Supreme Board of Elections.

The voter register is established and updated according to the data gathered during the recording and supervising procedures; modifications in the information like the name, family name, age, gender, deprivation or reinstatement of the qualifications for voting (restriction or prohibition from the public services); banishment or reinstatement of the citizenship; along with the documents those state the deceased citizens, change of the voter's residence within or outside of the election district; and other documents gathered according to the rules and methods determined by the Supreme Board of Elections.

Principles of the Voter Registration:

ARTICLE 34- (1st Article of Law 2234, amended on 17 May 1979.) Voter Registers has the basic principles in identifying the voter.

The Voter Registers have to contain the necessary voter information like the name, family name, father's and mother's name, date and place of birth, the address of residence.

(3rd Article of Law 4125, emended on 27 October 1995.) Every individual is subject to this law regarding his/her day and month of birth which is recorded in the voter registers. However, in case the election is going to be conducted that year, the voters should have completed the age of eighteen including the day of election.

In case the information of voter is deficient, he/she is not listed in the ballot box voter list until the deficiency is completed.

The completion of deficiencies are determined by the Supreme Board of elections.

The ballot box voter lists, containing the information of the voters who reside in the Polling Station area, are excluded from the voter's registers.

The voter whose name is not listed in the ballot box voter list cannot vote.

Each voter is recorded in the voter registers once and cannot vote more than once.

The recording procedure is implemented by authorized people who visit the voters one by one in their residences.

The authorized person records the voter who is present in the residence. The address of the voter stated by the voter is registered accordingly. The registry form with its serial number is signed by the voter.

Overseas electoral registry and voter lists²

ARTICLE 35- (~~Amended on 13/3/2018 in accordance with the article 23 of Law 7102; amended on 25/4/2018 in accordance with the article 8 of Law 7140) Considering the duty areas of the foreign mission, in which a balloting committee was decided to be formed, and taking the overseas electoral registry as a basis; overseas voter lists are formed in accordance with the residential address information and announced in the electronic environment by the Supreme Election Council.~~

General Registration and Supervision:

ARTICLE 36- (1st Article of Law 2234, amended on 17 May 1979.)

(Amended first paragraph: 6th Article of Law 5749, on March 13, 2008) The Voter Registry is created each year by updating in accordance with the information in the address registry system. In order to gather the information to reorganize the Voter Registry every four years and to audit it every two years, when necessary the Supreme Board of Elections shall decide on registration on the second Sunday of April throughout Turkey at the same.

Nobody except for the authorized people, is allowed to desert his/her position on the registration day, beginning at 05.00 hours until the end of registration is announced via usual public instruments.

However the registration and supervision procedures should be finished in any case until 19.00 hours on the same day.

During the organization and registration of the Voter Registry, the Supreme Board of elections shall implement other methods, techniques and rules set forth in the Circulars it shall issue in accordance with the requirements under this Law.

The district chairmen of the political parties those are announced by the Supreme Board of Elections according to paragraph four of the 14th article of this law may appoint a representative along with the registration officer.

The names of the representatives are submitted as a list within the time period previously defined by the District Electoral Board. The representatives of the political parties implement their tasks according to the authorization documents provided by the chairmanship of the District Electoral Boards. The names and places of their assignment cannot be changed afterwards.

(1) The heading of this article 'Registration of Citizens Living Abroad' was amended by the 5th Article of Law 5749 dated 13 March 2008 and changed as seen in the current text.

² 3rd Article of Law 6304, amended on 18 May 2012

(Annex: 26th Article of KHK 572, on 30 May 1997.) In case the voter has any kind of disability that may prevent him/her from voting, it is recorded on the form.

Information Sources for the Registration:

ARTICLE 37- (1st Article of Law 2234, amended on 17 May 1979.) Official documents are subject to the determination of information which will be recorded during the voter registration.

The sketches and registers prepared according to the 38th article are used during the voter registration.

Records of the related neighbourhood, as well as the records of building managers are used in terms of determining the permanent address of the voter.

Sketch of the Neighbourhood and Building Lists:

ARTICLE 38- (1st Article of Law 2234, amended on 17 May 1979.) The municipalities in the cities and towns have to prepare "Sketch of the Neighbourhood" for each neighbourhood every two years, supervised by the District Electoral Boards.

A) On the sketch;

1. The boundaries of the neighbourhood, with the names of containing streets, along with the numbers of each building at the beginning and at the end of each street are stated.

2. In case the neighbourhood consists of scattered buildings without a proper separation of the streets, these scattered buildings are shown with their legible numbers.

B) When it is technically impossible to prepare sketches in villages and in some places, (building lists) are prepared for each neighbourhood, in order to replace the mentioned sketches.

(Building lists) are prepared by the municipalities in the cities and towns, and by the headman of the villages in villages under the supervision of the chairman of the District Electoral Board.

C) The places with residents, but without a number in the neighbourhood are numbered.

The List of Buildings in paragraph B above and the procedure of numbering places without a number as given in subparagraph C is made according to principles of Numbering Regulation of the General Directorate of Statistics.

The sketches of neighbourhoods and the lists of buildings are prepared in order to demonstrate general situation at the end of the year.

Every two years an approved copy of each neighbourhood sketch or building list which is prepared according to the above paragraph, is presented to the local organisations of the political parties which are announced according to paragraph 4 of Article 14 by the chairman of the District Electoral Board within the month determined by the Supreme Board of Elections, in exchange of a receipt document.

The public display lists of Districts:

ARTICLE 39- (1st Article of Law 2234, amended on 17 May 1979.) In order to correct the mistakes and complete the deficiencies in the voter registers,

The list which is prepared according to the alphabetical order of the voters' surnames, containing the information including the Voter Register item numbers, names and surnames, mother's and father's names, year of birth, place of birth and addresses of the voters those are resident in the same «muhtarlık» is called "Public Display List of the District".

The public display List of the «muhtarlık» is obtained from the information based on the existing final information in the Voter Registers at the end of each year.

Every year in March the public display list of the district is dispatched,

1.a) To the related district as two copies,

b) To the party organizations in that district, which are announced according to the fourth paragraph of 14th article as one copy,

c) To the chairmanships of the District Electoral Boards in order to use for the procedures of the district election affairs as two copies,

2. To the Provincial Electoral Boards in order to use for the election procedures as one copy.

Time and Duration of The Display:

ARTICLE 40- (1st Article of Law 2234, amended on 17 May 1979.)

(Amended first paragraph: 7th Article of Law 5749, amended on 13 March 2008) The Public Display list of the District shall be hung up for display at the Office of the Muhtar during the election period and shall stay on display for two weeks.

The Public Display list of the District is displayed on places which is easily accessible by the public in the relevant neighbourhood or village. The dates and places of display along with the lists those separate the election districts, are announced in the local papers and through usual publicizing instruments and methods.

Where and when the lists are displayed, along with the information as to how the announcement is made, is determined with a minute by a person assigned by the chairman of the District Electoral Board.

The end of display duration is also determined by a separate minute. These protocols are kept in a separate file by the chairman of the District Electoral Board.

The chairman of the District Electoral Board immediately notifies the relevant administrative governor as for when and where the lists are exhibited.

Administrative governors, the managers and officers of the municipal police are responsible for protecting the Public Display Lists of the Districts during their exhibition.

The chairman of the District Electoral Board takes the necessary measures in order to facilitate the search and inspection of voters names, with regard to the number of existing voters in that neighbourhood during the display. He/she appoints the chief aldermen or someone from the alderman council or someone else commissioned for this task to be continuously present during certain hours in the display place and announces the situation in the display location.

Double Registration:

ARTICLE 41- (1st Article of Law 2234, amended on 17 May 1979.) The double register information in the voter registers, which have the same data concerning the voter's name, surname, mother's and father's name, date and place of birth identifies one specific voter.

In such a case the Supreme Board of Elections Voter Registers General Directorate keeps the information with the higher item number and transfers the other information to the Double Registration list.

The information in the Double Registration List is kept for two years.

In case the following situations occur concerning the voter information on the display list;

a) The name and surname are the same, but one or two of the records concerning the father's and mother's name, the date of birth, and the place of birth differs,

b) One or two letters of the name and surname are different, along with a difference of other data defined in paragraph (a),

c) The name and surname are the same, whereas one of the two records has an additional name, the information defined in paragraph (a) are the same or one of them differs,

d) The address is different, the information defined in paragraph (a) are the same or one of them differs,

e) Or there are other situations defined by the Supreme Board of Elections,

Upon objection or ex officio the chairman of the District Electoral Board decides whether the data defines one or more voters. The decision is forwarded to the Supreme Board of Elections Voter Registers General Directorate in order to process.

Public Display List of the Polling Station Area:

ARTICLE 42- (1st Article of Law 2234, amended on 17 May 1979.) The ballot box public display list is derived from the voter registers, which are obtained after the changes are made on the voter registers, according to the decisions which have to be applied to the voter registers according to the 122nd article of this law.

The information on the ballot box public display lists has the same order with the ballot box voter register lists, as stated in the 43rd article.

This list is forwarded to the chairmanships of provincial and District Electoral Boards. The chairmanship of the District Electoral Board delivers a copy of the list to the chairmen of the political parties in that district, which are announced according to the fourth paragraph of 14th article.

The Ballot Box Voter List:

ARTICLE 43- (1st Article of Law 2234, amended on 17 May 1979.) The list with alphabetical order of the surnames of the voters those are residents in the same Polling Station Area according to their addresses stated in the voter registers, containing voter information including the voter register item number, name, surname, father's and mother's name, date and place of birth is called "Ballot Box Voter List." The province, district, «muhtarlık» names, along with the ballot box number and the validity term of the ballot box is stated on each page of the Ballot box Voter List. The ballot box voter list copies which will be presented to the Polling Station Committee, also contain separate columns for ballot box procedures.

Ballot box voter lists are prepared 120 days prior to the election day, according to the existing certain information in the voter registers.

30 days prior to the election day, the ballot box voter lists are forwarded to,

1.a) The chairmen of the Polling Station Committee as two copies for each ballot box,

b) The chairmen of district organisations of the political parties which are running for the election as one copy, 20 days prior to the election day,

c) The chief aldermen as one copy, 20 days prior to the election day,

for the delivery to the relevant election board chairman,

2. Two copies to the chairmanships of the District Electoral Boards in order to use for the procedures of the district election issues,

3. One copy to the Provincial Electoral Boards in order to use for the election procedures.

The citizens may inspect the ballot box voter lists in the relevant neighbourhood whenever they want.

From 10 days before the elections until 17:00 hours on the election day, Chief aldermen has to respond to the voters within the working hours, concerning inquiries about their ballot-box numbers, locations of ballot-boxes and voting; he/she is also responsible for distributing the publications of election boards; distributing banners, signs and similar materials which are prepared by the election boards in order to provide the voter with an easy and fair voting opportunity, and assisting any related personnel assigned by election boards.

Voter Information Papers:

ARTICLE 44- (1st Article of Law 2234, amended on 17 May 1979.) A voter Information paper is prepared for each voter in the Voter Registers, in order to inform the voter concerning in his/her district and ballot box to vote, and the voter item number along with other information; and sent or distributed according to the provisions determined by the Supreme Board of elections, regarding the specifications of the election district.

It is not possible to use the voter information paper for identification purposes, as it is stated on it.

Province and District Lists of the Voter Registers:

ARTICLE 45- (1st Article of Law 2234, amended on 17 May 1979.) The voter information stated in the voter registers are sent to the provincial and District Electoral Boards every year as separate lists for each province and district.

The lists of the last two years are always available for the inspection of members of the board.

The Supreme Board of elections determine the rules and methods of issuing, forwarding and storing these lists.

The Supreme Board of Elections Voter Registers General Directorate determines the rules and times for the preparation and political party inspection of lists which are issued with the surnames of voters in alphabetical order and Voter Register item number at country, province and district level.

Discussion of the Activities:

ARTICLE 46- (1st Article of Law 2234, amended on 17 May 1979.) The report of the Voter Registers General Directorate providing information on its program, design, results obtained, circulars issued and all applications is discussed in a meeting in which a representative of each of the political parties announced according to paragraph 4 of Article 14, the members of the Supreme Board of Elections, Voter Registers General Director and three employees considered necessary attend under the Chairmanship of the Supreme Board of Elections.

The date of meeting is determined by the Chairman of the Supreme Board of Elections every three months. The meeting starts with people who are present at the date and time specified. These meetings aims to inform the participants on activities, not for taking resolutions.

The rules for meeting and discussion is determined by the Supreme Board of Elections and notified to participants.

Voter Registers Reservation and Delivery to the Authorities ⁽¹⁾:

ARTICLE 47- (1st Article of Law 2234, amended on 17 May 1979.) The Supreme Board of Elections Voter Registers General Directorate delivers the Voter Registers and a copy of the list obtained from the Voter Registers to the Chairman of the Supreme Board of Elections at the end of every year.

Copies of Voter Registers are retained in the Voter Registers General Directorate.

The rules for keeping and examining the Voter Registers delivered to the Chairman of the Supreme Board of Elections are determined and published by the Supreme Board of Elections.

(Annex: 1st Article of Law 4609, on 29 November 2000) In case voter registers are requested by the head offices of political parties those are eligible to run for the election or by authorised heads of provincial or district organisations, a copy is delivered in computer medium or in the form of a list, in exchange of a signature of acknowledgement provided that such request is not going to take place for more than twice within an election period, that the expenses determined by the Supreme Board of Elections deposited in the related fiscal authority and the receipt is presented. The method and rules of using the information in the Voter Registers General Directorate by other government agencies is determined by law.

The distribution of Voter Cards:

ARTICLE 48- (Abolished by Article 5th of Law 2234 on 17 May 1979.)

PART TWO

Electioneering Activities

The Freedom and Duration of Electioneering:

ARTICLE 49- (1st Article of Law 356, amended on 25 August 1961.) Electioneering activities are free under the provisions of this Law.

(1st Article of Law 3403, amended on 10 September 1987.) Electioneering activities start in the morning of the tenth day prior to the election day and end at 18:00 hours on the eve of election.

Electioneering Activities in Public Places:

ARTICLE 50- Collective verbal electioneering is forbidden on public roads, in temples, in public buildings and facilities, and in arenas and squares other than those specified by District Electoral Boards during the period of election.

District Electoral Boards determine the squares where collective verbal electioneering can be made, selecting those places with electricity installation, from those where it is possible to hold meetings without disturbing the traffic and market places.

(1) The heading of this Article was amended as above by Article 1st of Law 4609 on 29 November 2000 and applied to the text accordingly.

In case political parties apply for collective verbal electioneering, the District Electoral Board determines the square, date, order and time of the meetings by drawing names and notify it to the relevant authorities. A day of the week is reserved for independent candidates under the same conditions.

(Amended last paragraph: 2nd Article of Law 5989, amended on 8 April 2010) Collective verbal electioneering in outdoor places is forbidden after the end of the second hour after sunset until sunrise.

Indoor Electioneering Activities:

ARTICLE 51- It is possible to hold indoor meetings for political parties or independent candidates who are running for the election.

Parties or individuals who want to organise an indoor meeting, establish a committee consisting of three members and inform nearest municipal police executive or officer. In villages, informing the headman of the village or his deputy is sufficient.

The committee is obliged to maintain a fair and decent meeting and to prevent any act that violates the laws, customs and traditions and any behaviour soliciting any offence or criminal act.

In case any violation occurs, the Committee tries to prevent that, calling the police if necessary.

The committee determines or restricts the speakers in the meeting.

Speeches in such meetings may be broadcasted through loud speakers, in accordance with the provisions of Article 56.

The executives or officers of any security force or the alderman or aldermen council can never interfere to the indoor meetings unless requested by the committee that manages the meeting, or decided by the authorised electoral board.

It is forbidden to hold indoor meetings in temples, schools, military barracks, military headquarters, military units, buildings and facilities as well as in other places where public services are implemented.

Election Bureaus:

ARTICLE 51/A – (Annex: 3rd Article of Law 5980 on 8 April 2010) As of the starting date of the elections, political parties and independent candidates may set up election bureaus in the constituencies where they are running, in order to carry out election activities. However, it is forbidden to use as election bureaus the buildings and premises belonging to the government, public legal entities and affiliated agencies, enterprises or corporations in which the government or other public legal entities have a direct or indirect share, associations that work for public interest and that have been granted special revenue sources and special opportunities by law, foundations that receive benefits from the government and that have a tax exemption, professional organizations that bear the characteristics of a public agency, producer organizations, cooperatives, banks and unions.

Election Bureaus shall be deemed open once the provincial or district leaders of political parties and independent candidates submit a notice including the address of the bureau as well as the identification and contact information of at least one official of the bureau to the most senior administrative authority of the location within the period beginning with the start of the elections until the start date of the written electioneering activities and to the District Electoral Board after the electioneering period has started. The list of the election bureaus opened by means of such notice shall be sent to the District Electoral boards by the most senior administrative authority of the location.

The representatives of election bureaus that do not meet the conditions to be opened shall be given three days to complete the shortcomings. If the requirements are not met within the designated three days, such bureaus shall be closed by the administrative authority until the requirements are met.

Audio and visual electioneering can be carried out in the election bureaus reserving other election activities. However, the audio broadcasts to be carried out in the election bureaus shall comply with the legislation pertaining to environmental noise.

Election bureaus can engage in activities that are open to the public from 09.00 to 23.00 hours.

Electioneering on Television and Radio:

ARTICLE 52- (1st Article of Law 2234, amended on 17 May 1979) (46th Article of Law 2839, amended on 10 June 1983.) Political parties those are running for the election may conduct electioneering activities on radio and television after the 7th day prior to the election day until 18:00 hours on the eve of the election, reserving the provisions in exclusive laws.

(3rd Article of Law 3367, amended on 23 May 1987.) Those who are running for the election have the following rights in terms of electioneering on television or radio;

a) Each political party running for the elections have the right for two speeches not more than 10 minutes on the first 10 days and the last day to explain their programs and projects,

b) Parties those have a group in the TGNA have an additional 10 minute slot,

c) (4th Article of Law 4125, amended on 27 October 1995.) A further 20 minutes are given to the party in power or senior partner in coalition government, with 15 minutes for minor partners,

d) The principal party of opposition has the right to an additional 10 minute speech.

Political parties may also conduct visualised electioneering activities provided that the time used for such activities does not exceed half of electioneering times. Visualised electioneering are prepared by producers other than TRT (Turkish Radio & Television Institution). Visualised electioneering is for explaining the activities which have been and will be performed by political parties. The content of such electioneering does not include any image that is considered as an offence. Such electioneering of political parties cannot be less than two minutes at a time and total time of electioneering within a day cannot exceed ten minutes. Political parties may exercise their visualised electioneering rights in more than one channel of TRT. The Supreme Board of Elections determines when these images are going to be delivered to TRT and when they will be broadcasted by TRT, regarding the availability of TRT. If such images contain a matter constituting an offence, the Supreme Board of Elections does not give the permission of broadcasting.

Political parties make their election declarations in their first speeches on the radio and television.

Speeches are broadcast on all radio and television stations simultaneously throughout Turkey.

The date and time of electioneering speeches on radio and television, and the names of the parties those will make a speech are announced in advance through news programs by Turkish Radio and Television.

(46th article of Law 2839, amended on 10 June 1983) The Supreme Board of Elections and Turkish Radio and Television is responsible to provide the equality and impartiality of the electioneering through radio and television.

(Amended Paragraph 7: 3270 - 28.3.1986) As stated in the above paragraph (.....)⁽¹⁾ the speeches of the political parties those are running for the election cannot include images except the Turkish flag, the emblem of the political party posted in size determined by the Supreme Board of Elections. The spokesman is obliged to wear a jacket and necktie, whereas the spokeswoman appear in a tailleur.

(2nd Article of Law 3403, abolished on 10 September 1987.)

(Annex: 4th Article of Law 4125, on 27 October 1995.) Propaganda speeches of political parties in private radios and televisions are made according to principles and procedures applied in TRT. These broadcasts are regulated and audited by the Supreme Board of Elections for radios and televisions at national level and by Provincial Electoral Boards for local radios and televisions. No electioneering speeches can be broadcast in any other way contradicting with the conditions specified above. Any party acting in contrary is subject to provisions of the 2nd paragraph of 151st Article of Law 298 on Basic Provisions on Elections and Voter Registers.

Application:

ARTICLE 53- (1st Article of Law 2234, amended on 17 May 1979.) The head offices of political parties running for the election sends a written notice to the Supreme Board of Elections until the evening of the twenty-first day prior to the election day, concerning their intention to make electioneering on radio and television.

The determination of the Broadcast time:

ARTICLE 54- (1st Article of Law 2234, amended on 17 May 1979.) The Supreme Board of Elections determines the time and order of broadcast amongst parties those applied for radio and television broadcast, by drawing names before a representative of each party and the representatives of Turkish Radio Television. The names are drawn at least twenty days prior to the election day. The exact broadcast hour of radio and television is decided by the Supreme Board of Elections, considering the number of the parties and the best possibilities of listening. Radio and television broadcasts continue not later than until 22.00 hrs.

The determination of Radio and television speeches:

ARTICLE 55- (1st Article of Law 2234, amended on 17 May 1979.) The political party speeches on radio and television are recorded by a sound and image recording equipment before a board member who is commissioned by the Supreme Board of Elections, either before or during the broadcast according to the request of the political party. The commissioned board member and at least two officers of Turkish Radio Television issue minutes stating the information for which party and by whom the speech was delivered. The band and other equipment of recording are retained by the Supreme Board of Elections.

These are presented as evidence if the speeches constitute a dispute or if requested by officials. Penalties imposed by the law on persons delivering speeches which constitute an offence are applied by doubling and tripling the penalties.

(1) The statement "Except the subparagraph (d) of the second paragraph" in this paragraph is abolished by the E.1987/3, 1987/13 numbered resolution of Constitutional Court on 22 May 1987, the resolution is published in the Official Gazette issue numbered 19578 on 18 September 1987. The authorized board member and at least two commissioners from the television administration prepare a minute. The cassette and other determination materials those state the speeches are kept by the Supreme Board of Elections.

Broadcast on the Private channels and radios:

ARTICLE 55/A- (Annex: 2nd Article of Law 3959 on 28 December 1993.) (3rd Article of Law 4928 amended 15 July 2003.) Private radio and television companies are subject to the 5th, 20th, 22nd and 23rd articles and second paragraph of the 31st article of the Law on the Establishment of Radio and Television Enterprises and their Broadcasts, beginning from the election period until the end of the election day.

(Annex second paragraph: 4th Article of Law 5989, on 8 April 2010) Starting from the date of the beginning of the election period until the twenty four hours before the election day, political parties or candidates can take part, either together or individually, in radio or television programs such as debates, interviews and panels to explain their views. The indoor or outdoor meetings held by political parties or candidates can be broadcasted live on radio and television.

The Supreme Board of Elections is responsible and appointed in determining the broadcast principles of private radio and televisions, according to the provisions of above paragraph. In terms of supervising, inspecting and evaluating the compliance of the broadcasts with above principles, the Supreme Board of Elections is responsible and appointed for the radio and televisions those broadcast nationwide, whereas the local District Electoral Boards are appointed for those who broadcast locally.

It is possible to state objections to the Provincial Electoral Boards, concerning the decisions of District Electoral Boards within the following 24 hours after the decision. The decisions of Provincial Electoral Boards are absolute.

The Supreme Board of Elections is authorized to determine which private radio and televisions are considered as nationwide broadcasters. The decision of Supreme Board of Elections concerning this determination, is published in the Official Gazette.

*Electioneering in the press, communication media and on the internet***Article 55/B – (Annex: 5th Article of Law 5980, 8 April 2010)**

Until the end of the electioneering period, political parties and independent candidates who are running in the elections can engage in verbal, written or visual electioneering activities through announcements or advertisements in the press or by means of launching a website. It is forbidden to carry out electioneering by means of sending messages to the electronic mail accounts of citizens or audio, visual or written messages to their mobile or land phones. However, political parties are always free to send audio, visual or written messages to their own members.

During the ten day period prior to election day, it is forbidden to engage in any broadcasts, publications or other dissemination activities via printed, audio or visual media using public opinion polls, surveys, estimates, information and contact telephones under names such as mini referendums that are for or against any political party or candidate or that may affect the vote of the citizens in any way. Any broadcasts or publications done outside this period shall comply with the principles of impartiality, truth and accuracy.

During the publication of public opinion polls and surveys, it is obligatory to disclose which organization conducted the study, the number of respondents and by whom the study was funded.

The principles pertaining to the electioneering and broadcasting activities carried out according to the provisions of this article shall be determined by the Supreme Board of Elections.

Electioneering through loud speakers: ⁽¹⁾

ARTICLE 56- (1st Article of Law 2234, amended on 17 May 1979.) Beginning from the start of the election period until the end of electioneering, electioneering through loud speakers is allowed provided that public peace and comfort is not disturbed, and according to the provisions of the last paragraph of Article 50. However, electioneering through loud speakers is not allowed together with an outdoor or indoor electioneering meeting of another party or independent candidate, in case the electioneering is heard and disturbs the area or building where the indoor or outdoor meeting is held.

(1) The phrase 'Beginning from the start of the election period until the end of electioneering' has been added to the beginning of this article by Article 8 of Law 5749 on 13 March 2008.

District Electoral Boards are authorised to determine the place, time and other conditions of electioneering through loud speakers either on its own or upon request of political parties, by considering the properties of the location.

Political parties may use municipal public announcement systems with a charge, according to a program is established by the District Electoral Board.

Disseminating publications and printed materials for purposes of electioneering ⁽¹⁾:

ARTICLE 57- (6th Article of Law 5980, amended on 8 April 2010)

Political parties and candidates running in the elections are free to disseminate all kinds of printed materials such as brochures, leaflets, party flags, posters or audio or visual CDs and DVDs that are of a promotional nature beginning from the start date of the election period until the end of the electioneering period. It is prohibited for political parties and candidates to hand out any gifts or giveaways, other than the items set forth in this article, either themselves or through third parties or through other agencies and organizations.

Persons who are to disseminate the publications or printed materials specified in this article must have reached the age of eighteen.

(1) The former heading of this article 'Leaflets' was amended as in the current text by Article 6 of Law 5980 on 8 April 2010.

Restrictions Related to Electioneering Publication and the Language to be used in Electioneering:

ARTICLE 58- (7th Article of Law 5980 amended on 8 April 2010.) It is forbidden to print the Turkish flag and religious statements on leaflets and all kinds of printed materials used for electioneering purposes.

(1st Article of Law 6529 amended on 2 March 2014.) All types of electioneering by political parties and candidates can also be performed in other languages and dialects besides Turkish.

Exclusion:

ARTICLE 59- (1st Article of Law 2234, amended on 17 May 1979.) Printed materials as leaflets used for electioneering purposes are excluded from all kinds of duties and charges from the beginning of election until the deadline of electioneering period.

Places for Posts and Advertisements ⁽²⁾:

ARTICLE 60- (8th Article of Law 5980, amended on 8 April 2010).

Political parties and candidates are allowed to hang up or post party flags, posters, banners and similar materials in their election bureaus from the start of the election period until the date on which the electioneering period ends. Political parties are allowed to hang up or post the specified materials at their headquarters, provincial, district and county buildings at any time.

Political parties and candidates are free to use promotional materials such as party flags, posters, banners and similar promotional and advertising materials at their indoor or outdoor meetings and their vehicles from the start of the election period until the date on which the electioneering period ends

The use of such materials is allowed on meeting days in the locations surrounding the meeting until the end of the meeting.

Other than the places specified above, promotional and advertising materials used for electioneering purposes can be hung up or posted in places designated by the electoral boards and only in accordance with the principles and procedures set forth in the following paragraphs.

Political parties and independent candidates running in the elections can make use of the fixed billboard and advertisement spaces within that constituency used directly by the municipalities and determined by the district electoral boards for purposes of posting and hanging up promotional materials such as posters, party flags, advertisements or banners to promote themselves as of the thirtieth day prior to election day provided that all political parties and independent candidates benefit from an equal number of such spaces for equal periods of time and in return for equal fees. Nevertheless, no fees shall be charged for advertising and promotional spaces that are allocated free of charge on demand in times other than the election period. Such spaces shall be equally distributed amongst political parties and independent candidates.

In cases where there are fixed advertisement and posting areas set up with the permission of the municipality by private individuals or organization or those that are owned by the municipality and rented out to private individuals or organizations, in order for such areas to be used by these individuals or organizations for purposes of political electioneering, the district electoral boards shall allocate such areas in accordance with the provisions of this article upon the application to be made to the presidency of the district electoral board.

The district electoral board shall designate the fixed commercial advertisement and posting areas within that constituency by the fortieth day prior to election day and notify in writing all political parties and independent candidates running in the elections of all such designated areas. Political parties and independent candidates shall notify the district electoral board, in writing, of the advertisement and posting areas as well as the duration for which they will use them within three days as of the notification made by the district electoral board.

The district electoral board shall allocate such areas amongst political parties and independent candidates who apply in accordance with this article.

In cases where more than one political party or independent candidate apply for the same advertisement or posting areas, the district electoral board shall invite all applicants at the same time and ask them to state their final preferences in writing. If no agreement is reached between the said parties and the independent candidates, the advertisement and posting areas shall be allocated by means of drawing names with equal conditions of duration, number and fees to apply for all applicants. The process of drawing names shall be carried out for each advertisement and posting area that has received more than one application with the total period of electioneering divided into the number of applicants thereby allocating an equal period for each applicant.

The provincial electoral board is authorized to determine and allocate the fixed advertisement and posting areas along the motorways outside the city by means of the same procedure. However, the provincial electoral board may delegate this authority to the authorized district electoral boards.

Following the drawing of names, if there are places that had been allocated to political parties or independent candidates who later notify the provincial or district electoral board in writing that they no longer wish to use the advertisement or posting areas, such places can be allocated to the political parties or independent candidates who make an application.

Other than in areas that are prohibited under this Law, visual electioneering can be carried out via fixed digital commercial boards that are set up in public places and are suitable for use in visual advertisements and posts. However, electioneering based on audio broadcasting shall not be carried out via such media. After the electoral boards determine the days and hours during which such panels can be used for electioneering activities, the order and duration of the electioneering that will take place during this timeframe shall be determined in accordance with the above paragraphs and allocated amongst the political parties or independent candidates.

Starting from the thirtieth day prior to election day until the end of the electioneering period, citizens can hang up or post promotional materials such as party or candidate flags, posters or banners at their homes, work places or vehicles. Such advertisements and postings are exempt from all taxes and charges.

The advertisement and announcement materials specified in this article shall not be hung up, posted or displayed under any conditions whatsoever as of the end of the electioneering period other than in places specified in paragraph one

The principles and procedures pertaining to the implementation of this article shall be determined by the Supreme Board of elections.

(2) The former heading of this article 'Restrictions Concerning the Posters and Bulletins on the walls' was amended as seen in the current text by Article 8 of Law 5980 on 8 April 2010.

Prohibitions Regarding Posting and Advertisement:⁽¹⁾

ARTICLE 61- (5th Article of Law 2234, repealed on 17 May 1979; Rearrangement: 28.12.1993 – 4th Article of Law 3959; Amended by 9th Article of Law 5980 on 8 April 2010.) Beginning from the start of the election period until the day following election day, it is forbidden for political parties, independent candidates any agencies or organizations or

citizens to post, attach or display any materials such as posters, banners or party flags that comprise political posts or advertisements in places other than those designated under this law. In cases of noncompliance such posts and advertisements shall be taken down and the costs collected from the relevant party. The authorization to take action as per the prohibitions under this article shall rest with the civilian administrators from the start of the election period until thirty days prior to election day and with the district electoral boards during the final thirty days up until election day. Municipalities shall be obliged to provide the necessary vehicles, tools and staff upon the demand of the authorized bodies specified in this article to eliminate any situations that violate this article.

From the start of the election period until the day following election day, it is prohibited to post for purposes of political electioneering in advertisement spaces and areas located in air, road, sea or railway system vehicles used for public transport either in the city or inter-city lines. The same provision shall apply in indoor places where passengers board and disembark. The District Electoral Boards shall carry out the necessary oversight through the civilian administrations in order to prevent any violations of the prohibitions specified under this paragraph.

(1) The former heading of this article 'Prohibition Of Postings on Other Places, Public Polls And Distribution of Gifts was amended by Article 9 of Law 5980 on 8 April 2010 to read as seen in the current heading'

Distribution of Printed Materials:

ARTICLE 62- Persons who are going to distribute printed materials as leaflets must be eligible to vote.

Persons employed as officers or servants in government agencies, administrations with mixed budget, provincial private administrations, municipalities and all offices and establishments affiliated to them, state economic enterprises and establishments and partnerships as well as in other public organisations established by them are not entitled to distribute leaflets.

The Forbidden Acts during the Election Period:

ARTICLE 63- People stated in Article 62 and public service associations as well as their officers and employees have to be impartial during elections.

With restrictions of the provisions of Law 5830, the persons specified above are not entitled to commit following acts during the elections:

- a) Providing grants, donations and assistance to political parties or independent candidates under any name;
- b) Making the use of their officers and servants, along with their equipment, supplies and facilities for the benefit and under the order of a political party or an independent candidate or for the usage of any political activity.

People specified in the first paragraph and organisations subject to Banks Law are prohibited from making any publication in favour of or against a political party or an independent candidate or in a manner to influence the votes of the citizens.

All books, brochures, posters and similar publications with the same qualifications stated in the above paragraph, which are printed and published previously are subject to these provisions.

Restrictions concerning the ceremonies:

ARTICLE 64- (4th Article of Law 3330, amended on 19 February 1987.) During the period that falls between the beginning of electioneering until the day after the election, it is forbidden to organise ceremonies, make speeches, declarations related to works and

services performed from resources those come from all offices, agencies, organisations and establishments specified in Article 62, along with the institutions subject to Banks Law (including opening and foundation laying ceremonies), and make publications through any means concerning the mentioned works and services.

Restrictions concerning the Prime Minister and Ministers:

ARTICLE 65- (5th Article of Law 3330, amended on 19 February 1987.) During the period that falls between the beginning of electioneering until the day after the election, the Prime Minister, Ministers and MPs are not entitled to make electioneering tours throughout Turkey with their official vehicles or with vehicles assigned for public service. In their travels for electioneering purposes, ceremonies cannot be performed for welcoming or protocol meetings of the Prime Minister, Ministers and MPs or for other purposes; giving official banquettes is forbidden as well.

During the above defined period, the Prime Minister and Ministers are bound by the provisions of this law in their activities and speeches related to elections.

Restrictions Concerning the Officers' Tour Participation:

ARTICLE 66- (6th Article of Law 3330, amended on 19 February 1987.) During the period that falls between the beginning of electioneering until the day after the election, government officers are not entitled to participate in electioneering tours of the Prime Minister, Ministers, MPs and candidates.

The heading of this article is amended with the 5th article of Law 4125, on 27 October 1995 and applied to the text accordingly.

(2) See 6th article of the Annex in application of this provision.

(3) The last sentence that states "The restrictions of this article are limited within the election district in bye-elections" is cancelled and nullified by Decree no. E.1987/6, K.1987/14 of the Constitutional Court issued on 22 May 1987, and published in the Gazette 19578, dated 18 October 1987.

PART THREE

Tools

Providing the Tools:

ARTICLE 67- Chairmen of election boards are responsible for regularly providing all tools and money necessary for the election, and dispatching them to necessary places on time.

Municipal police executives and officers, municipalities and community aldermen have to provide necessary assistance upon the orders of the chairmen of the boards.

Voting Tools and Their Delivery ⁽¹⁾:

ARTICLE 68- (1st Article of Law 2234, amended on 17 May 1979.)

(Annex paragraph 1: Article 10 of Law 5980, on 8 April, 2010; Amended on 13/3/2018 in accordance with Article 5 of Law 7102) Ballot boxes shall be 40cm in width, 55cm in length and 50cm in height, and shall be manufactured from transparent, heat-proof and break-proof hard plastic with a cover suitable for being tied with a rope and sealed bearing a crevice ~~25cm in length and 1cm in width on the cover (...)~~³ suitable for putting in the envelopes.

³ "...measuring 25 cm in length and 1 cm in windth on the cover" part of the article was abolished on 13.03.2018 in accordance with article 5 of Law 7102.

(Annex paragraph 2: Article 10 of Law 5980, on 8 April, 2010; Amended on 13/3/2018 in accordance with Article 5 of Law 7102) The ballots should be put in the same envelope whenever both the parliamentary and presidential elections take place altogether.

~~Votes shall be cast in separate ballot boxes for parliamentary elections, provincial assembly member elections, municipal elections and neighbourhood headmen elections.~~ **(Annex paragraph 3: Article 10 of Law 5980, on 8 April, 2010; Amended on 13/3/2018 in accordance with article 5 of Law 7102)** The polling booths to be used in the elections shall be made in such a way as to ensure the secrecy of the vote. The dimensions and standards of the cabins will be determined by Supreme Board of Elections.
~~The polling booths to be used on election day shall be 120cm in width, 120cm in length and 180cm in height; these shall be portable, set up on a light metal beam with one side suitable for opening and closing, covered with dark-coloured opaque durable synthetic fabric, easy to carry and foldable.~~

(Annex paragraph 4: Article 10 of Law 5980, on 8 April, 2010; Amended on 13/3/2018 in accordance with Article 5 of Law 7102) The ballot boxes and polling booths shall bear the name and emblem of the Supreme Board of elections. If necessary, the Supreme Board of Elections can make the necessary changes to the standards of the ballot boxes ~~and polling stations~~ in accordance with the purpose of this article.

(Annex paragraph 5: Article 10 of Law 5980, on 8 April, 2010) The Supreme Board of Elections is authorized to produce the seal, ink and stamp pads to be used on election day in such a way so as to ensure that the votes are not declared null and void.

The Supreme Board of Elections shall duly dispatch the seals (...) ⁽²⁾ of provincial, district electoral boards and ballot box committees, along with all kinds of stationery and supplies for the elections that cannot be provided locally, to provincial and district electoral boards, specifying the materials to be delivered to chairmen of the related boards in that election. ⁽²⁾

(1) Paragraphs 1, 2, 3, 4, and 5 were added to this article by Article 10 of Law 5980 on 8 April 2010 and the remaining paragraphs were listed to follow accordingly.

(2) The former phrase 'voter marker ink and stamp pad' was repealed by Article 15 of Law 5749 on 13 March 2008.

The chairman of Provincial Electoral Board provides the District Electoral Boards with the materials listed below at least ten days prior to the election day, whereas the chairman of the District Electoral Boards is responsible for the delivery of the listed materials to the Polling Station Committees at least 48 hours prior to the election day.

1. A numbered seal inserted in a sealed cloth bag for each ballot-box within the election district (Protocols are prepared to show the seal numbers delivered to a certain ballot box.)
2. An approved list of candidates number of which is equal to the total quantity of closed voting booths provided for each election district, along with the sign specified in Article 76,
3. A pack sealed by the seal of the District Electoral Board, containing envelopes in which ballot papers are going to be inserted,
4. Ballot boxes,
5. Stamping pads and ink equal to the number of ballot-boxes,
6. Approved minute books identical to the sample, number of which is equal to the number of ballot-boxes,
7. Printed vote count lists identical to the sample.
8. Printed minute papers identical to the sample,
9. Empty bags, number of which is equal to the number of ballot-boxes,
10. Copy pencils in sufficient quantity,
11. Materials for building a voting place if necessary,
12. White blank papers and other supplies in the sufficient quantity within that election district, depending on the nature of the election,

13. Two copies of ballot-box voter list with each page sealed and the last page of which is approved by the District Electoral Board,
14. Ballots delivered to the chairman of the District Electoral Board which will be placed by the parties in voting booths,
15. Ballot papers for each independent candidate, bearing the name and surname only of that independent candidate, delivered to the chairman of the District Electoral Board,
16. Package that contains joint ballots, sealed and numbered by district electoral board,
17. "Yes" seal for each ballot-box,
18. (Repealed: by Article 15 of Law 5749, on 13 March 2008)

Minute Books:

ARTICLE 69- Each board has a minute book. Provincial Electoral Boards certify their own books, whereas the District Electoral Boards certify their books and those, of the Polling Station Committees by numbering and stamping their pages.

Procedures and decisions of the boards are noted in these books before they are signed by board members and the chairman.

CHAPTER FOUR

The procedures of the Election Day.

PART ONE

Procedures at the Polling Station

Oath:

ARTICLE 70- The chairmen and members of the Polling Station Committee take following oath in the presence of the committee and other attendants, before initiating any procedure:

(I hereby swear on my conscience, on my honour and on my all sacred values that I am going to do my job fairly and properly according to the law, without being affected and being afraid from anyone, in order to reach a true and absolute result in the evaluation of the elections.)

Tasks and Authorizations:

ARTICLE 71- Main tasks and authorizations of Polling Station Committees are as follows:

1. (Amended on 13/3/2018 in accordance with the article 23 of Law 7102) Taking necessary measures around the Polling Station district in order to perform a fair and decent election, conducting and auditing voting procedures,
2. (Amended on 13/3/2018 in accordance with the article 23 of Law 7102) Determining the exact buildings, structures and any other similar places determined by the district electoral boards as the Polling Station in the district, putting up clear and prominent signs at the corners of the streets or announcing their locations through usual ways,
3. Investigating and taking decisions on the objections concerning voting procedures, registering and undersigning the decisions in the protocol book,
4. Immediately forwarding the decisions those raised objections, to the District Electoral Board,
5. Counting ballots inserted in the box according to the principles of this law, issuing and sending lists immediately to the District Electoral Board, along with other documents related to election procedures,
6. Performing other tasks assigned for itself by the law.

Observers:

ARTICLE 72 -(Amended on 13/3/2018 in accordance with the article 23 of Law 7102) The observers and candidates of political parties, along with the independent candidates and their observers may attend to observe ballot-box procedures. If the number of observers of independent candidates is more than three, the chairman of the Polling Station Committee draws a name amongst them. The first three observers whose names are drawn are left by the ballot-box whereas the others remain in the outside of the Polling Station peripheryarea.

Quorum in the Board:

ARTICLE 73-(Amended on 13/3/2018 in accordance with the article 23 of Law 7102) If one or more of political party members fail in performing their tasks, the substitute member(s) of a political party or parties those are included in the board replace the member(s) as an alternate before the voting begins or during voting, reserving the penal provisions. If this is not possible and the number of committee members is reduced to less than three, this fact is registered and the missing members are appointed by the chairman amongst literate persons eligible for voting in that ballot-box peripherydistrict.

The location of the Ballot-Box:

ARTICLE 74- (5th Article of Law 4381, amended on 31 July 1998.) The Polling Station Committee determines the locations of ballot-boxes and the measures to be taken for conducting the voting on time under the supervision of district boards. An easy, free and secret voting performance by the voters is regarded in determining the locations of ballot-boxes. Measures are taken to provide disabled voters to cast their votes easily. Ballot boxes are installed in public places such as appropriate parts of school yards (including private schools and private courses) and rooms, and if not sufficient, in other places those are hired for that purpose, such as cafes, restaurants, etc. Ballot-boxes cannot be placed in military barracks, headquarters and other military buildings and facilities as well as the police stations, party buildings, offices of the headman in the villages or neighbourhoods. Concerning buildings where there are more than three ballot boxes, the Supreme Board of Elections defines the principles of duties of those building managers.

Voting Booths:

ARTICLE 75- (1st Article of Law 2234, amended on 17 May 1979.) The Polling Station Committees prepare voting booths in the sufficient number in order to provide a free and secret voting for the voters.

Voters have to fold the ballot, stick the glued edge or, in elections where envelopes are used, insert the paper in an envelope without assistance of any other person.

The Specifications of the Voting Booths:

ARTICLE 76- Voting booths have to be hidden places those enable the voters to examine and fold the ballot freely while he/she is invisible for others.

Candidate lists and the printed provisions of this law related to the freedom and secrecy of voting, are hung on the wall of the voting booths

The voting booths are provided with a table or a table-like object.

Sealing the ballot box, joint ballots and envelopes by the committee:

ARTICLE 77- (1st Article of Law 2234, amended on 17 May 1979.) The chairman of the Polling Station Committee checks whether the ballot-box is empty, in the presence of Polling Station Committee members and observers before initiating the voting procedures, closes the ballot-box and seals the box so that the box cannot be opened without breaking the seal.

The elections where joint ballots are used, (joint ballots which are formed into an envelope by folding and sealing the glued edge) are regarded as envelope where the term 'envelope' is used in the provisions of this Law.

However, provisions related to double sealing of envelopes are not applied for joint ballots.

After completing the procedures including the oath, placement of ballot-boxes, organising voting booths; the Polling Station Committee counts joint ballots in the presence of participants, stamps the seal of the Polling Station Committee on each ballot and consequently determines the number of joint ballots with the seal of the Polling Station Committee. In elections where joint ballots are not used, the chairman of the Polling Station Committee counts the exclusive envelopes delivered by the chairman of the District Electoral Board with the seal of the District Electoral Board, stamps them all with the Polling Station Committee seal and consequently, determines the number of exclusive envelopes with two stamps, one of which is the stamp of the District Electoral Board whereas the other is the seal of the Polling Station Committee.

The Polling Station Committee notes the procedures on the minute book, according to this article and signs the book.

Joint Ballot Boxes and Envelopes⁽¹⁾:

ARTICLE 78- (Amended by Article 11 of Law 5980 on 8 April 2010; Amended on 13/3/2018 in accordance with article 6 of Law 7102.) Joint ballots prepared by watermarked papers and in accordance with this Law and other special laws shall be used for presidential and parliamentary elections, election of provincial general assembly members, municipal assembly members and municipal elections.

(Amended on 13/3/2018 in accordance with Article 6 of Law 7102) Vote envelopes will be prepared from watermarked paper by the SBE and the emblem of Turkish Republic Supreme Board of Election will be placed at the front face of the upper left corner of the envelope.

~~Joint ballots prepared in accordance with this Law and other special laws shall be used for parliamentary elections, election of provincial general assembly members, municipal assembly members and municipal elections.~~

~~The Supreme Board of elections shall have produced the ballot envelopes in different colours for each election and with measurements of 15 cm in width and 21 cm in length. The ballot envelopes shall bear the emblem of the Republic of Turkey Supreme Board of Elections measuring 4x4cm, on the front side of the envelope in the upper left hand corner. The Supreme Board of elections can make the necessary changes in the standards of the ballot envelopes in line with the purposes of this article.~~

(1) The former heading of this article 'Joint ballot boxes' was amended by Article 11 of Law 5980 on 8 April 2010 and currently reads as indicated above.

PART TWO

Restrictions and the Arrangements at the Ballot-box

Restrictions on Alcohol and Weapons:

ARTICLE 79- Sale of alcoholic drinks, sale, delivery or consumption of all kinds of alcoholic drinks in restaurants, cafes, etc., or in public places on the election day is forbidden.

On the day of voting, all public entertainment places remain closed during the time of voting. Only meals are served in the restaurants those are qualified as places for entertainment.

On the day of voting, no one except officers responsible for the security and public order can carry weapons in villages, towns and cities.

(Amended paragraph 4: Amended by Article 286 of Law No 5728 on 23 January 2008.

For the purposes of this Law, a weapon shall be defined as any of those items listed under Article 6, paragraph (f) subparagraphs (1), (2), (3) and (5) of the Turkish Penal Code.

Prohibition of Broadcasting:

ARTICLE 80- Radios and all broadcasting organisations are prohibited in terms of providing news or elections and making estimations and comments on the results of election until 18 hours on the day of voting.

Between 1800 and 2100 hours, only radios can broadcast news and declarations supplied by the Supreme Board of Elections.

All broadcasts are free after 2100 hours.

The ~~Ballot Box Periphery~~ ~~Polling Station Area and Polling Station Base~~

ARTICLE 81- (Amended on 13/03/2018 in accordance with article 7 of Law 7102)
(Amended by Article 12 of Law 5980 on 8 April 2010)

~~The polling station area shall be deemed to be the area surrounding the place where the polling station committee is stationed with a radius of 100 meters with the polling station committee at the centre. However, this provision shall not apply to ballot boxes placed in to localities determined overseas, customs (4th Article of Law 6304, amended on 18 May 2012)~~

~~prisons and detention houses. In such places, the chairman of the polling station committee shall consider the conditions and determine a distance with a protocol to be prepared by him. The polling station base shall be deemed to be the space surrounding the place where the polling station committee is stationed with a radius of 15 meters with the polling station committee at the centre~~

~~(1) The former heading of this article 'Polling Station Area, Location Of the Ballot Boxes and Public Order' was amended by article 12 of Law 5980 on 8 April 2010 to read as currently indicated.~~

"Ballot box periphery is the room, section or place designed for this purpose where ballot box placed, and ballot box committee conducts its duties.

Ensuring Order in the Polling Station Base and Prohibitions ⁽²⁾:

ARTICLE 82- (Amended by Article 13 of Law 5980 on 8 April 2010)

Ensuring public order around the polling station zone is the responsibility of the Polling station Committee Chairman. The measures to be taken in the polling station zone shall not be of a nature to prevent people who have the right to be present in the polling station zone from following up the election work and procedures.

(Amended on 13/3/2017 in accordance with Article 8 of Law 7102) No one shall be allowed in the polling station zone other than the chairman and members of the polling station, candidates, deputies, the voters registered in that polling station district, the observers assigned at that polling station and the people responsible for the premises and the assigned law enforcement officers who shall be present upon call or notification. However, persons who have the authority of objection and representatives notified to the electoral boards by political parties can be allowed in the polling station zone with the certificate issued in advance by the electoral boards. Members of the media shall be free to gather information and visual images for purposes of making news, provided that they do not pose an obstacle to the procedures being carried out at the polling station

The chairman shall warn any person who attempts to prevent voters from casting their votes freely and in confidentiality or any person who attempts to prevent the polling station committee from doing their job as well as persons who attempt to disrupt any polling station

work and procedures such as the casting of votes, the counting of votes, polling or the recording of votes in the protocols. Any person who fails to heed such a warning shall be removed from the polling station zone by means of calling in the law enforcement.

If the chairman of the polling station committee fails to perform the duty set forth in this article, the polling station committee shall make a decision and use the afore-mentioned authority against the person causing the disruption and shall immediately notify the president of the district electoral board of the situation.

(Amended on 13/3/2018 in accordance with Article 8 of Law 7102) Any person who attempts to disrupt the order in the polling station zone by means of employing coercion, violence or threats shall be immediately removed from the polling station zone and necessary legal actions should be taken by the law enforcement officers who shall immediately be called in by the chairman of the polling station committee or one of its members or upon the notice by the voters. The notification by the voters should be done in person to the law enforcement of that place. -

Any person who fails to comply with the above-mentioned measures in prisons and detention houses shall be removed from the polling station zone, upon receiving the opinion of the prison administration, through measures taken without compromising security.

(Amended on 13/3/2018 in accordance with Article 8 of Law 7102) Law Enforcements called in accordance with this article should comply the request of the president or the decisions of the committee. In accordance with this article, law enforcements should comply the request of the president or the decisions of the committee and they should leave the ballot box area after the notification reason is gone away.

(Annex article: annexed on 13/3/2018 in accordance with Article 8 of Law 7102) Except the law enforcement officials in charge for the election security, the persons carrying official uniforms and weapons, including officers such as special security officers and municipal police officers cannot enter the premises, buildings and extension of these areas, where ballot boxes are placed.

(Annex article : Annexed on 13/3/2018 in accordance with Article 8 of Law 7102) No person in the premises, buildings and extension of these areas, where ballot boxes are placed, shall carry any badges, emblems or similar signs or propaganda publications belonging to the political party or candidate as may be seen by others; cannot make any written, verbal or visual propaganda. Those who do not comply with the provisions of this paragraph are removed by law enforcement officials.

~~————The law enforcement officers who are called in as per this article shall be obliged to comply with the demands of the chairman or the decision of the committee.~~

It is prohibited to talk on mobile phones in the location where the polling station committee is on duty.

However, this provision shall not apply in the case of calls to be made by the chairman and members of the polling station committee in the course of their duties. Any person who acts contrary to this provision shall be warned by the chairman of the committee. Any person who persists on continuing the phone call despite the warning shall immediately be removed from the zone.

In cases where an offense is committed in the polling station zone, the polling station committee shall record the situation in a protocol and call in the law enforcement to take action against the relevant person.

(Amended on 13/3/2018 in accordance with article 8 of Law 7102) The chairman of the district electoral board shall take measures to ensure the orderly performance of work and procedures around the ballot boxes and the security of premises, buildings and extension of these areas, where ballot boxes are placed. The chairman also take the necessary

~~precautions to ensure the compliance of the prohibitions which are set up in this regulation and avoid all the acts which restrains or complicates the free entry of voters or the people who have the right to be present in these places. procedures in the polling station zone.~~ In this scope, the polling station committees, civilian and administrative authorities shall be obliged to comply with the instructions given by the chairman of the district electoral board.

(2) *The former heading of this article 'The Authorizations of the Chairman' was amended by article 13 of Law 5980 on 8 April 2010 and on 13 March 2018 in accordance with article 8 of Law 7102 (inclusion of prohibitions word at the end of the title) to read as currently indicated.*

Security measures and prohibitions in the Polling Station Area ⁽¹⁾

ARTICLE 83- ~~(Annulment of article on 13/3/2018 in accordance with the article 24 of Law 7102) Amended by Article 14 of Law 5980, 8 April 2010)~~

~~————— No one shall be allowed in the polling station area other than those persons who have the right to be present and the law enforcement forces who are responsible for ensuring security of the elections.~~

~~————— Other than the law enforcement forces who are responsible for ensuring the security of the elections, no person wearing an official uniform or carrying a weapon shall be allowed in the polling station area including private security officials and municipal police.~~

~~————— In cases where there is behaviour contrary to the prohibitions specified in this law or an offense is committed outside the polling station zone but within the polling station area, the necessary action shall be taken by the law enforcement officers to be called in by the person in charge of the premises. In cases where there is no person in charge of the premises, this authority shall be employed by the chairman of the polling station committee or a member of the polling station committee assigned by the chairman.~~

~~————— No person shall be allowed to bear badges, emblems or similar marks or carry publications for purposes of political propaganda or engage in written, verbal or visual propaganda within the polling station area in such a way that others can see.~~

~~————— The chairman of the district electoral board shall take the necessary measures to ensure security in the polling station area as well as compliance with the prohibitions set forth in this Law; and shall prevent all acts that inhibit or make difficult the free entry of voters and other authorized persons into the polling station area. Civilian and administrative bodies shall be obliged to comply with the instructions given by the chairman of the district electoral board in this regard.~~

~~(1) *The former heading of this article 'Committing Crime in the Polling Station Area' was amended by article 14 of Law 5980 on 8 April 2010 to read as currently indicated.*~~

Security Measures in the Polling Station Area:

ARTICLE 84- (Repealed by Article 32 of Law 5980, 8 April 2010)

Security Measures Outside the Polling station Periphery Ballot:

ARTICLE 85- ~~(Amended on 13/3/2018 in accordance with the article 23 of Law 7102)~~

Measures taken by those authorities authorized to give orders to the municipal police, as well as those taken by the municipal police itself, outside of the Polling Station ~~periphery area~~ cannot somehow restrict or limit the free entrance of the voters to the premises, buildings and extension of these areas, where the ballot boxes are placed ballot boxes ~~freely~~.

(Second paragraph repealed by Article 32 of Law 5980, 8 April 2010)

Principles applicable to the polling stations installed in prisons and detention houses

ARTICLE 85/A- (Annex: 6th Article of Law 4125 on 27 October 1995.) The Supreme Board of Elections determines the application principles for ballot boxes those are going to be installed in prisons and institutions of executions, regardless of the provisions of the Articles 81, 82, 83, 84 and 85 of this Law.

PART THREE

Voting

The Authorization of Voting:

ARTICLE 86- (Amended by Article 15 of Law 5980, on 8 April 2010)

Every voter listed in the approved ballot-box voter list is entitled to vote.

Other than the exceptions specified in this Law, persons who are not registered in the ballot-box voter list shall not be allowed to vote. However, in cases where there are voters whose names are not included in the ballot box lists that are copied and delivered to the polling station committees although their names were listed in the final *muhtar* district display list or who had made an application during the display period for their names to be included in these lists and about whom a decision had been made to be registered therein, the chairman of the district electoral board shall decide for such voters to be added to the ballot box voter list where they are to vote by means of reference to the list issued by the district electoral board without consideration of the final muhtar district display list, whereby the voter shall be issued a letter by the district electoral board with which he shall apply to the polling station committee and be added to the list to cast his vote.

Other than in the exceptions specified under this Law, each voter shall cast his vote at the polling station in which he is registered under the ballot box voter list.

A voter shall not cast more than one vote for the same election.

A voter shall cast his vote only in the constituency in which he is listed as a voter.

In cases where there are voters about whom an official document has been issued, until election day, indicating that they are no longer eligible for voting, and voters who had been registered in the remand prisoners ballot box voter list prior to their release, or voters about whom an official letter has been issued indicating that they are convicted of a crime other than crimes of negligence for which a final sentence has been passed, such persons shall not be entitled to vote even if their names are registered in the voter list and such a situation shall be recorded by the polling station committee in a protocol.

Identification:

ARTICLE 87- (1st Article of Law 2234, amended on 17 May 1979.) The identities of voters registered in ballot-box voter list are determined by birth registers or by official documents issued for identification purposes and bearing the identification number of the Republic of Turkey. At the beginning of elections The Supreme Board of Elections determines and announces which documents are going to be accepted for identification. However, identification documents issued and certified by municipalities and by headman of villages and neighbourhoods are not valid in implementation of this paragraph.⁽¹⁾

(1) The phrase 'bearing the identification number of the Republic of Turkey' was duly included in this paragraph by Article 15 of Law 5749 on 13 March 2008.

(Second paragraph repealed by Article 15 of Law 5749, 13 March 2008)

(Annex paragraph: Article 16 of Law 5980, 8 April, 2010) In order for a voter to cast his vote in cases where he produces an identification card that does not bear the identification number of the Republic of Turkey, he shall also submit his voter information card or a document confirmed by the Supreme Board of Elections to bear evidence to the Republic of Turkey identification.

(Annex paragraph: Article 16 of Law 5980, 8 April, 2010) In the case of voters who are remand prisoners or inmates who have been convicted of a crime of negligence in prisons or

detention houses, and who do not have the identification documents specified above, the document issued by the prison administration shall serve as an identification card.

Voting Order:

ARTICLE 88- Voters cannot be subject to any intervention, solicitation or advice at the ballot box and they are not allowed to stay by the ballot-box after voting.

Voting Time:

ARTICLE 89- On the voting day, the time between 0800 and 1700 hours is the time for voting. However, voters still waiting in line to vote at 1700 hours are counted by the chairman and allowed to cast their votes in sequence.

(Annex: 6th Article of Law 3959, amended on 28 December 1993.) Beginning and closing hours of voting time can be determined by the Supreme Board of Elections throughout the country and in the necessary election districts, depending on seasonal and regional properties and transportation, provided that the time between the beginning and the end of voting is maintained and that the timings are announced not later than one week prior to the election day.

Sequence in Voting:

ARTICLE 90- Voters coming to their ballot-box on the day of voting are admitted one by one by the chairman of the committee. In terms of pregnancy, illness, disability the voters are prioritized. Elderly voters may also be admitted earlier.

Procedures Before Voting:

ARTICLE 91- (1st Article of Law 2234, amended on 17 May 1979.) A voter admitted by the committee proves his/her identity by presenting his/her identification certificate to the chairman.

The chairman finds the voter's name in the ballot-box voter list and provides him/her one of the joint ballots on the table; before directing the voter to one of the voting booths in case there are more than one voting booths in the ballot-box area, the voter is informed about the joint ballot and how to fold and seal it into an envelope or fold envelopes according to the type of voting, and exit as soon as he/she finishes.

The voter goes directly to the voting booth after receiving the joint ballot, only to exit the voting booth as he votes.

The joint ballot is retained from the voter who does not go into or vote in the voting booth.

Rules to be respected by voters in the closed polling booths ⁽¹⁾

ARTICLE 92 – (Amended by Article 17 of Law 5980, 8 April 2010)

No one shall be allowed to enter a closed polling booth unless the voter comes out. However, the chairman of the committee shall warn any voter and give him a reasonable period of time in cases where a voter remains in the closed polling booth for a longer period of time than necessary to prepare the ballot. Any voter who fails to come out of the closed polling booth despite such a warning shall be taken outside.

It is prohibited for a voter to enter the closed polling booth with devices that can save images or enable communication such as mobile phones, photographic or video cameras. Such devices shall be shut down and handed over to the chairman of the polling station committee before entering the polling booth and shall be returned to the voter upon the completion of the casting of his vote.

(1) The former heading of this article 'Staying in the Voting Booth' has been amended by Article 17 of Law 5980, 8 April 2010 to read as indicated in the current text.

Inserting and Marking the Joint Ballot:

ARTICLE 93- (1st Article of Law 2234, amended on 17 May 1979.) After the voter folds and glues the ballot in the closed polling booth, he/she gets out and inserts the joint ballot into the ballot box himself.

Disabled voters with apparent disabilities such as blindness, paralysis or similar physical defects may be accompanied by one of their relatives who are voters in the same election district or, in the absence of any relative, by any other voter to provide assistance in their voting performance. A voter cannot accompany more than one disabled.

(Third paragraph amended by Article 9 of Law 5749 on 13 March 2008) The chairman of the polling station committee shall ensure at the time he gives back the identity card of the voter that the voter puts his signature across his name in the voter list. It shall suffice to get the finger print of the left hand thumb for those who cannot sign. If the voter does not have a left hand thumb, a note shall be written to indicate which finger was used for the finger print.

Voting Procedures for Voters who are not registered in the polling station voter list. ⁽¹⁾
ARTICLE 94-(Amended by Article 18 of Law 5980 on 8 April 2010)

The chairman of the district electoral board shall issue a document for each

- a) chairman and member of the polling station committee and the person responsible for the building,
- b) law enforcement officer responsible for maintaining the security of the elections,
- c) person who has been assigned by the District Electoral Board to transport the members of the polling station committee to their posts,

who are entitled to vote in the election for that district but who are not registered in the polling station voter list that they are assigned to, stating that the person is entitled to vote and include information on which election they can cast their vote in as well as the information included in the polling station voter list. Furthermore, the chairman of the district electoral board shall send a written notification to the polling station committee chairmanship of the polling station at which such persons were originally registered explaining the situation.

As per this article, officials who have been issued a document by the chairman of the district electoral stating that they are entitled to vote, shall cast their votes in the polling station district in which they are assigned.

Deputies and candidates can vote in any election district outside of their registered area by presenting their voter cards.

The polling station committee shall retain the relevant documents of such persons casting their votes as per this article prior to their voting. These documents shall be delivered to the district electoral board together with other election documents.

The names, surnames and identification information of voters casting their vote as per this law shall be added to the end of the polling station voter list of the polling station where they cast their votes, and each such voter shall put their signature across from their names.

(1) The former heading of this article 'Voting Procedures of the Board Members, Deputies, Candidates And Citizens Residing In Other Countries' was amended by Article 18 of Law 5980 on 8 April 2010 and reads as seen in the current text'

Voting procedures and general principles concerning voters who are foreign country residents ⁽²⁾

ARTICLE– 94/A (Annex: by Article 10 of Law 5749 on 13 March 2008)

The combined or separate implementation of the methods of balloting, voting at customs gates or electronic voting in the voting process of overseas voters is decided on by the Supreme Election Council by receiving the opinion of the Ministry of Foreign Affairs depending on the election type and the exclusive conditions of the foreign country. The IT

infrastructure of the Ministry of Foreign Affairs can be utilized in transactions and procedures for voters registered in the overseas electoral registry. In line with the principles and procedures to be determined by the Supreme Election Council, the Ministry of Foreign Affairs shall take necessary measures for the installation and security of the IT infrastructure to be utilized. (5th Article of Law 6304, amended on 18 May 2012)

In the general parliamentary elections, the joint ballots printed on specially produced papers with the watermark of the Supreme Board of Elections shall bear the special emblems of only the political parties that are running in the elections, the acronyms of their title, their full title, and an empty circle with a diameter of 2cm below the section designated to each political party.

Voters who are residing in a foreign country can cast their votes in the general parliamentary elections, presidential elections and in referendums.

Voters residing in a foreign country can only vote for political parties that are running in the elections.

Electioneering campaigns shall not be carried out in foreign countries and embassies in foreign countries.

(2) The word ‘..by letter...’ referring to voting by means of sending a letter was repealed from the first paragraph of article 94/A by Resolution E.: 2008/33, K.: 2008/113 of the Constitutional Court on 29 May 2008.

Casting votes by means of sending a letter ⁽¹⁾

ARTICLE 94/B – (Annex: by Article 10 of Law 5749 on 13 March 2008)

The Supreme Board of Elections shall send the specially produced ballots and ballot envelopes printed in special colours to the Foreign Country Residents District Electoral Board. The Foreign Country Residents District Electoral Board shall send the ballots, the back side of which shall bear its own seal, and the ballot envelopes, to the address at which the voter is registered in the foreign country seventy-five days prior to election day.

Among the special envelopes sent to the voter to cast his vote, the smaller envelope bearing the seal of the Foreign Country Residents District Electoral Board is the envelope in which the ballots shall be placed. This envelope shall then be placed in a second medium-sized envelope bearing the words ‘Foreign Country Residents District Electoral Board Ankara / TURKEY’, this second envelope shall then be placed in a third and larger envelope bearing the foreign country address of the voter.

The voter who receives this letter shall open the envelope bearing his own name, shall use the ballot placed inside the small envelope bearing the seal to mark the circle reserved for the political party of his choice or the relevant section in the presidential elections or referendum with an (X), after which he shall place only the ballot in the small envelope and seal the envelope. He shall then place this envelope in the second envelope bearing the address ‘Foreign Country Residents District Electoral Board Ankara / TURKEY’, shall seal the envelope and post the envelope via mail so that it is delivered to the Foreign Country Residents District Electoral Board by 17.00 hours on election day.

The procedures and principles pertaining to the sending of the letters, security and identification issues shall be determined by the Supreme Board of Elections upon consultation with the Directorate General for Postal Services and Telegrams. The postal fees shall be borne by the Supreme Board for Elections.

Once the identification of the voter has been confirmed and his name in the voter registry marked,

the letter, which arrives at the 'Foreign Country Residents District Electoral Board, shall be opened by the Polling Station Committee and the smaller envelope carrying the ballot shall be placed in the ballot box without being opened. The ballot box shall be opened each day by the authorized polling station committee at 17.00 hours, the envelopes therein shall be compared with the number of voters and compliance shall be recorded in the minutes. The ballot envelopes shall be placed in a bag without being opened, together with a copy of the minutes kept, and the bag shall be sealed and delivered to the Foreign Country Residents District Electoral Board by the polling station committee.

Letters arriving later than 17.00 hours on election day shall be noted down in the minutes and destroyed by means of burning.

As of 17.00 hours on election day, the ballot bags shall be opened by the Foreign Country Residents District Electoral Board and the ballots shall be counted, listed and combined after which the results shall be conveyed to the Ankara Provincial Electoral Board. The Ankara Provincial electoral Board shall arrange minutes for combining of these votes and send the results to the Supreme Board of Elections.

The total number of valid votes cast by the foreign resident voters shall be added by the Supreme Board of Elections to the total number of valid votes cast throughout Turkey to find the nation-wide overall number of votes and the nation-wide valid number of votes received by each party.

Hence, the total number of votes that are the basis of article 33 of the Law on Parliamentary Elections shall be determined.

The total number of valid votes for each electoral district shall be increased by the ratio found by dividing the total number of votes, which are notified by the Foreign Country Residents District Electoral Board to the Ankara Provincial Electoral Board, by the total number of domestic votes. The difference between the total votes cast in that electoral district and the votes that are thus calculated shall be distributed to parties in the ratio corresponding to their share in the number of votes coming from the Ankara District Electoral Board and the figures found shall be added to the valid number of votes these parties have received from that electoral district. Thus, the total number of valid votes cast in the principal electoral district specified in article 34 of the Parliamentary Elections Law and the total number of valid votes received by parties shall be found.

Casting of Votes by Foreign Country Resident Voters at the polling station

ARTICLE 94/C –

(6th Article of Law 6304, amended on 18 May 2012; amended on 25/4/2018 in accordance with the article 1 of Law 7140)

Voters registered in the overseas electoral registry can cast their votes according to the voting calendar within the framework of principles and procedures determined by the Supreme Election Council at the ballot boxes to be established at our foreign missions and other sites deemed to be suitable by local authorities, if needed; during the period starting from forty five days prior to the election date until 05:00 pm on the thirdseventh day prior to the election day. However, the number of days for voting can be decreased by the Supreme Election Council by taking the number of voters in the foreign country into consideration and consulting the opinion of the Ministry of Foreign Affairs. The voting times are between 08:00 am and 05:00 pm in local time. Considering the status of the foreign country and consulting the opinion of the Ministry of Foreign Affairs, the Supreme Election Council can decide on the foreign missions and sites where voters can vote for twenty four hours including holidays and where they can vote for shorter periods of time; and this decision is announced in the electronic environment. (annulment of the last sentence of the paragraph on 25/4/2018 in accordance with the article 1 of Law 7140)

~~In case of the excessive numbers of voters living in the foreign countries, decisions can be made for having voters cast their votes on the days and at the ballot boxes exclusively determined for them.~~

The foreign missions and sites, where ballot boxes shall be established and the officials constituting the balloting committee shall be determined by the Supreme Election Council, by consulting the opinion of the Ministry of Foreign Affairs. According to this determination, the balloting committee chairman and members shall be selected by the Overseas District Election Council. The balloting committee consists of a chairman, a public official member, and an individual to be assigned by each of the three political parties receiving the most votes across Turkey in the most recent parliamentary election, and reserve members are selected through the same procedures. If any political party fails to assign such an individual, the corresponding vacancy shall be occupied by a member to be selected among public officials or voters. The chairman and members of the balloting committee are selected primarily among public officials and voters at localities, where ballot boxes shall be established overseas.”

(Annexed as a paragraph on 25/4/2018 in accordance with the article 1 of Law 7140)
"Political parties may appoint different members for the polling station committees for each voting day abroad."

The Supreme Election Council sends the specially had manufactured ballots and the ballot envelopes printed in special colors to the Overseas District Election Council. All features including the dimensions of the ballot boxes, voting booths, and other voting equipment to be used overseas and number of voters that will cast votes in a ballot box are distinctively determined by the Supreme Election Council by considering the status of the foreign country and consulting the opinion of the Ministry of Foreign Affairs.

Upon arrival of the voter for voting, the chairman of the balloting committee identifies the identification of the voter from his/her identification certificate or passport bearing the national identification number of the Republic of Turkey, and checks whether or not the voter has casted another vote through other methods via the Computer Aided Central Electoral Registry System. The voter determined not to have casted a vote takes the ballot and ballot envelope stamped with the cachet of the balloting committee together with the “Evet (Yes)” or “Tercih (Preference)” stamps and goes to the closed voting site in order to cast his/her vote. The voter that has casted a vote is requested to put a signature next to his/her name on the chart.

The ballot boxes are opened by the balloting committees according to the procedures specified in this law at 05:00 pm when the voting period ends, or at any other time specified otherwise. Before the ballot envelopes are opened, the number of ballot envelopes, the number of voters that casted votes, and the consistency between these two figures are identified with a written report.

The balloting committee assigned with the duty of storing the votes at each foreign mission and delivering them to the Overseas District Election Council in sealed ballot bags with the methods determined by the Supreme Election Council, and under the chair of the mission chief of that locality or the most senior official and consisting of a public officer member assigned at the mission and the individuals designated by the three political parties receiving the most votes in the most recent parliamentary election in Turkey shall be established by the Overseas District Election Council by consulting the opinion of the Ministry of Foreign Affairs and reserve members are selected by means of the same procedure. If the political parties do not notify members, the vacancy is occupied with a member to be selected among public officers.

After the voting period has finished in Turkey, the Overseas District Election Council has sealed ballot bags coming from overseas opened, counted, tallied, and reported by the Balloting Committees under its own supervision in compliance with general principles. Reports are issued on combination procedures performed on the basis of the previously mentioned reports; and the results are forwarded to the Ankara Provincial Election Council. Furthermore, the results in the temporary combination report coming from temporary election

boards of customs gates are combined within themselves, and these results are forwarded to the Ankara Provincial Election Council. The results coming from overseas ballot boxes and customs gates are combined by the Ankara Provincial Election Council, and the report issued is delivered to the Supreme Election Council by utilizing the fastest means.

Electronic voting by foreign country resident voters

ARTICLE 94/D – (Annex: by Article 10 of Law 5749 on 13 March 2008) The Supreme Board of Elections has the authority to set up the necessary technical infrastructure to enable citizens residing in foreign countries, as identified under article 35, to cast their votes in an electronic environment by using their identification numbers issued by the Republic of Turkey, and to take the necessary measures to ensure secure voting such as issuing passwords for voters and taking similar security measures as well as measures to prevent double voting.

Foreign country resident voters can cast their votes within the period starting thirty days prior to election day until 17.00 hours Turkish time on election day.

Votes cast in an electronic environment shall be noted, counted, listed and combined by the Foreign Country Residents District Electoral Board as of 17.00 hours on election day and the results shall be delivered to the Ankara Provincial Electoral Board. The Ankara Provincial Electoral Board shall then arrange a protocol stating the combined number of votes and send these results to the Supreme Board of Elections.

The votes cast in an electronic environment shall be accounted as per the relevant provisions of article 94/B

Casting of votes by foreign country resident voters at customs gates

ARTICLE 94/E – (Annex: by Article 10 of Law 5749 on 13 March 2008)

Voters who are registered in the foreign country resident voters registry shall be entitled to cast their votes at the polling stations to be set up at the customs gates during their entry into and exit from the country, starting forty-five (*7th* Article of Law 6304, amended on 18 May 2012) days before election day until 17.00 hours on election day.

The Supreme Board of Elections shall send the specially produced ballots and the ballot envelopes produced in special colours so that they are received by the relevant district electoral board three days before the start of the voting period at the latest.

Votes can be cast at the customs gates determined by the Supreme Board of Elections during the period starting 8.00 hours forty-five (*7th* Article of Law 6304, amended on 18 May 2012) days before election day until 17.00 hours on election day. The Supreme Board of Elections shall have the authority to determine which customs gates are open for the casting of votes 24 hours, including holidays, and which customs gates are open for votes for shorter periods.

The electoral board to be assigned temporary customs gate (*7th* Article of Law 6304, amended on 18 May 2012) and the number of polling station committees, the number of their members and alternate members as well as which officers shall constitute the polling station committee shall be determined in advance by the Supreme Board of Elections.

The polling station committees shall prepare an adequate number of closed polling booths so as to ensure that votes are cast freely and in confidentiality. The relevant administrative bodies shall facilitate the work of the polling station committees in every way.

Electioneering activities are not allowed at customs gates.

When the voters come to the customs gates to vote, the balloting committee chairman identifies the identification of the voter with an identification certificate bearing the national

identification number of the Republic of Turkey, or official documents issued for identification verification purposes and bearing the national identification number, or a passport; and checks whether or not the voter has casted another vote through other methods on the Computer Aided Central Electoral Registry System. The voter determined not to have casted a vote takes the ballot and ballot envelope with the stamp of the balloting committee together with the “Evet (Yes)” or “Tercih (Preference)” stamps, and goes to the closed voting site in order to cast his/her vote; and completes the voting process according to general procedures. (7th Article of Law 6304, amended on 18 May 2012)

The voter shall then put his signature across his name on the list thus completing the voting.

At the time of the changing of the polling station committees throughout the voting period, the ballot boxes shall be opened as specified in the Law, the number of ballot envelopes and the number of voters who have cast their votes are counted to confirm that they match and this is recorded in the minutes.

The ballot envelopes and a copy of the minutes are placed in a bag, sealed and delivered to the relevant electoral board by the polling station chairman to be safeguarded.

After 05:00 pm on the election day, the ballot boxes and bags are opened according to the general principles, and counting and tallying procedures are performed by the temporary election boards of customs gates. The combination report of the temporary election boards of customs gates is issued, and this report is delivered to the Overseas District Election Council through the fastest means together with other documents pertaining to election procedures and petitions of objections, if any. (7th Article of Law 6304, amended on 18 May 2012)

The votes cast at the customs gates shall be accounted as per the relevant provisions of article 94/B.

PART FOUR

The Counting and Listing Procedures of the Votes

Measures for Counting:

ARTICLE 95- The count and documentation is conducted publicly. People who are present at the place of voting supervise the counting and listing procedures.

The committee takes a resolution to define the required empty area around the counting and listing table for a decent and safe performance concerning the operations of the committee, and may take necessary measures (such as limiting the area with a rope) within this area for enabling the participants' observation.

Checking the Number of Votes:

ARTICLE 96- (7th Article of Law 3959, amended on 28 December 1993.) the ballot box is not opened before 1700 hours according to the last paragraph of 89th Article unless the Supreme Board of elections has stated otherwise. When the voting procedures have finished the chairman of the committee announces this aloud. Everything but the ballot box is removed on the table. The time on which the voting procedures has finished is recorded in the minute book.

After that the total number of the voters listed on the ballot box list and the total number of signatures or the fingerprints next to the names are counted, before recording the result on the minute book as determined. The result is announced loudly.

Unused Joint Ballots and Envelopes

ARTICLE 97- (1st Article of Law 2234, amended on 17 May 1979.) Unused vote envelopes or joint ballots are counted and added to the number of voters who have voted, the result is compared to the total number of envelopes or joint ballots delivered to the committee. Unused envelopes or joint ballots are packed, sealed and numbered.

The bag which is spared for inserting the ballots from the ballot-box is checked for emptiness subsequently. All these procedures are recorded.

Opening The Ballot Box And Counting The Envelopes:

Opening the ballot box and counting ballots:

ARTICLE 98 – (Amended by Article 19 of Law 5980 on 8 April 2010)

Once the transactions and procedures specified in the foregoing articles, the ballot box shall be opened by the chairman of the polling station committee witnessed by those present in the polling station.

The envelopes taken out of the ballot box shall be counted twice out loud by the chairman of the polling station committee. If there is a difference between the first and second counts, a third count shall be made and the results noted accordingly and the envelopes used in that specific election type shall be determined. The number of envelopes determined shall be noted down in the minutes created for that specific election type.

Once all the envelopes are counted, they shall be checked to see whether they comply with the validity requirements.

(Amended on 13/3/2018 in accordance with the article 9 of Law 7102) Envelopes that are not of the type and colour given by the polling station committee, those that do not bear the seal of the district electoral board and polling station committee, those who have been entirely torn, and those that bear any seal, signature, writing, fingerprints or markings other than those of the district electoral board and polling station committee shall be deemed void. However, **even the envelopes have not stamped by the ballot box committees but that has water mark, emblem and stamp of the district election board seal and** even in cases where the envelope bears any spots or scratches, such envelopes shall be deemed valid if it cannot be understood for sure that such marks were made with the purpose of putting a specific sign on the envelope.

Envelopes about which an objection is made and envelopes that are deemed void with no objection shall be put aside by the chairman. Once the polling station committee has checked all the envelopes, they shall examine the envelopes about which an objection was made and decide on whether these shall be deemed void or valid. Following this, the total number of the valid and void envelopes from that ballot box shall be noted down in the relevant section of the special minutes kept for each election type.

The void envelopes shall be packed, the package shall be sealed and the number of envelopes shall be written down on the package. These envelopes shall be saved and not opened under any condition.

Once these procedures are carried out, the total number of valid and void envelopes shall be compared with the number of voters who have cast a vote in that specific election type.

If the number of envelopes are equal to or less than the number of voters who have cast a vote for that specific election type, no other procedure shall apply.

If the number of envelopes is higher than the number of voters who have cast votes, first the number of void envelopes shall be deducted for purposes of matching the figures. If the number of voters does not match the number of ballots despite the deduction of the number of void envelopes, the chairman of the polling station committee shall randomly pick an adequate number of valid envelopes to ensure a match and these envelopes shall be

immediately burned without being opened. The number of envelopes that were destroyed shall be noted down in the minutes.

Once the above procedures are completed, the valid envelopes shall be placed back in the ballot box and the counting shall commence.

All such procedures shall be noted down in the minutes book, signed by the chairman and members of the polling station committee and duly sealed.

The ballot boxes shall not be taken outside the polling station until all counting and listing procedures for all election types are completed.

Counting and listing of votes

ARTICLE 99 – (Repealed by Article 32 of Law 5980 on 8 April 2010)

Opening of Envelopes, counting and listing of votes ⁽¹⁾

ARTICLE 100 – (Amended by Article 20 of Law 5980 on 8 April 2010)

The counting and listing of votes shall start immediately and be conducted openly and without interruption. Any complaints and objections that may arise shall not suspend the procedure.

The chairman of the polling station committee shall show those present that the tally sheet is empty and bears no writings.

In order to ensure an orderly count and listing of ballots the chairman of the polling station committee shall assign;

- a) One member to pass him each envelope in the ballot box,
- b) Two members to record the ballot counts on the tally sheet.
- c) One member to place and safeguard on the table in an organized manner, all the ballots that are counted and listed as well as the envelopes that are opened,

On the tally sheets, first, the name of each political party shall be written in the topmost cell of the columns from left to right according to the order followed in the joint ballot. Then, a column shall be designated for each independent candidate if applicable, the names and surnames of the independent candidates shall be written in the cells at the top of the columns following the order in the joint ballot. (Annex Sentence: annexed on 13/3/2018 in accordance with article 10 of Law 7102) After all of these, in case of there is alliance of political parties, enough column will be inserted into the joint ballot paper in accordance with their order in it and the name of the alliances are written on the top of the columns.

The member who is assigned by the chairman of the polling station committee shall take one ballot envelope out of the ballot box each time and hand it over to the chairman. The chairman shall open the envelope and read the front side of the ballot in such a way so as to ensure that everyone sees and hears. (Annex Sentence: annexed on 13/3/2018 in accordance with article 10 of Law 7102) In the event of elections in which more than one vote is used in the same envelope, the ballot papers should be upturned on the table and classified according to the type of the elections before being read and procedures should be completed in accordance with article 9.

The name of the party or the name and surname of the independent candidate for which a 'YES' seal has been stamped in the section reserved for that party or independent member shall be read out loud. In the elections for the headmen (muhtar), the names and surnames of the headmen candidates on the ballots belonging to these candidates shall be read out loud after being taken out of the ballot envelope.

(Annex Sentence: annexed on 13/3/2018 in accordance with article 10 of Law 7102) During the presidential and parliamentary elections that took place together, first the ballot papers for the presidential elections should be counted and listed.

In the metropolitan municipality elections, the counting and listing of the ballots shall be conducted first for the metropolitan city mayor's office, then for the district mayor's office and lastly for the members of the municipal council. In other municipal elections, the counting and listing of the ballots shall be conducted first for the mayor's office, and then for the members of the municipal council.

(Amended paragraph: Amended on 13/3/2018 in accordance with article 10 of Law 7102) During the elections of the local administration bodies:

- a) In metropolis, the mayor of the metropolitan municipality, mayor of municipality and membership of municipality council and muhtarlık,
- b) In other provinces, the mayor of municipality, provincial assembly membership of municipality council and muhtarlık,

ballot papers with regards to abovementioned elections are counted and listed in sequential order mentioned above.

(Amended on 13/3/2018 in accordance with the article 10 of Law 7102) In ~~the municipal and headmen~~ elections where more than one ballot is placed in the same envelope, if there is a missing ballot in the ballot envelope, notes shall be taken in the minutes of the polling station results, once all envelopes are opened, stating which election type the missing ballots belong to, the number of missing ballots and the total number of empty envelopes from which no ballot was produced.

Each vote cast for a political party or an independent candidate, which is not objected to, shall be recorded, right after being read out loud, on the numbers in the column reserved for that political party or independent candidate on the tally sheet, starting with the number one, by means of crossing each number according to its order. The chairman of the polling station committee shall constantly check to see that this transaction is done according to procedure.

The valid ballots and envelopes that have been read shall be placed on the table in an organized manner and safeguarded.

(Annex paragraph: annexed on 13/3/2018 in accordance with article 10 Law 7102) In the event of stamping the "YES" stamp within the stage of alliances:

- a) In the column allocated for political parties;
- b) Both in the column allocated for the political party and in the column allocated under the name of alliances;
- c) Stamping outside of the column allocated under the name of the alliances partially which also goes under the column of political parties.

Above-mentioned ballot papers would be deem valid and should be added under the political parties in the minutes of the election counting. Apart from these situations if yes stamp only put in the column allocated for the alliance without indicating any party, these votes should be valid and added for the alliance in the minutes of the election counting starting from one and signed one by one.

Ballots that are deemed void or ballots that should not be taken into account although they are valid, and ballots with uncertainty as to their validity or uncertainty in terms of whether they should be taken into account, or ballots that are objected to shall all be separated without being listed on the tally sheet and safeguarded by the chairman of the polling station committee.

(Amended on 13/3/2018 in accordance with article 10 of Law 7102) Once all envelopes are opened and the ballots read, the number of votes counted with no objection and listed in both tally sheets, and the final figures written in the column of each political party, independent candidate or joint ballots of alliances shall be compared and the number of valid votes received by each political party, independent candidate or jointly by alliances shall be checked by the chairman to see whether the figures are the same on both tally sheets. If the number of votes is the same, the valid votes received by each political party, independent

candidate or jointly by alliances shall be added up and the total number of votes deemed valid with no objection shall be noted down in numbers and in writing in the special minutes arranged for that specific election type by the polling station committee.

(Amended on 13/3/2018 in accordance with article 10 of Law 7102) If the valid number of votes received by each political party, ~~and~~ independent candidate or jointly by alliances that have been written down in the cells reserved for those candidates are not the same in the two tally sheets, a second count shall be made. In the second count, the valid ballots shall be read once again one by one and written down in the two empty and unwritten tally sheets. If the number of votes in these two tally sheets is the same, the valid number of votes received by each political party, ~~and~~ independent candidate or jointly by alliances shall be added up and the total, which has not been objected to, shall be noted in the special minutes belonging to that specific election type by the polling station committee in writing and in numbers.

If the number of votes written in the tally sheets after the second count do not match, a third count shall be made in accordance with the procedure describe above and written down in one tally sheet by the member of the polling station committee who does not represent a political party, if applicable, or by a committee member who will be chosen by the chairman, and the results of the count will constitute the basis for the subsequent procedures. In cases where more than one count is made, the tally sheets used in these counts shall be marked indicating which count they pertain to in capital letters and all tally sheets shall be safeguarded.

Once the final valid envelope in the opened ballot box is opened and read, the chairman of the polling station shall check to see whether there are any other valid envelopes left in that ballot box, the number of opened envelopes and the number of valid envelopes initially written in the minutes shall be compared and the results noted down in the minutes.

Once the valid votes are noted down on the tally sheets, the ballots, about which there is uncertainty as to whether they should be deemed valid or taken into account, shall be assessed one by one by the polling station committee and a decision shall be reached, such a decision shall be noted down in the minutes and signed and sealed.

(Amended on 13/3/2018 in accordance with article 10 of Law 7102) The ballots that have been deemed valid and taken into account as per the polling station committee decision shall be noted down in the column reserved for the political party, ~~or~~ independent candidate or joint vote for the alliances to which they belong. The total number of ballots that are deemed valid or taken into account in this manner shall be noted down in the special minutes reserved for that specific election type.

Ballots that are not deemed valid or not taken into account shall be packed separately, sealed, the number written down on the package and saved. These ballots shall not be burned, torn or destroyed. The number of such ballots shall be written down in the special minutes arranged for that specific election type.

(Amended on 13/3/2018 in accordance with article 10 of Law 7102) Once the procedures described above are completed, the total number of votes received by political parties, ~~and~~ independent candidates or jointly by alliances in the tally sheets shall be added up and each total shall be written down at the bottom of the column reserved for that political party or independent candidate.

(Amended on 13/3/2018 in accordance with article 10 of Law 7102) The votes received by the political parties, ~~and~~ independent candidates or jointly by alliances on each tally sheet shall be declared out loud by the chairman of the polling station committee for those present to hear.

Once such a declaration has been made, the results in the tally sheet shall be written down in the results minutes. The accuracy of this information shall be checked by the chairman of the polling station by means of comparing with the results of the tally sheets, after which the polling station results minutes shall be signed and sealed by the chairman and members of the committee.

All these procedures shall be noted down in the minutes and signed and sealed by the chairman and members of the polling station committee.

The party observers can be present at the counting table and see the ballots. However, if the number of party observers is more than five, the chairman of the polling station committee shall draw lots to determine the names of the five observers who will be entitled to observe by the table. names, with those present bearing witness, and five party observers shall be chosen to observe by the counting table, each from a separate political party. A space shall be designated for other observers and independent candidate observers allowing them to observe the counting procedures closely.

(1) The former heading of this article 'Opening the Envelopes' was amended by Article 20 of Law 5980 on 8 April 2010 to read as seen in the current text.

Auditing the Number of Ballots and the Opened Envelopes:

Void Ballots ⁽¹⁾

ARTICLE 101 – (Amended by Article 21 of Law 5980 on 8 April 2010.)

The joint ballots listed below shall be deemed void:

1. Those that do not have the specific colour and form arranged for that election type as the ballots provided by the Polling Station Committee,
2. Those that do not bear the watermark 'The Republic of Turkey, Supreme Board of Elections' on the back side,
3. Those that do not bear the seal of the Polling Station committee on the back side,
4. Joint ballots that have not been stamped with a "yes" stamp on any place
5. Ballots that are stamped with "yes" in more than one circle reserved for the political parties or independent candidates.
6. Those with the "yes" stamp that has spilled over to more than one circle reserved for political parties and independent candidates.
7. Ballots that have been arranged for an electoral district other than the electoral district in which the polling station is located,
8. Ballots that have been torn or ripped in such a way compromising its integrity,
9. Ballots that have been marked with any sign other than the 'YES' seal such as a special mark, any signature, signature stamp, seal or finger print,
10. Ballots on which the space reserved for the political parties or independent candidates is specially scratched, crossed or marked in a pronounced way
11. Ballots that have been marked with writings, letters, numbers or shapes other than those that are printed on the original ballot.

However, the following conditions shall not render a ballot void

1. Tearing of envelopes at the time of opening or reading
2. Inadvertent tearing of a part of the ballot without compromising its integrity
3. Ballots that bear spots, on which there is no clear understanding that they have been marked with a special sign.
4. The spilling over of the 'YES' seal and the polling station seal at the back of the ballot on other parts of the ballot paper due to folding of the ballot paper at the time of placement in the envelope.
5. The spilling over of the 'YES' seal stamped in the space reserved for a political party or independent candidate, in the area with a double line designating the separation of only two political parties.
6. More than one 'YES' seal being stamped in the space reserved for one political party provided that it has not spilled over to the space of another political party or independent candidate.

(Annex: annexed on 13/3/2018 in accordance with article 11 of Law 7102) 7. In the case of that the ballot papers sent by the authorized electoral boards and having water marks of the

Supreme Court of Elections in their back are not stamped because of the neglect of the polling box committees.

In elections where more than one ballot is placed in the same envelope, if one of the ballots belonging to a specific election type in that envelope is void, the remaining ballots shall not be deemed void as well.

In the case of the elections for the headmen, the Supreme Board of Elections shall determine the conditions under which the ballots shall be deemed void other than those conditions described in this article.

(1) The former heading of this article 'Auditing of ballots and opened envelopes' was amended by Article 21 of Law 5980 on 8 April 2010 and reads as seen in the current text.

Ballots taken into account and disregarded ⁽¹⁾

ARTICLE 102 – (Amended by Article 22 of Law 5980, 8 April 2010)

Even in cases where parts of a joint ballot have been erased or printed wrongly, ballots that are clearly understood to bear a 'YES' seal in favour of a political party or independent candidate shall be taken into account.

In cases where the envelope has any fliers, brochures, papers or materials bearing special signs, writings or shapes, none of the ballots inside that envelope shall be taken into account.

In elections where a single ballot is placed in a single envelope, if a second ballot is found in the envelope belonging to the same election type or another election type, none of the ballots inside that envelope shall be taken into account.

In elections where more than one ballot is placed in the same envelope, if more than one ballot is found inside the envelope belonging to the same election type, the ballots pertaining to that specific election type shall not be taken into account whereas the other ballots shall be deemed taken into account.

In elections where more than one ballot is placed in a single envelope, if a ballot belonging to another election type is found in that envelope reserved for a specific election type, none of the ballots inside that envelope shall be taken into account.

In elections where more than one ballot is placed in a single envelope, even if one or more ballots are missing in the envelope dedicated to those election types, the remaining ballots in the envelope shall be taken into account.

(1) The former heading of this article 'The name to be written on the ballot' has been amended by Article 22 of Law 5980 dated 8 April 2010 to read as seen in the current text.

Envelopes and Joint Ballots that are void

ARTICLE 103 – (Repealed by Article 32 of Law 5980, on 8 April 2010)

Ballots not taken into account

ARTICLE 104 – (Repealed by Article 32 of Law 5980, on 8 April 2010)

Arranging and declaring the Ballot box results minutes ⁽¹⁾

ARTICLE 105 – (Amended by Article 23 of Law 5980, on 8 April 2010.)

The polling station committee shall arrange the results minutes for each specific election type in two copies in accordance with the information obtained during counting and listing and the results of the tally sheet. The information pertaining to each specific election type shall be noted down in full in the relevant section reserved in these minutes, after which the chairman and members shall put down their names, surnames and signatures and seal the minutes with the polling station committee seal.

The information that must be noted down in the minutes as per the foregoing paragraph is as follows:

1. The name of the province, district and constituency where the polling station is located and the number of the ballot box.
2. The date and day on which the votes were cast.
3. The exact hour and minute the ballot-box was opened in the presence of the Polling Station Committee members and those present in the voting place, and if the ballot-box is opened after 1700 hours, the cause of late opening,
4. The number of voters waiting in line at the end of the voting period and the number of voters who cast their votes.
5. The total number of envelopes delivered by the district electoral board and the number of envelopes not used.
6. The total number of ballots delivered by the district electoral board and the number of ballots not used.
7. The number of voters registered in the polling station voter list,
8. The number of voters not registered in the polling station voter list but who have cast a vote at the polling station in accordance with this Law.
9. The total number of voters who have cast their votes,
10. The number of envelopes taken out of the ballot-box
11. The number of valid envelopes.

(1) The former heading of this article was 'The Declaration and Registration of Counting Results' was amended by Article 23 of Law 5980 on 8 April 2010 to read as seen in the current text.

12. The number of void envelopes and the reason for their not being counted valid.
13. If the number of envelopes is higher than the number of voters who have cast their votes, the number of envelopes burned to match the figures.
14. If a ballot is missing in the envelope in municipal elections, information on which election types the missing ballots belong to and their number.
15. Empty envelopes with no ballots.
16. The number of ballots deemed valid with no objections.
17. The total number of ballots that are considered valid and taken into account upon objection.
18. The total number of valid ballots.
19. The number of ballots deemed void and the reason.
20. The number of ballots not taken into account and the reason.
21. The total number of ballots deemed void or not taken into account.
22. **(Amended on 13/3/2018 in accordance with article 12 of Law 7102)** Total number of valid votes received by each party, ~~and~~ independent candidate and joint votes of the each alliances (both in figures and in writing)
23. The complaints raised pertaining to the voting procedures and transactions as well as the counting and listing of votes, and the decisions pertaining to such complaints.
24. The number of counts if more than one counting and listing has taken place.
25. Information stating that the result of the count and listing has been declared by the chairman to those present.

(Amended on 13/3/2018 in accordance with article 12 of Law 7102) An approved copy of the ballot box results minutes shall be hung up by the polling station committee in the building or the structure that the ballot boxes are placed~~polling station base~~ in a place that can be seen by all. These minutes shall be displayed for one week as of the date of voting.

A copy of the polling station results minutes shall be given upon demand to each observer representing a political party or independent candidate running in the elections in that electoral district once these copies are signed and sealed by the chairman and members of the polling station committee. These minutes shall first be given to the members of the polling station committee from political parties upon their demand in return for their signature. However, in this case, a second copy of the minutes shall not be given to the observer of that political party. The polling station results minutes to be given to observers shall be prepared in copies with multiple pages. Once the polling station committee writes down in

the minutes book the names and surnames of the observers and polling station committee members who have been given a copy of the polling station results minutes, as well as the name of the political party or name and surname of the independent candidate that they represent, signatures shall be put down indicating that the minutes were delivered.

The polling station committee shall be given five extra polling station results minutes for the number of political parties and independent candidates listed on the ballot for each election type. The principles and procedures pertaining to the arrangement of these minutes shall be determined by the Supreme Board of Elections.

Posting Up the Protocol:

ARTICLE 106 – (Repealed by Article 32 of Law 5980 on 8 April 2010)

The Delivery of the Documents and Forms Relevant to the Counting:

ARTICLE 107 – Valid ballots considered for the calculation, protocols issued by the Polling Station Committee; vote counting lists used in counting and listing undersigned by the committee; invalid, discarded and objected ballots which are not calculated, as well as discarded envelopes and the minute books are collected in separate packages signed and sealed by the chairman and the members of the committee, before they are delivered to the related district electoral board by the chairman of the Polling Station Committee and at least two members whose names are drawn by lot by the chairman.

Other members of the committee and observers may participate at will and if the vehicle is available or if they provide the transportation for themselves.

The District Electoral Board opens the bag in the presence of the members who delivers the bag, and issues a list in three copies that shows the contents of the bag. The list is undersigned by the persons who delivered the bag and the chairman of the District Electoral Board along with one of the members. A copy of the list is attached to the document which is going to be sent to the Provincial electoral Board. A copy of the list is delivered to the chairman of the Polling Station Committee.

CHAPTER FIVE

Procedures After the Election

PART ONE

ARTICLE 108 – (Amended by Article 24 of Law 5980 on 8 April 2010)

The work related to the combining of the election results minutes incoming from the polling station committees by the district electoral boards and the determination of the election results shall be carried out openly and without interruption.

The political party candidates and their observers along with the independent candidates and their observers as well as the political party representatives in the district electoral boards may be present at will during the counting, listing and combination procedures which are performed by the District Electoral Board. In case the number of independent candidates and their observers who are present exceeds three, the first three names drawn by lot may remain to observe the procedures. Lots shall not be drawn for the political parties and their observers. A place close to the polling station shall be arranged to enable those present to observe the procedures.

The District Electoral Board shall work without interruption to receive and combine the protocols incoming from polling station committees by means of recording them in special protocols belonging to each election type and electoral district in the order of their arrival.

After the arrival of the last polling station protocol, the combination procedure of all polling station protocols in the district shall be completed and the result shall be recorded in a minute. These procedures can also be carried out in a computer environment in accordance with the procedures and principles determined by the Supreme Board of Elections provided that these are in compliance with the procedures and principles set forth in the Law.

The following shall be recorded, in writing and in numbers, in the combining protocols to be arranged by the district electoral boards

1. Name of the province,
2. Name of the district electoral board and its number, if applicable,
3. The election type and electoral district,
4. The page number of the protocol,
5. The number of the polling station committee in succession
6. The name of the constituency where the polling station was located,
7. The number of voters listed in the polling station voter registry
8. The number of voters who have cast votes
9. The number of ballots deemed valid without objection
10. The number of ballots deemed valid and taken into account upon objection
11. The total number of valid ballots
12. The total number of ballots deemed void and not taken into account
13. The names of the political parties in the order they appear on the joint ballot and the number of votes cast for each political party
14. The names and surnames of the independent candidates in the order they appear on the joint ballot and the number of votes cast for each independent candidate
(Annex: annexed on 13/3/2018 in accordance with the article 13 of Law 7102) 15. number of joint votes received for the each alliances
(Annex: annexed on 13/3/2018 in accordance with the article 13 of Law 7102) 16. The number of votes received by each political party in the alliance after their share from the alliance added
15. The names and surnames of the persons who were voted for, in alphabetical order, in the elections for the headmen and the respective votes they have received
16. Any other information that may be required by the Supreme Board of Elections

If more than one protocol has been used in the combining process, each protocol shall be given a number.

In elections where joint ballots are used, prior to the signing of the district combining protocol, a breakdown sheet showing all the information in the polling station protocols that were combined shall be copied and handed over to each of the political party members in the electoral boards, the number of votes received by the political parties and independent candidates as written in the polling station protocols that are combined in that combining protocol shall be read out loud by one of the civil servant members assigned by the chairman in the district electoral board in the order that they appear in the combining protocol, thereby auditing whether there are any mistakes in the number of votes written in the district combining protocol. If there are sufficient facilities in the district electoral board, the auditing procedure can be broadcasted in such a way to ensure that those present can watch.

The chairman shall assign another member of the board to note down the mistakes identified during the audit in the audit protocol. The audit protocol shall include a sheet suitable for writing down name of the district electoral board, the type of the election being audited and the electoral district, and the number of the polling station identified to have entered inaccurate information. During the audit, all polling station committee result protocols that have been inaccurately reflected in the district combining protocol shall be separated. The protocol arranged during the auditing procedure shall be signed by the chairman and members. Once the auditing procedure is completed, if any mistakes are identified, the necessary corrections shall be made in accordance with the separated polling station protocols and the district combining protocol shall be signed by the chairman and members and the results declared to those who are present.

An approved copy of the summary protocol to be prepared according to the information in the district combining protocol shall be displayed for one week at the district electoral board in a place where everyone can examine.

The summary protocols prepared by the district electoral boards shall bear the following information in writing and in numbers

1. The name of the province,
2. Name of the district electoral board and its number, if applicable,
3. The election type and electoral district,
4. The total number of polling station committees set up in the electoral district
5. The total number of voters listed in the polling station voter registry,
6. The total number of voters who have cast votes
7. The total number of ballots deemed valid without objection,
8. The total number of ballots deemed valid and taken into account upon objection
9. The total number of valid ballots,
10. The total number of ballots deemed void and not taken into account,
11. The names of the political parties in the order they appear on the joint ballot and the number of votes cast for each political party
12. The names and surnames of the independent candidates in the order they appear on the joint ballot and the number of votes cast for each independent candidate
13. Any other information that may be required by the Supreme Board of Elections,

A signed and sealed copy of the district electoral board combined summary protocol shall be handed over to the political party members of the board by the chairman of the district electoral board in return for their signatures. In addition, upon a written request to be made during the display period, copies of these summaries shall also be given only once to the district headquarters of political parties and independent candidates running in that electoral district in return for their signatures.

In districts where there is more than one district electoral board, each district electoral board shall deliver to the first district electoral board one approved copy of each of the summary audit and combination protocols that it shall arrange after having combined the polling station result protocols from the polling station committees under that specific board, in line with the above-mentioned procedures. The first district electoral board shall conduct the combining procedures by means of writing down the results on these protocols in the special protocol it shall arrange by listing the total numbers under the column headers or by arranging a separate protocol. The foregoing paragraph shall also apply in the case of the display and delivery of the combined district summary protocol arranged by the first district electoral board to the political parties and candidates.

In the parliamentary and metropolitan municipality elections, approved copies of the combined district results protocol and its summary shall be delivered by the chairman of the district electoral board and at least two members to the provincial electoral board as soon as possible.

Principal and provisional chairmen of the district electoral boards shall be entitled to the authorities of the chairman of the polling station committees in the polling station base where the counting, listing and combining procedures are taking place.

The Supreme Board of Elections shall determine the procedures and principles pertaining to the arrangement of the protocols and summary protocols described in this article as well as the delivery of the election results to a higher electoral board.

(1) The former heading of this article ‘ Combination of the Election Results in the District Electoral Board’ was amended by Article 24 of Law 5980 on 8 April 2010 to read as seen in the current text.

PART TWO

Combination Procedures in the Provincial Electoral Board

Provincial Election Protocol:

ARTICLE 109 – In the event that the Provincial Electoral Boards are assigned to issue protocol according to laws on the elections, they combine election protocols sent by District Electoral Boards and issue their own provincial election protocol.

The content of the minute that states the result of the combination procedure is announced to the participants and the chairman of the Provincial Electoral Board posts a copy up on the door of the Provincial Electoral Board, which stays there for one week.

Within the district in which the counting, documentation and combination procedures of voting are performed, the Chairmen of Provincial Electoral Boards have the same authorities those are defined for the Chairmen of the Polling Station Committees according to the 82nd, 83rd and 84th Articles.

CHAPTER SIX

Objections and Complaints

PART ONE

General Provisions

Those Who may Raise an Objection:

ARTICLE 110 – (1st Article of Law 1700, amended on 24 March 1973.) Citizens who are eligible for voting, political parties or the leaders and their deputies of different sections of their organisations according to their internal regulations, observers, deputy candidates and deputies of the TGNA raise objections against indefinite decisions of the boards or of the board chairmen mentioned in this law.

Related Authorities for Objections:

ARTICLE 111 – The superior board of each board is the relevant authority for the objections raised against the board decisions, which are not specified as definite in this law.

The resolutions taken by the Supreme Board of Elections whether they are taken on its own account or for an objection raised, are definite.

The Way of Objection:

ARTICLE 112 – (1st Article of Law 2234, amended on 17 May 1979.) The objections may be raised verbally or in written. The verbal objections are recorded in the protocol along with its reasons. The name, surname and clear address of the opposer is written and undersigned by the person. Those who are unable to sign put their fingerprints.

The objections of people who are unable to present an evidence for identification, and who are unable to present an evidence and reason for their objections are not investigated, and thus recorded on the minute.

The same conditions are applied for written objections, and evidences are stated on the objection pledge. Written objections without reason or evidence are not taken into account. In both cases, a receipt is given to the opposer certifying the date and the delivery of the objection. Objections are addressed to the chairman of the relevant board of elections. In case the chairman is not available, written objections are delivered to the prosecutor on duty in exchange for a receipt. The prosecutor on duty records the objection and immediately sends it to the chairman of the relevant board of elections.

Each political party announces the names of people who are authorised to raise objections in the name of that political party by means of a sealed and signed letter addressed to the boards of elections, at the beginning of the elections. A circular letter of signature is also delivered after the approval of the party leader. Those people who raise an objection in the name of a political party are not required to prove their identity.

Declaration of the official authorities who retain the evidences is considered as evidence, and such evidence are provided by the board of elections.

The objections addressed to the Supreme Board of Elections have to be in written form.

The Decisions on the Objections:

ARTICLE 113 – In the event a superior board investigates and justifies an objection against the decision of a lower board, it also decides on what to do.

The boards take the decisions in quorum. In case there is equality, the side which has the vote of the chairman is preferred.

The Supreme Board of Elections convene with its all members concerning the investigations of the objections on the protocol delivered at the end of the election.

On other matters, a majority in the number of the members is sufficient for discussions. In both cases, decisions are taken in quorum.

In case there is equality, the side which has the vote of the chairman is preferred.

The Announcement and Notification of the Decisions:

ARTICLE 114 – The indefinite decision on the objection is notified verbally to the opposer if he/she is present.

In verbal notifications, the time and day of decision is recorded in the minute before being undersigned by the opposer. He may get a copy of the decision at will.

In case the opposer is not present, the decision is notified to a place located in the town where the boards of elections are based, provided that a certain place has been determined previously.

The absolute decisions of the boards are not notified. However, the objector is allowed to see the decision and receive a copy of it if he/she pleases.

Charge:

ARTICLE 115 – Documents concerning the complaints and objections cannot be subject to any charges.

PART TWO

Complaint

Definition and Relevant Authority:

ARTICLE 116 – Complaints refer to the applications issued for the correction of operations and measures conducted and taken by chairmen of District Electoral Boards and others in charge of creating the registers, or by Provincial or District Electoral Boards, or by Polling Station Committees, or by the chairmen of the mentioned boards or committees, during their performance granted by this law, and for prevention of the violations of the provisions stated by this law. Complaints are addressed to the relevant boards or to their respective chairmen

or to other officials in verbal or written form by the eligible people specified in the 110th Article above.

The Investigation of the Complaint:

ARTICLE 117 – In case the complaint is accepted, the procedures or measures subject to the complaint are corrected, or the acts those violate the law are prevented.

In case the complaint is not accepted, this is immediately recorded on the protocol following a decision. A copy of this decision is delivered to the complainer. Unless otherwise is stated in the law, it is possible to raise objection in 48 hours for such decisions.

Objections and Complaints do not Suspend the Procedures:

ARTICLE 118 – Objections and complaints raised against the procedures, measures and decisions do not suspend the voting or any other procedures related to the elections.

PART THREE

Objections and Complaints Raised Against the Establishment and Procedures of the Boards

Objections and Complaints raised against the Polling Station Committees:

ARTICLE 119 – Complaints can be raised in order to demand the correction of an operation carried out by a District Electoral Board or by its chairman, in terms of establishing the Polling Station Committees, within two days after operation in question is completed.

Objections addressed to the Provincial Electoral Board may be raised against its decisions rejecting the complaints within two days following the notification of the decision. The Provincial Electoral Boards take a definite decision within two days.

In case such an objection is not raised, it does not prevent to raise an objection against the establishment of Polling Station Committee.

However, the application of this objection have to be brought to the Provincial Electoral Board within two days after it is established.

Decision taken by the Provincial Electoral Board is definite.

Objections and Complaints raised against the District Electoral Boards:

ARTICLE 120 – Objections against the establishment procedures of District Electoral Boards can be raised within two days after its establishment.

District Electoral Boards takes definite decisions on objections within two days.

Objections and Complaints raised against the Provincial Electoral Boards:

ARTICLE 121 – It is possible to raise objections on the establishment of the Provincial Electoral Boards within three days following the establishment, to the Supreme Board of Elections. The Supreme Board of Elections takes a resolution within three days.

PART FOUR

Objections raised against the Ballot Box Voter Lists

Objections Against the Public Display Lists in a Certain Constituency:

ARTICLE 122 – (1st Article of Law 2234, amended on 17 May 1979.) The district authorities of political parties which are mentioned in the 112th Article may raise objections or complaints concerning the public display lists in a certain Election district, if the objection or complaint is related to the voters residing at their district. The authorities in the headquarters of the political party may raise objections or complaints concerning all voter registers to the Supreme Board of Elections whereas the voters may raise objections or complaints concerning themselves to the relevant District Electoral Board.

On the objections concerning the public display list in a certain election district, the relevant Polling Station Board takes the definite decision.

A copy of the decision is sent to the General Directorate of Voter Registers and registered in the registers.

Objections on the Public Display List in the Polling Station District:

ARTICLE 123 – (1st Article of Law 2234, amended on 17 May 1979.) Political parties' provincial and district leaders as announced in the 4th paragraph of 14th Article and members of District Electoral Board may raise objections against the public display voter lists while they are still on display, complaining that the information on the ballot box voters list does not comply with the public display voter list or with the decisions taken after investigating objections or that the separation of the ballot boxes does not comply with the laws and with official notices. These complaints are addressed to the District Electoral Board.

This objection is investigated by the District Electoral Board, and the opposer as well as the Provincial Electoral Board is notified concerning the decision which is taken after the investigation.

The opposer can raise an objection against the decision to the Provincial Electoral Board.

The final decision of the Provincial Electoral Board, along with the non-contested decisions of the District Electoral Board, are sent to the Supreme Board of Elections General Directorate of Voters' Lists.

Method for Objection Against Voters' Lists

ARTICLE 124 – (1st Article of Law 2234, amended on 17 May 1979.) The authorities of the headquarters of Political Parties and the General Director of Voter Registers may ask the Supreme Board of Elections to investigate and take a resolution concerning the final decisions on complaints and objections along with complaints and objections themselves stated in 122nd and 123rd Articles.

The Supreme Board of Elections publishes the rules of timing, investigation, concluding the complaints and objections written in the 122nd and 123rd Article, not later than one month prior to the first list is posted up for public display.

The information which has been modified, removed or extended on the voter registers, due to the decisions taken after the objection are kept in separate "updating register".

Objection against Candidature:

ARTICLE 125 – (1st Article of Law 2234, amended on 17 May 1979.) People determined in the 110th Article can raise objections against candidatures claiming that a candidate is not eligible for candidature, within two days after the candidature announcement made according to the relevant exclusive law unless otherwise is stated in its provisions.

On the other hand, people who are not members of a certain political party cannot raise objections for its candidates claiming that the written provisions of the internal regulations of that party is violated while determining the candidates in the party list.

Objections which are delivered without a document supporting the membership of the opposer are not processed.

These objections are addressed to the board of elections which is in charge of administration of the elections according to the nature of election, objections against the decisions of such boards can be made to their superior boards. The decision of such superior board is definite.

Such objections have to be in written form along with the documents which support the objection.

(Annex: 7th Article of Law 4125, amended on 27 October 1995.)⁽¹⁾

The Time Limit for Investigation of the Objection:

ARTICLE 126 – The candidatures are finalized within the period specified by their exclusive laws.

Superior boards authorized to take the final decisions, conclude the objection with a decision before the candidatures are finalized.

(1) The last paragraph which was added to this article according to the 7th Article of Law 4125, has been abolished with the E:1995/54, K:1995/59 numbered resolution of the Constitutional Court on 18 November 1995, printed on the Gazette numbered 22470, on 21 November 1995.

PART FIVE

Objections Against the Decisions on Complaints taken by Polling Station Committees or Their Chairmen

ARTICLE 127 - Persons who want to object to the decisions rejecting the complaints issued according to the 110th Article, concerning the chairmen's or boards' operations and procedures at the ballot box, can immediately raise their objections to the District Electoral Board.

The chairman of the District Electoral Board investigates and takes the decision for the objection at once.

In case the decision of the chairman requires the correction or cancellation of the decision taken by the Polling Station Committee concerning the complaint, the chairman of the Polling Station Committee is informed at once, and the decision is strictly obligatory.

The complaints and objections are raised until the minute that determines the election results is issued.

Objection against the Decisions and Protocol of the Polling Station Committee:

ARTICLE 128 – (Amended by Article 25 of Law 5980 on 8 April 2010)

Objections concerning the decision-making procedures of the polling station committees, their counting and listing of votes and their arrangement of protocols shall be addressed to the District Electoral Board.

These objections can be raised either to the Polling Station Committee in writing or verbally until the polling station results protocol is issued and signed by the chairman and members of the committee, or directly to the District Electoral Board in written until 15.00 hours on the Tuesday after election day.

There is no requirement to have first made an objection to the polling station committee to raise an objection at the district electoral board regarding the polling station procedures and operations.

The District Electoral Board takes the decision on the objections until 1700 hours on the second day following the day of filing the objection. If the applicant is present he/she is informed concerning the decision. Otherwise the decision is notified to the applicant in writing.

The District Electoral Boards cannot issue the combined protocol for the district before the deadline for objections has expired, or before the objections raised within this time limit are investigated and a decision is reached. The arrangement of the protocols in spite of this provision shall not be taken as the starting point for the periods specified in the Law for raising objections with the higher electoral boards.

PART SIX

Objections Against the Decisions on Complaints taken by District Electoral Boards or by Their Chairmen or on the Combined Protocol of the Districts:

ARTICLE 129 – Objections against a decision taken by a District Electoral Board or by its chairman after the complaints, concerning the District Electoral Board’s own operations and objections against other decisions can be raised before the combined minute is issued for that district; whereas objections concerning the combining procedures of the minute or issuing the minute or its results can be raised until 1700 hours on the day following the issuance of the minute, directly or via the District Electoral Boards to the Provincial Electoral Board.

Objections on the rejection of objections against the procedures, measures and other operations of a District Electoral Board or of its chairman, are concluded with a definite decision within two days.

In case the objection is accepted, the chairman of the relevant District Electoral Board is notified through the fastest way of communication.

Other objections are concluded with a decision within two days. In case the opposer is present he/she is notified verbally. Otherwise he/she is informed in written.

PART SEVEN

Objections Against the Decisions on Complaints, on other Complaints and on Protocol taken by a Provincial Electoral Board and its Chairman, and Extraordinary Objections

ARTICLE 130- (1st Article of Law 2234, amended on 17 May 1979.) The objections against the decisions of Provincial Electoral Boards are raised as follows:

1- Objections against the decisions of a Provincial Electoral Board, rejecting objections concerning its own operations, have to be raised within three days from the notification or pronouncement of such decision;

2- Objections concerning the formation of these boards have to be raised within three days following the formation,

3- Objections against the decisions concerning the procedures of the voting day have to be raised immediately,

4- Objections against other decisions have to be raised within three days after the notification of the decision, not later than 1700 hours on the third day following the issuance of the combined minute for that province,

5- Objections against the counting and sorting out of votes have to be raised not later than 1700 hours on the third day following the issuance of the combined minute for that province,

6- Objections against the eligibility or against the candidates those are not elected but delivered a minute or against the events those may affect the election results, have to be raised not later than 1700 hours on the third day following the issuance of minute which will be delivered to the elected candidates.

Persons stated in the 110th Article may express their objections directly or via the Provincial Electoral Boards to the Supreme Board of election as stated above.

In case the committees authorized to take definite decisions on the results of the elections, decide on the effectiveness of the objections concerning the facts those may change the results of the elections, raised by provincial leaders or by the headquarters of political parties or by independent candidates within 7 days after the issuance of the protocol; if the previous decisions taken at lower levels are definite or have become definite or if the application was not made within the time-limit or in compliance with the hierarchal chain, this is not considered as a reason to discard or not to investigate such objections.

These objections are raised in written. The objection application have to contain the name and the address of the opposer, and a statement expressing the nature of the alleged facts and the ground for objection and their evidence, providing the related documents. If such documents are not present, then their origin, the place where they might be available and the conditions of obtaining them have to be stated.

However after the candidature is finalized it is not possible to raise objection, excluding the cases claiming that the candidate is not a Turkish citizen, or he/she is younger than the age stated by law, or he/she is illiterate, or he/she has convictions that results with the loss of eligibility for elections. This provision is applied for extraordinary objections as well.

Pledges which do not cover these conditions are refused.

PART EIGHT

Complaints against the Procedures and Measures of the Supreme Board of Elections

ARTICLE 131- While elections are underway, the persons eligible for raising objections according to the 110th Article may raise objections in written form directly to the Supreme Board of Elections, concerning the procedures and measures of the SBE, other than the decisions those are contested or delivered upon objection by the Supreme the Board of Elections; and against violations of the law concerning the acts for which no authority has been specified for objection or remedy in this law and which exceed the authority of lower boards.

The written objections have to include the conditions specified in the 112th Article. The Supreme Board of Elections takes an immediate and definite resolution concerning these complaints.

Method of Inspection And Investigation

ARTICLE 132- The Supreme Board of Elections inspects the documents. It also conducts all inspections and investigations necessary. It asks the related authority to deliver all the documents and information required. These authorities have to deliver the required documents and information as soon as possible and not later than seven days.

If necessary the Chairman of the Board can commission employees of the Supreme Court or of the Supreme State Council in order to work for these issues.

A copy of objection pledge is delivered to the person whose minute is objected. This person may defend him/herself in written or upon his/her request, defend him/herself before the Board in person or by a representative on a date and time determined by the Board. The Board takes a resolution on the objections within three months from the date of the reception of the objection or information in question.

The resolution of the Board is definite. No recourse to an authority or appeal to legal action is possible against its resolutions.

For objections which are raised to the authority authorized to take definite decisions on the results of the elections, the provisions of the first and third paragraphs above are applied depending on the kind of the elections in question.

However, this board takes a definite resolution on objections in fifteen days.

No recourse to an authority or to legal action is possible against the resolutions mentioned in the paragraphs above.

In case the protocol is cancelled, the provisions of exclusive laws are applied.

CHAPTER SEVEN

Election Offences and Their Penalties

Offences against the Boards:

ARTICLE 133 – (Amended by Article 287 of Law 5728 on 23 January 2008)

Those who prevent the boards and committees mentioned in this law from convening or from fulfilling their function, by committing fraudulent acts or by using violence, coercion or threat, by any means shall be sentenced to imprisonment from two to five years.

If the offences mentioned above are committed by using weapons, the term of the prison sentence cannot be less than 3 years. If the mentioned offences are committed by the collaboration of at least three people, one of which is armed, then such offenders shall be sentenced to imprisonment for five to fifteen years.

Disobedience to the Measures of the Boards:

ARTICLE 134 – (Amended by Article 288 of Law 57228 on 23 January 2008)

During the elections, people who do not obey the decisions and measures taken by a board or by the chairman of a board written in this law, despite warnings, shall be fined with an administrative fine of two hundred Turkish Liras in order to ensure a fair and decent conduct for the elections.

Those who hinder the implementation of such decisions and measures in any manner or cause such decisions and measures to be ineffective shall be sentenced to imprisonment up to six months.

If the offences stated above are committed by people assigned in the elections and they do not constitute a serious crime with a heavy penalty, the sentences passed according to paragraphs one and two shall be increased by half the above-mentioned sentences.

Disobedience of the Board Members to the Board Resolutions:

ARTICLE 135- Board members who do not abide by the decisions taken by the quorum of a board mentioned in this law are sentenced for three months to one year.

Absence in the Assigned Position for a Board Member:

ARTICLE 136 – (Amended by Article 289 of Law 5728 on 23 January 2008)

Board members who are not present in their assigned position without a justified excuse, are fined with a judicial fine of not less than fifty days

Those who desert their position without a justified excuse during the election, are sentenced to imprisonment from three months to one year.

Failure to Deliver Materials and Supplies on Time

ARTICLE 137 – (Amended by Article 290 of Law 5728 on 23 January 2008)

In case the chairman or one of the members of an electoral board or any person in charge specified in this law fails to send the ballot box voter lists, lists of candidates, papers and

packages and ballots related to the elections, ballot boxes, ballot envelopes or other tangible or intangible means and other election materials to their destination on time, or prevents them from reaching their destination or fails to take delivery of them, they shall be sentenced to imprisonment from two to five years.

In case above mentioned acts are committed by people other than those assigned, the lowest sentence applicable shall be one year imprisonment.

Abuse of the Authority⁽¹⁾

ARTICLE 138 – (Amended by Article 291 of Law 5728 on 23 January 2008)

If people who are in charge of implementing this law or people who are appointed according to this law abuse their authority, such offenders are punished according to article 257 of the Turkish Penal Code by aggravating the relevant sentences by from one sixth to one third, in case no other specific penalty is stated in this law.

Penalties applicable to Civil Servants

ARTICLE 139 – (Repealed by Article 528 of Law 5728 on 23 January 2008)

Offences Relating To The Preparation Of Voter Lists

ARTICLE 140 – (Amended by Article 292 of Law 5728 on 23 January 2008)

Those who do not deliver the plans and lists of buildings which will serve as a basis for the preparation of voter lists, within the time-limit determined by the Chairman of the District Electoral Board, or those who do not prepare the plans and lists of buildings in a way suitable for the preparation of voter lists shall be sentenced in accordance with article 257 of the Turkish Penal Code by aggravating the relevant sentences by from one sixth to one third.

Those who do not abide by the rules announced during the voter counting, recording and auditing procedures, and those who abstain from answering questions, or those who intentionally give wrong answers, or those who desert their position before the time they are allowed to on the first day of voter counting and recording, shall be fined with an administrative fine of one hundred Turkish Liras provided that their actions do not constitute a crime.

(1) The former heading of this article 'Negligence and Abuse of Authority' has been amended by Article 291 of Law 5728 on 23 January 2008 to read as seen in the current text.

The Regulation of Voter Registers:

ARTICLE 141- (1st Article of Law 2234, amended on 17 May 1979.) If people who are appointed by this law in order to prepare the documents relating to the voter lists, fail to perform their task properly and in time, or to keep such documents, or to deliver them to the relevant authority; they are sentenced for six months to two years.

In case these acts occurred due to negligence, indifference or the lack of attention during the duty, the offenders are sentenced for three months to one year.

If such an offence has actually prevented the preparation of voter registers or ballot box voter lists or the voting procedures in a certain election district, the offenders are sentenced from one year to two years for the cases described in the first paragraph and from six months to two years for the cases described in the second paragraph.

Offences Committed By People Who Are In Charge Of Preparing Voter Registers

ARTICLE 142- (1st Article of Law 2234, amended on 17 May 1979.) Those who have registered an ineligible person to a voter register, and those who have abstained from registering an eligible person in a voter register, and those who have failed to remove an ineligible person from a voter register, and those who removed an eligible person from a voter register are sentenced for one year to two years.

In case these acts occurred due to negligence, indifference or the lack of attention during the duty, the offenders are sentenced for three months to six months.

The Registration of Ineligible People on the Voter Registers:

ARTICLE 143 – (Amended 17/5/1979 - 2234/art 1.)

Those who had themselves or somebody else registered in the voter register although they are ineligible, or prevented the removal of such ineligible persons from the voter register, or caused an eligible person's removal from a voter register are sentenced to imprisonment from six months to two years (...)⁽¹⁾

In case above described offences have been committed by using violence, threat or coercion or by using undue influence, the penalty for the offender is imprisonment for one year to five years.

Double Registration in the Voter Registers:

ARTICLE 144 – (Amended by Article 294 of Law 5728 on 23 January 2008)

Those who intentionally have themselves or others registered in voter registers more than once or intentionally commit acts that will lead to double registration in voter registers shall be sentenced to imprisonment from six months to two years.

If the offences described above have been committed by people who are in charge of the concerned tasks, the offenders are sentenced to imprisonment from one year to three years.

(1) The phrase 'three months to one year' in Article 293 of Law 5728 dated 23/1/2008 has been amended to read 'six months to two years' and the phrase 'and fined two thousand five hundred to ten thousand TL' has been repealed.

Encouraging Others for not Registering in the Voter Registers:

ARTICLE 145- Those who encourage others for not registering in the voter registers are sentenced for three months to six months.

If eligible voters fail to register in voter registers due to such acts, the offenders are sentenced for six months to one year.

If such offences are committed by using violence, threat or coercion, the punishments specified above are doubled.

If such offences are committed by a civil servant or by a person who is considered as a civil servant, the 139th Article is also applied in addition to the provisions above.

Offences Committed on Voter Lists:

ARTICLE 146- (1st Article of Law 2234, amended on 17 May 1979.) If the offences described in 141st, 142nd, 143rd and 144th Articles have been committed on ballot box voter lists after their preparation based on the voter registers, and on other lists which will be prepared according to the resolutions of the Supreme Board of Elections, the offenders are punished as specified in these articles.

Offences Concerning Voter Lists:

ARTICLE 147 – (Amended 17/5/1979 - 2234/art 1)

The authorized people who fail to post the voter lists those must be posted, or who remove them before due time, or who prevent citizens from properly examining them, or who do not resolve objections or notify such objections to the relevant authorities are sentenced for three months to two years. (...)

In case these acts occurred due to negligence, indifference or the lack of attention during the duty, the offenders are sentenced to one month to six months.(...)⁽¹⁾

(1) As per article 295 of Law 5728 dated 23/1/2008, the phrase in paragraph one 'and fined one thousand to five thousand TL.' and the phrase in paragraph two 'fined five hundred to two thousand TL' have been repealed from the text.

Offences Committed On Voter Registers, Voter Lists And Other Documents:

ARTICLE 148 – (Amended 17/5/1979 - 2234/art 1)

(Amended first paragraph by Article 296 of Law 5728 on January 1 2008.)

Those who prepare voter registers which are partly or totally fake, who damage or destroy or steal the voter registers shall face the sentence specified in the Turkish Penal Code for preparing fraudulent documents with the sentence term increased by half the amount set forth in the Penal Code.

Those who steal, damage or destroy the documents related to the voter registers are also punished in the same way.

Those who commit the same acts explained in the above paragraph on any identification document of the voter or those who hides such documents in order to prevent his/her voting, are sentenced for six months to two years.

In case the voter votes presenting his/her identity, half of the sentence period written in the above paragraph is applied as a penalty.

Offences against electioneering meetings

ARTICLE 149 – (Amended by Article 297 of Law 5728 on 23 January 2008)

Those who speak to an audience in an electioneering meeting where the committee specified in the 51st Article has not been formed shall be sentenced to prison for three months to six months.(...)

Those who prevent an electioneering meeting from being held or cause to the suspension of such a meeting are sentenced to prison for six months to one year. If such an offence has been committed by more than two collaborating people by using violence, coercion or threat, each offender are sentenced to prison terms for two to five years. If the mentioned offences are committed by the collaboration of at least three people one of which is armed, such offenders are sentenced to prison terms for 5 to 8 years.

Offences Relating to Private Radio and TV Broadcasts⁽¹⁾

ARTICLE 149/A- (Rearranged by Article 4 of Law 4929 on 15 July 2003)

In case the broadcasts violate 55/A article of this law and the principles stated by the Supreme Board of Elections, the Supreme Board of Elections gives a warning to the radio and televisions who broadcast nationwide, whereas the local radio and televisions are warned by the related District Electoral Board, or they are asked to broadcast a clear apology message in the same broadcasting time. If this request is not fulfilled properly or the violation reoccurs afterwards, the Supreme Board of Elections or the related District Electoral Board in that local cancels the broadcasting of the program that is subject to the violation, for once up to twelve times. In the recurrence of the violation the Supreme Board of Elections decides to suspend the broadcast of the private radio and television companies concerned, with the possibility of the further sanction of closure of the channel for five to fifteen days, whereas the District Electoral Board decides whether to suspend the private radio and television in that local for three to seven days.

These decisions are implemented immediately by the highest relevant civil servant.

(Third paragraph amended by Article 298 of Law 5728 on 23 January 2008) The responsible persons of the private radio and television channels, about whom a decision has been passed to suspend the broadcast as per the provisions of the first paragraph, shall be fined with an administrative penalty of fifteen thousand to one hundred thousand Turkish Liras;

whereas the local radio and televisions shall be fined between five hundred to five thousand Turkish Liras.

Offences Against a Committee of Electioneering Meetings

ARTICLE 150 – Electioneering meeting organisers who have not formed the committee mentioned in the 51st Article or failed to notify the relevant authorities, and committee members who have not fulfilled the duties described in the mentioned article are sentenced to prison up to three months (...)⁽²⁾

Electioneering Activities that are Prohibited:

ARTICLE 151 – (Amended by Article 300 of Law 5728 on 23 January 2008)

Those who organise or attend electioneering meetings or conduct electioneering activities in public places after 1800 hours on the eve of election day and on voting day, who broadcast or publish content for this purpose, conduct electioneering activities in verbal, written or in any form which may disturb the order of the elections or affect the complete freedom of voting, and who spread misleading rumours shall be sentenced to prison terms from three months to one year.

(Second paragraph amended by Article 26 of Law 5980 on 8 April 2010)

Those who act in violation of the prohibitions listed in article 58 paragraph one and the prohibitions listed under articles 60 and 61 shall be sentenced with a term ranging between six months to one year.

(1) The former heading of this article ‘Offenses Related to Private Radio and Television Broadcasts’ has been changed by Article 4 of Law 4928 dated 17 July 2003 as seen in the current text.

(2) The former phrase ‘from fifteen days’ has been repealed from this article as per article 299 of Law 5728 dated 23/1/2008.

Obtaining Votes in an Unfair Way:

ARTICLE 152- (49th Article of Law 2839, amended on 10 June 1983.) Those who provide or promise to provide to one or more voters benefits, valuables, public, private positions, services and benefits in exchange for voting for him/her are sentenced to prison terms for one year to three years. This provision is applied even if such benefits promised or provided consists of the travel, food and beverage expenses of voters.

A voter who has accepted above written benefits or promises is also punished with the same penalties.

Penalties are doubled for those who have committed these offences by using violence, threat or coercion.

Preventing People from Voting:

Article 153 – (Amended by 10/6/1983 – Law 2839/article 51)

Those who confine voters to a place in order to prevent them from going to Polling Stations for purposes described above, or those who prevent voters travel from a village or quarter or neighbourhood to Polling Stations, are sentenced to prison terms for one year to four years.

If such offences also involve undue influence of civil servants or undue influence of any other person authorized somehow, the prison term cannot be less than 2 years.

(Annex paragraph by Article 27 of Law 5980 on 8 April 2010)

(Amended on 13/3/2018 in accordance 1ith article 23 of Law 7102) Any person who illegally prevents a voter registered in the polling station voter list from entering the polling station areain the premises, buildings and extension of these areas, where the ballot boxes are

placed or from casting his vote on election day, shall be sentenced to imprisonment from one to three years.

(Annex paragraph by Article 27 of Law 5980 on 8 April 2010)

Any person who resorts to threats or coercion or violence for the purpose of preventing a voter, who is entitled to vote in the elections in his electoral district, from going to cast his vote, entering the polling station area or casting his vote, shall be sentenced to imprisonment from three to five years. In cases where such offenses are committed against more than one person, the sentence shall be increased from one third to half of the original sentence.

Violations on Provisions Concerning Candidatures and People Who are not eligible for Electioneering Activities

Article 154 – (Amended by Article 301 of Law 5728 on 23 January 2008)

In case civil servants and judges who run for elections without complying the rules set by special laws, army officers and military civil servants and non-commissioned officers who have applied for resignation in order to run for elections and whose resignation is accepted, yet who have not left their position and conduct electioneering activities in their official uniforms or commit any act for the same purpose, are fined with a judicial fine not less than one hundred days.

If judges and people who fall in the same category with the judges, members of the military, and civil servants and employees mentioned in the second paragraph of the 62nd Article of this law, conduct or encourage or influence others conducting for or against electioneering activities for candidates (whether party member or independent) during the period from the beginning date of the elections as determined by the relevant specific law to the end of the voting day, such people are sentenced to prison terms for three months to one year if no other crime requiring a heavier sentence is established.

Those who do not comply with the prohibitions set by the 63rd Article are sentenced to prison terms for six months to one year.

The Prime Minister's and Ministers' Disobedience to the Prohibitions:

ARTICLE 155 – (Amended by Article 302 of Law 5728 on 23 January 2008)

Those who do not obey the prohibitions set in the 64th, 65th and 66th articles are sentenced to prison terms for three months to one year.

Other Electioneering Offences:

ARTICLE 156 – (Amended by Article 303 of Law 5728 on 23 January 2008)

The first paragraph of Article 32 of the Misdemeanours is applied for people who have committed electioneering offences for which no penalty has been specifically determined by this law.

Destruction of Printed Materials and Announcements:

ARTICLE 157- (1st Article of Law 2234, amended on 17 May 1979.) Those who prevent printed electioneering materials from being distributed or published or those who destroy such materials are sentenced to prison terms for three months to six months.

Causing Disorder in Voting at Polling Stations:

ARTICLE 158 – (Amended by Article 304 of Law 5728 on 23 January 2008)

Voters who do not conduct their responsibilities stated by this law at the ballot box in spite of warnings, are fined with an administrative fine of two hundred and fifty TL.

Interference and Disobedience to the Warnings at the Polling Stations:

ARTICLE 159 – (Amended by Article 305 of Law 5728 on 23 January 2008)

Voters who insist on staying at the ballot box in spite of warnings after voting or who try to influence other voters are sentenced to prison terms for three months to one year.

Votes of People who are not Eligible for Voting:

ARTICLE 160 – (Amended by Article 306 of Law 5728 on 23 January 2008)

Anyone who votes or tries to vote although he/she knows that he/she is not eligible for voting are sentenced to prison terms for two years to five years.

Anyone who votes or tries to vote with another person's name are sentenced to prison terms for three to five years.

(Amended third paragraph by Article 12 of Law 5749 on 13 March 2008) Anyone who casts or tries to cast a double vote are subject to the provisions of the second paragraph.

Offences Concerning Ballot Boxes:

ARTICLE 161 – (Amended by Article 1 of Law 2234 on 17/5/1979)

(Amended first paragraph: by Article 307 of Law 5728 on 23 January 2008)

Those who displace, move or open a ballot box for any reason without complying to the relevant procedure or without authority, those who steal or destroy a ballot box, who take out the ballots and envelopes from a ballot box, and steal or destroy them or replace them by other ballots or steal or destroy ballot envelopes which have already been taken out of a ballot box or replace them with other ballots are sentenced to prison terms for three to five years.

In case such offences are committed by using violence or coercion or fraud, the penalty is doubled.

Offences on Ballots of the Political Parties and Independent Candidates:

ARTICLE 162- (56th Article of Law 2839, amended on 10 June 1983.) Those who destroy, steal, alter ballots or any other documents of political parties or independent candidates related to the elections, who prevent the transportation or distribution of such documents to polling stations are sentenced to prison terms for one to three years.

In case these offences have been committed by using violence or coercion or fraud, or committed by more than one person one of which is armed or by breaking into a residence or a political party building, the penalty is doubled.

If such an offence is committed by an official person in charge, the penalty specified in the above paragraph is applied.

A Board Chairman or Member Causing Disorder During the Voting:

ARTICLE 163 – (Amended: 17/5/1979 - 2234/art 1)

(Amended first paragraph: by Article 308 of Law 5728 on 23 January 2008) If a board chairman or member partially or completely impedes election operations or the voting procedures by acting illegally, or in case he/she wilfully causes elections to become void, such offender is sentenced to prison terms for two years to five years.

If they fail to announce election results or to post the record or abstain from delivering the protocol copies as stated by the law, they are punished with the same penalty.

Situations Which May Affect the Results of the Elections:

ARTICLE 164 – (Amended by Article 309 of Law 5728 on 23 January 2008)

1. Those who vote or cause a person to vote, by using a fake signature or stamping a seal or stamping a finger on a ballot box voter list pretending to be someone else who has not showed up at the polling station, are sentenced to prison terms for three years to five years and fined a judicial fine from one thousand to five thousand days.

2. In case such an offence is committed by a board chairman or member or an official person in charge, the penalty specified above is increased through aggravating by half.

3. Those who alter or convince others to alter the election results, create or provoke others to create partially or completely fake election records are sentenced to prison terms for five to eight years.

4. If the offences described in the above paragraph are committed by a board chairman or member, the offenders are sentenced to prison terms for five to ten years.

5. (First paragraph repealed: Article 15 of Law 5749 on 13 March 2008)

Those who compel a board to commit the offences specified in the third paragraph are punished with the penalty specified in the third paragraph aggravated by one third or half.

If such an offence involves provision or promise of benefit to a board member, the penalty specified in the fourth paragraph for those who provide or promise benefits to the board members is applied with an aggravation of one third or half.

Refusal of the Complaints or Objections:

ARTICLE 165 – (Amended by Article 310 of Law 5728 on 23 January 2008)

In case a board chairman or member refuses to record an objection or complaint which has to be recorded according to this law and which is issued by a person authorized for objection or complaint, the mentioned board chairman or member is sentenced to prison terms for up to one year.

Objections made in ill faith

ARTICLE 166 – (Amended by Article 311 of Law 5728 on 23 January 2008)

Those who raise an objection against an election protocol given to the elected person and those who raise an objection against the eligibility of an elected person without a reason but in ill faith are sentenced to an administrative fine from one thousand TL to five thousand TL upon the notice to be issued by the body overruling the objection.

Complaints with Bad Intentions:

ARTICLE 167- Those who raise an objection or complaint with bad intentions in order to hinder the fair and decent conduction of voting procedures, and to prevent election boards from properly fulfilling their functions, or those who intentionally try to delay the results of the vote counting, are punished by the penalty specified above.

Miscellaneous Provisions:

ARTICLE 168- (58th Article of Law 2839, amended on 10 June 1983.) Those who tear, alter or remove posted copies of protocols that shows the results of the elections are sentenced to prison terms for six months to one year.

Offences Against Notices Issued by Official Authorities

ARTICLE 169- (59th Article of Law 2839, amended on 10 June 1983.) Those who prevent the announcement and posting of declarations and notices issued by authorities in relation to the elections, or those who tear, alter or remove such notices are sentenced to prison terms for three to six months.

Violating the Provisions on the Prohibition of Alcoholic Drinks

ARTICLE 170- (60th Article of Law 2839, amended on 10 June 1983.) Those who sell, serve or consume alcoholic drinks in public places, and those who somehow sell or buy alcoholic drinks in open or closed bottles on the election day while the voting is underway, are sentenced to prison terms for three to six months.

ARTICLE 171 – (Amended by Article 312 of Law 5728 on 23 January 2008)

Those who violate the provisions of the 79th Article on carrying weapons shall be sentenced to a judicial fine not less than twenty five days provided that their acts do not constitute an offense requiring a heavier penalty with the provisions of Law 6136 reserved. In cases where the act constitutes an offense requiring a heavier penalty, the sentence set forth in the relevant laws shall be increased by one third.

Disobedience to the Investigation Procedures

ARTICLE 172- Those who violate the provisions concerning the prohibitions specified for the procedures of investigation are sentenced to prison terms for six months to one year.

CHAPTER EIGHT⁽¹⁾

Procedures and Types of Investigation and Prosecution
Time of Investigation and Prosecution⁽²⁾:

ARTICLE 173 – (Amended by 23/1/2008-5728/art. 313.)

Investigation on election offences specified in this law, which are committed by people in charge of election operations on the election day or during the 24 hours prior to the election day is carried out on the following day after the relevant boards issue the election protocol as required.

During this period, no investigation or prosecution can be carried out about a voter other than in cases falling within the jurisdiction of the heavy penal court, cases of flagrante delicto falling within the jurisdiction of the criminal courts of first instance, court sentences requiring due enforcement or in cases where a warrant for arrest or apprehension has been issued by the authorities and no administrative or fiscal measure that would deprive a voter from the freedom or ability of voting, can be taken on the election day and during the three days prior to the election day.

(1)The former heading of this article ‘Procedures of Prosecution’ was amended by Article 315 of Law 5728 on 23 January 2008 to read as seen in the current text.

(2) The phrase ‘according to the 19th Article, amended by Law 143 of Law 5680’ was changed to ‘in accordance with article 14 of the Law on the Press No 5187, by Article 316 of Law 5728 dated 23 January 2008.

Implementation of General Provisions:

ARTICLE 174 – (Amended by Article 314 of Law 5728 on 23 January 2008)

Those who have committed one of the offences stated in this law or those who must be punished according to general provisions for an offence related to the implementation of this law are investigated and prosecuted according to general provisions regardless of their title or position.

Investigations concerning governors are conducted by the Chief Public Prosecutor of the Court of Cassation or the Chief Deputy Prosecutor of the Court of Cassation. The prosecution shall be conducted by the relevant criminal chamber of the Court of Cassation in accordance with the general provisions.

The Chief Public Prosecutor of the Court of Cassation may have the investigation conducted by the Public Prosecutors of the Court of Cassation. However, it is the Chief Public Prosecutor of the Court of Cassation who decides whether a public case should be launched or a prosecution initiated.

During the investigation, the relevant criminal chamber of the Court of Cassation shall decide on whether the warrants of apprehension, arrest, release, confiscation and search requested by the Chief Prosecutor of the Court of Cassation are to be issued. Objections to these

decisions shall be examined by the criminal chamber of the Court of Cassation that follows in number the chamber ruling the initial judgement. If the initial decision was taken by the President of the Last Chamber of the Court of Cassation, then the First Criminal Chamber shall have the authority to examine the objection.

Objection to the decisions of the Chief Prosecutor of the Court of Cassation stating that there is no need for prosecution, shall be examined by the President of the Criminal Chamber following the criminal chamber responsible for handling the most severe cases that are the subject of the current prosecution. If the crime, which is the subject matter of the prosecution, falls under the jurisdiction of the criminal chamber that is last in number, the authority to examine the objection shall rest with the resident of the First Criminal Chamber. The Provincial Chief Public Prosecutor or his Deputy shall be authorized to launch an investigation or a public case against district governors; the provincial heavy penal court shall have the jurisdiction to start a prosecution in the same case.

The provisions of the Law on Judges and Prosecutors are reserved.

The related persons and political parties may take part in a public action as per the Law on Criminal Procedures.

Authority to decide on an administrative fine ⁽¹⁾

ARTICLE 175 – (Amended by article 315 of Law 5728 on 23 January 2008)

The Public Prosecutor shall have the authority to decide on an administrative fine as per the provisions of this Law.

(1) The former heading of this article 'Procedures and Types of Prosecution' was amended by article 313 of Law 5728 on 23 January 2008.

The Right to Respond During Elections:

ARTICLE 176 – Real persons and legal entities have the right, in accordance with article 14 of the Law on the Press No 5187, dated 9 June 2004, to ask for a correction or to respond to obvious or implied statements, thoughts, acts which are published against them, offending their dignity or affecting their interests during the elections. ⁽²⁾

Such real persons or legal entities may apply to the court magistrate of that province with their respond or correction. Their text can also be notified by cable in case the cost is covered by the applicant.

However, the judgement of the court magistrate is sufficient after the seventh day prior to the election day.

Those who do not abide by above provisions are subject to the provisions of Press Law.

(2) The former heading of this article 'Time of Prosecution and Investigation' was amended by article 313 of Law 5728 on 23 January 2008.

Cases which cannot be Subject to the Jurisdiction of a Board Member Judge

ARTICLE 177- A judge who is the chairman or a member of a Provincial or District Electoral Board cannot serve for the cases related to election offences committed in his/her election district.

In case there is no other judge in the same district or no court can be formed to carry out such a case, a court or its judge of the same rank from the closest jurisdiction district serves for the case.

Evidence Value of the Protocols

ARTICLE 178 – (Repealed by Article 578 of Law 5728 on 23 January 2008)

Election Offences:

ARTICLE 179- An election offence refers to the offences committed by people appointed by this law to conduct election operations in relation to their function and by others who breach the provisions of this law.

Duration of the Case:

ARTICLE 180- (1st Article of Law 2234, amended on 17 May 1979; 61st Article of 2839, amended on 10 June 1983.) In case a public case arising from an election offence is not launched within the two years from the date the elections are over, no investigation can be executed.

The period between the date of the application for launching a public case or the date of obtaining a warrant or decision concerning the offences those require a warrant, and the date such warrant or decision is issued is not included in the duration of a case. However, such periods cannot exceed three months.

CHAPTER NINE

Miscellaneous Provisions

Election Expenses:

ARTICLE 181- (1st Article of Law 2234, amended on 17 May 1979. (Amended on 30/11/2017 in accordance with article 12 of Law 7062)) The expenses of the Supreme Board of Elections ~~and of the General Directorate of Voter Registers~~ and all other election expenses are covered by the general budget. The necessary funds are displayed in a separate program within the budget of the Ministry of Justice.

The chief authority to issue orders of payment out of these funds is the Chairman of the Supreme Board of Elections. The Chairman can transfer some of his/her powers, ~~to the General Director of Voter Registers. He/she can allow the General Director to delegate these powers to other authorities as well.~~

The authority to issue payment orders for the election expenses in a certain district is the chairman of that Provincial or District Electoral Board.

Remuneration:

ARTICLE 182- (3rd Article of Law 4448 amended on, 26 August 1999, amended on 25/04/2018 in accordance with article 8 of Law 7140.)

The Chairman of the Supreme Board of Elections determine the daily fees which will be paid to chairmen and members of election boards, and to other persons employed for the elections, and to the civil servants, and to other employees who work overtime for the elections, to political party representatives and to other people employed, provided that the daily fee does not exceed the amount which is found by multiplying 600 (six hundred) by civil servants' monthly pay coefficient. (Annex sentence by Article 13 of Law 5749 on 13 March 2008) The Council of Ministers shall be entitled to increase this amount up to four fold by resorting to the opinion of the Supreme Board of Elections. ⁽¹⁾ No tax is imposed on those fees. Supreme Board of Election may decide to pay up to four times daily fee to those who work abroad.

The transportation expenses for those who are sent to places other than their residence, is provided according to the Law on Travel Expenses of Civil Servants

Procurement and Advance Payment:

ARTICLE 183- (1st Article of Law 2234, amended on 17 May 1979.) Procurements and leasing for the operations which will be conducted according to this law, can be done regardless to Law 2490. It is not necessary to make an announcement.

Justice authorities of provinces and districts can pay up to a hundred thousand TL in advance to their paymasters concerning all sorts of election expenses, approved by the chairman of the related Provincial or District Electoral Board. It is possible to make other advance payments limited with the initial amount spent.

The Supreme Board of Elections can raise the advance payment amount if it finds it necessary.

(Annex: 5th Article of Law 3377, on 23 May 1987.) The operations of procurement, service, manufacturing, leasing and transportation which will be conducted for the operations according to this law cannot be subject to Law 2886 on Government Tenders. It is not necessary to make an announcement.

Storage of Election Materials:

ARTICLE 184- Seals of election boards, forms relating to election operations, printed books and other materials are stored at the depository offices of the justice authorities of provinces and districts, whereas the ballot boxes and voting booths are kept at the office of the headman in villages and at municipalities in towns.

Exclusion:

ARTICLE 185- All documents which will be issued and all applications which will be prepared and all decisions taken by the election boards during the application of this law, are excluded from duties.

Paper Need of Political Parties:

ARTICLE 186- If political parties chose to procure their paper need from state-owned or state-affiliated paper mills, the Supreme Board of Elections takes the necessary steps to satisfy such need, provided that the paper cost is covered by the concerned political party.

The requests of the Supreme Board of Elections concerning paper supply is satisfied promptly and with priority by the concerned authorities and paper mills.

Operations Those will be Conducted by the Supreme Board of Elections

ADDITIONAL ARTICLE 1- (Annex: 10th Article of Law 533, on 13 February 1965; (1st Article of Law 1700, amended on 24 March 1973.) The Supreme Board of Elections makes announcements broadcasted through the radio channels of the government in prime times and at other suitable times, in order to catch the attention of the voter by reminding the importance of voting as a citizen and in order to rouse consciousness of the people about the elections and to inform them about the formation of voter registers, first voter census and registration operations, inscription operations to be repeated, audits, the forming, posting and removing of ballot box voter lists, objections and additional registration operations, distribution of voter information cards and voting and other issues and the time-limits for such matters.

Provincial and District Electoral Boards also issue announcements of that nature through customary means of communication.

The radio channels of the government does not charge the Supreme Board of Elections and Provincial and District Electoral Boards for such announcements.

In order to assure that each and every voter is registered and figures in the ballot box voter lists and all the voter information cards are distributed, the Supreme Board of Elections issues notices to inform related voters about their operations. Chairmen of Provincial and District Electoral Boards assure that their employees receive the required training and fulfil their duties properly in accordance with the notices of the Supreme Board of Elections.

ADDITIONAL ARTICLE 2- (Annex: 14th Article of Law 656, on 14 July 1965.) Radios those broadcast in Turkey are not charged for the announcements concerning all sorts of matters those are necessary or regarded to be necessary to broadcast through the radio, according to the law or to the Supreme Board of Elections, as well as those broadcasts on the local radio channels of a certain district, which are found necessary by the relevant Provincial Electoral Boards.

ADDITIONAL ARTICLE 3- (14th Article of Law 656, on 14 July 1965.) For the districts and elections determined by the Supreme Board of Elections, the regular functions of the judges who act temporarily as chairmen of the District Electoral Boards are partly or completely fulfilled by other judges who are appointed by the Higher Board of Magistrates, during the period that starts from the beginning of the elections until the last election protocols are combined; the former judge defines the assignments and job description of the newcomer.

ADDITIONAL ARTICLE 4- (Annex: 2nd Article of Law 2234, on 17 May 1979.) The Supreme Board of Elections may change the deadlines and time limits for applications of candidature, investigation of candidatures, objections against candidatures, decisions on objections, provisional and definite announcements of candidates and other similar election operations and other deadlines and time limits specified by this law, in case it considers such changes are necessary. Such decisions of the Supreme Board of Elections are promptly announced along with the reason for the change. The authorization to change deadlines and time limits cannot be exercised in cases where candidates presented by political parties are involved.

ANNEX ARTICLE 5- (Annex: 25th Article of Law 3270, on 28 March 1986.) Regarding the similar provisions of this law the Supreme Board of Elections determines and announces the rules concerning the form of ballots used for referendums on laws for Constitutional Amendments; the procedures of voting, counting and sorting out of votes, procedures of determining the invalid votes, procedures of recording the results on protocols, procedures of summing up operations in the Provincial and District Electoral Boards; and the principles of broadcasting the proponent and the opponent views on the referendum subject in the Grand National Assembly, and the opinion of the President of the Republic and the results of the referendum through The Turkish Radio and Television Institution channels.

ADDITIONAL ARTICLE 6- (7th Article of Law 3330, on 19 February 1987.) The prohibitions specified in this law are not applied to ceremonies relating to National Days, provincial Liberation Days, ceremonies for welcoming the President of the Republic, ceremonies for welcoming and protocol visits of foreign Governors or the State Presidents and ministers, opening days of judicial years and scholar years of universities, openings of international congresses and fairs and natural disasters.

During the period starting from the beginning day of the electioneering activities until the day following the election day, the prohibitions stated in the 63rd and 64th Articles are not applied to the economical, commercial and marketing activities (which have to be carried out due to the law or administrative reasons) of departments, institutions and entities mentioned in the 62nd Article and of establishments subject to the Banking Law unless such activities are intended to influence the votes of citizens.

(1) The Supreme Board of Judges and Prosecutors gives the authorization according to the Law 2461

(2)

ANNEX ARTICLE 7- (Annex: 1st Article of Law 3617, on 15 March 1990.) (Annex: 47th Article of Law 5375, on 29 June 2005.) Excluding the Supreme Court members, judges, prosecutors and those who are considered professionals in this discipline, and army officers as well as non-commissioned army officers, if civil servants and public servants run but subsequently fail in the elections and bye-elections of Parliament, municipal councils as for being candidate and candidate of the candidate, they may have their former positions or another position which has equal rank and personnel rights, provided that they apply within the month that follows the announcement of the elections.

ANNEX ARTICLE 8 – (Annex by Article 14 of Law 5749 on 13 March 2008)

All references made to Article 94 paragraph II of Law 298 in this Law and other legislation shall hereinafter be deemed to refer to Article 94E.

ANNEX ARTICLE 9 – (Annex by Article 28 of Law 5980 on 8 April 2010.)

The Supreme Board of Elections shall take all necessary measures to ensure that political party headquarters, if they so request, can simultaneously follow the incoming election results sent by the District Electoral Boards to the Supreme Board of Election at the scale of polling stations, and store the results in the same format on their computers. Political party headquarters shall not send the results of the elections, thus obtained, to their own organization or the public until the end of the period determined by the Supreme Board of Elections.

The Supreme Board of Elections shall take all security measures regarding the data bases that will be opened to the use of political party headquarters.

CHAPTER TEN

Temporary Provisions

PROVISIONAL ARTICLE 1- Beginning from the date this law takes effect:

In three days the Supreme Board of Election is constituted.

In seven days the Provincial and District Electoral Boards are constituted.

After that the procedures are carried out according to the provisions concerning the voter registers.

PROVISIONAL ARTICLE 2- 1,500000 TL in the 418th part of the budget of the Ministry of Interior, which corresponds to the expenses for preparation of the registers and cards of the voters, is transferred and added to the 420th part of the budget of Ministry of Justice.

PROVISIONAL ARTICLE 3- Reserving the provisions in 19th and 23rd Articles of this law which require the political parties to set up their organisation six months prior to the elections in at least fifteen provinces and to hold their first general assembly meeting previously, the records of the previous six months and the mentioned assembly are not required for once in any election conducted after this law is published.

PROVISIONAL ARTICLE 4- In referendums for the Constitutional Amendments the provisions of this law is applied according to the 2nd and 18th articles of Law 157.

PROVISIONAL ARTICLE- (Annex: 5,6,7,8,9 and 10. - (1st Article of Law 347, on 16 August 1961.) Abolished: (5,6,7,8,9 and 10 Article. – 1st Article of Law 3488 on 27 October 1988.)

PROVISIONAL ARTICLE 11- ⁽¹⁾ (2nd Article of Law 1700 on 24 March 1973.) Chairmen of District Electoral Boards may exercise their power granted in 33rd Article to assign personnel for the permanent voter registers offices until the necessary staff is assigned for these offices, as provided in the 29th Article. In this case, the Supreme Board of Elections determines how to fulfil these functions.

In districts where assignments of chiefs and subordinates to permanent voter register offices have remained incomplete for any reason, the paragraph above is applied.

PROVISIONAL ARTICLE 12- ⁽¹⁾ (1st Article of Law 2181 on 20 February 1979.) The inspection of voter registers that had been scheduled for March and April of 1979, according to the 35th and following articles amended by Law 1700 on 24 March 1973 of Law 298 on 26 April 1961, has been postponed for one month. This inspection is conducted exclusively for 1979, only in the (C) group provinces where the elections for the renewal of one third of the Senate of the Republic will be held and in the provinces where bye-elections for empty seats in the Senate of the Republic and in the Grand National Assembly will be held.

PROVISIONAL ARTICLE 13- (Annex: 2nd Article of Law 2234, on 17 May 1979.) The members of the Supreme Board of Elections who are in charge by the time this law took effect, continue to serve until January of 1981. In the first week of December 1981, three names from the members of the Supreme Court of Appeals and from the Supreme Council of State are drawn by lot.

(1) These provisional articles were assigned the numbers (11) and (12) by Article 2 of Law 2234 on 17 May 1979.

The names are drawn by the chairman of the Supreme Board of Elections in the presence of the members of the Supreme Board of Elections. The names of the Chairman and the Deputy Chairman are not included to the names drawn.

In the first week of January 1981, three new names are elected for the empty seats stated above at the general assemblies of the Supreme Court of Appeals and of the Supreme Council of State.

The election of the remaining memberships are renewed in January 1983.

PROVISIONAL ARTICLE 14- (Annex: 2nd Article of Law 2234, on 17 May 1979.) Provincial Electoral Boards are formed using the method described in the 15th Article and District Electoral Boards are formed using the method described in the 18th and 19th Articles, in the last week of one month period following the promulgation of this law. These boards are renewed in the last week of January one year after the January that follows the promulgation of this law.

PROVISIONAL ARTICLE 15- (Annex: 2nd Article of Law 2234 on 17 May 1979.) According to the 28th and following articles of Law 298 amended by Law 1700 on 24 March 1973; the officers of the staff employed by the permanent voter registers offices affiliated to the Ministry of Justice, whose transfer to the General Directorate of Voter Register have not been found suitable by the General Directorate are appointed to other posts and their current posts are cancelled.

PROVISIONAL ARTICLE 16- (Annex: 2nd Article of Law 2234, on 17 May 1979.) The initial registration of voters takes place on the first Sunday following the sixtieth day after the promulgation of this law.

The information obtained from this initial voter registration is arranged in the form of lists by the relevant District Electoral Board and kept in the Chairmanship of the District Electoral Boards. The execution of the 17th provisional Article is based on the information contained in these lists.

PROVISIONAL ARTICLE 17- (Annex: 2nd Article of Law 2234, on 17 May 1979.)

1. Regarding the voter registers formed by the General Directorate of Voter Registers according to the provisions of this law, and the preparation and publication of ballot box voter lists in accordance with these registers; the provinces where elections for the renewal of the one third of the Senate of the Republic on 14 October 1979, and provinces where bye-elections for the Senate of the Republic and for the Grand National Assembly are going to be held, and election districts where local government elections are going to be held during the period before the publication of initial ballot box voter lists, have the priority.

2. Depending on the dates of the initial registration and of the elections specified in the first paragraph, if the Supreme Board of Elections establishes that it is not possible for the General Directorate of Voter Registers to prepare and announce the registers and ballot box voter lists relating to the election districts where these elections will be held due to shortage of time,

a) ballot box voter lists based on the lists prepared using the information from the initial registration conducted according to the 16th Article by District Voter Register Offices, are used for the one third renewal elections of the Senate of the Republic and the bye-elections

for the Senate of the Republic and for the Grand National Assembly scheduled on 14 October 1979.

These ballot box voter lists are valid for all of the local government elections which will be held in all election districts affiliated to these provinces.

b) The Supreme Board of Elections determines the rules of the preparation of the ballot box voter lists for municipality elections, municipality council and provincial council elections, village and quarter alderman elections, aldermen council and aldermen committee elections which will be held during the period from the date of the promulgation of this law to the preparation of the ballot box voter lists, as specified in paragraph (a) above; SBE also determines the principles and the forms of objections against the preparation of lists containing the information obtained during the initial registration mentioned in paragraph (a), and the time and duration of posting and removing these lists, the allocation concerning the definite ballot box voter lists.

PROVISIONAL ARTICLE 18- (Annex: 8th Article of Law 3330 on 19 February 1987.) For elections and for referendums which will be conducted before the voter registers have been completely prepared and become functional as specified in the 28th Article, the Supreme Board of Elections determines the rules of registration in the register, arrangement of the voter list public display for each district, the duration of the public display, the allocations of definite ballot box voter lists, the update of the voter registers and the procedures and time limits for objections, regarding the characteristics of the elections.

PROVISIONAL ARTICLE 19- (Annex: 8th Article of Law 3330, on 19 February 1987.) The renewal election is held in January 1990 for the seats of members of Supreme Board of Elections who have been elected in January 1985.

PROVISIONAL ARTICLE 20- (Annex: 3rd Article of Law 4265, on 5 June 1997.) The renewal election is held in January 2000 for the seats of members of Supreme Board of Elections who have been elected in January 1993.

PROVISIONAL ARTICLE 21- (Annex: 6th Article of Law 4448, on 26 August 1999.) In January 1993 and 1996 six names are drawn by lot for the Supreme Board of Elections, each of whom comes from the members of Supreme Council of State and from Supreme Court of Appeals, the renewed memberships are also included. The names of the chairman and his/her deputy are not included in these names. For these six members, a renewal election is held in the second half of January 2001. The renewal election for the other 5 members is held in January 2004.

PROVISIONAL ARTICLE 22 - (Annex: 1st Article of Law 4885, on 11 June 2003.) the general registration and inspection anticipated in the first paragraph of 36th article, are not carried out until the Supreme Board of Elections transfers the information of the voter citizens to the computer in accordance with the SEÇSİS project which constitutes the substructure of forming a voter registry database online as stated in the 28th article.

PROVISIONAL ARTICLE 23 – (8th Article of Law 6304, amended on 18 May 2012)

With the deadline of 31/12/2016, an Overseas Electoral Registry can be formed on the basis of the identification numbers of the Republic of Turkey for the general parliamentary election, presidential election, and referendum without restriction to the Law No. 298 on the Basic Provisions of Elections and Electoral Registry

ADDITIONAL PROVISIONAL ARTICLE 1- (Annex: 1st Article of Law 2812, on 5 April 1983.) In the first general election which will be prepared according to the Law on Political Parties and Elections based on the Constitution; the Voter Registers which are prepared for the referendum of Constitution according to the Law 2687 on 1 July 1982, are used after they are updated according to the provisions of the same law.

After determining those who have not voted for the Constitution referendum, the update procedure is held through posting up the registers in the related headman districts and providing the opportunity for those who do not have their names listed on these lists or who are registered with a mistake, in order to apply for registration or correction.

The Supreme Board of Elections determines the date for posting up the lists and the period during which the lists will be on display, the rules of objections, which documents will be required for objections, the deadline for the definite registers, how to register previously non-registered voters and the conditions of registering them.

People whose names are not listed on the voters registers although they are over 21 before the deadline for definite registration, are registered upon their application. The applications of those whose exact birth date is not recorded at the public register office, are processed as if they were born on the last day of their birth year.

ADDITIONAL PROVISIONAL ARTICLE 2- (Annex: 1st Article of Law 2812, on 5 April 1983.) Those who have abstained from being registered by registration employees although they are eligible for voting according to the 8th Article of Law 2687 on 01 July 1982, are not prosecuted in case they apply while the registers are being posted according to this law, any criminal conviction related to this becomes null and void along with its possible consequences. However, fines already collected are not refunded.

Those who have themselves registered that way are eligible for voting and candidature at general elections, bye-elections and local elections, as well as referendums.

ADDITIONAL PROVISIONAL ARTICLE 3- (Annex: 1st Article of Law 2812, on 5 April 1983.) Those who have not voted at the referendum although they are eligible for voting and registered in the voter registers due to a legal or actual excuse, but failed to notify such excuse before the deadline or saw their excuse is rejected for lack of evidence or for the expiry of the time-limit, are not subject to the prohibitions specified in the first paragraph of 12th Article of Law 2707 on 24 September 1982 if they apply to the relevant District Electoral Board before the removal of posted voter lists, and present their excuse.

The Supreme Board of Elections determine the principles and methods on how to investigate applications.

CHAPTER ELEVEN

Last Provisions

Laws Abolished:

ARTICLE 187- Law 5545 on Parliamentary Elections and Laws 6272, 6438, 7037 and 7053 amending the mentioned law have been abolished.

Effective date:

ARTICLE 188- This law is effective on the date of publication.

The Authority assigned for the Implementation:

ARTICLE 189- The Cabinet implements the provisions of this law.

The provisions which cannot be applied to the main law 298 on 26 April 1961.

1- The provisional Article of KHK 455 on 13 September 1991:

PROVISIONAL ARTICLE- Those whose positions or titles are changed, are assigned for duties which are suitable for their situations until they are assigned for a new position, meanwhile they continue to benefit from their salaries, premiums and other personnel rights of their previous positions.

LAW 298 ON BASIC PROVISIONS ON ELECTIONS AND VOTER REGISTERS

LAWS WHICH AMEND THE LAW 298 ON BASIC PROVISIONS ON ELECTIONS AND VOTER REGISTERS

Number of Law	Adoption Date	Date	Published on the Gazette #
306	25.05.1961	30.05.1961	10815
347	16.08.1961	17.08.1961	10883
356	25.08.1961	29.08.1961	10893
533	13.02.1965	20.02.1965	11934
656	14.07.1965	20.07.1965	12053
1700	24.03.1973	30.03.1973	14492
1783	26.06.1973	08.07.1973	14588
2181	20.02.1979	28.02.1979	16564
2234	17.05.1979	31.05.1979	16651
2812	05.04.1983	07.04.1983	18011
2839	10.06.1983	13.06.1983	18076
3270	28.03.1986	15.04.1986	19079
3330	19.02.1987	04.03.1987	19390
3377	23.05.1987	03.06.1987	19476
3403	10.09.1987	11.09.1987	19571 Mük.
290 KHK	11.09.1987	26.10.1987	19616
3420	31.03.1988	13.04.1988	19784
3488	27.10.1988	08.11.1988	19983
3617	15.03.1990	27.03.1990	20474
455 KHK	13.09.1991	18.09.1991	20995
3959	28.12.1993	30.12.1993	21804
3969	15.02.1994	18.02.1994	21853
4125	27.10.1995	28.02.1994	22447 Mük.
572 KHK	30.05.1997	06.06.1997	23011
4265	05.06.1997	11.06.1997	23016
4381	31.07.1998	02.08.1998	23421
4448	26.08.1999	29.08.1999	23801
4609	29.11.2000	02.12.2000	24248
4885	11.06.2003	17.06.2003	25141
4928	15.07.2003	19.07.2003	25173

NOTE: 2008, 2010, 2012, and 2014 laws also amend this law and have been incorporated into the text.