

RULES OF PROCEDURE OF THE GRAND NATIONAL ASSEMBLY OF TURKEY

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RULES OF PROCEDURE OF THE GRAND NATIONAL ASSEMBLY OF TURKEY¹

PART ONE General Provisions and Definitions

Term, legislative year, session and sitting

ARTICLE 1- A legislative term, which is the period between the two general elections, is five years², unless it is extended in accordance with the Constitution, or the elections are renewed.

A legislative year is the period that starts on October 1st and ends on September 30th.

A session is the meeting of the Plenary on a certain day.

A sitting is each part of a session between suspensions.

Total number of members

ARTICLE 2- The total number of members is five hundred and fifty. Vacancy in the membership of the Grand National Assembly of Turkey does not change the total number of members.

However, for the elections prescribed in this Rules of Procedure, the number calculated by subtracting the number of vacant seats from the total number of members is taken as the basis for calculation of the percentage ratios of the political party groups and members that are not affiliated with political party groups.

1 *The Rules of Procedure of The Grand National Assembly of Turkey was adopted on March 5, 1973; Res. No. 584.*

2 *The five years duration in this Article is applied as four years due to the Article 77 of the Constitution amended by the Act No. 5678, dated 21/10/2007.*

First meeting and oath-taking

ARTICLE 3- The Plenary of the Grand National Assembly of Turkey convenes without summons at 3 p.m. on the fifth day following the announcement of the results of general elections by the Supreme Board of Election on Turkish Radio and Television Corporation channels. In this session, the ceremony for the oath-taking of deputies is conducted first.

Deputies absent at the oath taking ceremony take oath at the beginning of the first session they participate.

Oath-taking is conducted by each deputy reading out the text in the Constitution at the rostrum.

Deputies elected in by-elections take oath at the beginning of the first session they attend.

Deputies take oath in the alphabetical order of their electoral district, last name, and names.

Commencement of legislative year

ARTICLE 4- The Grand National Assembly of Turkey, except for the case written in the Article 3, convenes on the first day of every October without summons.

Recess

ARTICLE 5- Recess is postponement of the activities of the Grand National Assembly of Turkey for a certain period.

The Grand National Assembly of Turkey goes into recess on July 1st, unless a different decision is taken by the Plenary, upon the proposal of the Board of Spokespersons.

Duration of recess for one legislative year shall not be more than three months.

Adjournment

ARTICLE 6- Adjournment is the postponement of the activities of the Grand National Assembly of Turkey for not more than fifteen days.

The Grand National Assembly of Turkey takes an adjournment decision after taking the opinion of the Board of Spokespersons through the voting of the proposal at the Plenary.

Meeting during recess or adjournment

ARTICLE 7- If summoned by the President of the Republic or by the Speaker during adjournment or recess, the Grand National Assembly of Turkey shall convene on specified date and time.

The President of the Republic summons the Assembly directly or upon the request of Council of Ministers.

The Speaker of the Grand National Assembly of Turkey may summon the Assembly directly, as he/she may deem necessary. The Speaker fulfils a request for summons in a reasoned motion signed by one-fifth of the members in seven days at the latest.

In summons, it is mandatory to denote the date and time of the meeting and the subject matter that necessitates the meeting.

In case the session is opened with quorum, the Speaker first has the summons read and the subject matter of the meeting is discussed. Once the required proceedings for the subject are completed, the Grand National Assembly of Turkey goes back to recess or adjournment unless the Assembly decides to continue its activities. The summons is dismissed if quorum is not met.

PART TWO

Composition of the Grand National Assembly of Turkey

CHAPTER ONE

Bureau of the Assembly

Provisional Bureau

ARTICLE 8- Starting from the first sitting of the first session of legislative term the oldest deputy performs as the Interim Speaker until the Speaker is elected. The second oldest member acts as the Interim Vice-Speaker.

The youngest six members perform as secretaries temporarily.

Composition of the Bureau

ARTICLE 9- The Bureau of the Assembly shall be composed of a Speaker; four vice-speakers; seven secretaries; and three quaestors.

When necessary, the Plenary may increase the number of the secretaries or quaestors upon the request of the Board of Spokespersons.

Election of the Speaker and term of office

ARTICLE 10- Two elections are held for the Office of the Speaker in the course of a legislative term. Term of office for the first elected Speaker is two years, and term of office for the second elected Speaker is three years.³

Political party groups shall not nominate candidates for the Office of the Speaker.

The candidates for the Speaker of Grand National Assembly of Turkey are submitted to the Bureau within five days starting after the first meeting of the Assembly following the general elections or starting ten days before the end of the term of office of the Speaker for the election of the second term, and Grand National Assembly of Turkey convenes on its own on the election day. The Speaker is elected by secret ballot. Two-thirds of the total number of members for the first two ballots and absolute majority of the total number of members for the third ballot is required. In case absolute majority cannot be obtained in the third ballot, a fourth voting takes place between the two candidates who got the most votes in the third ballot; the candidate receiving the highest number of votes in the fourth ballot is elected as the Speaker. The election of the Speaker is concluded within five days following the end of the period for nomination.

Representation of party groups in the Bureau

ARTICLE 11- The Speaker of the Grand National Assembly of Turkey determines the percentages of political party groups over the total number of party groups and the number of positions in the Bureau per each political party group and submits the results to the Board of Spokespersons.

The positions in the Bureau, two of which are reserved for the political party group having the absolute majority in the Grand

³ *The term of office of the Speaker elected for the second term lasts at the end of that legislative term due to the Article 94 of the Constitution amended by the Act No. 5982, dated 12/9/2010.*

National Assembly of Turkey, are allocated to the party groups starting from the one with highest percentage.

The positions for the secretaries and quaestors are decided by the Plenary after consulting with the Board of Spokesperson.

Political party groups submit their candidates for the positions awarded to them. The election is completed with the voting of the list of candidates by the Plenary through voting by show of hands.

Two elections are held for the vice-speakers, secretaries, and quaestors of the Grand National Assembly of Turkey in a legislative term. Term of office for the first elected members is two years, and term of office for the second elected members is three years.^{4(*)} In case of vacancy of any of these positions for any reason, the new member of Bureau completes the term of office of the former.

Vacancy in the Bureau

ARTICLE 12- In case of vacancy of the Speaker, the oldest vice-speaker becomes the Interim Speaker.

In case of vacancy of the other members of the Bureau, the duties and powers of the Bureau remain as it is until the vacancy is filled.

Vacancy is filled in the shortest time.

A member whose membership of his/her political party ends, or whose political party no longer has the right to form a group in the Grand National Assembly of Turkey, and automatically loses his/her position in the Bureau. In this case, the provision in the paragraph above is applied.

In case a change occurs in the percentages of the political party groups in the Plenary and the new percentages do not correspond to the number of members and positions owned by the political party groups in the Bureau, the Speaker determines this situation. Thereupon, necessary action is taken in accordance with the Article 11.

Duties of the Bureau

ARTICLE 13- The Bureau performs the duties designated by laws and the Rules of Procedure.

In case it is claimed that a significant mistake was made in a voting or election in the Plenary, the Speaker may start a procedural debate and make the correction, if necessary, through voting. If the mistake is noticed after the session, the Speaker summons the Bureau and decides on the action to be taken.

The Speaker may take the opinion of the Bureau for the duties designated for him, if he deems necessary.

The quorum for meeting of the Bureau is the absolute majority of the total number of members and the quorum for decision is the absolute majority of the members present.

However, for the complaints concerning the tasks undertaken by members of the Bureau individually, the quorum for meeting is the total number of members of the Bureau excluding the member about whom a complaint has been made.

The Bureau shall not convene or take decisions without the presence of the Speaker or the Vice-Speaker assigned by the Speaker.

Duties of the Speaker

ARTICLE 14- The duties of the Speaker are as follows:

1. To represent the Grand National Assembly of Turkey outside the Assembly;
2. To preside over the Plenary Meetings;
3. To oversee the recording of minutes and preparation of the Journal of Minutes;
4. To chair the Bureau and to draw up the agenda of the Bureau;
5. To chair the Board of Spokespersons;
6. To oversee the committees of the Grand National Assembly of Turkey; to warn the chairpersons and members of the committees and inform the Plenary in case of a backlog in the committees;
7. To implement the decisions of the Bureau;
8. To execute and scrutinize the administrative and financial affairs and the security services of the Grand National Assembly of Turkey;

9. To make arrangements and publications to promote the Assembly and its works throughout the country and abroad, through the “Culture, Art and Publications Board of the Grand National Assembly of Turkey” to be established within the Bureau;

10. To perform the duties given to him/her by the Constitution, the laws, and the Rules of Procedure.

When the Speaker has an excuse or is out of Ankara while the Grand National Assembly of Turkey is meeting, the Speaker delegates one of the vice-speakers in writing to perform the Speaker’s duties.

The Speaker resides in the official residence reserved for the Office of the Speaker.

Duties of the vice-speakers

ARTICLE 15- The duty of the Vice-Speaker is to preside over the Plenary Meetings on behalf of the Speaker and to oversee the preparation of the minutes and the Journal of Minutes concerning the sittings chaired by the Vice-Speaker.

The Speaker decides which sessions or sittings are to be chaired by the Vice-Speakers.

Duties of the secretaries

ARTICLE 16- The duties of the secretary members are as follows:

1. To supervise the recording of the minutes;
2. To draw up summary of the minutes;
3. To read out documents in the Plenary;
4. To call the roll;
5. To count votes;
6. To oversee the elections to be conducted in order and integrity;
7. To record the order of speech.

Duties of quaestors

ARTICLE 17- The duties of the quaestors are as follows:

1. To assist the Speaker of the Grand National Assembly of Turkey, in carrying out the administrative and financial affairs and the security services, in accordance with the Speaker’s directions;
2. To conduct special ceremonies;

3. To present proposals for the budget of the Grand National Assembly of Turkey to the Speaker;

4. To hand out regular and special entrance cards.

Quaestors are the executive agents of the Office of the Speaker in maintaining peace and order, assuring transparency and freedom of the meetings and calling the guards battalion⁴ and the police into action when necessary; they perform their duty and authority in collective responsibility; they reside in Ankara in turn during recess or adjournment, and the Speaker decides on the order of their turn.

CHAPTER TWO

Political Party Groups and Board of Spokespersons

Establishment of political party groups

ARTICLE 18- Political parties with twenty deputies or more have the right to establish groups in the Grand National Assembly of Turkey.

Political party groups present their internal regulations after initial formation and the list containing the names, last names and electoral district of the deputies of the group to the Office of the Speaker at the beginning of each legislative term.

The same procedure is followed for the changes, as soon as possible.

Board of Spokespersons

ARTICLE 19- The Board of Spokespersons is established under chairpersonship of the Speaker of the Grand National Assembly of Turkey with the chairpersons of the political party groups or one of the vice-chairpersons or a deputy from each group assigned by them in writing.

The Board of Spokespersons performs the duties designated by the Rules of Procedure and gives advisory opinion upon the request of the Speaker.

⁴ *The guards battalion in the Grand National Assembly of Turkey was dissolved by the Act No. 6253 dated 1/12/2011.*

A government representative or the vice-speakers may be invited to the Board of Spokespersons in case of necessity.

The Speaker calls the Board of Spokespersons to meeting when he deems it necessary or upon the request of a political party group chairperson within twenty-four hours following the request.

In all occasions bound in the Rules of Procedure to the decisions, proposals, or opinions of the Board of Spokespersons, if the Board of Spokespersons cannot convene in the first call or provide a decision, proposal, or opinion unanimously, the Speaker or the political party groups may individually bring their request to the Plenary directly. In this case, the voting for the request is included in the presentations of the Office of the Speaker in the first session, and the Plenary takes a decision by show of hands.

CHAPTER THREE Committees

Committee names^{5 6}

ARTICLE 20- List of Standing Committees:

1. The Committee on the Constitution
2. The Committee on Justice
3. The Committee on National Defence
4. The Committee on Internal Affairs
5. The Committee on Foreign Affairs
6. The Committee on National Education, Culture, Youth, and Sport
7. The Committee on Public Works, Reconstruction, Transportation, and Tourism
8. The Committee on Environment
9. The Committee on Health, Family, Labour, and Social Affairs

5 *The Committee on European Union Harmonisation was established by the Act No. 4847 dated 15/4/2003.*

6 *The Committee on Equal Opportunity for Women and Men was established by the Act No. 5840 dated 25/2/2009.*

10. The Committee on Agriculture, Forestry, and Rural Affairs
11. The Committee on Industry, Trade, Energy, Natural Resources, Information and Technology
12. The Committee on Auditing of Accounts of the Assembly⁷
13. The Committee on Petitions
14. The Committee on Plan and Budget
15. The Committee on State Economic Enterprises
16. The Committee on Human Rights Inquiry

The number of members of each committee except those enumerated in sub-paragraphs (14) and (15) are determined by the Plenary through show of hands on the proposal of the Boards of Spokespersons.

Two elections are held for the committees in the course of a legislative term. Term of office of the first elected members is two years, and three years for those elected in the second term. The members continue to serve until election of the new members.

Representation of the party groups in the committees

ARTICLE 21- The Speaker determines the number of committee members allocated to each political party group in accordance with the percentages specified in the first provision of the Article 11.

A political party group can relinquish its allocated seats in any committee.

The political party groups notify of their candidates to the Office of the Speaker in a prescribed period. Elections for all committees are completed upon approval by the Plenary of lists of the candidates submitted by their groups through voting by show of hands.

Deputies elected as members of the Committee on Plan and Budget and the Committee on Petitions, members of the Bureau

⁷ *The Committee on Auditing of the Accounts of the Assembly is not being established any longer since the audit of the accounts of the Grand National Assembly of Turkey are made by the Court of Accounts with the entering into force of the Act No. 5018, dated 10/12/2003.*

of the Assembly and Council of Ministers cannot take place in the committees.

Vacancy in the committee membership

ARTICLE 22- In case of vacancy in a committee membership the committee shall continue to perform its duties and powers until the new members are elected.

The vacancy is filled as soon as possible.

Committee membership of a deputy who ceases to be a member of a political party, or whose party loses its right to form a group in the Assembly, ends automatically.

In case a change occurs in the percentages of the political party groups in the Plenary and the new percentages do not correspond to the number of members owned by the political party groups in the committees, the Speaker determines this situation. Thereupon, necessary action is taken in accordance with the Article 21.

Referral to committees, primary and secondary committees

ARTICLE 23- The Office of the Speaker decides on the committees in which the government bills, private members' bills, or decrees having the force of law should be debated, and designates the committees as primary and secondary, during referral of the matter to the committees.

The committee whose report will constitute the basic document for the Plenary debates is called the primary committee. Secondary committees are those that present their opinions on the parts or articles of the matter, within the remit of the committee.

The matter is referred to the primary committee and other committees simultaneously by the Office of the Speaker.

If the aspects and articles on which the secondary committees are supposed to express their opinions are not specified in the referral, the secondary committees will present their views on topics they deem related to them.

The failure of the secondary committees to submit their report within the prescribed period does not constitute an obstacle for the primary committee to conclude its report.

Election of the chairperson, vice-chairperson, spokesperson and secretary

ARTICLE 24- Upon completion of the election of the members, the committees are called for meeting by the Speaker of the Grand National Assembly of Turkey.

In the meetings, each committee elects its chairperson, vice-chairperson, spokesperson, and secretary.

Quorum for this election is the absolute majority of total number of the committee members. The election is conducted by secret ballot. The vote of the absolute majority of the members present is required to be elected.

If necessary, special spokespersons or a special secretary is elected for a certain subject by the vote of the absolute majority of the members present in the meeting upon the proposal of chairperson.

Within ten days after the newly formed government receives the vote of confidence, the elections of chairperson, vice-chairperson, spokesperson and secretary are renewed upon the request of the ruling party group or groups.

Working of committees during recess and adjournment

ARTICLE 25- Upon the proposal of the Speaker, the Plenary determines the committees that will work during the recess and adjournment.

Summoning of committees

ARTICLE 26- Committees are called for meetings by their chairpersons.

The call is announced at least two days before the meeting, unless otherwise is necessary. The agenda drawn up by the chairperson is also included in this call. However, the committee has the final say over the agenda and decides on the subjects of the agenda as offered by the members.

This call and the agenda are announced to the committee members, Prime Ministry, relevant ministries, party groups, offices of the relevant committees, the principal sponsor whose bill is included into the agenda, and posted on the notice board.

The chairperson also calls the committee for a meeting upon the proposed agenda of one-third of the members.

Chairperson, quorum and majority for decision

ARTICLE 27- The chairperson presides over the committee. In the absence of the chairperson, and the vice-chairperson, the spokesperson presides over the committee.

Committees convene with one-third of its total number of members and decide by the absolute majority of the members present.

Attendance in committees

ARTICLE 28- Members are obliged to attend the committee meetings. Committee attendance lists are presented to the Office of the Speaker and to the offices of political party groups.

The member who fails to attend committee meetings three times in a row or in one-third of the meetings in a year, without leave or any valid excuse, may be withdrawn from the committee by his/her political party.

The vacant position emerged thusly is filled as soon as possible.

Taking floor in committees

ARTICLE 29- The floor is given in sequence of request.

The chairperson and the government's representative may speak out of turn. The chairperson gives the floor to the experts invited by the committee as he may deem necessary.

Representation of the Government in committees and inviting experts

ARTICLE 30- The Prime Minister or a minister may attend committee meetings. The Prime Minister or the minister may authorize a high rank public official in writing to represent him/her, if he/she deems it necessary.

Committees may invite experts in order to consult their views.

Those entitled to attend the committee meetings

ARTICLE 31- Committee meetings are open to the members of the Grand National Assembly of Turkey, members of the Council of Ministers and the representatives of the Government.

Members of the Grand National Assembly of Turkey and of the Council of Ministers may take the floor in the committees.

However, no one may table a motion of amendments or vote except the committee members.

Every deputy may view and read documents of any committee, whether he/she is a member of that committee, or not.

Closed sittings of committees

ARTICLE 32- The relevant minister or one-third of the members of the committees may request a closed sitting.

Only the committee members and ministers may attend the closed sittings.

Holding a closed sitting means that there is a pledge that the discussions will be kept secret.

Minutes of committees

ARTICLE 33- Secretary of committee prepares a summary of the minutes of the debates and signs it together with the chairperson. The members present in the sitting may add their written objections to the summary of the minutes, if they have any.

In the absence of the secretary of committee, the youngest member present acts as the secretary temporarily.

If the committee so decides, a full minute is recorded.

Taking and giving opinions

ARTICLE 34- If a committee views a government bill or private members' bill referred to it within the remit of another committee, it may ask for the referral of the bills to that committee through a justification.

If a committee deems it necessary to take the opinion of another committee on bills or a particular matter referred to it, the committee may ask for the return of the bills after that particular committee debates on them.

If a committee considers giving its opinion beneficial on bills, or to have a particular matter referred to another committee, the committee may ask for the referral of the bills back to itself.

In such cases, if the two relevant committees are of the same opinion, the Speaker acts accordingly and informs the Plenary.

In case of a conflict between the two committees, the matter is submitted by the Speaker to the Plenary and solved through debate.

Powers of committees, venue and time of meetings

ARTICLE 35- Committees may adopt or reject the government bills and private members' bills referred to them either as such or by amending them; they may debate the ones that they consider relevant by combining them; and they meet in the halls assigned to them by the Office of the Speaker in the building of the Grand National Assembly of Turkey.

However, committees may not propose bills apart from the particular condition defined in the Article 92⁸, they may not be engaged in matters other than those assigned to them; they may not hold sessions during the meeting hours of the Plenary without the decision of the Bureau, and they may not submit the bills to the Plenary by dividing them into separate texts.

Committees may debate only the articles deemed unsuitable of the laws found partly unsuitable to promulgate and sent back to the Grand National Assembly of Turkey by the President of the Republic for reconsideration. In this case, debate is held only on the articles which have been deemed unsuitable.

Waiting period

ARTICLE 36- Committees may start debating the matters referred to them only forty-eight hours after the date of referral. The document referred to the committee is printed and distributed to the members either on the chairperson's initiative or upon the written request of five members of the committee. In this case, the prescribed period starts from the date of distribution.

Upon the recommendation of the Board of Spokespersons or in case of withdrawal or return of a part or the whole of government bill and private members' bill, the period mentioned in the paragraph above may be not applied.

⁸ *Since the death penalty was abolished in accordance with the paragraph 10 of the Article 38 in the Constitution, The Committee on Justice has no right to propose bills for the particular condition in the Article 92.*

Period of deliberation in committees

ARTICLE 37- Government bills, private members' bills or decrees having the force of law shall be concluded in the committees within forty-five days from the date of their referral to the primary committees.

The Government or owners of the bills may ask the bills or the decrees having the force of law to be included on the agenda of the Plenary at the end of this prescribed period. Upon these requests, the committee, the Government, the owner of the bill, and one deputy may take the floor up to five minutes. The Plenary votes by show of hands.

Decrees having the force of law that have not been debated in committees within the prescribed period are submitted to the Board of Spokespersons by the Office of the Speaker to be put on the agenda of the Plenary.

A matter referred by the Office of the Speaker also to secondary committees besides the primary committee shall be concluded within ten days by the secondary committees. This period may be shortened by the Office of the Speaker as it may be extended for ten days at most upon the application of the secondary committee.

Examination of compatibility with the Constitution

ARTICLE 38- The committees are responsible for examining the compatibility of the government bill or private members' bill with the letter and spirit of the Constitution in the first place.

If a committee considers the bills incompatible with the Constitution, it rejects them without holding the debate of the articles by stating the justifications.

Deferral

ARTICLE 39- As a consequence of the absence of the Government representative in the debate of a government bill or private members' bill, the debate may be deferred only once if the committee deems necessary. The deferral is reported in writing to the Prime Ministry or to the relevant ministry, and the representative is demanded to be present in the upcoming meeting.

Informing the Prime Ministry

ARTICLE 40- Private members' bills submitted to the Office of the Speaker of the Grand National Assembly of Turkey are sent immediately to the Prime Ministry.

Correspondence with ministries

ARTICLE 41- Committees may directly correspond with any ministry and request necessary information from the ministries to conclude the matters referred to them.

Committee reports

ARTICLE 42- Committees draw up reports for the matters they conclude. The report is written by the chairperson, spokesperson or by the spokesperson elected for that particular matter. Views of the committee and the justifications of the amendments made by the committee are included in the report.

Members participating in the final vote sign the reports.

Members who have participated in the previous meetings but have been unable to participate in the final vote on the whole of the government bills or private members' bills may sign the report by adding their dissenting opinion, if any. Non-attendance of these members in the last meeting is recorded in the notes.

The committee member who has signed the committee report cannot ask any questions to the spokesperson or make a statement contrary to the report in other committees or in the Plenary, except about the points in the committee report he/she has objected to or abstained from in writing.

Committee reports are printed and distributed to the deputies and added to the minutes of the first Plenary session in which the debate on the reports start.

Committee members who are opposed or abstain from, on the whole or in some part of the committee report, have the right to add their views to the report. These members are obliged to note the articles of the bills that they oppose.

Even if the members concur with the report, they also have the right to add their views not included in the report. However, they should exercise this right within the time specified by the chairperson.

Reconsideration in the committees

ARTICLE 43- Before ending the debate over an item on the agenda, the committee may decide on the reconsideration of that particular point by the vote of the absolute majority of the members present.

After the committee completes the debate over an item on the agenda and before the report is submitted to the Office of the Speaker, reconsideration of the same is allowed only once, upon the justified and written demand by the absolute majority of the total number of committee members.

Adoption of former report

ARTICLE 44- In case a committee whose election is renewed does not notify the Office of the Speaker that it will take a new decision about a previously submitted report at the latest within a month after the division of duties, it is deemed to have adopted the former report.

Representation of the committees in the Plenary

ARTICLE 45- Committees are represented by their chairperson, vice-chairperson, or spokesperson(s) who have been particularly elected for that matter.

In case a number of committee members enough for quorum is not present at the seats reserved for the committees in the Plenary, the committee representative may ask rejection of the motions of amendment or withdrawal to the committee.

Order in the committee meetings

ARTICLE 46- The chairperson maintains the order in case the speeches are interrupted, offending remarks are uttered about personalities, and the order is disrupted. If necessary, he may suspend the meeting or postpone it by notifying the case to the Speaker to take the necessary action.

Committees' bulletin

ARTICLE 47- The Office of the Speaker publishes committees' bulletin twice a year. The current stages of the matters referred to the committees, withdrawn by the committees from the Plenary, or given

back to the committees by the Plenary are stated in the bulletin. The bulletin is attached to the Plenary minutes.

Committee documents to be archived

ARTICLE 48- After the subject is concluded by the Grand National Assembly of Turkey, the dossiers referred to the committees, along with the minutes of committees related to these matters, correspondence by the office of the committee, and motions are submitted to the Office of the Speaker in order to be archived.

PART THREE

Activities of the Plenary

Agenda

ARTICLE 49- The agenda of the Plenary of Grand National Assembly of Turkey is composed of the following sections:

1. Presentations of the Office of the Speaker to the Plenary
2. Items to be included in special agenda
3. Election
4. Items to be voted upon
5. Parliamentary investigation reports
6. Preliminary debates concerning the conduct of general debate and parliamentary inquiry
7. Oral questions
8. Government bills, private members' bills, and other matters submitted by the committees

Upon the suggestion of the Board of Spokespersons and approval of the Plenary, a certain amount of time may be reserved on a certain weekday for each of the sections 6 and 7.

A certain day of the week may be reserved for elections and votes for sections 3 and 4.

The order of debate for the matters in the agenda is determined in accordance with the date they are received by the Office of the Speaker.

In case deemed necessary by the Office of the Speaker, a proposal for the order of debate for the matters addressed in section 8 may be presented to the Plenary by the Board of Spokespersons. The requests of the Government, primary committees, and owners of the private members' bills on the subject matter are also discussed in the Board of Spokespersons.

The opinion of the Board of Spokespersons on the subject matter is submitted to the Plenary for approval.

When closing the session, the Speaker informs the Plenary about items in the agenda to be discussed in following session(s). This matter is also announced on the notice board.

Unless a decision is taken by the Plenary after receiving the opinion of the Board of Spokespersons, any issue not announced by the Speaker in advance shall not be debated in the Plenary.

Special agenda

ARTICLE 50- The Board of Spokespersons may determine a special agenda, including one or more specific items to be concluded in certain period, and days for debating them, as the statutory provisions of the Constitution and Rules of Procedure require. These items follow the presentation of the Office of the Speaker in the special agenda. Items determined according to the general provisions follow the items of the special agenda.

Order paper

ARTICLE 51- Government bills and private members' bills, official communications and memoranda and committee reports and motions of question, general debate, parliamentary inquiry, parliamentary investigation, and censure are published in the order paper. Those that are sent to the Plenary are separately stated in the order paper. The dates the Office of the Speaker receives them are also shown separately.

Order paper is distributed on meeting days of the Assembly and added to minutes.

Order paper, except recess, Saturdays and Sundays, is daily published, posted on the notice board and added to the minutes of first session.

Waiting period in the Plenary

ARTICLE 52- A committee report, or any text sent to the Plenary, unless a decision to the contrary is taken, may not be debated before forty-eight hours have elapsed from the date of distribution.

The Government or primary committee may ask the Plenary with a justification to include an item in the agenda, to prioritize one of the government bills, private members' bills, and the other matters coming from committees, and to make it the first item in this section before forty-eight hours have elapsed. In this case, the Plenary decides by a show of hands.

Acknowledgement, felicitation and entreaty

ARTICLE 53- Writings and telegraphs concerning matters such as felicitation, acknowledgement, appreciation, and entreaty are posted on the notice board and annexed to the minutes wholly, as a summary, or only by mentioning them.

The Bureau determines the situations where the Plenary is required to observe moment of silence.

Meeting days

ARTICLE 54- Unless it coincides with public holidays, the Plenary of the Grand National Assembly of Turkey meets on Tuesdays, Wednesdays, and Thursdays from 3 p.m. to 7 p.m.

Upon the proposal of the Board of Spokespersons, the Plenary may change meeting week, day and hours and may decide to meet on other days as well.

Opening and closing of session

ARTICLE 55- The Speaker opens the sitting and closes it, if required. During the sitting, the Speaker and secretaries' seats in the rostrum shall not be left unseated.

When necessary, extension of the sitting may be decided by the Plenary as long as it is only valid for that session, and with the purpose of completion of works about to finish.

Dress code

ARTICLE 56- At the rostrum, the Speaker wears white bow tie and black tailcoat suit on black vest. Secretaries on duty wear dark suits.

In the Hall of the Plenary, deputies, ministers, civil servants of the Secretariat of the Grand National Assembly of Turkey, and other public officials are obliged to wear jacket and tie. Women shall wear *tailleur*.

Dress code of ushers shall be determined by the Bureau.

Roll call

ARTICLE 57- If the Speaker hesitates, he/she might call the roll, after opening the session.

Twenty deputies might ask for a roll call by standing up or tabling a motion during discussions before the voting by show of hands is conducted.

The roll call is executed by pushing the electronic vote button or, if the Speaker requires it, by reading out the names.

If, as a result of the roll call, it is seen that at least one-third of the members are absent, the session might be delayed for one hour at the latest. If the quorum is not present by then, the session is then closed.

Speech on the minutes of the previous session

ARTICLE 58- If a deputy or minister asks to take the floor to correct his/her statement in the minutes of the previous session, the Speaker will give him/her the floor for not more than five minutes.

Speech out of agenda

ARTICLE 59- In extraordinarily urgent circumstances considered necessary to be announced to the Plenary, three deputies at most are allowed to speak out of agenda, for a period not exceeding five minutes each, at the discretion of the Speaker. The Government may reply to the speeches.

In case the Government requests to speak out of agenda in extraordinarily urgent circumstances, the Speaker meets this demand. Following the Government's statement, each political party group is entitled to speak once for a period not exceeding ten minutes. One of the deputies from among those who are not affiliated with any political party group is also allowed to speak for a period not exceeding five minutes.

Taking the floor, speeches and written speeches

ARTICLE 60- No one has a right to speak unless his/her name is enrolled or he/she is granted leave to speak by the Speaker during the sitting.

Secretaries may not enroll demands of taking the floor except for the issues in the agenda or issues to be debated on a particular day pursuant to the Constitution, laws or the Rules of Procedure.

Speech is delivered addressing the Speaker and the Plenary from the rostrum.

The Speaker may let a deputy with a demand of a very short speech take the floor from his/her seat.

It is allowed to read a speech text from the rostrum or, with the permission of the Speaker, to have a secretary read it.

Government or committee members who want to ask questions during the debate do so from their seats.

Following speeches, questions are asked in turn.

Unless another time is specified in the Rules of Procedure, or the Plenary decides otherwise upon the proposal of Board of Spokespersons, time allotted for speeches on behalf of political party groups, committees and Government is limited to twenty minutes and ten minutes for deputies. Time allotted for the second round of speeches is half of the first.

Order of speech and changing the order of speech

ARTICLE 61- The floor is given in sequence of enrollment or requests.

The Plenary, if it deems necessary, may give the floor in favor of, against, or over the matter, in sequence.

The Speaker has the names of the deputies read out before the debate begins, according to the order of the speeches.

Priority of speech is given to the Government, primary committees, and political party groups. The priority belongs to the primary committee, the Government, and political party groups in

sequence. Political party groups are given the floor in sequence of requests.

Spokespersons of party groups shall submit their credentials to the Office of the Speaker.

The last speech belongs to deputies.

A deputy may assign his/her turn to another deputy. A deputy who has assigned his/her turn to another deputy may speak in the turn of the deputy enjoying the waiver.

Representing the Government

ARTICLE 62- Prime Minister, concerned minister, or, in compulsory situations, an authorized senior public official shall be present in order to express opinions on behalf of the Government from the beginning to the end of every debate. If one of the above-mentioned persons is not present at the beginning of the debate, the debate on the matter shall be postponed once until the following session.

The President of the Court of Accounts, a head of department, or a member authorized by the President may make a statement in the Plenary when the need arises.

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Speech about procedure

ARTICLE 63- Issues regarding procedure, such as whether there is room for debate or not, calling the Speaker to comply with the agenda, or working procedure of the Grand National Assembly of Turkey, to advance an issue or setting it back, have priority of debate over other issues.

If a request is made for a debate on the procedure, at most two members are given the floor for a period not exceeding ten minutes in favour of or against the issue.

If a vote is required because of the debate about the procedure, it shall be performed by show of hands.

Restriction of the Speaker to debates and vote

ARTICLE 64- The Speaker or vice-speaker presiding over the Plenary shall not reveal his/her opinion by any means on the matter in the agenda during the debate or vote.

The Speaker or vice-speaker(s) shall not intervene in the debates, except in cases when it is required for discharging of their duties; their personal right of defense is reserved.

The Speaker of the Grand National Assembly of Turkey has no right to vote.

Vice-speakers, if not presiding over the sittings, may vote and take the floor to reveal the intention of his/her vote.

If a secretary on duty at the rostrum wishes to attend the debates, he/she shall leave his/her place to another secretary.

Order in debates

ARTICLE 65- Interrupting speeches, making offensive remarks, and/or disrupting the order in the Plenary are prohibited behaviors.

The Speaker's interruption of the speeches

ARTICLE 66- Speech of a member at the rostrum may be interrupted solely by the Speaker to invite him/her to observe the Rules of Procedure or to stay on the subject.

If the member fails to stick to the subject despite being warned twice, preventing him/her from speaking on that subject in the same session may be proposed to the Plenary by the Speaker.

The Plenary votes by show of hands without debate.

Speech style

ARTICLE 67- Should one use unparliamentary language in the Plenary, the Speaker invites him/her immediately to avoid speaking in that manner, and to leave the rostrum if he/she refuses to comply. The Speaker may order him/her out for that session, if he/she deems it necessary.

If there is unparliamentary language in the letters and motions submitted to the Office of the Speaker, the Speaker will return the documents and motions to the owner for corrections to be made.

Noise and fighting

ARTICLE 68- The Speaker, if unable to maintain the order due to noise or fighting that arises during the debates will make

every effort necessary to warn the Plenary that the session will be suspended, by standing up in the rostrum. If the noise or fighting continues despite the warning, he/she will suspend the session for an hour at most.

If the noise or fighting still continues at the resumption of the session, the Speaker will close the session.

Right of explanation

ARTICLE 69- The Government, committees, political party groups, or deputies about whom offensive remarks are made, or to whom an opinion which he/she has not stated is attributed, may make an explanation or respond.

The Speaker determines the duration of the explanation or response, which shall take place in the same sitting.

The deputy who requests to take the floor for the purpose of explanation or response informs the Speaker of the reason for his/her demand. Giving the floor is at the Speaker's discretion. If the deputy who has not been given the floor by the Speaker insists, the Plenary will decide by a show of hands without debate.

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Closed sittings

ARTICLE 70- The Plenary of the Grand National Assembly of Turkey may hold closed sittings upon the written request of the Prime Minister, a minister, a political party group, or twenty deputies.

When a motion on the closed sitting is given, everyone, excluding those who are entitled to participate in the closed sitting, is asked to leave the Plenary. Then, the justification of the motion is heard. It is explained by the Prime Minister, a minister on behalf of the Government, a spokesperson of a political party group, the first signatory of the motion, or another signatory designated by him/her. The Plenary votes by show of hands.

The minutes of the above-mentioned debate is kept by secretaries. However, if the Plenary deems it appropriate, sworn stenographers may keep the minutes.

The ministers and, as audience, the President of the Republic may be present in the closed sittings.

No statement shall be made about the debate held in closed sitting by those who participated or are entitled to do so. The minutes are kept as state secret.

When the reason requiring the closed sitting ceases to exist, the Speaker will move to open the meeting. The Plenary decides by show of hands.

Minutes of closed sitting

ARTICLE 71- After the minutes of the closed sitting are consolidated, another closed sitting is held and the summary of the minutes of the previous closed sitting is read. Minutes are placed in an envelope with the summary, immediately sealed with wax by secretaries present, and then sent to the Assembly archives.

Minutes of the closed sitting and its summaries may be published after ten years have passed since the date of closed sitting. Upon the proposal of the Board of Spokespersons, the Plenary decides by show of hands as to the publishing of the minutes earlier or later than that.

Completion of debates

ARTICLE 72- If there is no other provision in the Rules of Procedure, all political party groups and two deputies have right to speak on every subject on behalf of themselves. After these speeches are made, if a motion is not tabled for the continuation of the debate, the Speaker announces that the debate is completed.

If a motion is tabled for the continuation of the debate and is adopted by show of hands by the Plenary, in accordance with the first paragraph, political party groups and deputies have a second right to speak.

PART FOUR

Law Making

Government bills and referral to the committees

ARTICLE 73- Government bills are signed by all ministers and submitted with justification to the Office of the Speaker.

In the justification, information on the whole draft and articles, the provisions demanded to be added or repealed, and the reason for repealing, amending, or adding shall be explicitly indicated.

The Speaker directly refers the government bills to the relevant committees and has them written on the journal of minutes and notice board.

If a deputy wants to object to this referral, he/she requests to take floor at the beginning of sitting.

Private members' bills

ARTICLE 74- There may be one or more signatures in private members' bills.

Private members' bills are also submitted with justification to the Office of the Speaker.

Committees are entitled to have the owners of the bills complete their bills which do not meet the requirements.

Private members' bills are directly referred to the committees by the Speaker.

Withdrawal and espousal

ARTICLE 75- Government or owners of bills may withdraw their bills before being put on the agenda as long as the Plenary is informed.

However, if another deputy or primary committee espouses the withdrawn bills, the process continues.

If the bills have been put on the agenda, their withdrawal requires the decision of the Plenary.

Prohibition of reintroduction of rejected bills

ARTICLE 76- Government bills or private members' bills rejected by the Grand National Assembly of Turkey may not be reintroduced within the same legislative term unless one year elapses from the date of rejection.

Government bills and private members' bills in case elections are renewed

ARTICLE 77- Government bills and private members' bills that are not concluded in a legislative term are deemed null and void. However, the Government and the members of the Grand National Assembly of Turkey may renew these bills. After the debate on the whole of renewed bills, reports and texts of the said bills of previous terms may be adopted by the committee with the condition of being expressed explicitly.

At the beginning of legislative term, motions of question, parliamentary inquiry, general debate and censure tabled in the previous terms are deemed null and void.

Government bills and private members' bills in case of the fall of government

ARTICLE 78- Should the Council of Ministers withdraw for any reason, debates on the government bills and private members' bills, except the amendments of the Constitution and the Rules of Procedure, are deferred in the committees and the Plenary until the new Council of Ministers receives the vote of confidence. However, debates continue on those bills that have been prioritized and communicated by the Council of Ministers to the Office of the Speaker in writing.

Not reading the reports

ARTICLE 79- The reports of the primary committee regarding the adoption or rejection of the government bills and private members' bills and reports of inquiry, investigation and other committees are not read out while being debated in the Plenary. However, the Speaker announces the order numbers under which the reports have been printed and distributed.

Request of rejection in the report

ARTICLE 80- If the primary committee requests the rejection of a government bill or private members' bill in its report and the report is adopted, the bill is deemed rejected. If the report is not adopted, then it is returned to the committee.

Deliberation of government bills and private members' bills in the Plenary

ARTICLE 81- Government bills and private members' bills are debated in the Plenary in accordance with the process specified below:

- a) Debate is opened on the whole of the bill.
- b) Following the debates on the whole of the bill, a question-answer is held. The question-answer duration is limited to twenty minutes on the whole, and ten minutes on articles of the bill.
- c) Moving to debate on the articles of the bill is voted.
- d) (Annulled with the decision of Constitutional Court dated 31.1.2002 and numbered E. 2001/129, K. 2002/24)
- e) Whole of the bill is voted.

Excluding the constitutional amendments, if voting on the whole or the articles of the bill is not subjected to open vote, it is voted by open ballot in case of a demand of twenty members, otherwise by show of hands.

Unless the Plenary decides otherwise, upon the proposal of Board of Spokespersons time allotted for speeches on the whole of the bills on behalf of political party groups, committees and Government is limited to twenty minutes and ten minutes for deputies.

Duration of speeches on articles is half of this.

Bills are deemed rejected by the Plenary when moving to the debate on the articles of the bill is not accepted, or the bill as a whole is not adopted.

The Plenary may decide without debate to consider only the unsuitable articles for promulgation, before the commencement of the debates on the laws which have been deemed unsuitable for promulgation in part and sent back to the Grand National Assembly of Turkey for reconsideration by the President of the Republic. In this case, debate is held only on the articles which have been deemed unsuitable. In cases when it is decided to debate the law as a whole, debate on the law is held pursuant to the above-mentioned paragraphs. Vote on the whole of the law is held in any case.

Vote on the text of the committee first

ARTICLE 82- If several motions have been tabled about an article of a bill and the article has been withdrawn to the committee with the motions of amendment, the committee, after debating the motions, may adopt the former text or draft a new one.

Owners of the motions may speak for a period not exceeding five minutes if they participate in the committee meeting.

If the committee requests with the absolute majority of total number of members that the text it adopted should be voted upon before the motions and by open vote, in the Plenary, the text of the committee is voted before the motions. If the text is adopted, it is deemed that the motions are rejected and the article is adopted.

Before open vote, owners of the motion have the right to speak for a period not exceeding five minutes.

Debating an article first

ARTICLE 83- The Plenary may decide on debating one article before another by show of hands.

Motions on unconstitutionality

ARTICLE 84- During the debate of a government bill or private members' bill in the Plenary, motions proposing rejection of a definite article of the bill on the grounds of unconstitutionality are voted upon before the other motions.

Board of review and clerical errors

ARTICLE 85- The Office of the Speaker constitutes a board with a sufficient number of experts assigned for reviewing the Government bills and private members' bills in terms of the letter of the Constitution and law-making technique. The board of review provides the committees with advisory service.

If it is claimed that there are typographical, structural and clerical errors in the text before the vote required for adoption of bills by the Assembly, and the Government or the primary committee concur with the claims, the text is sent back to the primary committee. Articles which are corrected in this manner are voted upon again.

Last speeches

ARTICLE 86- If the deputies demand to reveal their votes from the rostrum, before the final vote of the entire Government bill or private members' bill, the Speaker gives the floor to one deputy in favor and another against. The speech shall be brief, clear and reasoned.

Motions of amendment

ARTICLE 87- If not otherwise specified in the laws or in the Rules of Procedure, deputies, primary committees, or the Government may table a motion of amendment regarding rejection of an article in a government bill or private members' bill, return the entire bill or one article therein to the committee, amend one of the articles or add a supplementary or provisional article to the text. Within this framework, deputies may table seven motions for each article, including the motions on unconstitutionality. The right of members of each political party group to table one motion is reserved. However, if this right is not used by the members of the related political party group, it may be used by the members of other political party groups or the independent members.

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Motions of amendment may be submitted to the Office of the Speaker after printing and distribution of the bills. However, motions of amendment tabled after the beginning of the debates on the bills shall not be processed unless it bears the signatures of at least five members.

Motions of amendment constituting a new bill by making an addition to laws or amending laws other than those within the scope of the bills being debated shall not be processed.

Motions of amendment closely related to an article of a law that is within the scope of the bills being debated, but not included in the text of committee, shall be debated as a new article if the absolute majority of the committee accepts.

Provisions to be amended, repealed or added are stated explicitly in the motions of amendment. Motions are not processed, if they are conditional and not explicit.

Motions of amendment shall be tabled with justification. If the motions of amendment and their justifications include more than five hundred words, the owner of the motion shall enclose a summary including less than five hundred words in the motion.

The Speaker immediately informs the committee and the party groups about the motions of amendment.

Motions of amendment shall be read first in order of submission and then in order of contrariety of which afterwards they shall be processed. Regarding the motions bearing more than five signatures, only the first five signatures shall be read and the motion shall be attached to the minutes.

The Speaker asks the committee and the Government whether they agree with the motion or not. The committee and the Government may briefly explain their reasons for not agreeing with the motion. Any motion disagreed upon by the Government or the committee may be explained by its owner for a period not exceeding five minutes. The owner of the motion shall not be given the floor on the motion the justifications of which he/she requests to be read.

Subsequently, the motions shall be voted separately by show of hands. The committee may request the return of a motion or related article with which the committee disagrees while the Plenary adopts. If the request of return is accepted, the committee may draw up a new text in line with the motion or request the adoption of its own text as it is. The decision of the Plenary is final.

Withdrawal of a text or an article

ARTICLE 88- The primary committee or the Government may request, for once, the withdrawal of the whole Government bill or private members' bill or its specific articles to the committee.

This request is met without debate. If the whole bill is withdrawn, all motions tabled in relation to the bill shall be submitted to the primary committee. If specific articles of the bill are withdrawn, motions on those articles shall be submitted to the primary committee.

Reconsideration in the Plenary

ARTICLE 89- Before the final vote of the Government bill or private members' bill, the primary committee or the Government may request, once, the re-consideration of a specific article through a reasoned motion.

After taking the opinion of the Board of Spokespersons, the Plenary decides on this request without debate by show of hands.

The provision of this Article shall not apply to the debates on constitutional amendments.

Empowering acts and decrees having the force of law

ARTICLE 90- Bills of empowering acts and decrees having the force of law shall be debated in line with the rules set in the Constitution and the Rules of Procedure regarding the debate of laws, but immediately and before all other bills in the committees and the Plenary.

Decrees having the force of law duly submitted to the Grand National Assembly of Turkey shall not be withdrawn. The Grand National Assembly of Turkey rejects, adopts, or amends decrees having the force of law, only through a law. Decrees having the force of law may also be amended or repealed by another decree having the force of law.

The process relating to repealed decrees having the force of law shall not end, unless a report is submitted to the Plenary.

Decrees having the force of law shall be debated as a whole with their amendments, if any; they shall not be amended by a law as separate texts.

Decrees having the force of law which are not adopted entirely, or articles of which are not accepted to be debated, are returned to the committee for a text of rejection to be drawn up. The text drawn up by the committee in the same session, or the following session at the latest, shall be voted in the Plenary without debate and becomes a law if adopted.

Expedited legislative process (Basic laws)

ARTICLE 91- a) Bills amending and putting into force laws, including general principles, that systematically amend a particular branch of law, completely or comprehensively; relating to a considerable part of personal and social life; indicating the basic concepts of special laws to which the bill relates, ensuring that the special laws are implemented in harmony, necessitating the protection of integrity and relations between the articles in terms of areas it regulates; having been subjected to special debating and voting procedure in previous legislative process; and those bills amending the Rules of Procedure, completely or comprehensively, may be decided to be debated in the Plenary as chapters, and which articles will be included in chapters having no more than thirty articles upon the recommendation of the Government, the primary committee or the party groups, and the unanimous proposal of the Board of Spokespersons. In such a case, the chapters shall be debated separately, in line with the procedure on debating the articles without reading the articles and the articles in the chapter shall be voted separately.

Deputies, the primary committee or the Government may table motions of amendment. Deputies have the right to table two motions on the article, including the motions regarding unconstitutionality. However, the right of the deputies of each political party group to submit one motion is reserved.

Debates shall be initiated on the motions that the committee agrees to debate as a new article by absolute majority, on the articles that are to be reconsidered, and the number of motions that may be tabled is as stated above.

Question-answer time on chapters is limited to fifteen minutes.

Other provisions are reserved.

b) If no unanimous decision is taken by the Board of Spokespersons, the Plenary may decide on the implementation of the legislative method stated in paragraph (a) upon the proposal of political party groups.

PART FIVE

Special Provisions

Government bills on the execution of death penalties⁹ and government bills and private members' bills including amnesty or pardon

ARTICLE 92- Prime Ministry communications on the implementation of the final judicial sentence regarding death penalties shall be referred to the Committee on Justice as the primary committee. Upon examining this communication, the Committee on Justice draws up a bill stating whether the execution of the penalty should be approved or not. The committees and the Plenary cannot change the court judgment.

The Plenary may adopt the bills including amnesty or pardon by the decision of the three-fifths of the total number of the members. The required majority shall be sought in the voting of articles related to amnesty or pardon of the said bills and also in the voting on the whole. If a motion of amendment including amnesty or pardon is adopted, vote on the motion shall be repeated by open ballot in order to ensure the three-fifths majority required for adoption.

Amendments to the Constitution

ARTICLE 93- Private members' bills amending the Constitution are subject to the common procedure, except they are debated twice in the Plenary.

The second debate shall not begin unless forty-eight hours elapses after the first debate.

During the second debate, only the motions of amendment tabled on articles shall be debated; and in the second debate, no motion of amendment shall be tabled to the articles to which no motion had been tabled in the first debate.

Adoption of private members' bills amending the Constitution

ARTICLE 94- The adoption of the articles in the first and second debates on bills amending the Constitution and of the bill as a

⁹ *The death penalty is abolished by amendment of the tenth paragraph of the Article 38 of the Constitution by the Act No. 5170; dated 7/5/2004.*

whole at the end of the second debate, requires three-fifths majority of the total number of members by secret ballot.

If the vote of required majority is not obtained for an article during the first debate and also in the second, the article is rejected.

In case a motion of amendment to the bill is adopted, the vote on the motion shall be repeated by secret ballot in order to ensure the three-fifths majority required for adoption.

Decision to renew the elections

ARTICLE 95- Motions for renewal of elections shall be debated in the Committee on the Constitution, and the Committee report shall be voted by open ballot upon being debated in the Plenary before all items on the agenda.

PART SIX Methods of Oversight

CHAPTER ONE Question

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Question

ARTICLE 96- A question is a request of information on clearly specified issues from the Prime Minister or a minister through a brief motion, without the necessity of justification, free of personal opinions and matters related to personality and private life in order to be answered on behalf of the Government orally or in writing. Oral questions shall not be longer than one hundred words. No documents shall be attached to motions of question.

Motions of question shall be signed and submitted to the Office of the Speaker by only one deputy.

The Speaker publishes the motions that he/she considers to be in conformity with the Rules of Procedure on order paper, and forwards them to the Prime Ministry or the related ministry.

Questions not to be posed

ARTICLE 97- Questions on the following matters shall not be accepted by the Office of the Speaker:

- a) Matters on which information can be easily acquired from another source,
- b) Matters solely for consultation purposes,
- c) Questions covering the same issue with a motion of censure previously submitted to the Office of the Speaker.

Putting oral questions on the agenda and answering

ARTICLE 98- Oral questions shall be put on the agenda five days later from the date of sending the motions to the Prime Ministry or the related ministry.

For answering oral questions, unless another necessity arises in accordance with the Constitution, laws and the Rules of Procedure, a certain time shall be allocated upon the proposal of the Board of Spokespersons and the approval of the Plenary, being at least two days of the week on the condition that the allocated time is used at the beginning of the session and is not less than an hour for each day.

The duration of the answer on behalf of the Government shall not be more than five minutes. Upon this answer, the owner of the question may request a very brief additional explanation from his/her seat. The debate is completed with the answer on behalf of the Government. The duration of the second answer shall not exceed five minutes as well.

The absence of the owner of the question from the Plenary does not prevent the question from being answered.

The minister taking the floor to answer on behalf of the Government may answer more than one motion of oral question on the agenda regardless of order. Any minister requesting to use this right shall inform the Speaker beforehand. The Speaker immediately announces this request to the Plenary after opening the session. Oral questions on the same matter may be jointly answered.

Except for the obligations stated in paragraph two, oral questions not answered within three sessions shall be converted into written questions and the owner of the motion, if requests, may take the floor no more than five minutes in the same session.

Answers to written questions

ARTICLE 99- Answers to written questions shall be submitted to the Office of the Speaker by the Prime Ministry or the related

ministry. The Speaker immediately forwards the answer to the owner of the question. The answer, together with the question text, shall also be attached to the minutes of the session of the day the answer is received by the Office of the Speaker or to that of the next session.

Written questions shall be answered within fifteen days at the latest after they are sent to the Prime Ministry or the related ministry.

The Speaker draws the attention of the Prime Minister or the related minister for written questions not answered within the above-mentioned period.

If written questions are not answered within ten days after the date of the notice, it shall be announced in the order paper that the motion has not been answered within the specified time.

In order to collect information, the Government may delay answering a written question for no more than one month by informing the Speaker.

Questions to the Office of the Speaker

ARTICLE 100- Written or oral questions may be placed with the Office of the Speaker on the duties of the Speaker, the Bureau of the Assembly, members of the Bureau of the Assembly and the Board of Spokespersons regarding the activities of the Grand National Assembly of Turkey.

These questions are answered by the Speaker or one of the vice-speakers designated by him/her. If the question is an oral one, it shall be put on the agenda seven days after the motion is tabled.

The provisions on the questions to the Government shall also apply to these questions.

CHAPTER TWO

General Debate

Definition of general debate

ARTICLE 101- General debate is the discussion on a certain matter concerning the society and the activities of the state held in the Plenary of the Grand National Assembly of Turkey.

Opening general debate

ARTICLE 102- The Government, political party groups or at least twenty deputies may request opening of a general debate by tabling a motion to the Office of the Speaker. This request is immediately placed on the order paper, the Plenary and the Government shall be informed of it.

If the text of the tabled motion contains more than five hundred words, owners of the motion shall attach a summary not exceeding five hundred words to the motion. The summary shall be read in the Plenary.

The Plenary decides whether to open a general debate or not.

During the debate in the Plenary, the Government, political party groups, and the first signatory, or another signatory assigned by him/her, may take the floor. The Plenary decides on whether to open a general debate or not by show of hands.

Special agenda for general debate

ARTICLE 103- If it is decided that a general debate is to be opened, the day of general debate shall be determined by the Board of Spokespersons as a special agenda. The general debate shall not begin before forty-eight hours or after seven complete days elapse from the decision of opening a general debate.

The right to take the floor first during the general debate belongs to the political party group or groups that tabled the motion, to the first signatory, or to another signatory assigned by him/her.

General provisions apply to further discussions.

CHAPTER THREE

Parliamentary Inquiry

Definition and opening of parliamentary inquiry

ARTICLE 104- An inquiry carried out by the Grand National Assembly of Turkey in accordance with paragraph three of the Article 98 of the Constitution is called parliamentary inquiry.

If the motion of a parliamentary inquiry contains more than five hundred words, the owners of the motion are obliged to attach a summary not exceeding five hundred words.

Provisions on opening general debate apply to opening parliamentary inquiry.

General debate shall be opened in the Plenary on the report of the parliamentary inquiry committee.

Parliamentary inquiry committee and its powers

ARTICLE 105- The duty to execute a parliamentary inquiry shall be assigned to a special committee to be elected according to general provisions.

Upon the proposal of the Speaker, the Plenary decides on the number of the members of the committee, its term of office, and whether it can work outside Ankara when the need arises. A one month final term shall be allocated to the committee if it fails to complete its inquiry in three months. If the committee fails again to conclude its activities within this term, a debate shall be opened in the Plenary within fifteen days from the end of this term on the reasons for not concluding the inquiry or the results achieved until then. The Plenary may consider this debate to be sufficient or establish a new committee.

The parliamentary inquiry committee has the authority to request information from, carry out inquiries at and to obtain information by inviting the relevant personnel of ministries; general and annexed budget administrations; local administrations; village and neighbourhood authorities; universities; Turkish Radio and Television Corporation; state economic enterprises; banks and organizations established by a special law or the authority granted by such laws; professional organizations having the characteristics of public institutions and associations working in favor of public interest.

If deems necessary, the committee may consult experts who are considered appropriate.

State secrets and commercial secrets are excluded from the scope of parliamentary inquiry.

CHAPTER FOUR

Censure

Procedure on censure

ARTICLE 106- A motion of censure is tabled on behalf of a political party group or with the signatures of at least twenty deputies.

A motion of censure is printed and distributed to the members by the Office of the Speaker within three days from the date of its submission.

If the motion of censure contains more than five hundred words, a summary not exceeding five hundred words shall be attached to the motion by the signatories. The summary is read in the Plenary.

Debate on censure is carried out according to the provisions of the Article 99 of the Constitution.

CHAPTER FIVE

Parliamentary Investigation and Forwarding a Case to the Supreme Court

Motion for opening parliamentary investigation

ARTICLE 107- Opening parliamentary investigation against incumbent and former prime ministers and ministers shall be requested through a motion tabled by at least one-tenth of the total number of members of the Grand National Assembly of Turkey.

In this motion, it is obligatory to mention that those actions requiring penal sanctions by the Prime Minister, or minister against whom a motion for investigation is placed, regarding the general policy of the Council of Ministers or the duties of ministries are performed during the term of office, and it is also obligatory to specify with a justification which actions are contrary to which laws by indicating the related articles.

Debate on motion for parliamentary investigation

ARTICLE 108- A motion for parliamentary investigation submitted to the Office of the Speaker of the Grand National Assembly of Turkey is placed on order paper and read out in the Plenary. A copy of the motion read in the Plenary shall be forwarded by the Office of

the Speaker to the Prime Minister, or minister against whom a motion for investigation is submitted.

The date of the debate on whether to open a parliamentary investigation or not shall be determined by the Plenary upon the proposal of the Board of Spokespersons as a special agenda with the condition that the motion be debated and decided within one month from the date of submission. The Prime Minister, or minister concerned, also shall be informed of the date of the debate.

The Plenary decides on whether to open a parliamentary investigation or not through secret ballot after a debate in which the first signatory of the motion or another signatory assigned by him/her, three deputies on their own behalf, and the Prime Minister, or minister concerned, regardless of whether they are still in office or not, speak respectively.

Establishment of the parliamentary investigation committee

ARTICLE 109- If a decision is made on opening an investigation, the duty of carrying out the investigation shall be assigned, in accordance with the provisions of the Article 100 of the Constitution, by the Office of the Speaker to a committee consisting of fifteen members selected by lot at the Plenary.

The committee elects a chairperson, a vice-chairperson, a spokesperson and a secretary.

Deputies who are in a state hindering the judges to hear a case or participate in the judgment according to the Penal Procedures Code, tabled the motion for parliamentary investigation, or previously revealed their opinions on the issue at or outside the Grand National Assembly of Turkey shall not be elected to the committee.

The same provision applies also to the officers, rapporteurs and stenographers of the committee.

Working procedure and term of office for the parliamentary investigation committee

ARTICLE 110- The investigation committee meets with the absolute majority of total number of members and decides by the absolute majority of the members present.

The activities of the committee are confidential. Deputies other than the members of the committee shall not attend the meetings of the committee.

The investigation committee submits its report within two months from its establishment as per Article 100 of the Constitution. In case the investigation is not concluded within the prescribed time, an additional and final term of two months shall be allocated to the committee. The Plenary is informed of the written request of the committee calling for an additional term. The report shall be submitted to the Office of the Speaker within this period.

Powers of the parliamentary investigation committee

ARTICLE 111- The committee may request information and documents concerning the issue from public and private institutions, confiscate those it deems necessary, make use of all instruments of the Council of Ministers, and hear the members of the Council of Ministers, other related people, witnesses and experts.

The committee may seek assistance from judicial authorities by surrogate judges or rogatory. Moreover, it may request through a written justification, from the competent judicial authority to use within the framework of general provisions, the powers granted by the Penal Procedures Code that restrict liberties in relation to witnesses, experts, search, and confiscation.

The Prime Minister, or minister against whom a motion for investigation is submitted, defends himself/herself before the committee. The committee ensures the provision of the documents requested in this context.

The committee may decide to establish sub-committees when necessary and to work outside Ankara.

Concluding investigation

ARTICLE 112- The report of the investigation committee is immediately sent to the Prime Minister, or minister against whom a motion of investigation is submitted, by publishing within ten days from the date of submission to the Office of the Speaker, and distributed that to the members of the Grand National Assembly of Turkey. The report shall be debated within ten days after its distribution to the deputies.

During the debate, the floor is given to the committee, six deputies on behalf of themselves and the Prime Minister, or minister against whom a motion of investigation is submitted, regardless of whether he/she is still in office or not. The last speech is given to the Prime Minister, or minister against whom a motion for investigation is submitted, and the time allocated to him/her cannot be limited.

After the debate is concluded, the Plenary decides on the committee report through secret ballot.

In the committee reports demanding the case to be sent to the Supreme Court and in the decisions of the Plenary for sending the case to the Supreme Court, explanation shall be made on which penal provision is taken as basis.

Rejection of a committee report demanding not to send the case to the Supreme Court is only possible through the adoption of a motion sending the case to the Supreme Court and indicating which penal provision will be taken as basis.

A decision for sending the case to the Supreme Court shall be taken by the absolute majority of the total number of members.

If the Grand National Assembly of Turkey decides to send a case to the Supreme Court, the file shall be sent by the Office of the Speaker to the Presidency of the Constitutional Court within a maximum of seven days together with a list of content.

Prohibitions on holding debates concerning the investigation at political party groups

ARTICLE 113- No debate shall be held and no decision shall be taken at political party groups regarding a parliamentary investigation.

However, elections may take place at these groups in order to nominate candidates as per Article 100 of the Constitution for membership to the parliamentary investigation committee.

Impeachment of the President of the Republic with high treason

ARTICLE 114- A motion requesting the impeachment of a former or incumbent President of the Republic, with high treason, as per the last paragraph of the Article 105 of the Constitution, shall be submitted to the Office of the Speaker of the Grand National Assembly

of Turkey with the signatures of at least one-third of the total number of members of the Grand National Assembly of Turkey.

The Grand National Assembly of Turkey shall immediately be informed of the motion, the President against whom motion of impeachment is submitted shall be informed, and the motion shall be put on the agenda of the session that will be held seven days after the Grand National Assembly of Turkey is informed.

In the session, after a debate in which the President of the Republic against whom the motion is submitted is heard, a decision on sending the case of the President of the Republic to the Supreme Court may be taken by the votes of at least three-fourths of the total number of members of the Grand National Assembly of Turkey. The President of the Republic may send his/her defence in writing if he/she wants to do so. The defence shall be read out in the Plenary as it is.

In the motion mentioned in paragraph one and in the decision for forwarding the case to the Supreme Court mentioned in paragraph three, the penal provision taken as basis and the justification for considering any offence claimed to be committed by the President of the Republic to be deemed as a high treason shall be explained.

PART SEVEN

Rules and Procedures Regarding the Examination of and Decision on Petitions

Committee on Petitions

ARTICLE 115- The Committee on Petitions examines the requests and complaints submitted to the Office of the Speaker of the Grand National Assembly of Turkey by Turkish citizens and, on the basis of the principle of reciprocity, by foreign nationals residing in Turkey, regarding the matters related to themselves or the public.

Examination of petitions by the Bureau of the Committee

ARTICLE 116- The Bureau of the Committee on Petitions, composed of Chairperson, Vice-Chairperson, Spokesperson and Secretary, examines the petitions submitted to the committee and decides if the petitions are;

1. Not including a specific subject,
 2. Requiring a new law or an amendment to a law,
 3. Relating to the issues within the remit of judicial authorities or on which a judgment has been given by these authorities,
 4. Not including a copy of the final response provided by the authorized administrative bodies,
 5. Lacking any conditions required in a petition as specified by the law,
- cannot be debated.

The Bureau of the Committee publishes these decisions and distributes to the members of the Grand National Assembly of Turkey. Those decisions of the Bureau of the Committee that are not objected to within fifteen days after the distribution of decisions shall be deemed final and the petitioners shall be informed of the case in writing.

The Bureau of the Committee submits to the Office of the Speaker and to the Prime Ministry a copy of the petition that is not to be debated but considered that it would serve to public benefit if regulated as a law.

Examination of petitions by the Plenary of the Committee

ARTICLE 117- The petitions considered out of the scope of the Article 116 by the Bureau of the Committee and those that are decided on as per the same Article but objected to within the prescribed time shall be forwarded to the Plenary of the Committee.

Plenary of the Committee first examines the forwarded petitions as per the provision of the Article 116 and decides whether they can be a subject for decision.

Printing and distribution of the decisions of the Plenary of the Committee

ARTICLE 118- The Bureau of the Committee prints the decisions of the Plenary of the Committee and distributes to all deputies and ministers.

Objection to the decisions of the Plenary of the Committee

ARTICLE 119- Any member of the Grand National Assembly of Turkey may object to a decision of the Plenary of the Committee with a reasoned letter within thirty days after the distribution of the decision. Otherwise, the decision on the petition becomes final.

The Plenary of the Committee prepares a report on the petitions objected to within thirty days from the date of objection and submits it to the Office of the Speaker. The decision of the Grand National Assembly of Turkey is final.

Decisions finalized as per the provisions of this Article shall be notified to the petitioners and the related ministries.

Result of the final decisions on petitions

ARTICLE 120- The ministers inform the Office of the Committee in writing about the procedures they carried out in relation to the finalized decisions as per Article 119 within thirty days after the notification made to themselves as per the last paragraph of the same article. The Plenary of the Committee may request the deliberation of the ones it deems necessary in the Grand National Assembly of Turkey. In such a case, the committee prepares a report stating its opinion and submits it to the Office of the Speaker. If the Committee makes such a request, the provisions of paragraphs two and three of the Article 119 are applied.

If the related ministry does not make the notification required as per paragraph one, the provisions of the same paragraph shall apply.

PART EIGHT

Election of the President of the Republic, Request for Vote of Confidence, Extraordinary Administration Procedures and Decisions Regarding the Armed Forces

CHAPTER ONE

Election of the President of the Republic and the Oath Taking Ceremony

Election of the President of the Republic¹⁰

ARTICLE 121- The President of the Republic is elected as per the provisions of the Article 102 of the Constitution among the

¹⁰ *The President of the Republic will be elected by popular vote in accordance with the amendment of the Article 101 of the Constitution by the Act No.5678, dated 21/10/2007.*

candidates having the qualifications stated in the Article 101 of the Constitution.

The new President of the Republic is informed of the result of the election with a record signed by the Speaker and the members of the Bureau of the Assembly on duty in that session.

When the Presidential election is concluded, the Speaker suspends the session in order to inform the new President of the Republic of his/her election.

Oath-taking ceremony of the President of the Republic

ARTICLE 122- The oath-taking ceremony for the new President of the Republic shall be performed on the day of the termination of the former President of the Republic's tenure.

If the Presidency becomes vacant due to a reason other than the completion of tenure of the President of the Republic, the oath-taking ceremony shall be carried out at the sitting following the election.

When the new President of the Republic comes to the Assembly to take the oath, the Speaker opens the sitting and invites the President of the Republic to the Plenary via the eldest vice-speaker. The President of the Republic, accompanied by the eldest vice-speaker, comes to the rostrum and takes the oath while standing. After the oath-taking ceremony, the National Anthem is played and the President of the Republic, accompanied by the eldest vice-speaker, leaves the Hall.

The President of the Republic wears a black suit during the oath-taking ceremony.

CHAPTER TWO

Request for Vote of Confidence

Reading out the government programme

ARTICLE 123- The programme of the Council of Ministers formed by designation of the President of the Republic shall be read out by the Prime Minister or a minister at the Grand National Assembly of Turkey within a maximum of one week after its formation.

The Board of Spokespersons proposes a special agenda to the Plenary regarding the day when the programme of the Council of Ministers will be read out.

If the Grand National Assembly of Turkey is not in session when the new Council of Ministers is formed, the Assembly shall immediately be summoned by the Office of the Speaker.

Debate on the government programme; vote of confidence while commencing duty

ARTICLE 124- The debate on the programme shall begin after two complete days elapse from the programme of the Council of Ministers is read out at the Plenary. General provisions apply during this debate.

The Board of Spokespersons proposes a special agenda to the Plenary regarding the day allocated for the debate.

It is possible to take the floor in this debate only after the communication from the Presidency of the Republic on the new list of the Council of Ministers is read out at the Plenary.

Vote of confidence shall be held after one complete day from the conclusion of the debates. The vote of confidence shall be held through open ballot in line with the general provisions.

Procedure of debate on request for vote of confidence

ARTICLE 125- If the Prime Minister deems it necessary, he/she may request a vote of confidence from the Grand National Assembly of Turkey. The request shall immediately be reported to the Plenary by the Office of the Speaker, on the presentation section of the agenda.

Upon this request, the Board of Spokespersons immediately proposes to the Plenary the day when the request for the vote of confidence is to be debated and the special agenda. Under no circumstances, shall the debate on the request for vote of confidence be held before one complete day passes after the reading of the request at the Plenary.

General provisions apply to debates on the request for a vote of confidence. After the debate is concluded, the Board of Spokespersons immediately proposes to the Plenary the day of the vote of confidence and the special agenda. Under no circumstances shall the vote of

confidence be held before one complete day passes after the debate is concluded.

The voting shall be conducted by open ballot.

The Office of the Speaker announces that the Council of Ministers is given vote of no confidence if two hundred and seventy six deputies vote for no confidence; otherwise, the Office of the Speaker announces that the Council of Ministers has received the vote of confidence.

CHAPTER THREE

Extraordinary Administration Procedures

Decisions concerning a state of emergency

ARTICLE 126- Decisions concerning a state of emergency declared by the Council of Ministers pursuant to Article 121 of the Constitution and published in the Official Gazette are submitted for the approval of the Grand National Assembly of Turkey along with a memorandum of the Prime Ministry.

A motion may be tabled during the debates by political party groups or the signature of at least twenty members on shortening or extending the time prescribed in the decision mentioned in the paragraph above. The owner of the motion may take the floor before the vote for a period not exceeding five minutes.

The requests of the Council of Ministers on extending and altering the duration and lifting of the state of emergency adopted by the Grand National Assembly of Turkey shall be debated and decided in accordance with the procedure and principles in this Article.

General provisions apply to the debates held in accordance with this article.

Decisions concerning martial law

ARTICLE 127- Decision concerning martial law declared by the Council of Ministers pursuant to the Article 122 of the Constitution and published in the Official Gazette is submitted to the approval of the Grand National Assembly of Turkey along with a memorandum of the Prime Ministry.

The request of the Council of Ministers and motions tabled by political party groups or the signature of at least twenty members on approving the decision regarding declaration of martial law, or altering the duration or lifting of the martial law are processed and debated in accordance with the Article 126 of the Rules of Procedure.

Debate on decrees having the force of law adopted during state of emergency and martial law

ARTICLE 128- Decrees having the force of law issued as per articles 121 and 122 of the Constitution and submitted to the Grand National Assembly of Turkey are debated and decided upon according to the rules stipulated in the Constitution and the Rules of Procedure regarding the debate of the government bills and private members' bills, but immediately within thirty days at the latest, and before other decrees having the force of law and bills in the committees and the Plenary.

If the debate on the decrees having the force of law fails to be concluded in the committees, within at least twenty days, the Office of the Speaker puts them on the agenda of the Plenary.

CHAPTER FOUR

Declaration of State of War and Decisions Concerning Armed Forces

Declaration of state of war

ARTICLE 129- As per the first paragraph of Article 92 of the Constitution, upon the request of the Council of Ministers, the Grand National Assembly of Turkey decides on declaration of state of war against a foreign state or in cases necessitating that law of war enter into force for Turkey not aiming at a certain state. The President of the Republic executes this decision.

However, the President of the Republic may also decide to use the Turkish Armed Forces in cases specified in the second paragraph of Article 92 of the Constitution and shall summon the Assembly immediately.

Sending or admission of armed forces

ARTICLE 130- As per the first paragraph of Article 92 of the Constitution, upon the request of the Council of Ministers, the Grand

National Assembly of Turkey authorizes the sending of the Turkish Armed Forces abroad or the admission of foreign armed forces in Turkey for a specified period of time. The President of the Republic executes this decision.

PART NINE

Legislative Immunity and Loss of Membership

CHAPTER ONE

Legislative Immunity

Request for lifting legislative immunity and the committee to debate such a request

ARTICLE 131- Requests for lifting the immunity of a deputy shall be referred by the Office of the Speaker to the Joint Committee comprised of the members of the Committee on the Constitution and the Committee on Justice.

The Chairperson, vice-chairperson, spokesperson, and secretary of the Committee on the Constitution serve as the chairperson, vice-chairperson, spokesperson, and secretary of the Joint Committee respectively.

Preparatory committee and its debates

ARTICLE 132- In order to examine the immunity files, the chairperson of the Joint Committee elects a preparatory committee by lot consisting of five members.

The preparatory committee elects a chairperson and a secretary who shall also act as a spokesperson by secret ballot.

This committee examines all documents and, if necessary, hears the related deputy, but cannot hear a witness.

The preparatory committee submits its report within one month at the latest after starting its business.

This report shall be concluded by the Joint Committee within one month.

Joint Committee report

ARTICLE 133- The Joint Committee debates the report of the preparatory committee and its attachments.

The Joint Committee decides on lifting the immunity or deferring the prosecution until the term of office as a deputy or minister ends.

If the report of the Joint Committee stipulates deferring the prosecution, it shall be read out in the Plenary. If no written objection is raised to the report within ten days, it becomes final.

If the report stipulates lifting the immunity or if an objection is raised as per paragraph three, it is debated in the Plenary.

If the prosecution has been deferred and this decision has not been annulled by the Plenary, no prosecution can be performed on the related person as long as his/her term of office as a deputy continues even though a new legislative term has started.

Right to defence

ARTICLE 134- The deputy whose immunity is requested to be lifted may defend himself/herself, if he/she wishes, at the preparatory committee, the Joint Committee and the Plenary, or may assign another deputy to do so.

If a deputy who is invited to defend himself/herself ignores the invitation, a decision shall be taken on the basis of the documents.

The last speech belongs to the defendant in any case.

The deputy's own request for his/her immunity to be lifted is not sufficient.

CHAPTER TWO Loss of Membership

Loss of membership

ARTICLE 135- The membership of a deputy who resigns, is convicted for an offence hindering him/her to be elected as a member of the Turkish Grand National Assembly, whose legal capacity is restricted, who persists in carrying out a service incompatible with

membership, or who fails to attend parliamentary activities for five session days within one month without an excuse or leave of absence shall be lifted as per articles 136, 137 and 138.

Resignation from membership, conviction and restriction of legal capacity

ARTICLE 136- The Plenary decides on the loss of membership without debate after Bureau of the Assembly examines and determines, within seven days, the authenticity of the resignation letter of the deputy resigning from membership of the Grand National Assembly of Turkey.

The membership of a deputy ends when the Plenary is notified of the final court judgment stating that he/she is convicted for an offence hindering him/her to be a member of the Grand National Assembly of Turkey or his/her legal capacity is restricted.

Holding an office incompatible with membership

ARTICLE 137- The status of members who persist in carrying out a service or holding an office incompatible with membership as per Article 82 of the Constitution and laws is examined by the Bureau of the Assembly. The result shall be submitted as a decision of the Bureau of the Assembly to the Joint Committee comprised of the members of the Committee on the Constitution and Committee on Justice.

The Joint Committee examines the situation in line with the procedures on lifting legislative immunities and draws up a report.

The report is debated in the Plenary. The deputy whose membership is in question defends himself/herself, if he/she wishes, at the Joint Committee and the Plenary or assigns another member to do so. The last speech belongs to the defendant in any case.

A decision on loss of membership shall be taken by secret ballot in the Plenary. The vote shall not be conducted before twenty-four hour passes after the completion of debate on the Joint Committee report.

Non-attendance of deputies

ARTICLE 138- If a deputy fails to attend parliamentary activities for five session days within one month without an excuse or leave of absence, his/her non-attendance is determined by the Bureau

of the Assembly and reported to the Joint Committee comprised of the members of the Committee on the Constitution and Committee on Justice.

The Joint Committee examines the situation in line with the procedures on lifting legislative immunities and draws up its report.

If the Plenary debating the report decides that loss of membership is necessary by the absolute majority of the total number of members, the membership of the deputy is lost. The deputy whose membership is in question defends himself/herself, if he/she wishes, at the Joint Committee and the Plenary or assigns another member to do so. The last speech belongs to the defendant in any case.

The vote shall not be conducted before twenty-four hour passes after the completion of the debate on the Joint Committee report.

Three month allowance of a deputy who is deemed absent without excuse or leave of absence for forty-five sessions in total within a legislative year is cut.

PART TEN

Vote and Elections

CHAPTER ONE

Vote

Forms of vote

ARTICLE 139- There are three forms of vote:

1. Vote by show of hands,
2. Open vote,
3. Secret vote.

The vote by show of hands is conducted by deputies raising their hands; standing up if there is any hesitation; or being counted in two groups as those voted in favor and against if five deputies stand up and propose to do so.

The open vote is conducted by placing into a box the ballot papers on which the names, surnames and electoral districts of deputies are written, or using the electronic voting system or replying

of the deputy loudly as “yes”, “abstention” or “no” by standing up after their names are read out from the members’ list, and recording the votes cast by the secretaries.

The collection of ballot papers is possible through placing the ballot papers in a box located at the rostrum or by ushers carrying the boxes between the seats. The manner in which the open vote shall be conducted is subject to the decision of the Plenary.

Secret vote shall be conducted by placing circular ballot papers containing no marks into the box located at the floor.

White circular ballot paper means yes, green means abstention and red means no.

Cases when vote by show of hands shall be conducted

ARTICLE 140- Vote by show of hands shall be conducted as a rule in all cases where open or secret vote is not required in the Constitution, laws and the Rules of Procedure.

Regarding matters stated in the Rules of Procedure to be voted by show of hands, it is obligatory to conduct the vote by show of hands.

Procedure on vote by show of hands

ARTICLE 141- In cases when vote by show of hands shall be conducted, the Speaker announces that the voting will take place and first requests those who accept and then those who reject the voted matter to raise their hands.

The secretaries inform the Speaker of their votes after the counting of the votes at the Plenary is completed.

The result of the voting shall be announced by the Speaker to the Plenary by saying “accepted” or “not accepted”.

During a vote by show of hands, the Speaker and the secretaries count and identify together those who raise their hands in favor of and against the matter voted. In case there is a disagreement among or the votes cannot be identified by them, the Speaker announces that the vote will be repeated by standing up.

If, right after standing up and voting, five deputies stand up together and request the repeating of vote by saying that the result is unclear, the vote is repeated by the division of deputies into two groups.

Cases when open vote is obligatory

ARTICLE 142- Open vote procedure shall be conducted in the voting of government bills on general and annexed budgets; government bills envisaging additions and amendments to these laws; government bills on allocation of extra or extraordinary appropriation for general and annexed budget administrations; government bills amending these laws; government bills making transfers between chapters in these laws; private members' bills on amending the budget of the Grand National Assembly of Turkey; all government bills authorizing temporary expenditures and collection of revenues; all bills on imposing, removing, reducing and increasing taxes, fees and duties; government bills on final accounts; all government bills on the approval of revolving fund accounts affiliated to general and annexed budget administrations; ratification of international agreements; all government bills on approval of the accession to these agreements or making accession declarations regarding the execution of certain provisions of them; the whole of any government bill on long-term development plans, the whole and each article of private members' bills on amending the Constitution; and other matters stated in the statutory provisions of this Rules of Procedure.

Request for open vote

ARTICLE 143- Conducting an open vote in cases where voting by show of hands or secret vote is not obligatory as per the Constitution, laws and the Rules of Procedure is subject to the written request of at least fifteen deputies.

The motions on such requests shall be submitted to the Office of the Speaker before the voting. Before the voting, the Speaker announces that there is a request for open vote and determines whether at least fifteen of the owners of the motion are present in the Plenary.

The voting starts with the members requesting the open vote. The request for open vote is null and void if at least fifteen of the owners of the motion are not present in the Plenary Hall, do not attend the voting, or if a deputy does not accept substituting a non-attending signatory.

At the end of the classification of votes, if it is found that any of at least fifteen deputies signing the motion for open vote has not put his/her ballot paper into the box, the vote is considered as vote by show of hands.

A deputy who does not have a printed ballot paper during an open vote may vote by writing his/her name and electoral district on a blank paper and signing it.

Concluding open vote

ARTICLE 144- In an open vote, no deputy can vote after the Speaker announces that voting is over.

After the counting and classification of the votes by the secretaries, the recorded result shall be announced in the same sitting by the Speaker.

Conducting more than one open vote simultaneously

ARTICLE 145- If it is required to conduct open vote for more than one matter, open vote proceedings may be conducted by placing ballot papers into different boxes at the same time.

If the Speaker deems it necessary, the open vote may be delayed until the end of the sitting or a certain day of the week. However, articles that might cause conflict due to their contents shall be voted separately.

Quorum

ARTICLE 146- If not stated otherwise in the Constitution, laws or the Rules of Procedure, all matters to be voted shall be decided on by the absolute majority of the deputies attending the meeting. Absolute majority is a majority of which is no less than the half of a certain number.

In a vote by show of hands, if affirmative votes are more than negative votes, the matter voted shall be considered to be accepted, if otherwise, it shall be considered to be rejected. Those who are present in the Plenary but do not vote shall be included in the quorum.

Secret vote

ARTICLE 147- In cases where it is obligatory to conduct an open vote as per the Constitution and the laws or on subjects which the Rules of Procedure obliges voting by show of hands or in cases where an open vote is conducted upon a request as per the Rules of Procedure, secret vote shall not be conducted.

In order to conduct a secret vote, except for the cases stated in the paragraph above, twenty deputies shall request a secret vote by tabling a motion and this request must be accepted in the Plenary. The decision shall be taken by show of hands without debate.

Procedure for secret vote

ARTICLE 148- Three circular ballot papers, one white, one green and one red, are simultaneously given to each deputy. The circular ballot paper to be used in voting shall be placed into the related box. The other two are left at the indicated space.

Explaining the meaning of vote

ARTICLE 149- When necessary, the Speaker may briefly explain what the votes to be cast mean before the voting.

Deputies are called by ringing bells before each voting.

CHAPTER TWO

Elections

Electoral procedures

ARTICLE 150- If not stated otherwise in the law or the Rules of Procedure, elections in the Plenary and the committees shall be performed by the deputies whose names are read out in alphabetical order coming to the rostrum and placing their votes in the box there.

Counting and classification of votes shall be carried out by a classification committee comprised of five members determined by lot. The committee report on the results of the voting shall be declared to the Plenary at the same sitting by the Speaker.

In elections, deputies are called by ringing bells.

PART ELEVEN

Attendance and Leave of Absence

Non-attendance and leave of absence

ARTICLE 151- A deputy who is not present without any excuse or leave of absence in roll calls, open votes in the Plenary, and committees is considered as absent in that session.

The Speaker may give leave of absence for a period not exceeding ten days to a deputy applying in writing.

The leave of absence exceeding this period is decided by the Plenary without debate through show of hands upon the proposal of the Bureau of the Assembly which takes place in the presentations section of the agenda.

Non-attendance list

ARTICLE 152- A list specifying the non-attendance days of the deputies is prepared by the Bureau of the Assembly and the parts concerning the relevant deputy are exclusively sent to him/her.

The deputy may object to the list in writing within seven days from the date he/she receives the list.

The Bureau of the Assembly examines the objection, requests the relevant deputy to provide information or documents if necessary, and subsequently publishes the list of attendance in accordance with the decision reached.

The non-attendance list is published three times within a legislative year.

Sanction of non-attendance

ARTICLE 153- Three months allowance is cut from the deputy who is deemed absent without excuse or leave of absence for forty-five sessions in total within a legislative year.

Allowances and salaries of deputies having leave of absence for two months

ARTICLE 154- Payment of allowance and salaries of deputies having leave of absence more than two months in a row within a legislative year is subject to the decision of the Plenary. The Plenary decides on the issue without debate through show of hands upon the proposal of the Bureau of the Assembly which takes place in the presentations section of the agenda.

PART TWELVE

Minutes

Types, recording and correction of minutes

ARTICLE 155- In the Plenary, the minutes are recorded verbatim or as a summary.

Verbatim minutes are recorded with the help of voice recorder by stenographers or in cases required as per the Rules of Procedure by the secretaries.

The minutes are published in the Journal of Minutes.

Those concerned may apply in writing to the Office of the Speaker to make the necessary corrections within fifteen days from the date of printing and distribution of verbatim minutes.

The Bureau examines the case upon the application. If the Bureau considers an application justified, a correction is published and attached to the associated Journal of Minutes.

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The summary of the minutes of the last session of a legislative year is read out at the end of that session after being written by secretaries.

In this case, the corrections are made after the reading.

The corrections to be made by deputies in the minutes of the last session are published in the upcoming Official Gazette.

PART THIRTEEN

Disciplinary Penalties

Types of disciplinary penalties

ARTICLE 156- The disciplinary penalties that are applicable to the deputies are as follows:

1. Call to order,
2. Reprimand,
3. Temporary exclusion from the Assembly.

Call to order

ARTICLE 157- The acts requiring the penalty of call to order are as follows:

1. Interruption of speech,
2. Breach of peace and order,
3. Uttering of offensive remarks.

Issuing the penalty of call to order

ARTICLE 158- The power to decide and execute the penalty of call to order is at the discretion of the Speaker.

If the deputy who is called to order wants to defend himself/herself, he/she is given the floor at the end of the sitting or the session. The Speaker may give the floor earlier, if he/she deems it necessary.

The penalty of call to order is not revoked if the Speaker considers the explanation of the deputy inadequate, otherwise he/she announces that the penalty is revoked.

If a deputy is called to order twice in the same session, the case is stated in the summary of the minutes.

Denying the right to speak

ARTICLE 159- Deputy called to order twice in the same session may be denied the right to speak until the end of the session by the Plenary through show of hands upon the proposal of the Speaker without debate.

Reprimand

ARTICLE 160- The acts requiring the penalty of reprimand are as follows:

1. Not giving up the action requiring the call to order, despite receiving the penalty of call to order twice in the same session,
2. Being subject to call to order three times in a month,
3. Using unparliamentary language or behaving in an offensive manner,
4. Making an assault,
5. Causing noise and/or fighting in the Assembly, or preventing the Assembly from carrying out its activities by initiating a collective action.

Temporary exclusion from the Assembly

ARTICLE 161- Penalty of temporary exclusion from the Assembly is applied in cases below:

1. Being subject to penalty of reprimand three times in the same session,
2. Being reprimanded five times in a month,
3. During the debates, offending, swearing, or threatening the President of the Republic, the Grand National Assembly of Turkey, the Speaker of the Grand National Assembly of Turkey, the Bureau of the Assembly, and/or the presiding officer, or swearing at the Republic of Turkey and its constitutional order,
4. During the debates, to encourage or incite public or state forces, or public organs, institutions, and officials to unlawful acts, riot, or disfunctioning of the provisions of the Constitution,
5. Entering into the premises of the Grand National Assembly of Turkey with arms,
6. Committing an unlawful act in the premises of the Grand National Assembly of Turkey.

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Consequences of the penalty of temporary exclusion from the Assembly

ARTICLE 162- Penalty of temporary exclusion from the Assembly may be issued for three sessions at most.

The penalty shall immediately be executed. If the deputy subjected to the penalty resists the execution of the penalty, the Speaker immediately closes the sitting and requests the quaestors to order him/her out.

The deputy subjected to the penalty shall not participate in proceedings of the Plenary, the committees, the Bureau and the Board of Spokespersons during his/her penalty.

Defence and apology in disciplinary penalties

ARTICLE 163- The Plenary decides on penalties of reprimand or temporary exclusion from the Assembly upon the proposal of the Speaker by show of hands, without debate.

The deputy proposed to be subjected to such a penalty has the right to defend himself/herself or to substitute a deputy to do so.

Penalties of reprimand or temporary exclusion from the Assembly are recorded in the summary of minutes.

A deputy subjected to the penalty of temporary exclusion from the Assembly shall regain the right of attending the Assembly if he/she, after having the permission, clearly apologizes from the rostrum.

Disciplinary penalties are also applied to the members of the Council of Ministers.

PART FOURTEEN

Security Services

Security measures

ARTICLE 164- The Speaker has the responsibility to make arrangements and take the measures concerning the external and internal security of the buildings, gardens and lands that belong to the Assembly.

Guards battalion¹¹ and security forces are solely under the command of the Speaker.

Prohibition of carrying weapons

ARTICLE 165- Entering the premises of the Grand National Assembly of Turkey with weapons is forbidden. This provision is not applicable to officers of guards battalion¹¹, security forces, members of armed forces, and security forces invited by the Speaker.

Those acting against this provision are immediately excluded from the premises.

Prohibition on entering the Plenary Hall or committee rooms and visitors

ARTICLE 166- Entrance to the Plenary Hall and committee rooms, other than by deputies, civil servants, attendants of the

¹¹ *The guards battalion in the Grand National Assembly of Turkey was dissolved by the Act No. 6253, dated 1/12/2011.*

Assembly, civil servants assigned by the Government for parliamentary business, and experts invited is forbidden.

Those entered are excluded by the Office of the Speaker.

Rules concerning visitors are regulated by a by-law.

Former members of the Grand National Assembly of Turkey

ARTICLE 167- Former members of the Assembly are entitled to all rights granted to the serving members of the Assembly except participating in legislative activities, receiving salaries and allowances, attending meetings of the Plenary, and party groups.

Press

ARTICLE 168- A special entrance card is delivered to the members of press and media who follow the Plenary or committee business. Those who do not carry their entrance cards shall not enter the places allocated to the press in the Assembly. The principles related to the entrance cards are determined by the Bureau.

The provisions regarding allocating special galleries and working offices to the Turkish and foreign members of press and media, their entry to other parts of the buildings, and provisions concerning the members of press and media are determined by the regulations prepared by the Bureau.

Audience

ARTICLE 169- Audience shall sit peacefully at seats allocated for them throughout the session.

Audience shall not make remarks, applause or act in any way to reveal their opinions in favor or against, during the debates.

Those who do not comply with this prohibition are excluded immediately by the officers assigned to keep the order of that place.

Committing crime in the Grand National Assembly of Turkey

ARTICLE 170- If a person, other than deputies and members of the Council of Ministers, commits a crime for which prosecutors cannot initiate a prosecution ex officio, the officers shall exclude the perpetrator from the Assembly.

If the crime is an act for which the prosecutor can initiate a prosecution ex officio, the perpetrator is immediately handed over to the office of the prosecutor.

If the members of the Grand National Assembly of Turkey commit a crime, the procedure shall be carried out as per Article 83 of the Constitution.

PART FIFTEEN

Internal Services of the Grand National Assembly of Turkey

CHAPTER ONE

Administrative Affairs

Regulations concerning the internal affairs

ARTICLE 171- Internal affairs of the Assembly shall be carried out according to laws and the Rules of Procedure.

The Bureau of the Assembly may adopt regulatory decisions concerning the internal affairs of the Grand National Assembly of Turkey, in accordance with the Constitution, laws, and the Rules of Procedure.

The Representation of the Grand National Assembly of Turkey by delegation

ARTICLE 172- In ceremonies at home that require the representation of the Assembly, the Speaker or the members of the Bureau shall be present on behalf of the Assembly.

If sending a delegation to such a ceremony is necessary, the number of the members in the delegation shall be determined by the Speaker. At least one member from each political party group shall be present in this delegation. The Speaker, or one of the vice-speakers designated by the Speaker shall lead the delegation.

Use of the Library of the Grand National Assembly of Turkey

ARTICLE 173- The conditions for the use of the Library of the Grand National Assembly of Turkey shall be regulated by a by-law approved by the Bureau.

CHAPTER TWO

Documents and Symbols Concerning the Membership

Curriculum vitae

ARTICLE 174- Deputies submit a curriculum vitae to the Office of the Speaker on their first days in the Assembly.

Curriculum vitae consists of the following topics and other necessary information:

1. Surname and name,
2. Name of the father,
3. The date of birth and place,
4. Residence,
5. Education level, foreign languages, expertise (if any), academic titles, decorations, medals, and works,
6. Profession,
7. Marital status, name of spouse, number and names of children, if any.

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The Office of the Speaker shall be notified of changes by the deputies in writing.

The ministers that are not members of the Grand National Assembly of Turkey are subject to the provisions of this article.

Deputies submit other documents that must be filled according to the laws and declaration of assets to the Office of the Speaker.

Documents of identification

ARTICLE 175- Deputies are given an identification card, pin, badge, plate, or sign for the identification of their vehicles.

For the cases in which documents and signs are used, their features shall be determined by a by-law adopted by the Bureau.

A different identification card, the shape of which will be determined by the Bureau, and pin will be given to the former deputies.

CHAPTER THREE

Financial Affairs

Drafting the budget of the Grand National Assembly of Turkey

ARTICLE 176- The budget of Grand National Assembly of Turkey shall be drafted and submitted to the Office of the Speaker by the quaestors. The draft budget shall be examined and finalized by the Bureau.

The Speaker signs orders of payment of the budget of the Grand National Assembly only concerning the expenditures made in accordance with the articles related to the services of the Assembly.

The Speaker determines the orders of the payment which shall be signed by the quaestors on behalf of himself/herself.

The decisions for the construction, development and restoration of the buildings, gardens and lands are taken by the Bureau.

Auditing of the expenditures¹²

ARTICLE 177- The Committee on Auditing of Accounts oversees the implementation of the budget of the Grand National Assembly of Turkey and its affiliated budgets.

The oversight of the accounting office shall not be conducted less than six times a year.

The Committee submits the results of the oversight to the Plenary with a report.

Visa to expenditures¹³

ARTICLE 178- Orders of payment are visaed by the auditor member of the Committee on Auditing of Accounts before the expenditures are made.

12-13 There are provisions related to the Committee on Auditing of Accounts of the Assembly in the articles 177, 178, 179 and 180 of the Rules of Procedure. However the Committee on Auditing of the Accounts of the Assembly is no longer being established after the Act No. 5018 entered into force.

In case the auditor has an excuse, this task is carried out by the spokesperson of the Committee.

The auditor member, or in case he/she is on leave or has an excuse, the spokesperson of the Committee shall be present in Ankara during recess and adjournment.

Auditing of goods and fixture¹⁴

ARTICLE 179- Registers of goods and fixture of the Grand National Assembly of Turkey is kept by the quaestors and submitted to the Committee on Auditing of Accounts.

The Committee audits present goods and fixture as a board and submits its report to the Plenary by examining said registers.

Final Accounts¹⁵

ARTICLE 180- The Committee on Auditing of Accounts reports final accounts for the budget of the previous year at the end of each fiscal year to the Plenary.

The Plenary is only informed of the report.

PART SIXTEEN

Miscellaneous Provisions

Amendments to the Rules of Procedure

ARTICLE 181- Proposals for amending the Rules of Procedure may be introduced by deputies. Provisions concerning private members' bills shall apply to these proposals.

The proposals shall be examined by the Committee on the Constitution and be debated and concluded at the Plenary on the basis of the report of the Committee on the Constitution.

The Committee submits a report to the Office of the Speaker on the measures it deems appropriate for covering and correcting

14-15 There are provisions related to the Committee on Auditing of Accounts of the Assembly in the articles 177, 178, 179 and 180 of the Rules of Procedure. However the Committee on Auditing of the Accounts of the Assembly is no longer being established after the Act No. 5018 entered into force

loopholes and defects detected in the Rules of Procedure. If the opinions stated in the report are also adopted by the Bureau of the Assembly, the Speaker urges the Plenary for proposals to be made on required amendments to the Rules of Procedure.

Amendments to the Rules of Procedure enter into force upon publication in the Official Gazette as a resolution of the Grand National Assembly of Turkey; a future date of entry into force may also be envisaged in the resolution.

Publication and entry into force of the resolutions of the Grand National Assembly of Turkey

ARTICLE 182- By-laws and regulatory decisions mentioned in the Rules of Procedures and adopted by the Bureau of the Assembly shall enter into force upon their publication in the Official Gazette; a future date of entry into force may also be envisaged in the decision.

The parliamentary resolutions, results of the elections held by the Assembly and decisions of the Bureau to be published in the Official Gazette shall be specified by a by-law adopted by the Bureau.

Suspension of periods during recess

ARTICLE 183- The periods stated in the Rules of Procedure do not run during parliamentary recess unless otherwise provided by the Constitution, laws, or the Rules of Procedure.

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PART SEVENTEEN Final Provisions

Repeal of the former Rules of Procedure

ARTICLE 184- The former Rules of Procedure dated November 1, 1956 enforced in the Grand National Assembly of Turkey as per Provisional Article 3 of the Constitution, shall be repealed on the date when this Rules of Procedure enters into force.

Entry into force

ARTICLE 185- The Rules of Procedure shall enter into force on September 1, 1973.

Enforcement

ARTICLE 186- The Rules of Procedure shall be enforced by the Grand National Assembly of Turkey.