

**LAW ON ELECTIONS OF LOCAL ADMINISTRATIONS AND NEIGHBORHOOD
MUKHTARS AND BOARD OF ELDERMAN**

Number of Law : 2972
Date of Acceptance : 18/1/1984
Off. Gazette published : **Date** : 18/1/1984 **Issue: 18285**
Code Published : **Contecture: 5 Volume : 23 Page: 4**

CHAPTER ONE
General Provisions

Objective and Scope:

Article 1 – This Law arranges methods and principles related with elections of local administrations bodies. With this purpose:

- a) Members of provincial council,
- b) Mayors and members of municipal councils,
- c) Mukhtars of village and neighborhood and members of board and council of alderman,

The Law includes principles of electoral system methods, periods, timing and provisions subject to eligible of being a candidate and principles of being elected.

Electoral system and its method:

Article 2 – Local administration elections are undertaken with principles of freedom, equality, confidentiality, universal direct suffrage, open counting and tabulating, under the management and supervision of jurisdiction.

In the elections undertaken by provincial council and memberships of municipal councils, proportional diplomatic mission with one tenth threshold system, in the mayor elections majority system is applied.

Electoral zone:

Article 3 – Each district is an electoral zone for elections of member of provincial council.

Each town is an electoral zone for elections of mayor and members of municipal councils.

Electoral zone in metropolitan cities:

Article 4 – (change: 12/11/2012-6360/29 art.)

Electoral zone in metropolitan municipality mayors is the borders of metropolitan municipality.

Number of members to elected:

Article 5 – In each electoral zone, number of members to be elected are calculated with method mentioned below.

a) For membership of provincial councils, according to the recent census:

In districts of which population is up to 25 000	2
In districts of which population is up to 50 000	3
In districts of which population is up to 50 001-75 000	4
In districts of which population is up to 75 001-100 000	5

Original membership and equal amount of reserve memberships are calculated.

In districts of which population is up to 100 000, for each additional 100 000 population, one original and one reserve members are added. In calculating dividing the population to 100 000, in case the remaining number is less than 50 000 then it will not be included into counting, in case it exceeds 50 000, one original and reserve member are added.

b) For elections of memberships of municipal councils due to general census:

In towns of which population is up to 10 000	9
In towns of which population is up to 10 001-20 000	11
In towns of which population is up to 20 001-50 000	15
In towns of which population is up to 50 001-100 000	25
In towns of which population is up to 100 001-250 000	31
<i>In towns of which population is up to 250 001-500 000</i>	37
In towns of which population is up to 500 001-1 000 000	45
In towns of which population is up more than 1 000 000	55

Numbers of original and reserve members are calculated.

Number of members to attend metropolitan municipal council:

Article 6 – a) Metropolitan municipal councils are composed of members equal to the number that will be calculated by taking one fifth of each district of the municipal councils member numbers determined for district electoral zones within the borders of metropolitan municipality.

Remaining numbers are not taken into account during this calculation.

Determination and announcement:

Article 7 – The numbers of original and reserve members for each electoral zone, are determined by related Provincial Election Boards and notified to related District Election Boards. District Election Boards announce the situation by accustomed methods.

Electoral period- start day of elections and election date:

Article 8 – (**Changed first clause : 7/12/1988 - 3507/1 art.**) Local administration elections are undertaken once in five years. January 1st of every five year is considered as starting date of elections. Last Sunday of the March of the same year is election date.

(**Changed : 2/1/2003 - 4778/22 art.**) Except for the elections undertaken due to the last clause of article 7 of Parliamentary Electoral Law, general or interim local administration elections that should be undertaken in previous or following year are combined with parliamentary general or interim elections.

(**Addition: 20/3/1997 - 4231/1 art.**) First mayor and member of municipal council elections for municipalities that have been established, and elections of members of provincial council for new established provinces are undertaken with first coming local administrations general or interim elections.

(**Addition: 20/3/1997 - 4231/1 art.**) Postponing of local administration elections due to cause of war, is arranged by Law.

Eligibility to be elected:

Article 9 – (**Changed first clause**) : **27/12/1993 - 3950/1 art.**)

With the condition of not holding the conditions defined in Article 11 of 2839 numbered Law on Parliamentary Elections, all Turkish citizens over the age of 25 are eligible to be elected as mayor, member of municipal council and provincial council.

(**Repealed second clause: 27/12/1993 - 3948/1 art.**)

CHAPTER TWO
Pre Electoral Works

Candidacy:

Article 10 – (Change : 31/3/1988 - 3420/8.art.) In line with the conditions defined in Constitution and Laws, every citizen eligible to be elected, may run for candidacy for membership of provincial council membership, mayor and member of municipal council either from a political party or independently.

(Change : 31/3/1988 - 3420/8.art.) Determination of candidates in local administration elections are undertaken in competence with the provisions of Article 37 of 2820 numbered Political Parties Code.

But; instead of “Supreme Election Council” mentioned in articles 37 to 51 “District Election Boards”, instead of “headquarters of political party”, “district presidencies of political party”, and in metropolitan municipalities, Provincial Election Boards, headquarters of political parties undertake these transactions.

Furthermore:

- a) **(Change : 31/3/1988 - 3420/8.art.)** In the candidate determination, one candidate for mayor, for membership of municipal councils, determined numbers of original and reserve members separately, for membership of provincial councils, numbers of original and reserve members for such electoral zone, are determined separately.

Candidates are separately determined for membership of provincial council as original and reserve candidates.

b) Pre selection zone is town for membership of municipal council and mayor; district for membership of provincial council and mayor for metropolitan municipality, the borders of such city.

c) **(Repealed : 31/3/1988 - 3420/8 art; Addendum: 7/8/1988 - 3469/2 art; Change : 7/12/1988- 3507/2 art.)** Political parties, nominate one in towns which have 9 and 11 municipal council members, two in towns which have 15, three in towns which have 25 and 31, four in towns which have 37, five in towns which have 45, six in towns which have 55 quota candidates. Quota candidates are not included into the candidate for nomination sequence and written in candidate lists additionally as quota candidates. Political parties determine their quota candidates by method of central survey. But central boards may assign these authorities to provincial or district administration boards. Political parties inform District Election Boards by adding quota candidates to candidates lists prepared in competence with article 12 of this Law. Quota candidates are written after the reserve candidates in the lists defined in second sub clause of (f) clause of Article 18 of this Law.

d) **(Addendum : 7/8/1988 - 3469/2 art.)** In case of determining candidates with primary election, mayor and member of municipal council candidates for nomination may attend primary elections with common list. In such case, electors of parties may exercise their voting rights either by approving such list as a whole, or by drawing the candidates and writing other candidates instead or by marking the candidates in the candidate lists defined in Article 46 of 2820 numbered Political Parties Code. Political parties present District Election Boards jointly prepared candidate nominations lists along with candidate nominations lists defined in article 46 of 2820 numbered Political Parties Code.

e) **(Addendum: 7/12/1988 - 3507/2 art.)** Political parties that will attend elections notify Supreme Election Council in which principles and methods they will determine candidates.

In case a political party does not have an organization in an electoral zone and thus may not exercise primary elections, central management and administration of political parties determine the candidates and sequence of candidates.

In local administrations elections, an application fee with the amount determined by related authorities of political parties from the candidates. This amount may not exceed the gross wage of a public servant with the highest ranking. Provisions in article 41 and 2nd clause of Article 21 of 2839 numbered Parliamentary Elections Code are proportionally implemented for independent candidates for office of mayor. At the end of elections, the advance returned to candidate who has been elected as mayor without considering the number of votes.

Completion of Deficient candidacies:

Article 11 – District Election Boards notify district administrations of political parties about eliminating deficiencies of candidates in case political parties nominate deficient amount of candidates.

(Change : 2/3/1984 - 2986/1 art.) In case related political party organization is unable to complete the deficient lists within five days following the notification, such party attends to elections with deficient lists in that electoral zone.

Central decision and administration authorities of political parties may assign their district administration boards in prior, in order not to exceed the determined period of time for eliminating such deficiencies.

Presenting of political parties their candidate lists:

Article 12 – District administration boards of political parties present candidate lists subject to related electoral zone to District Election Boards in return of receipt at latest 17.00 ten days prior to primary elections.

District Election Boards announce such lists with accustomed methods within that electoral zone.

For metropolitan cities, provincial administration bodies of political parties present their candidates for mayors to Provincial Election Boards in return of receipt at latest 17.00 ten days prior to primary elections.

Provincial Election Boards announce such lists with accustomed methods within that electoral zone.

Application of independent candidates:

Article 13 – Those who want to apply independently to mayor, municipal council or provisional council memberships, apply to the presidencies of District Election Boards with a petition indicating that they are eligible to be elected in competence with conditions and qualifications subject to this Law.

(Change : 7/12/1988 - 3507/3 art.) Independent candidates may apply for candidacy until the date of primary elections determined by Supreme Election Council.

District Election Boards also announce the lists related to independent candidates in related electoral zone with accustomed methods.

(Addendum: 28/12/1993 - 3959/11 art.) Those who apply for independent candidacy, deposit the money equal to the gross monthly wage of a public servant with highest rank to subdivision of Treasury and add the receipt to their petition of candidacy.

(Addendum: 28/12/1993 - 3959/11 art.) This amount is recorded as revenue to Treasury.

Objections against candidacy:

Article 14 – Within two days following the provisional announcement of candidacies, objections may be raised to District Election Boards. Objections are decided at latest in two days by District Election Boards. Provincial Election Boards may finally decide the objections in two days.

(Change : 2/3/1984 - 2986/2 art.) In case deficiencies occur in candidate lists of political parties due to objections raised, in case they are unable to eliminate such deficiencies in five days following the notification of Supreme Election Council, political parties attend elections with deficient lists in such electoral zone.

Examination of candidates:

Article 15 – In case District Election Boards determines any mistakes and deficiencies in the candidacies related with their electoral zones due to the examination they have undertaken, they will notify the situation to related candidate and district presidencies of such political parties in two days following provisional announcement date.

Related candidate or district presidency of such political party may rise objection in two days to Provincial Election Board. Provincial Election Board may give final decision on this objection at latest in two days.

Independent candidate, of whom objection has been refused, loses his right to attend elections. About the candidacies of political parties, second clause of Article 14 are implemented.

Announcement of candidates:

Article 16 – After the candidacy has been finalized, District Election Boards announce all candidates on 20th day prior to election date. After the announcement of candidacies, resignation from candidacy will not be taken into account until the end of elections. But in case these candidates are elected, their resignations are considered as verdicts and the ones following them era considered elected. In case of death, same method is applied.

Candidacy of members of municipal and provincial councils and mayors:

Article 17 – **(Change : 28/12/1993 - 3959/12 art.)**

MP's, mayors, members of municipal or provincial councils and mukhtars do not have to resign from their offices in order to become a candidate or to be nominated as candidates in local administrations elections. MP's, mayors, members of municipal or provincial councils and mukhtars are not held united under single person. In case one candidate has been elected more than one of these missions, within 15 days following the notification of electoral results, will exercise their right for preference. Those who has not declared their preference, are considered as they have refused the new mission they have been elected for.

CHAPTER THREE

Works of Election Date

Share of ballot papers:

Article 18 – Combined ballot papers are used in elections of members of provincial councils, members of municipal councils and mayors.

Combined ballot papers are arranged in competence with the principles mentioned below;

a) **(Change : 28/12/1993 - 3959/13 art.)** Combined ballot papers are printed by Supreme Election Council or get printed by Supreme Election Council carrying "Republic of Turkey Supreme Election Council" watermark in line with the principles defined (1) sub clause of Article 14 of 298 numbered Law on Basic Provisions of Elections and Electoral Registry. In combined ballot papers, among the columns of political parties, an interval marked with two lines up to (0,5) cm is left.

b) **(Change : 31/7/1998 - 4381/6 art.)** On the top of combined ballot paper that will be used in mayor elections, it is written "Political Parties" and if any "Political Parties and Independent Candidates". Under this phrase, according to the sequence determined by Supreme Election Council by drawing lot before the representatives of political parties, first special sign and under that full name of the party is written and after a certain space or drawing, an empty circle is printed all these mentioned are underlined. Under this line, namis and surnames of political parties are written.

c) Between the columns of political parties, a space is left equal to the diameter of "YES" stamp determined with two lines.

d) **(Repealed : 7/8/1988 - 3469/3 art.)**

e) **(Repealed : 7/8/1988 - 3469/3 art.)**

f) **(Change : 31/7/1998 - 4381/6 art.)** In combined ballot papers that will be used in elections of memberships for provincial councils and municipal councils, names and surnames of candidates of political parties are not written. Combined ballot papers, except for the names lists, are arranged in line with the written principles of above mentioned clauses.

h) **(Change : 28/12/1993 - 3959/13 art.)** Combined ballot papers that will be used in each ballot, are sent to electoral zones along with members of municipal council candidate lists by Supreme Election Council or by the board that has provided the printing of ballot papers in the phase of being packed and with the amount exceeding %15 of the electors of that ballot.

i) Envelopes, in which combined ballot papers will be put in, are prepared and distributed in line with the provisions of 298 numbered Law on Basic Provisions of Elections and Electoral Registry.

Regime of voting:

Article 19 – (Changed first clause : 7/8/1988 - 3469/4 art.) Elector gets inside closed voting area with combined ballot paper printed by Supreme Election Council or by provincial boards authorized by Supreme Election Council along with "YES" or "PREFERENCE" stamp in order to exercise his voting right.

(Change : 28/12/1993 - 3959/14 art.) Elector exercises his voting right by putting the stamp delivered by president of the ballot box committee on the party he prefers on the combined ballot paper.

(Change : 28/12/1993 - 3959/14 art.) The elector who has exercised his voting right, folds the combined ballot paper and puts it in an envelope. He returns the stamp to the president of the ballot box committee and puts his vote into ballot.

(Change : 20/6/1987 - 3394/5 art.) In case the elections of mayors (including the ones subject to 3030 numbered Law) membership of provincial council and membership of municipal council are undertaken together, the process defined in this article are repeated three times for each of three elections.

(Addendum: 7/12/1988 - 3507/4 art.) But in the same electoral zone, ballot papers related with mayor and member of municipal council elections including the ones subject to Law on Amendment and Approval as 3030 numbered Decree with the Power of Law on Administration of Municipalities.

Invalid votes:

Article 20 – Which of the votes will be considered invalid for the combined ballot papers that are used in elections of mayor, members of municipal and provincial councils, are determined due to the provisions of 298 numbered Law on Basic Principles of Elections and Electoral Registry and 2839 numbered Parliamentary Elections.

Writing to minute:

Article 21 – Minutes coming from District Election Boards are combined at the level of towns for elections of mayor and members of municipal councils, at the level of district for members of provincial councils, at the level districts for elections of metropolitan municipality mayors, district mayors within the borders of metropolitan municipality and municipal councils; and written in minutes:

- a) Number of electors,
- b) Number of electors exercised their voting rights,
- c) Number of ballot papers that are subject to objection and contraction but considered valid,
- d) Total number of ballot papers that are considered invalid and thus not included to counting,
- e) Total number of ballot papers that are considered valid and included into counting,
- f) Number of valid ballot papers indicating the amount of valid votes of political parties and independent candidates attending to elections

CHAPTER FOUR

*Post Electoral Works**Determination of ones elected for mayors:*

Article 22 – Minutes on mayor elections sent by ballot box committees are combined by District Election Board and the candidate taking majority of the votes is elected as mayor.

Combination of district minutes related with mayor elections are sent from districts to Provincial Election Boards. Provincial Election Boards combine these minutes and thus the candidate taking majority of the votes is elected as metropolitan municipality mayor.

Determination of those elected as members of provincial council and municipal council:

Article 23 – a) Provincial council and municipal council original member numbers of political parties and independent candidates are calculated as follows:

Number equal to one tenth of the valid votes in an electoral zone, is separately extracted from votes of political parties and independent candidates. After this transaction, political parties and independent candidates which do not have votes remaining, are not included in calculation of allocating of member process.

Names of the political parties and independent candidates which have votes remaining, are written top and bottom with the numbers of remaining votes. These numbers are divided into one, two, then three.... Until reaching to the number of original members. The shares obtained are lined without any discrimination of political parties, from the biggest to smallest. Memberships equal to numbers of provincial and municipal councils are allocated to political parties and independent candidates due to their superiority.

In case there are equal numbers for final original memberships, allocation is realized by drawing lot.

(Addendum: 7/12/1988 - 3507/5 art.) In municipal council membership electoral zones, where quota candidates are shown according to Article 10, division transaction is undertaken by extracting quota numbers. In these electoral zones where quota candidates are nominated, quota candidates of political parties who take the highest amount of votes, become the members of municipal councils.

(Addendum: 7/12/1988 - 3507/5 art.) In metropolitan municipalities, those who are at the first place elected as members of municipal councils, attend to Metropolitan Municipality Council with condition of being limited with the ratio determined in Article 6 of this Law.

b) Elected ones among candidates of political parties, are determined as follows:

Sequence in the candidate lists presented to District Election Boards, are taken basis on determining memberships of provincial and municipal councils.

Minutes are delivered to those who won metropolitan municipal mayors by Provincial Election Boards and other elected by District Election Boards.

President of Provincial Election Board announces elected for metropolitan municipal council, president of District Election Board announces elected as mayor, members of provincial and municipal councils, in such electoral zones with accustomed methods and hang one copy of the minutes on the door of electoral boards.

c) For reserve memberships, provisions of (a) and (b) clauses are implemented. Reserve members of political parties are determined with sequence following the ones elected as original members.

Members who will attend metropolitan municipal councils:

Article 24 – a) Members of metropolitan municipal councils determined in article 6 of this Law, are considered due to the sequence of election of original members for each district and first stage municipality from beginning to the sufficient numbers.⁽¹⁾

b) Reserve members are calculated by using same method.

Cancel of elections or minutes:

Article 25 – In case objections to electoral minutes are subject to counting and tabulating of votes or distribution of these votes among political parties and independent candidates and in case minutes are cancelled after re counting or re itemization transactions, Provincial Election Board presents the minutes to those who are determined elected.

In case of deciding of cancellation for elections in an electoral zone, due to electoral transactions, elections are repeated in such electoral zone. Provincial Election Board immediately announces that elections will be renewed as soon as following the announcement on cancellation.

First Sunday following the 60th day of announcement is the day of voting.

Apart from the clauses mentioned above, in case cancellation is determined on one or more of the minutes of members of municipal council, due to the order defined in political parties lists, minutes are presented to those who have been determined.

About the decisions of District Election Boards, objections may be raised to Supreme Election Council within determined period of time due to article 130 of 26th April 1961 dated and 298 numbered Law on Basic provisions of Elections and Voters Register.

CHAPTER FIVE

Announcement of Electoral Results

Announcement of electoral results by Supreme Election Council:

Article 26 – Supreme Election Council, announces the general results of elections based on the documents transmitted from District Election Boards.

Publishing of electoral results by State Statistics Institute:

Article 27 – State Statistics Institute publish at latest one year following the announcement of results, the information in ballot minutes delivered by District Election Boards.

(1) The term “first stage municipality” in this clause, was added and issued on text due to Article 30 of 10/7/2004 dated and 5216 numbered Law.

Getting reserve members of members of provincial and municipal council to original members:

Article 28 – In case there are deficits in memberships of provincial councils, the governor, in case there are deficiencies in memberships of municipal councils, mayors ask related electoral board the names of reserve members to attend councils and invite the member of whom names have been delivered. The invited members fulfill the remaining period of time.

To which party or district the emptied membership belongs to, the invited reserve member will be from that district and political party.

In case there are not reserve members left for such political party or the emptied membership belongs to independent candidate, without making any party difference, leading reserve member in vote distribution will be invited to original membership.

In case original membership is emptied by a member who has been elected from the list of a political party but transfers to another political party becomes independent, the reserve member from the first political party is invited instead of emptied membership.

Renewing of elections

Article 29 – (Cancel : Cons Court 13/6/1988 dated and E. 1988/14, K. 1988/18 numbered decision; Rearrangement : 7/12/1988 - 3507/6 art.)

Before the end of electoral period; in cases of

- a) Decision on cancel in an electoral zone due to electoral transactions,
- b) Termination of provincial council or municipal council by authorized bodies,
- b) Discharging of memberships of provincial or municipal councils for any reasons and after inviting of reserve members, full member numbers of such councils are less than halved,
- d) (**repealed: 20/3/1997 - 4231/2 art.; Rearrangement: 3/7/2005-5393/85 art.**) establishing of municipality,

in case of administrative superiors informs Supreme Election Council about the situation, District Election Board decides for renewing of elections and announces the situation with accustomed methods within thirty days following such discharge.

(**Change : 20/3/1997 - 4231/2 art.**) In cases of a,b,c clauses, the first Sunday 60 days following the announcement is the election day. But, in case more than a year is left for local administration elections, interim elections for local administrations are not undertaken.

PART SIX

Elections for Village and Neighborhood Mukhtars, Village Alderman Board and neighborhood alderman Council

Numbers of members to be elected:

Article 30 – a) To Village Board of Alderman, according to the recent census;

In villages of which population is up to 1000 8

In villages of which population is up to 1 001 to 2000 10

In villages of which population is more than 2 000 12

Members are elected. The number of members are determined by District Election Boards.

As the result of counting of the votes, first four members in villages of which population is up to 1000, first five members in villages of which population is up to 1 001 to 2000 and first six members in villages of which population is more than 2 000 are determined as original and remaining are determined as reserve.

b) Eight members are elected for Neighborhood Alderman Council. As the result of counting of the votes, four members with the highest votes are determined as original and remaining ones are determined as reserve members.

Candidacy and eligibility to be elected:

Article 31 – there is no method of candidacy in elections for village mukhtars, neighborhood mukhtars and neighborhood board of alderman membership.

(Change : 2/3/1984 - 2986/3 art.) Every Turkish citizen over the age of 25 with the condition of living at least six months in such neighborhood, in case he does not have any kinds of restrictions about being eligible to be elected, may be elected as mukhtars, member of alderman board and alderman council. The condition of being graduated from elementary school is not necessary, being literate will be considered necessary.

According to article 41 of 442 numbered Village Code, village mukhtars discharged from their offices and neighborhood mukhtars and members of board of aldermen of which titles have been removed due to article 18 of 4541 numbered Code on Establishment of Mukhtars and Board of Alderman in Villages and Towns, are not allowed to be reelected to same office.

Electoral zone, voting and electoral system:

Article 32 – For neighborhood mukhtars and board of alderman, neighborhood is the electoral zone while village mukhtars and board of alderman, electoral zone is the village.

In all electoral zones, voting is exercised in ballots placed properly in such electoral zones.

(Changed third clause: 12/11/2012-6360/30 art.) In elections of mukhtar and board or council of alderman members; the ballot paper is used involving the names equal to the numbers of members of board and council of alderman mentioned in (a) and (b) clauses of Article 30 of this Law. Ballot paper is put in special envelopes prepared by Supreme Election Council and dropped in ballot.

(Addendum : 2/3/1984 - 2986/4.) Ballot papers that will be used in these elections may be printed, duplicated and may be multiplied with all means.

Elections for emptied mukhtars, board and council of alderman:

Article 33 – In case village and neighborhood mukhtars have been emptied for any reasons, first member of board or council of alderman is obliged to inform Supreme Election Council or the highest administrative authority of the zone about the situation.

For emptied mukhtars, elections are undertaken on the first Sunday of January each year. Until the elections, duties of mukhtars are undertaken by deputy mukhtars assigned by the highest administrative authority of such region.

Before the end of electoral period, in case the numbers of board or council of alderman fall to half of complete members even after the reserve members are included, mukhtar is obliged to inform presidency of District Election Board and highest administrative authority of such region within a week.

Upon this information, within 48 hours, District Election Board announces the situation. The first Sunday following the 60th day of announcement is the election date.

In cases where elections of members of board or council of alderman are necessary, in case village and neighborhood mukhtars are also emptied, both elections are jointly undertaken without waiting for month June.

Other transactions:

Article 34 – Other transactions subject to elections of mukhtars, members of board and council of alderman, are executed in line with methods and principles defined in this Law or any other referred Laws.

Additional Article 1 – (Ek : 14/6/1989 - 3573/1 art; Change : 28/12/1993 - 3959/16 art.) In case those who are registered in electoral registry and eligible of voting do not exercise their voting rights in local administration and parliamentary general and interim elections without presenting any legal excuse, are sentenced to pay 200 000 (two hundred thousand) Turkish Lira fine by president of District Election Board. This decision is final.

Additional article 2 – (Addendum: 28/12/1993 - 3959/17 art.)

In villages where disperse and other settlement exist or where villages are close to one another, gathering of electoral boards in single village or neighborhood may be decided by District Election Board with the condition of announcing one week prior to election date.

Additional Article 3 – (Addendum : 12/5/1994 - 3989/1 art.)

Except members of high courts, judges, prosecutors and those who are considered within this profession and military officers and sergeants, public servants who become candidates for nomination in parliamentary or local administration general or interim elections, in case of losing candidacy or elections, with condition of applying in a month following the declaration of results of elections, may return to their previous missions or another missions in line with their previous wages and ranking. But this provision is not implemented for those whose mission of mayor has been terminated by judicial decision or who have resigned.

CHAPTER SEVEN

Temporary Provisions

Provisional Article 1 – According to this Law, for new provinces, unless the first provincial council meeting has been gathered, provisions of 25/9/1980 day and 2304 numbered, 13/3/1329 Additional Provisions of General Administration Provincial Law are continued to be implemented.

Provisional Article 2 – According to this Law, unless new mayor and members of municipal councils are elected, the provisions of Addendum to 25/9/1980 day and 2303 numbered 3/4/1930 dated and 1580 numbered Act of Municipalities, Law on changing Three Provisional Articles and Adding Three Provisional Articles to 25/9/1980 day and 2303 numbered 3/4/1930 dated and 1580 numbered Act of Municipalities with 2303 numbered Law.

Provisional Article 3 – After this Law becomes valid, in the first general local administration elections, primary elections are not undertaken for determination of candidates of political parties. As unique to this elections, political parties, determine their candidates according to the principles mentioned below:

Candidates for mayors of metropolitan municipalities, are determined by management and decision boards of headquarters of political parties.

In provinces :

Central district mayors and members of municipal councils, mayors of central district towns and members of municipal councils, candidates of members of provincial councils, are determined together by provincial and central district boards of political parties;

In districts :

District mayor and municipal councils, district town mayors and members of municipal council candidates are determined by district management boards of political parties;

After determination, candidates are presented to examination and approval of headquarters decision and management boards.

Candidates are determined following approval of central decision and management boards for both two lists either totally or after making amendments.

Provisional Article 4 – In case those who are registered in electoral registry and eligible of voting do not exercise their voting rights in local administration and neighborhood mukhtars and boards councils of alderman without presenting any legal excuse, are sentenced to pay 2.500 Turkish Lira fine by president of District Election Board.

But for those who present their actual and legal excuses and their excuses have been accepted by president of District Election Boards, this fine is not implemented.

Provisional Article 5 – Legal status of metropolitan city administration of which election method and principles are determined in this Law, are arranged with Decrees with the Power of Law that will be published in line with the provisions of 17/6/1982 date and 2680 numbered Law of Authorization subject to Arrangements of Methods and Authorizations of Public Offices and Institutions before the voting day of first elections undertaken due to this Law.

Provisional Article 6 – In the first local administration election that will be undertaken after date of entry of this Law, ballot electoral lists of parliamentary elections of 6th November 1983 are updated and used.

Updating is undertaken by putting banns of ballot electoral lists and adding those who are not present in the lists as well as those who become over 21 as of date of voting; and lists are reproduced without the need of any further transaction and used as ballot electoral lists.

Supreme Election Council determines banns and objection durations.

Provisional Article 7 – In the first local administration elections held after this Law becomes valid, voting day is 25th March 1984.

Start day of electoral period is determined and announced by Supreme Election Council considering the day of elections mentioned in above mentioned clause.

Supreme Electoral Board, with condition of being unique to this election, shortens and implement the durations in 298 numbered Law on Basic Provisions of Elections and Electoral Registry and 2820 numbered Act of Political Parties.

Provisional Article 8 – In the first local administration elections held after this Law becomes valid, for the political parties that will attend to elections, the condition of completing grand congress defined in 4 and 11 clauses of article 14 of 298 numbered Law on Basic Provisions of Elections and Electoral Registry, changed due to article 45 of 2839 Parliamentary Elections Law.

Provisional Article 9 – In the elections that will be executed according to article 7, those who execute the mission of mayor with method of assignment, leave their missions within legal period in case they become candidates.

Provisional Article 10 – Except members of high courts, judges, prosecutors and those who are considered within this profession and military officers and sergeants, public servants who become candidates for nomination in parliamentary or local administration general or interim elections, in case of losing candidacy or elections, with condition of applying in a month following the declaration of results of elections, may return to their previous missions or another missions in line with their previous wages and ranking.

Provisional Article 11 – Supreme Election Council is authorized to determine District Election Boards or to establish new District Election Boards in order to execute local administration elections for districts which have been constituted due to 2963 numbered Law and of which judicial and administrative administrations have not been established yet.

Provisional Article 12 – (Addendum: 24/2/1993 - 3866/4 art.) Body elections of municipalities that will be established in 1993, will be undertaken in March 1994 together with Local Administrations General Elections..

Provisional Article 13 – (Addendum: 28/12/1993 - 3959/18 art.)

In the local administration elections that will be realized on 27th March 1994, judges and prosecutors, members of supreme judicial bodies, instructors in higher education institutions, public servants in public

offices and institutions and other public officers who perform their missions as public servants and other public officers of whom missions do not have the characteristics of workers, military officers and sergeants will not raise their candidacy or to be nominated unless they are resigned from their missions.

Except from military officers and sergeants, public servants who become candidates for nomination in parliamentary or local administration general or interim elections, in case of losing candidacy or elections, with condition of applying in a month following the declaration of results of elections, may return to their previous missions or another missions in line with their previous wages and ranking.

Additional Provisional Article 1 – (Addendum: 7/7/1993 - 3912/1 art.)

According to article 8 of 18.1.1984 dated and 2972 numbered Law, writing will be undertaken under management and inspection of Supreme Election Council simultaneously in Turkey general on first Sunday of November of 1993 in order to arrange the electoral registry and ballot lists which will be used in Local Administrations Elections that will be held on 27th March 1994.

According to 298 numbered Law on Basic Provisions of Elections and Voters Register, in places where electoral registry is being constituted in computer environment, different from other provinces, writing transactions are undertaken by officers with the method of visiting households on the same day and updating the current electoral registry exist in computer environment. Principles related with these issues are determined by Supreme Election Council.

Provisions of 298 numbered Law on Basic Principles of Elections and Electoral Registry that do not contradict with provisions of this Law, are implemented during writing of electoral registry.

Additional Provisional Article 2 – (Addendum: 7/7/1993 - 3912/1 art.)

In order to prepare electoral registry that will be used in local administrations elections and to realize the elections, appropriate amount of allowance is reserved from the reserve allowance of Ministry of Treasury and Customs to related budget section of Ministry of Justice.

Supreme Election Council may employ necessary amount of personnel with allowances in order to provide rapid writing and typing of electoral registry and distribution of the cards. To these personnel daily allowance between 300 000 - 500 000 lira is paid by Supreme Election Council.

CHAPTER EIGHT

Final Provisions

Freedom of Propaganda:

Article 35 – Propaganda in local administrations elections is free within the framework of 298 numbered Law on Basic Principles on Elections and Voters Register. But provisions related with radio and television broadcasting arranged in articles 52-55 are not implemented in this election except for the final clause of article 52.

(Addendum : 28/12/1993 - 3959/15 art.) But provisions related with propaganda on radio and television broadcasting which have been arranged in articles 52 to 55 in 298 numbered Law on Basic Principles on Elections and Voters Register are not implemented subject to private radio and television institutions.⁽¹⁾

Implementation without special provisions:

Article 36 – In case of absence of special provisions in this Law, provisions of 26/4/1961 dated and 298 numbered Law on Basic Principles on Elections and Voters Register, 22/4/1983 dated and 2820 numbered Political Parties Act and 10/6/1983 dated and 2839 numbered Parliamentary Elections Law and their attachments and amendments are implemented.

(1) *Provisional article 1 of 28/12/1993 dated and 3959 numbered Law, will only be implemented in first general and local elections.*

Repealed provisions

Article 37 – 18/7/1963 dated and 286 numbered law on amending Village Law,
18/7/1963 dated and 287 numbered Law making amendments on 4541 numbered Law on Establishment of Neighborhood Mukhtars and Board of Alderman in Neighborhood and Villages,
Law on Making some Amendments and Repeal related with 19/7/1963 dated and 306 numbered General Administration Provincial Law.

19/7/1963 dated and 307 numbered Law making amendments on Municipalities Law,

Provisions related with elections in these laws which contradict with the provisions of this Law are repealed.

Enforcement:

Article 38 – This Law becomes valid on the day of publishing.

Execution:

Article 39 – Council of Ministers executes the provisions of this Law.

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PROVISIONS NOT ISSUED ON 18/1/1972 DATED AND 2972 NUMBERED LAW

1) Provisional article of 20/6/1987 dated and 3394 numbered Law

Provisional Article 1 – Elections for empty memberships of provincial and municipal councils and mayors are undertaken in line with the provisions of this Law even they have been previously announced.

2) Provisional articles of 7/8/1988 dated and 3469 numbered Law

Provisional Article 1. – In the first local administrations elections that will be held after this Law comes into force, Supreme Election Council is authorized to determine durations by shortening all durations in related legislations considering the day of elections.

Provisional Article 2. – For first local administrations elections that will be held after this Law comes into force, necessary allowance will be transferred to budgets of related institutions by Ministry of Finance and Customs.

Provisional Article 3. – In the first local administrations elections that will be held after this Law comes into force, for political parties to attend elections, the condition of being organized in towns is not considered necessary as foreseen in article 20 of 2820 numbered Political Parties Code.

Provisional Article 4. – (Repealed : 7/12/1988 - 3507/7 art.)

Provisional Article 5. – In the first local administrations, provincial and municipal councils and mayors elections that will be held after this Law comes into force;

a) In the specially manufactured combined ballot papers with watermark of Supreme Election Council, special signs of political parties that attend elections, their abbreviations, full names and an empty circle with diameter of 2 cm for each party exist.

b) List, indicating the names of the political parties attending to elections and names of the independent candidates is hang in appropriate place in each polling station for to be examined by the electors.

(c, d, e, - Repealed : 7/12/1988 - 3507/7 art.)

Provisional Article 6 – 7 – (repealed : 7/12/1988 - 3507/7 art.)

Provisional Article 8 – For first local administrations elections that will be held after this Law comes into force, the condition of being at least six months resident to be nominated as mayor arranged in first clause of Article 9 of 2972 numbered Law, is not considered obligatory.

Provisional Article 9 – In the first local administrations elections that will be held after this Law comes into force, in the local administration candidacies of political parties other than candidacy for mayors, the provision of fourth clause of article 40 of 2820 numbered Political Parties Code is not implemented.

3) Provisional articles of 7/12/1988 dated and 3507 numbered Law

Provisional Article 1. – Within six months following this Law enters into force, authorized central decision and administration bodies of political parties are authorized to make necessary covenant changes.

Provisional Article 2. – In the first local administrations elections that will be held after this Law comes into force, provision of second clause of Article 35 of 2972 numbered Law on Elections of Local Administrations and Neighborhood Mukhtars and Board of Alderman, is not implemented. But political parties which took at least %7 of the votes in recent parliamentary general elections are allowed to exercise the right beginning with 7 days prior to the day of election until 18.00 one day prior to election day to make broadcasting on radio and television with the condition of only having Turkish National Flag at the background at a size determined by Supreme Election Council and only having the speaker:

;

a) First day, ten minutes of speech for above mentioned political parties,

b) Additional ten minutes of speech for political parties having groups in Turkish Grand National Assembly,

c) Additional ten minutes of speech to main opposition party,

d) Additional two 10 minutes speeches to governing party,

Final speech will be done by governing party.

Provisional Article 3 – (Addendum: 13/4/1989 - 3531/1 art.)

Except from military officers and sergeants, members of supreme judicial boards who become candidates for nomination for 26th March 1989 local administrations general elections, in case of losing candidacy or elections, with condition of applying in two months following the publication of this Law, may return to their previous missions or another missions in line with their previous wages and ranking

4) Provisional article of 26/12/1991 dated and 3766 numbered Law

Provisional article – (...) (1) The first Sunday of June of 1992 is the election day for elections of mayors emptied for any reason up to date 30th March 1992.

For mayors of which reelections have been announced due to article 29 of 2972 numbered Law on Elections of Local Administrations and Neighborhood Mukhtars and Board of Alderman; all electoral transactions and rights achieved are reserved.

Municipal Council elects one member as deputy mayor in order to exercise the mission of mayor until new mayor starts his office.

Municipal Council is invited to a meeting by governor at latest in 10 days following the publication of this Law.

Except from military officers and sergeants, public servants who become candidates for nomination for interim local administrations elections, in case of losing candidacy or elections, with condition of applying in two months following the publication of this Law, may return to their previous missions or another missions in line with their previous wages and ranking.

5) Provisional article of 12/5/1994 dated and 3989 numbered Law

Provisional article – Within two months following the date of entry of this Law, for mayors who are not elected or nominated for candidate in local administration elections of 27th March 1994, the provisions of this Law are also implemented.

(1) *The " For mayors of which reelections have been announced due to article 29 of 2972 numbered Law on Elections of Local Administrations and Neighborhood Mukhtars and Board of Alderman..." part of this clause, is extracted from the text due to 21/4/1992dated and E.1992/17,K.1992/30 numbered decision of Constitutional Court. (Look: 2/10/1992 - 21363 Official Gazette.)*

6) Provisional article of 20/3/1997 dated and 4231 numbered Law

Except from military officers and sergeants, public servants who become candidates for nomination for elections defined in “d” clause of article 29 of 2972 numbered Law repealed with second clause of article 1, in case of losing candidacy or elections, with condition of applying in a month following the publication of this Law, may return to their previous missions or another missions in line with their previous wages and ranking.

**LIST INDICATING VALIDITY DATES OF LEGISLATION THAT CHANGE OR AMEND 2972
NUMBERED LAW**

Law Nr.	Articles becomes valid on different dates	Date of Entry
2986	—	18/1/1984
		Valid through
		2/3/1984
3394	—	30/6/1987
3420	—	13/4/1988
3469	—	13/8/1988
3507	—	14/12/1988
3531	—	20/4/1989
3573	—	17/6/1989
3766	—	2/1/1992
3866	—	12/3/1993
3912	—	10/7/1993
3948	—	30/12/1993
3950	—	30/12/1993
3959	—	30/12/1993
3989	—	18/5/1994
4231	—	1/4/1997
4381	—	2/8/1998
4778	—	11/1/2003
5216	4 and 24	23/7/2004
5393	29	13/7/2005

Changed Law Nr.	Changed number of 2972 numbered Law	Date of enter into force
5747	4	22/3/2008
6360	4, 32	6/12/2012