

LAW ON PARLIAMENTARY ELECTION⁽¹⁾

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CHAPTER ONE
General Provisions

Objective and Scope:

Article 1 – This Law arranges system and procedure of parliamentary election, electoral zones and the number of MPs, electoral period and time, interim election, renewal of election, principles of eligibility to be elected and becoming candidate, and principles and practises regarding parliamentary election.

Electoral system and procedure:

Article 2 – Parliamentary election is of one level. Election is made according to proportional representation system with general, equal, and secret vote, on the same day throughout the country, and under judicial management and supervision.

Voter exercises his voting right in all freedom.

Counting and tabulating of votes and their writing to minutes are done publicly.

Number and distribution of members of parliament^{(2) (3)}

Article 3 – (Change: 27/10/1995-4125/8 art.)

The number of members of parliament is 600. **(Last two sentences Cancel : with Cons. Court 18/11/1995 dated and E.: 1995/54, K. 1995/59 numbered decision).**

Electoral zones and the number of MPs to be elected from them:

Article 4 – (Change: 27/10/1995-4125/9 art.)

While determining the number of MPs to be elected from provinces, one MP is given to each province out of the total number of MPs (...) ⁽⁴⁾ initially. ⁽⁴⁾

(Changed clause: 23/11/1995-4138/1 art.) A number is obtained by dividing Turkey's population designated with the last census into the number of MPs remaining after the MPs given to provinces in the first clause are subtracted. The number of MPs to be elected from each province separately is determined by dividing population of province into this number.

(1) See 24/8/1991 dated and 3757 numbered Law published on page 7247 of Collection of Laws, for the enforcement of articles 12, 14, 26, 28, 34, 35, 63, and 93 of this Law in XIX Term Parliamentary General Election. (O.G.: 26/8/1991-20972)

(2) Title of this article was changed with article 8 of 27/10/1995 dated and 4125 numbered Law and applied to the text.

(3) The phrase of "is 550" in the first clause of this article was changed as "is 600" with article 8 of 25/4/2018 dated and 7140 numbered Law.

(4) The phrase of "number of MPs remaining after 100 MPs are subtracted" which took place in this clause was cancelled with 18/11/1995 dated and E.1995/54, K.1995/59 numbered Decision of the Constitutional Court. (O.G.: 21/11/1995-22470 Duplicate)

(...)⁽¹⁾ populations of provinces whose populations are not adequate to select a MP and surplus populations of provinces with surplus populations are listed according to their sizes and the deputyships that were not divided among the provinces at the first calculation are distributed according to this order. (**Addendum sentence : 22/10/2009-5922/1 art.; Cancel: with Cons. Court 10/2/2011 dated and E. 2009/88, K. 2011/39 Decision.**)⁽¹⁾

In the case that two or more provinces have equal or surplus populations while last deputyship is given, it is given by drawing lot between them.

As a result of identification, the provinces that will elect up to 18 MPs are regarded as an electoral zone. Provinces that will elect between 19-35 MPs are divided into two electoral zones and provinces that will elect 36 or more MPs are divided into three electoral zones. These electoral zones are named by numerical order.

While determining electoral zones of these provinces:

- a) Electoral zones are established equally or in a way to ensure they elect close numbers of MPs as much as possible.
- b) Territorial integrity of districts is taken into consideration as much as possible.
- c) Populations and geographic proximities and transport facilities of districts that will take place within the same electoral zone are considered.

While distributing the number of MPs of these provinces to electoral zones, the numbers of MPs to be elected from electoral zones are determined according to the principles regarding identification of the numbers of MPs of provinces in terms of their population.

Announcement of electoral zones and the numbers of MPs to be elected:

Article 5 – Electoral zones and numbers of MPs to be elected from each electoral zone is published and broadcasted by Supreme Election Council by being determined in accordance with article 4, within six months at latest as of announcement of general census results, and through Official Gazette, radio, and television.

Electoral period, starting of election, and election day: ⁽²⁾

Article 6 – (**Changed first clause: 22/10/2009-5922/2 art.**) Elections of Turkish Grand National Assembly are made on the same day with Presidential election in every five years. ⁽²⁾

(**Changed second clause: 22/10/2009-5922/2 art.**) The last Sunday before completion of five years as of the date when previous election was made, is voting day. The first day of sixty-day period counted backwards starting from the voting day is the starting date of election. ⁽²⁾

If it is decided that making new elections is not possible, the Turkish Grand National Assembly may decide to adjourn elections for one year.

If adjournment reason is not eliminated, this operation can be repeated according to procedure in postponement decision.

Interim election:

Article 7 – In the event that memberships of Turkish Grand National Assembly are emptied, interim election is made.

Interim elections are made one time in every electoral period and cannot be made unless thirty months are passed after general election. However, in the events that number of emptied memberships corresponds to five percent of total member number, Turkish Grand National Assembly decides interim elections to be made within three months.

(1) The phrase of “unless number of MPs calculated in this way corresponds to 450” which took place in this clause was cancelled with 18/11/1995 dated and E.1995/54, K.1995/59 numbered Decision of the Constitutional Court. (O.G.: 21/11/1995-22470 Duplicate)

(2) With article 8 of the Law dated 25/4/2018 and numbered 7140, the phrase of “once in every four years” which took place in first clause of this article was changed as “on the same day with Presidential election once in every five years”, and the phrase of “four” which took place in second clause of this article was changed as “five” and the phrase of “ninety” was changed as “sixty”.

Interim election cannot be made when it is one year left to general elections.

(Addendum clause: 2/1/2003-4778/14 art.) Except from the cases written above, in the event that a province or electoral zone has no member in Turkish Grand National Assembly, interim election is made at that electoral zone on the first Sunday after ninety days following being empty.

Renewal of election:

Article 8 – In the event that it is decided to renew election by the Turkish Grand National Assembly or President before end of the electoral period, the situation is announced by Council of Ministers within forty-eight hours.

(Changed clause: 10/9/1987-3403/4 art.) If decision of renewal is made by the Turkish Grand National Assembly, it also determines voting date. In the event that decision of renewal is made by President, the first Sunday following ninetieth day coming after the day when this decision is made, is voting day.

Determination of periods:

Article 9 – In the events that it is decided to renew elections or to make an interim election, Supreme Election Council may shorten and implement the periods determined for elections in this Law and 2820 numbered Political Parties Code and 298 numbered Law on Basic Provisions on Elections and Voter Registers.

Eligibility to be elected:

Article 10 – Every Turkish citizen over the age of eighteen can be elected as member of parliament.⁽¹⁾

The ones who cannot be elected as MP:

Article 11 – The ones written below cannot be elected as MP:

- a) The ones who are not primary school graduates,
- b) The restricted people,
- c) The ones who are related to military service,⁽²⁾
- d) The ones barred from public service,
- e) Except from negligence based crimes, the ones sentenced to one year or more imprisonment in total or heavy imprisonment regardless of its duration,
- f) Even if they are excused,

1. **(Change: 2/1/2003-4778/15 art.)** The ones sentenced for one of the crimes of disgraceful offenses such as imprisonment for simple and major embezzlement, extortion, bribery, theft, fraud, counterfeiting, abuse of faith, fraudulent bankruptcy, and of smuggling crimes except from use and consumption smuggling, bid-rigging in tenders and purchases and sales, or disclosing State secrets,

2. The ones sentenced for the crimes written in first part of Second Book of the Turkish Penal Code or for publicly provoking these crimes to be committed,

(1) The phrase of "Over the age of thirty" which took place in this article was changed as "Over the age of twenty-five" with article 1 of the Law dated 19/10/2006 and numbered 5552, and afterwards the phrase of "Twenty-five" which took place in this article was changed as "Eighteen" with article 8 of the Law dated 25/4/2018 and numbered 7140.

(2) The phrase of "Have not performed their obliged military service" which took place in this sub clause was changed as "Related to military service" with article 23 of the Law dated 13/3/2018 and numbered 7102.

3. **(Change: 2/1/2003-4778/15 art.)** The ones sentenced for terrorist actions,
 4. The ones sentenced for committing actions written in first, second, and third clauses of article 536 of Turkish Penal Code and in first, second, third, fourth, and fifth clauses of article 537 of the same Code, with political and ideological purposes.

CHAPTER TWO
Pre-Electoral Works

Candidacy:

Article 12 – In line with the provisions defined in this Law, every Turkish citizen eligible to be elected may run for candidacy for membership of parliament either from a political party or independently.

(Changed clause : 28/3/1986 - 3270/28 art.) In accordance with clause 11 of article 14 of 298 numbered Law on Basic Provisions on Elections and Voter Registers, political parties that can participate in the election determined and announced by Supreme Election Council can nominate in all electoral zones according to the provisions of 2820 numbered Political Parties Code. **(Last sentence repealed: 27/10/1995-4125/21 art.)**

Electoral Alliance

Article 12/A- (Addendum: 13/3/2018-7102/15 art.)

Political parties carrying eligibility to participate in elections can participate in election by forming alliance. Political parties forming alliance give their own candidate lists.

Political parties deciding to participate in election by forming alliance submit alliance protocol with signatures of chairpersons to Supreme Election Council within seven days at latest following starting date of election. Changes may be made in alliance protocol with the same procedure until two days before the date determined for submission of candidate lists.

In the event that it is decided by political parties, title of alliance and other matters consistent with laws also take place in alliance protocol.

Political parties may abandon the alliance by notifying Supreme Election Council until three days before the date determined to submit candidate lists. Supreme Election Council notifies other political parties within the same alliance thereof immediately. In case of abandonment, alliance continues among other parties. Until 17.00 p.m. on the day following notification of abandonment of alliance, other political parties within the alliance can change alliance protocol or abandon the alliance.

Supreme Election Council determines procedures and principles on implementation of this article and other matters regarding electoral alliance.

The situation of political parties that do not nominate full number of candidates in at least half of the total provinces:

Article 13 – **(Changed first clause: 24/8/1991-3757/2 art.)** Authorised bodies of political parties that did not nominate for at least half of the total provinces as much candidates as provided for in article 12 or nominated a deficient number of candidates less than the number provided for in article 12 in any electoral zone of these provinces for any reason, are notified by Supreme Election Council of the need for immediate completion of deficient candidates.

Related party organisation completes deficient candidacies within two days after this notification. Otherwise, that political party loses its right to participate in election in all electoral zones.

The situation of parties that nominate for more than half of the total provinces:

Article 14 – (Changed first clause: 24/8/1991-3757/3 art.) In the event that while political parties did nominate for more than half of the total provinces as much candidates as provided for in article 12 there is one or more deficient candidate(s) in electoral zones that exceed half, Supreme Election Council notifies that party's authorised bodies at its headquarters of the need to complete candidate lists.

Related party organisation completes deficient candidates of those electoral zones in their list within two days after this notification. Otherwise, without prejudice to the above article provision, that political party loses its right to participate in election in the electoral zone with deficient candidates.

Deficient candidacies resulting from objection:

Article 15 – In the event that there are deficient candidacies in the lists of political parties upon objections, these deficiencies are completed within two days following notification of Supreme Election Council. Otherwise, the article provisions above are also applied in these cases.

Candidates of political parties and the independent candidates:

Article 16 – Political parties cannot nominate as collective list by agreeing.

Nomination of the ones who are not registered in political parties by any political party is up to their own written consents.

(Addendum clause: 13/3/2018-7102/16 art.) In the event that the political party which has eligibility to participate in election does not participate in election, member of this party can be nominated by another political party by having written consent of himself and the political party in which he is registered.

One person cannot be a candidate, nominated and elected from different political parties at the same time or from more than one electoral zones in the same election.

Independent candidates also cannot be candidate and elected in more than one electoral zones for the same election.

(Addendum clause: 25/4/2018-7140/2 art.) A person cannot be a candidate and nominated at the same time for Presidency and deputyship.

The situation of judges assigned to boards:

Article 17 – Presidents and members of Supreme Election Council and provincial election board and presidents of district election boards may resign from office only when they become a candidate. The ones who prefer being a candidate can exercise this preferential right one month before starting of general and interim elections, within seven days as of announcement of renewal decision in the event that it is decided to renew election.

The ones who prefer being a candidate are subjected to the conditions set for public servants in articles 18 and 19.

In electoral zones where judges are assigned to provincial and district election boards, in the event that their spouses and relatives by blood up to second degree (including this degree) and relatives by marriage stand for election or are nominated, these judges have to resign from their duties at election boards and notify their competent authority thereof immediately.

The President and members of Supreme Election Council cannot attend to board meetings in operations about their spouses and relatives by blood and marriage up to second degree (including this degree).

The ones who need to resign for candidacy ⁽¹⁾

Article 18 – (Change: 8/4/2010-5980/29 art.)

Judges and prosecutors, members of higher judicial bodies, academic staff at higher education institutions, members of Council of Higher Education and Radio and Television Supreme Council, officials with public servant status at public institutions and organisations and other public officers who are not in the quality of worker in terms of their service, mayors and military officers and sergeants who want to be candidate, presidents and members of provincial and district management boards of political parties that want to be a candidate and the municipal councillors and provincial councillors, the ones working in management and supervisory boards of professional organisations with public institution status and labour unions, public banks and higher units of these and the enterprises or partnerships they participate cannot stand for parliament and be nominated unless they demand resignation from their duties within seven days as of announcement of renewal decision in the case that it is decided to renew election one month before starting of general and interim elections.

Provisions on resignation:

Article 19 – Resignation demands of the ones within the framework of article 18 is submitted with a petition to be given to their immediate supervisor. That the signature in the petition belongs to its owner is approved by supervisor and it is directly sent to ministry or institution it is affiliated to immediately. A document indicating that petition is received, is given to petition owner and supervisors are informed through hierarchy. Application by telegraph is also possible by following the same principles.

As of the date when petition is received by ministry or institution, the petition of acceptance of resignation demand is announced to petition owner and his supervisors within ten days at latest.

Except from the resignation demands by military officers and sergeants in cases of war and mobilisation, resignation demands from the ones entitled to resignation right are not rejected. Provision of seventh clause of article 2 of Martial Law numbered 1402 is reserved. The ones among military officers and sergeants who were not elected as MP cannot abandon their demands afterwards and cannot go back to armed forces.

The ones whose resignation demands are rejected as they are not entitled to resignation right cannot be added to candidate list and cannot stand for election.

The ones whose resignation demands are accepted cannot take any action in the essence of propaganda as long as they are on duty. Military officers and sergeants and the ones who wear uniform for their duties cannot make propaganda with uniform and take any action in this essence.

(1) While the title of this article was “*Candidacy of public servants, managers of political parties, and members of Turkish Armed Forces*”, it was changed as in the text with article 29 of the Law dated 8/4/2010 and numbered 5980.

Submission of candidate lists by political parties:

Article 20 – (Changed first clause: 27/10/1995-4125/11 art.) Headquarters of political parties, candidate lists of the electoral zones where they will participate in election (...) They give them to Supreme Election Council (...) in exchange of certificate of receipt until 17.00 p.m. on the day after ten days at latest following primary election day.⁽¹⁾

Supreme Election Council notifies provincial election boards thereof immediately. Supreme Election Council announces candidate lists of all political parties as temporary lists through Official Gazette and radio and provincial election boards announce the ones belonging to them to their own zones as temporary lists via accustomed means.

Application of independent candidates:

Article 21 – (Changed first clause: 27/10/1995-4125/12 art.) Application to be made for candidacy of independent membership of parliament is made to presidency of provincial election board of the zone where candidate wants to be elected as MP, with a letter (...) ⁽²⁾ indicating that he carries the conditions and qualifications required by this Law for candidacy. Presidency of board gives a document regarding receipt of the application and notifies Supreme Election Council immediately. Supreme Election Council announces these applications and provincial election boards announce the ones belonging to their own zones via accustomed means as temporary lists.

The ones apply for independent candidacy deposit the amount equal to the gross monthly amount of all kinds of payments being made to a civil servant at the highest rank under financial rights to related subdivision of treasury and add its receipt to application documents necessary for being elected as MP.⁽³⁾

Objection against candidates:

Article 22 – Objections can be made to provincial election board within two days as of announcement of candidates temporarily. Objections are concluded within two days at latest by Provincial Election Boards.

The related people can object to Supreme Election Council against these decisions within two days.

Supreme Election Council concludes these objections within three days and until the announcement day of final candidate lists at latest.

Examination of candidates:

Article 23 – Even if a province is divided into a few electoral zones, provided that provincial election boards find deficiency or disagreement in the conditions of candidacy written in this Law as a result of their examination about the candidates of their own electoral zones, they notify the related candidate, provincial heads of political parties, and Supreme Election Council thereof within two days following temporary announcement date.

(1) Words of "and candidate lists of member of parliament of territorial electoral zone" and "separately" which took place in this clause were cancelled with Constitutional Court Decision dated 18/11/1995 and numbered E.1995/54, K.1995/59. (O.G.: 21/11/1995-22470 Duplicate)

(2) Words of "until 17.00 p.m. on one day before primary election day" which took place in this gap were cancelled with Constitutional Court Decision dated 18/11/1995 and numbered E.1995/54, K.1995/59. (O.G.: 21/11/1995-22470 Duplicate)

(3) With article 30 of the Law dated 8/4/2010 and numbered 5980, the phrase of "the money equal to the gross monthly wage of a civil servant at the highest rank" was changed as "the gross monthly amount of all kinds of payments being made to a civil servant at the highest rank under financial rights" and used in the text.

Announcement of candidates:

Article 24 – After candidacies are finalised, Supreme Election Council announces all candidates by their electoral zones through Official Gazette and radio on the fifty-fifth day before voting day.

Provincial election boards also announce candidates in their own electoral zones at the time specified by Supreme Election Council and with accustomed means.

Resignation from candidacy and the death:

Article 25 – Deficient candidacies resulting from resignation or death from the date when candidate lists are finalised until 17.00 p.m. on the voting day, do not require lists to be completed. However, in the case candidate lists have deficient candidates due to reasons given above, deficient places are completed by moving candidates in the list up according to list order.

CHAPTER THREE

*Works of Election Date**Form of the ballot paper to be used:***Article 26 – (Change: 27/10/1995-4125/13 art.)**

Combined ballot papers of political parties and ballot papers of independent candidates to be used in election of members of parliament are prepared in line with the principles below:

a) Ballot papers are printed by Supreme Election Council on papers with watermark of “Republic of Turkey Supreme Election Council” in accordance with the principles in (1) numbered sub clause of article 14 of 298 numbered Law on Basic Provisions on Elections and Voter Registers.

b) The phrase of “Political Parties and Independent Candidates” is written on the top of the combined ballot paper. Under this phrase, according to the sequence determined by Supreme Election Council by drawing lot before the representatives of political parties who participate in election, abbreviated name of the party at the beginning and in the middle under special sign of party, under that full name of the party, under that name and surname of the chairperson of party in bolded letters is written, after a certain space or line, an empty circle with a diameter of two centimetres is printed, and all these mentioned are underlined. Under this line, names and surnames of finalised candidates in the list of those political parties are written according to their sequence number they have. **(Last sentence Cancel with Cons. Court 18/11/1995 dated and E. 1995/54, K. 1995/59 numbered Decision.)⁽¹⁾**

(Addendum paragraph: 13/3/2018-7102/17 art.) Allying political parties are included in drawing lot as alliance and take place on ballot paper next to each other. Sequences of these parties within alliance are also determined by drawing lot. Above the columns of the allying political parties, a rectangular common part whose short side is two centimetres and long side equals to the sum of width of columns of these parties and interval of their columns, and where title of alliance will take place, exists. If alliance does not have a title, only the phrase of “ALLIANCE” is written in the part for alliance title. In the event that there are more than one political parties without titles, these are numbered according to their application orders. All parts of columns of allying political parties, including the part for alliance title and the interval among them are alliance space.

(1) With article 2 of the Law dated 12/10/2006 and numbered 5550, the phrase of “Political Parties” in this sub clause was changed as “Political Parties and Independent Candidates” and used in the text.

c) **(Change: 8/4/2010-5980/31 art.)** Among the columns of political parties, an interval designated with two lines and (0.75) centimetre is left.

d) **(Change: 8/4/2010-5980/31 art.)** Independent candidates are placed after the political party column at the rightmost part of combined ballot paper and in alignment by leaving (0.75) centimetre interval after a vertical and thick line is drawn. If there are more than one independent candidates in an electoral zone, their order is determined by drawing lot. Name and surname of the independent candidate are written at the beginning and in the middle. After a certain space or line, an empty circle with a diameter of two centimetres is printed and all these mentioned are underlined. Among the columns of more than one independent candidates, an interval designated with two lines and (0.75) centimetre is left.

Independent candidates are not placed under political party columns. However, in the event that there are a lot of independent candidates and it is not possible to place them on the ballot paper, remaining independent candidates are placed in conformity with the size of watermarked paper by drawing a thick line after political party candidates and drawing another thick line after leaving a five-centimetre space.

e) **(Addendum: 8/4/2010-5980/31 art.)** On the ballot paper, names and surnames in civil registry identification cards of chairpersons and candidates are written in full. Any abbreviation, title, or capacity cannot be used.

f) **(Addendum: 8/4/2010-5980/31 art.)** Special signs of parties on combined ballot papers are printed in colour in conformity with its regulation. Regulation of the party is based while determining the special sign, name, and abbreviated name of political parties to be used on ballot paper. Full names of the parties having no abbreviated name according to their regulations are written on combined ballot paper. On the combined ballot papers, any special sign or phrase is not used for independent candidates.

(Addendum second clause: 8/4/2010-5980/31 art.) Combined ballot papers to be used by overseas voters are prepared in line with the procedures and principles provided for in this article.

Sending combined ballot papers to their locations and sealing them:

Article 27 – Combined ballot papers to be used in each ballot box are arranged as packs of four-hundred, numbered and sealed by Supreme Election Council and then sent to electoral zones with enough number of envelopes.

District election boards receiving packages identify with a minute that which numbered package is given to which ballot box committee.

The ballot box committee receiving the package opens the package on the voting day before voting is started and seals all of the combined ballot papers with the seal of ballot box committee. That the ballot paper carries the seal of ballot box committee and has no sign around any side of it, is shown to members of committee, observers, and voter while giving one of the ballot papers to the voter coming to ballot box committee.

Names and surnames of final candidates of political parties are hung in visible places in the voting and polling station as lists printed by provincial election boards and according to the order in the list. **(Repealed last sentence: 27/10/1995-4125/21 art.)**

Voting procedure:

Article 28 – **(Change: 28/3/1986-3270/32 art.)**

Voter gets inside closed voting area in order to exercise his voting right by taking "Yes" written stamp which is given to him along with combined ballot paper, printed and transported to ballot box committees by Supreme Election Council, and has to be possessed by president of ballot box committee during voting period.

(Changed second clause: 12/10/2006-5550/3 art.) Voter exercises his voting right by putting the "Yes" stamp only in the special circle belonging to the political party he prefers or, if any, only in the special circle belonging to the independent candidate he wants to vote and by putting the ballot paper in envelope.

(Changed clause: 27/10/1995-4125/14 art.) The voter who has exercised his voting right, puts the ballot paper in an envelope by folding it and sticks the envelope. He returns the "YES" stamp to the president of the ballot box committee and puts his vote into ballot box.

(Changed fourth clause: 12/10/2006-5550/3 art.) Voter is deemed to have voted for the political party or independent candidate in which he puts the "Yes" stamp.

(Repealed fifth clause: 27/10/1995-4125/14 art.)

(Repealed sixth clause: 27/10/1995-4125/14 art.)

Calculation of valid votes:

Article 29 – (Change: 27/10/1995-4125/15 art.) The total of the valid votes taken by a political party, which participate in election in an electoral zone, in accordance with second clause of article 28 shows the valid vote taken by the political party within the framework of that election. **(Addendum two sentences: 13/3/2018-7102/18 art.)** However, valid vote of each political party within the same alliance is obtained by adding the share coming from the common votes of alliance to the votes of political parties taken by them individually within the framework of that election. The share coming to each allying party from common votes is obtained by result of multiplication of the coefficient, obtained by division of the votes taken by allying political parties individually into the total vote of these parties, with common vote of alliance.

(Change: 27/10/1995-4125/15 art.) Valid vote taken by an independent candidate is the total of valid votes he obtains in accordance with second clause of article 28.

Sum of the valid votes taken by political parties and independent candidates in accordance with first and second clauses shows the valid votes in that electoral zone.

National valid votes are the total of valid votes from all electoral zones.

Writing the counting to minute:

Article 30 – (Repealed: 27/10/1995-4125/21 art.)

CHAPTER FOUR

Post-Electoral Works

Combination of electoral results at districts:

Article 31 – District election board identifies the number of votes taken by each political party and independent candidates and the number of common votes of alliances and the share coming from their common votes and writes these to minute during combination of ballot box minutes. **(Repealed second sentence: 27/10/1995-4125/21 art.)⁽¹⁾**

Combining at district election boards:

Article 32 – Provincial election board combines the minutes coming from district election boards in the way specified in article above and writes the followings for every electoral zone to minute;

(1) The phrase of "and the number of common votes of alliances and the share coming from their common votes" was added by coming after the phrase of "number of votes" in this clause, with article 23 of the Law dated 13/3/2018 and numbered 7102.

- a) Number of the voters,
- b) Number of the voters who exercised their voting right,
- c) Number of the ballot papers which were calculated by being regarded as valid after being objected or seen as controversial,
- d) Number of ballot papers which were not considered as valid and were excluded from calculation,
- d) Grand total of ballot papers which were considered as valid and included in calculation,
- f) **(Change: 13/3/2018-7102/19 art.)** Number of votes taken by each political party and independent candidate and their alliances which participated in election,
- g) **(Repealed : 27/10/1995-4125/21 art.)**
- h) **(Repealed : 27/10/1995-4125/21 art.)**
according to electoral zones and separately.

General threshold and its calculation:

Article 33 – (Changed first clause: 23/5/1987-3377/9 art.) In general elections nationwide, in all electoral zones where election was made in interim elections, parties that do not exceed 10% of valid votes cannot elect member of parliament. **(Addendum sentence: 13/3/2018-7102/20 art.)** In the event that electoral alliance is formed, the total of valid votes taken by allying political parties is based while calculating 10% threshold and a separate threshold calculation is not made for these political parties. Election of an independent candidate who took place in the list of a political party is also possible when the political party he took place in its list exceeds ten percent threshold in all electoral zones where election is made for nationwide and in interim elections.

Provincial election boards notify Supreme Election Council of the results after arranging the combination minute, according to the above article, in the fastest way through telegraph, also with telephone or transmitter.

Supreme Election Council counts the total of valid votes across Turkey according to information taken from all provinces in this way and calculates the percent of votes taken by political parties and alliances nationwide by dividing the total valid votes taken by each political party and alliance into the total of general valid votes and notifies provincial election boards of the names of political parties and alliances which exceed 10% threshold and announces them.⁽¹⁾

That it is decided to cancel election in one or a few electoral zones after this announcement, does not require to re-identify vote percentages taken nationwide.

Calculation of the number of members of parliament to be obtained by political parties, alliances, and independent candidates in an electoral zone.⁽²⁾

Article 34 – The number of MPs to be obtained in an electoral zone by independent candidates and the political parties that exceed the rate written in article 33 and the alliances that exceed this rate is calculated as follows: ⁽²⁾

(1) The phrase of “and alliance” coming after “of each political party” in this clause and the phrase of “and alliances” coming after phrases of “by dividing, of political parties” and “political parties that exceed” in this clause were added with article 20 of the Law dated 13/3/2018 and numbered 7102.

(2) The phrase of “of parties” which took place in the title of this article was changed as “political parties, alliances”; the phrase of “and of political parties that exceed the rate written in above article” which took place in its first clause was changed as “the political parties that exceed the rate written in article 33 and the alliances that exceed this rate” with article 21 of the Law dated 13/3/2018 and numbered 7102.

(Changed clause: 27/10/1995-4125/16 art.; Cancel: with Cons. Court 18/11/1995 dated and E. 1995/54, K. 1995/59 numbered Decision.)

(Changed clause: 23/5/1987-3377/10 art.) (Changed first sentence: 23/11/1995-4138/2 art.) Names of the political parties, alliances, and independent candidates that participated in election are written one under the other and the numbers of valid votes taken by them are also written in alignment with their names. Numbers of votes of political parties and alliances is divided into one firstly, then into two, then into three...and until the number of MPs to be elected from that zone is obtained. Obtained shares and the votes taken by independent candidates are listed from the greatest to the smallest without exception. MPs are allocated to political parties, alliances, and independent candidates having these shares as much as the number of MPs to be elected from the electoral zone, according to the greatness order of the numbers. **(Addendum sentence: 17/10/1987-3404/1 art.; Repealed: 27/10/1995-4125/21 art.)**(...)⁽¹⁾

In the event that equal numbers are found for the last deputyship, allocation between these is made by drawing lot.

(Changed clause: 23/11/1995-4138/2 art.) In the event that none of the political parties or alliances that participated in the election exceeded the rate written above, deputyships are shared according to provisions of third and fourth clauses.⁽¹⁾

(Addendum clause: 28/3/1986-3270/33 art.; Repealed: 23/11/1995-4138/2 art.)

(Addendum clause: 13/3/2018-7102/21 art.) Total vote of the allying political parties is based while calculation of number of MPs to be obtained by alliance. Total number of MPs to be obtained by alliance is shared among allying political parties according to the procedure in this article by being based on the number of valid votes taken by each.

Calculation of number of MPs to be elected from territorial electoral zone by political parties

Article 34/A- (Addendum: 27/10/1995-4125/17 art.; Cancel: with Cons. Court 18/11/1995 dated and E. 1995/54, K. 1995/59 numbered Decision).

Identification of elected candidates of political parties:

Article 35 – (Change: 27/10/1995-4125/18 art.)

President of provincial election board identifies the elected ones from that electoral zone in candidate lists of political parties and, if any, independent candidates and has a copy of the minute announced in that electoral zone. He has another copy of it hung on the door of provincial election board for one week.

Notification of the ones elected as MP to Supreme Election Council and giving minutes:

Article 36 –As soon as the ones elected as MP are identified, provincial election boards notify Supreme Election Council of their names and surnames and the political party they belong if they have, in the fastest way through telegraph, also with telephone or transmitter by also showing the electoral zones.

(1) The phrase of "parties" in the first sentence of third clause of article 34 was changed as "of parties, alliances"; the phrase of "and alliances" coming after the phrase of "parties" was added to its second sentence; the phrase of "to parties" in its last sentence was changed as "to political parties, alliances"; the phrase of "or from alliances" coming after the phrase of "from parties" was added to its fifth clause, with article 21 of the Law dated 13/3/2018 and numbered 7102.

(Changed clause: 27/10/1995-4125/19 art.) A minute indicating their election as a MP is immediately given by provincial election board to the ones who were elected as MP. Two copies of these minutes are also sent to Presidency of Supreme Election Council with the fastest mean. **(Second sentence Cancel: with Cons. Court 18/11/1995 dated and E. 1995/54, K. 1995/59 numbered Decision.)** Presidency of Supreme Election Council gives one of the minutes to Presidency of Turkish Grand National Assembly.

Publication of electoral results:

Article 37 – As the information comes from provincial election boards in accordance with the first clause of the article above, Supreme Election Council broadcasts this information immediately via radio and television.

As soon as the information to be given by all provinces is completed, Supreme Election Council broadcasts the number of MPs obtained by each party and the names and surnames of the elected MPs immediately via Turkish Radios and Televisions without waiting certified minute copies to be taken or conclusion of objections if there are any thorough examination.

After the minutes showing electoral results are sent from all provinces, Supreme Election Council announces names and surnames of the ones elected as MP, the number of voters, the number of voters who exercised their voting rights, the participation rate, the number of valid ballot papers, and the number of votes taken by each party and independent candidates according to provinces and electoral zones by broadcasting and publishing a second notification via Radio and Television and Official Gazette as soon as possible.

All transport and communication means belonging to State are used primarily for transportation of electoral news, letters, information, and materials between election boards.

Publishing of electoral results by Presidency of State Statistics Institute:

Article 38 – Presidency of State Statistics Institute publishes the information present in the minutes of ballot box committees according to provinces, electoral zones and districts, electoral regions, and ballot box regions within at latest one year following the election by basing on the documents to be given itself by Supreme Election Council.

Cancellation of election or minute:

Article 39 – In the event that cancellation of votes is decided as a result of re-tabulating, re-counting, and re-calculating upon an objection made against minutes of members of parliament regarding tabulating and counting of votes or division of these votes among parties and independent candidates, Supreme Election Council gives their minutes to the ones understood that they are elected according to the result of tabulating, counting, and calculating to be done again.

In the event that an election made in an electoral zone is decided to be cancelled due to electoral operations, re-election is made in that electoral zone and Supreme Election Council announces immediately via Official Gazette and other means that election will be made in that electoral zone, along with decision on cancellation of election.

The first Sunday following ninetieth day coming after this announcement is voting day.⁽¹⁾

In the event that minutes of one or a few MPs are decided to be cancelled except from the clauses above, the candidate in the next order is given minute according to principles of articles 34 and 35, in substitution for the MPs whose minutes are cancelled.

In the event that the ones in order are not enough, the provisions on interim election adopted by the Law are obeyed for deputyships that could not be substituted.

(1) The phrase of "sixtieth day" in this clause was changed as "ninetieth day" with article 16 of the Law dated 2/1/2003 and numbered 4778 and the change was applied to the text.

Storing of electoral documents:

Article 40 – Ballot papers that are included and not included in calculation and are objected, counting and tally sheets and minutes of being elected as MP and all kinds of other documents about election are stored at districts by president of district election board and in provinces by president of provincial election board and sent to nowhere unless Supreme Election Council demands.

CHAPTER FIVE

*Miscellaneous Provisions**Operations to be made about the money deposited by independent candidates:*

Article 41 – (Changed first clause: 27/10/1995-4125/20 art.) If the votes taken by independent candidate is not enough to elect him as MP, the deposited money is recorded as revenue to Treasury.

Deposited money is returned after election to the independent candidates or their legal heirs who passed away or resigned from candidacy within the legal period or whose candidacies were objected or who took more votes than the number specified in clause above, upon their application.

Implementation without special provisions:

Article 42 – In the events that there is no special provision in this Law, the provisions of 298 numbered Law on Basic Provisions on Elections and Voter Registers which are consistent with this Law, are applied.

Supreme Election Council is authorised to make principle decisions necessary to ensure implementation of parliamentary elections in a healthy and proper way.

CHAPTER SIX

Changed Provisions of Law

Article 43 – “Provisions on Republican Senate” which took part in articles of 26/4/1961 dated and 298 numbered Law on Basic Provisions on Elections and Voter Registers were extracted from article texts.

Article 44 to 61 – (These articles are on making changes in articles 7, 14, 52, 103, 149, 151, 152, 153, 157, 159, 160, 161, 162, 164, 168, 169, 170, and 180 of 24th April 1961 dated and 298 numbered “Law on Basic Provisions on Elections and Voter Registers” and they are applied to their places in the said law.)

Article 62 – (It is on the provisional article 6 of 22nd April 1983 dated and 2820 numbered “Political Parties Code” being changed and it is applied to its place in the said law.)

CHAPTER SEVEN

Temporary Provisions

Provisional Article 1 – Voting day for the election to be made after enforcement date of this Law is 6th November 1983.

Starting date of electoral period is determined and announced by Supreme Election Council by basing on the voting day specified in clause above.

Supreme Election Council may implement the periods regarding elections identified by this Law and 298 numbered Law on Basic Provisions on Elections and Voter Registers and 2820 numbered Political Parties Code, by shortening them.

While calculating five-year period provided for in article 6 of this Law for Turkish Grand National Assembly elections to be made on the date of 6th November 1983, second Sunday of November 1983 is based as voting date.

Provisional Article 2 – In the first parliamentary election to be made after enforcement date of this Law, the condition of completing grand congress is not required for the political parties that will attend to elections. However, they need to have established organisations in at least half of the provinces until starting of the electoral period to be determined and announced by Supreme Election Council.

Provisional Article 3 – In the fourth temporary article of numbered 2820 Political Parties Code, the authority of examination and demanding the ones against whom negative decisions are taken be changed of National Security Council on founders of political parties, according to the sixth temporary provision of the same law, is also exercised about the candidates for membership of parliament to be determined by founders' board of political parties for the first parliamentary general elections to be made after enforcement of this Law according to the principles below:

a) National Security Council examines candidate lists for membership of parliament prepared by Political Parties within twelve days as of their temporary announcement by Presidency of Supreme Election Council.

b) As a result of examination carried out according to the provisions of sub clause (a) above, names of the candidates of membership of parliament against whom negative decision is taken by National Security Council are notified to Supreme Election Council to be extracted from lists of political parties. This decision taken by National Security Council about candidates is final.

c) **(Change : N.S.C. decision No. 19/9/1983-155)⁽¹⁾** In the place of candidates of membership of parliament who are extracted from candidate lists of political parties due to against whom negative decision was taken during the first examination of National Security Council in accordance with sub clause (a), related political parties may inform National Security Council through Presidency of Supreme Election Council of new candidates with reserves for each and by also specifying their order within two days.

National Security Council completes its examination on these notified candidates within seven days.

As a result of the examination, names of the candidates whose candidacies are approved by National Security Council are notified to Presidency of Supreme Election Council.

d) Without prejudice to the provisions of the Law which are on political parties' participations in election, the fact that the list could not be completed due to any reason because of the candidates whose names were extracted from the list as National Security Council took a negative decision about them does not prevent that political party from participating in election with the remaining candidates.

(1) Related Decision of National Security Council was published on the Official Gazette dated 21/9/1983 and numbered 18168.

Provisional Article 4 – In the first parliamentary general election to be made after enforcement date of this Law, National Security Council examines the status of independent candidates in the list announced by Presidency of Supreme Election Council temporarily, within twelve days following announcement date.

Independent candidate against whom negative decision is taken is notified to Supreme Election Council in order to be extracted from the list. These decisions taken by National Security Council about independent candidates are final.

Provisional Article 5 – In the first parliamentary general elections to be made following enforcement of this Law, voters exercise their voting rights by putting the “Yes” stamp only in the special circle belonging to the political party they prefer or, if any, only in the special circle belonging to one independent candidate. Preference sign is not used for candidates.

If preference signs were put on the list belonging to that party after voter put the stamp in the special circle belonging to the related political party, these signs do not invalidate ballot paper.

Writing the counting to minute, combination operations at districts and in provincial election boards are undertaken by considering the principles of the above clauses.

After the number of deputyships won by parties are identified in accordance with article 34, the ones elected for deputyship from that party are determined according to the order in the party list on combined ballot paper.

Provisional Article 6 – Within thirty days at latest after enforcement date of this Law, electoral zones and numbers of MPs to be elected from each electoral zone are published and broadcasted by Supreme Election Council through Official Gazette, radio, and television by being determined in accordance with article 4 and according to the last census results.

Provisional Article 7 – District election board consists of one president and six original and six reserve members in the first parliamentary general elections after enforcement of this Law. Two original and two reserve members of district election board are selected among civil servants and four original and four reserve members of it are selected among political party members who participated in election in electoral zone. If more than four political parties participated in election in that election zone, president of district election board determines by drawing lot that original members of district election board will be taken from which party. In this case, reserve members being a party member are determined by drawing lot in the same way by prioritising political parties that could not have any original membership.

In case less than four political parties participate in election in this electoral zone, absent memberships of district election board are completed by selection of persons who are not party members and are capable to perform this duty.

Provisional Article 8 – Ballot box committee consists of one president and six original and six reserve members in the first parliamentary general elections after enforcement of this Law.

President of district election board selects:

- a) president of ballot box committee and two original and two reserve members among civil servants,
- b) four original and four reserve members of ballot box committee who are party members among political parties that participated in election in that electoral zone.

If more than four political parties participated in election in that electoral zone, president of district election board determines by drawing lot that original membership of ballot box committees will be given to which political parties, separately for each ballot box committee. In this case, reserve members of ballot box committees who are party members are determined by drawing lot in the same way by prioritising political parties that could not have any original membership.

In case there is no civil servant to be assigned as member of ballot box committee or political parties less than four participate in election in that electoral zone, absent memberships of the committee are completed by selection of persons who are not party members and are capable to perform this duty.

Provisional Article 9 – In the first parliamentary general elections to be made;

a) Although they were registered in electoral register beforehand, the ones who are restricted or barred from public service or at penal institutions as convicted or detainee on the voting date cannot vote.

b) In the event that among the persons who were not filed in registry as they were convicted or detainee during filing or updating, the ones who are evacuated afterwards and apply to district election board where their domiciles are present with the document related to their evacuation on the day fifteen days before voting day until 17.00 p.m., and that they are eligible to vote, district election boards decide to include them to register and the polling lists of their domiciles, regardless of lapse of time and finalisation of register.

Provisional Article 10 – In the event that Turkish citizens who were abroad during filing or updating of electoral registers to be used in the first parliamentary general election apply to district election board where their domiciles are present with their passports on the day fifteen days before voting day until 17.00 p.m. and that they are eligible to vote, district election boards decide to include them to register and the polling lists of their domiciles, regardless of lapse of time and finalisation of register and the situation is written in their passports by also indicating the polling station where they can vote.

Provisional Article 11 – In the event that among the persons who were not filed in registry as they were private soldiers, corporals, troop sergeants, or military students, the ones who are discharged or dismissed from military service and become military officers or sergeants apply to district election board where their domiciles are present with the documents related to their statuses on the day fifteen days before voting day until 17.00 p.m., and that they are eligible to vote, district election boards decide to include them to register and the polling lists of their domiciles, regardless of lapse of time and finalisation of register.

Provisional Article 12 – (Repealed: 23/5/1987-3377/14 art.)

Provisional Article 13 – (Addendum: 21/11/1995-4135/1 art.)

Ten-day period in first clause of Changed with Law 27.10.1995 Dated and 4125 Numbered article 20 of Law on Parliamentary Election Dated 10.6.1983 and Numbered 2839 is implemented as fifteen days in 20th Term Parliamentary Elections and this period cannot be shortened. Supreme Election Council arranges electoral calendar according to this.

Provisional Article 14 – (Addendum: 23/11/1995-4138/3 art.; Cancel: with Cons. Court 1/12/1995 dated and E. 1995/56, K. 1995/60 numbered Decision.)

FINAL PROVISIONS

The ones who did not vote in the election:

Article 63 – (Change: 28/3/1986-3270/35 art.)

The ones who do not participate in parliamentary general and interim elections without acceptable excuses although they have their register in electoral register and their eligibility to vote in polling list, are punished by district election board with a pecuniary penalty of ten thousand Turkish liras. This decision is final. ⁽¹⁾

Repealed laws:

Article 64 – Law on Election of Members of Republican Senate dated 24/5/1961 and numbered 304, Law on Parliamentary Election dated 25/5/1961 and numbered 306, and all addenda and changes of these laws were repealed.

Enforcement:

Article 65 – This Law becomes valid on the day of publishing.

Execution:

Article 66 – Council of Ministers executes the provisions of this Law.



**TEMPORARY PROVISIONS NOT ISSUED ON 10/6/1983 DATED AND 2839
NUMBERED LAW**

1 - Provisional article of 23/5/1987 dated and 3377 numbered Law:

Provisional Article – Supreme Election Council determines electoral zones within one month at latest after enforcement date of this Law.

(1) It is ruled with article 22 of the Law dated 27/10/1995 and numbered 4125 that pecuniary penalty specified in this article will be implemented as 250 000 (two hundred and fifty thousand) Turkish liras for XX term Parliamentary General Elections.

**THE TABLE INDICATING DATES OF ENTRY INTO FORCE OF THE
LEGISLATION THAT MAKE ADDENDUM AND CHANGE TO 2839 NUMBERED LAW**

Number of Law/Decree-Law That Changes	Changed articles of 2839 numbered Law	Date of Entry into Force
3270	–	15/4/1986
3377	–	3/6/1987
3403	–	11/9/1987
3404	–	19/10/1987
3757	–	26/8/1991
4044	–	1/10/1994
4125	–	28/10/1995
4135	–	21/11/1995
4138	–	24/11/1995
4778	–	11/1/2003
5550	6, 26, 28	20/10/2006
5552	10	28/10/2006
5922	4, 6	30/10/2009
5980	18, 21, 26	10/4/2010
7102	11, 12/A, 16, 26, 29, 31, 32, 33, 34	16/3/2018
7140	Change in first clause of article 16, 3, change made in first clause of article 6	On the date when electoral calendar began for the first election of Turkish Grand National Assembly and Presidential election to be made collectively
	Change made in second clause of article 6	On the date when President came into office as a result of first election of Turkish Grand National Assembly and Presidential election made collectively