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TRANSLATIONS  
OF THE  
OTTOMAN CONSTITUTIONAL LAWS,  
THE  
WILAYET ADMINISTRATIVE LAW  
THE  
MUNICIPAL LAW  
AND  
VARIOUS OTHER LAWS.

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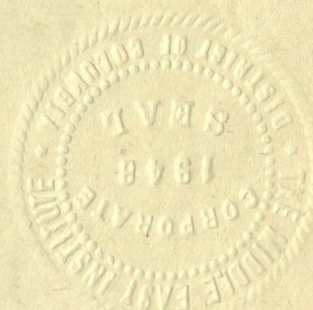


**NOTE.**

The following translations of Turkish Laws have been prepared in the Ministry of Justice. The accuracy of the translation is not guaranteed and an apology is needed for manifest imperfections ; but as they are urgently required for use by officials, it has been considered more useful to print them as they are rather than to delay their publication for further revision.

*Ministry of Justice.*

Baghdad,  
12th March, 1921.





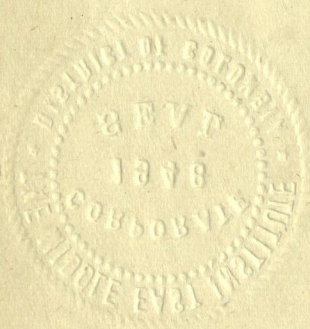
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Ministry of Justice

Revised  
12th March 1931





## TABLE OF CONTENTS.

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	PAGE.
1. Ottoman Constitutional Law of the 7th Dhil Hujjah, 1293, as amended     ...     ...     ...     ...     ...	1
2. Regulations of the Chamber of Deputies     ...     ...	10
3. Regulations of the Senate     ...     ...     ...     ...	28
4. Provisional Law of Administration of Wilayets of the 13th March, 1329, as amended     ...     ...     ...     ...	35
5. Municipal Law of the 27th Ramadhan, 1294, as amended     ...	49
6. Law regulating Chambers of Commerce and Industry, dated the 31st May, 1326     ...     ...     ...     ...	58
7. Provisional Law of Expropriation on behalf of Municipalities dated the 21st Kanun Thani, 1329     ...     ...     ...	62
8. Regulations of Expropriation for Public Purposes, dated the 24th Tashrin Thani, 1295, as amended     ...     ...     ...	65
9. The Press Law of the 16th Tamuz, 1325, as amended     ...	68

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*Note.*—A translation of the Regulations for Election of Deputies has been printed separately.



# TABLE OF CONTENTS.

PAGE.

1.	Original Constitutional Law of the 7th March 1801, as amended	1
2.	Regulations of the Chamber of Deputies	10
3.	Regulations of the Senate	28
4.	Provisional Law of Administration of Writings of the 13th March 1801, as amended	35
5.	Municipal Law of the 17th February 1801, as amended	43
6.	Law regarding Offices of Commerce and Industry dated the 14th May 1801	58
7.	Provisional Law of Representation on behalf of Municipalities dated the 21st March 1801	63
8.	Regulations of Representation for Public Purposes dated the 24th March 1801, as amended	65
9.	The Press Law of the 14th January 1801, as amended	68

Note.—A translation of the regulations of the Chamber of Deputies has been printed separately.



# LAW OF THE CONSTITUTION

OF THE

7TH DAY OF DHIL HUIJAH 1293 (1876)

as amended by the

Laws of 8 Aughustos 1325 (21 August 1909),

15 Mayis 1330 (28 May 1914),

29 Kanoun Thani 1330 (11 February 1915),

25 Shebat 1331 (10 March 1916) and

7 Mart 1332 (20 March 1916).

## TERRITORIES OF THE OTTOMAN EMPIRE.

*Section 1.* The Ottoman Empire shall consist of the countries, territories and Ottoman privileged principalities which it now comprises and shall form one entity which shall at no time and on no account whatever accept partition. Territories.

*Section 2.* The city of Constantinople shall be the Capital of the Ottoman Empire. It shall not have any special privilege over other Ottoman cities. The Capital.

*Section 3 as amended.* The Ottoman Sultanate with the Kaliphate over Islam which is its appurtenance shall, in accordance with the practice hitherto observed, belong to the oldest descendant of the dynasty of Osman. Succession to the throne and to the Kaliphate.

On his accession the Sultan shall take an oath before Parliament, and in case Parliament is not sitting then at its earliest session, that he will faithfully observe the Shara' and the Law of the Constitution and be loyal to the country and the nation. Sultan to take oath.

*Section 4.* As Kaliph, the Sultan is the Defender of the Mohammadan Faith. He is also the ruler of all Ottoman subjects. Character of Sultanate.

*Section 5.* The Imperial person of the Sultan shall be sacred and free from any responsibility. Non-responsibility of Sultan.

*Section 6 as amended.* The rights, private property and other possessions of the descendants of Osman and the emoluments which by Law are assigned to them for life shall be collectively guaranteed by the nation. Rights of Imperial family.

*Section 7 as amended.* It shall be the sacred right of the Sultan to have his name mentioned in the "Khutbah," to coin money, to grant orders of dignity and appointments in accordance with the law relating thereto, to award decorations, to select and appoint the Prime Minister and the Sheikh-el-Islam; to approve the appointment of the Ministers proposed by the Prime Minister; when necessary to remove and replace any Minister in accordance with the proper procedure, to sanction and promulgate all legislation, to make by-laws regulating the work of Government Departments or the application of any Law, to make proposals for all kinds of Laws, to safeguard and enforce the rules of the Shara and the Laws of the State, to make all appointments within privileged principalities in accordance with the conventions granting such principalities their privileges, to command all military and naval forces, to declare war, to conclude peace, to mitigate or remit any penalty lawfully awarded, to proclaim a general amnesty subject to the concurrence of Parliament, to convene and close Parliament at the time appointed therefor, to convene Parliament before the time appointed or for any other extraordinary session, to prolong the duration of its session, to prorogue such session for a period not exceeding three months and not more than once, to adjourn Parliament for vacation at an appointed time every year in which Parliament holds session, to dissolve when necessary the Chamber of Deputies on condition that elections are held for a new Chamber to assemble within four months, to conclude in general all manner of treaties. Rights of the Sultan.

Provided that treaties of peace, treaties relating to commerce, or to the cession or annexation of territory, or to the civil or personal rights of Ottoman Subjects, and treaties involving the State in any expenditure shall be subject to the approval of Parliament. In case of a change of cabinet at a time when Parliament is not sitting any responsibility arising through such change shall accrue to the new Cabinet alone.

## PUBLIC RIGHTS OF OTTOMAN SUBJECTS.

*Section 8.* All persons who are subjects of the Ottoman Empire shall without exception be termed Ottomans without regard to their religion or sect. Ottoman status is acquired and lost by a process determined by Law. The designation of Ottoman subject.



- Individual liberty.** *Section 9.* All Ottoman subjects shall possess individual liberty and shall be bound to refrain from infringing the liberties of others.
- Individual inviolability.** *Section 10 as amended.* Individual liberty shall be safe against all aggression. No person shall for any reason other than such reasons as are determined by law or Shara' be arrested and punished.
- Religion of the State. Liberty of conscience and Religious privileges.** *Section 11.* The religion of the Ottoman Empire shall be the Mohammadan religion. Subject to this fundamental principle being preserved, the State shall protect the free exercise of all religions recognized in the Ottoman Empire, and the integral enjoyment, in accordance with previous practice of all religious privileges granted to various communities, provided such religions are not contrary to public morals nor conducive to the disturbance of public order.
- Liberty of Press.** *Section 12 as amended.* Subject to Law the press shall be free. It shall on no account be liable to inspection before publication.
- Establishment of Companies.** *Section 13.* Subject to Law, Ottoman subjects shall be authorized to form all kinds of Companies for commercial, industrial and agricultural concerns.
- Right of complaint.** *Section 14.* Any one or more Ottoman subjects who consider that any formality has been done in contravention of the Laws and Regulations relating to themselves or to the public shall have the right to petition thereon the competent authority, and to submit to Parliament an application duly signed by them as complainants. They shall also have the right to prefer complaints against public officials for any unlawful act committed by them.
- Liberty of teaching.** *Section 15.* Teaching shall be unrestricted. Every Ottoman subject shall be at liberty to practise public or private teaching subject to the Law relating thereto.
- Schools and teaching.** *Section 16.* All Schools shall be under the supervision of the State. Endeavours shall be made to co-ordinate the teaching of all Ottoman subjects within one regular system. The system of education which forms part of the religious belief of the various races shall not be affected.
- Equality of rights and duties.** *Section 17.* In the eye of the Law, all Ottoman subjects shall be equal both as regards their rights and their duties with the exception of matters relating to religion.
- Officials to know Turkish.** *Section 18.* To serve in the public services of the State, Ottoman subjects shall be required to know the Turkish language which is the official language of the State.
- Public Appointments.** *Section 19.* All Ottoman subjects shall be permitted to occupy such public posts as they may be entitled to by their qualifications and capacity.
- Assessment of Taxes.** *Section 20.* Taxes as determined by special regulations shall in accordance with such regulations be assessed on all Ottoman subjects in proportion to the means of each.
- Safety of ownership.** *Section 21.* Anyone who lawfully possesses any moveable or immoveable property shall have the right of safe enjoyment of such property. No property shall be taken from the possession of any person unless it is proved to be required for public purposes, and is ultimately paid for in accordance with the particular Law on the subject.
- Inviolability of domicile.** *Section 22.* In the Ottoman Empire the domicile of everyone shall be safe against any aggression. The Government shall not for any reason whatever enter by force the domicile of anyone except in circumstances determined by Law.
- Trials.** *Section 23.* No one shall be compelled to resort to a Court of Justice other than the Court which according to the Code of Procedure which will be subsequently enacted, has jurisdiction over him.
- Confiscation and fatigue work.** *Section 24.* Confiscation, forced labour and forced grants shall be prohibited. Provided that in time of War, services and requisitions specially fixed by law shall be excepted from the above provision.
- Collection of unlawful dues.** *Section 25.* No money shall be recoverable from any person as taxes or any other dues except as prescribed by Law.
- Torture prohibited.** *Section 26.* Torture and the infliction of all kinds of unlawful corporal punishment shall be strictly prohibited.

#### MINISTERS OF THE STATE.

- Prime Minister Sheikh-el-Islam and Ministers.** *Section 27 as amended.* The offices of Prime Minister and Shaikh-el-Islam shall be entrusted to reliable persons by Imperial Iradah. The Prime Minister whose duty it is to form the Cabinet shall submit a list of the candidates chosen by him and those will similarly be appointed by Imperial Iradah.
- The Cabinet.** *Section 28 as amended.* The Cabinet shall sit under the Presidency of the Prime Minister and shall deal with all internal and foreign matters of importance. Such of their decisions as require sanction shall be enforceable after approval by Imperial Iradah.



*Section 29 as amended.* In accordance with the proper procedure every Minister shall dispose of all matters relating to his department, which he is authorized to dispose of direct, and shall refer to the Prime Minister any matters of which he is not so authorized to dispose. Where such matters are not subject to deliberation by the Cabinet the Prime Minister shall dispose of them direct, and where they are subject to deliberation, they shall be discussed in the Cabinet, and where necessary they shall be submitted for sanction. Where sanction is not required the decision of the Cabinet shall be issued, direct by the Prime Minister. The nature and importance of such matters will be specified in a Special Law. The Shaikh-el-Islam shall submit direct for sanction any matter which is not subject to deliberation.

*Section 30 as amended.* Ministers shall be responsible to the Chamber of Deputies jointly for the general policy of the Government and severally for any proceeding relating to their Departments. Orders which require the sanction of the Sultan shall, in order to be valid, bear the signatures of the Prime Minister and the Minister whose Department such order concerns, as being both responsible therefor. Above their signatures it is essential that the signature of the Sultan should also appear.

Decisions passed by the Cabinet shall bear the signatures of all the Ministers and where such decisions require sanction, they shall be also signed by the Sultan who will affix his signature above those of the Ministers.

*Section 31.* If one or more members of the Chamber of Deputies lodge against a Minister a complaint of such a nature that the latter is held answerable and in respect of which the Chamber has jurisdiction such complaint shall within three days be referred by the President to the Section of the Chamber which is entrusted with the discussion of such matters and which, after due consideration, shall decide in accordance with the Internal Regulations of the Chamber, whether such complaint should or should not be referred to the Chamber. The Section shall in such a case make the necessary enquiry, and take sufficient explanation from the person against whom the complaint is made and shall pass resolution by a majority of votes. If deliberation upon the complaint is recommended such resolution shall be read over in the Chamber, and, if considered necessary the person against whom complaint is made shall be invited to make in person or through a representative further statements. If the complaint is accepted by a majority of two-thirds of the members present, a memorandum requesting prosecution of the Minister shall be sent to the Prime Minister who will submit the matter for Imperial sanction. If sanctioned by Imperial Iradah the matter shall then be referred to the High Court.

*Section 32.* The procedure for the trial of impeached Ministers shall be laid down in a special Law.

*Section 33.* Ministers shall not be distinguished from any other Ottoman subject in any legal proceedings which are independent of their office and personal to themselves. In such circumstances the trial shall be conducted before the ordinary competent Courts of Justice.

*Section 34.* A Minister who is under an order of Impeachment shall forfeit his appointment unless and until he is acquitted by the Ithamiah (committing) section of the High Court.

*Section 35.* Omitted.

*Section 36 as amended.* At the time when Parliament does not sit, if an urgent necessity arises for measures of protection against a danger to the State or to the public peace, and if no time can be allowed for the convocation of Parliament with the view of passing legislation in the circumstance, the Cabinet shall have power to issue Orders with the sanction of an Imperial Iradah, and such Orders, shall have the force of Law until the Chamber of Deputies assembles and legislates thereon. Provided that such Orders must not contain anything contrary to the Law of the Constitution and must be submitted to the Chamber of Deputies at their next sitting.

*Section 37.* Every Minister shall have the right to attend either House at any time or may depute for this purpose any of the superior officials of his Department and shall also have priority over the members in addressing such House.

*Section 38 as amended.* When a Minister is summoned by the Chamber of Deputies by a majority of votes to give explanations on any matter, such Minister shall attend the Chamber in person, or shall depute in his place any of the superior officials of his Department, and shall answer all questions addressed to him, except that he may, if he thinks necessary, demand, on his own responsibility the adjournment of the answer to any question. If after such explanation the Chamber of Deputies give by majority a vote of non-confidence in a Minister, such Minister shall fall. If a vote of non-confidence is passed against the Prime Minister the whole Cabinet shall fall.

#### OFFICIALS.

*Section 39.* All officials shall be selected in accordance with the rules which shall hereafter be made and shall be appointed to posts for which they possess adequate qualifications. Officials so appointed shall not be dismissed or replaced unless an act which is by Law punishable with dismissal is proved against them, or they resign or the State finds reason for their removal or replacement. Officials who are honest and those also who are discharged by the State for reasons of necessity shall be entitled to such promotions and such pensions for retired or discharged officials as may be fixed by Law.

Duties of Ministers.

Responsibility of Ministers and signature of Sultan.

Complaints against Ministers.

Procedure in trying a Minister.

Minister outside office.

Minister impeached before the High Court.

Promulgation of temporary legislation.

Priority of Ministers over Deputies in addressing both Houses.

Summons of Ministers.

Adjournment of answer.

Selection and qualification of officials.

Their removal or resignation.

Pension for retired or discharged officials.



Duties and responsibilities of officials.

Obedience of officials to their superiors.

*Section 40.* The duties relating to every office shall be defined by Law. Every official shall be responsible for the duties connected with his office.

*Section 41.* Every official shall be bound to respect and obey his superior, but such obedience shall be confined within limits fixed by Law. In matters which are contrary to Law the plea of obedience to an order of his superior shall not save an official from responsibility.

## PARLIAMENT.

Senate and Chamber of Deputies.

Periods of sessions and vacations.

*Section 42.* The Parliament shall comprise two bodies known respectively as the Senate and the Chamber of Deputies.

*Section 43 as amended.* Both Houses of Parliament shall assemble without convocation on the 1st November of every year. Provided that if Parliament be adjourned, it shall meet at the expiration of the adjournment without convocation. The session shall be opened by Imperial Iradah, and shall last for a period of four months. At the end of this period the session shall be closed, also by Imperial Iradah. Neither House shall sit at a time when the other House does not sit. In case the Chamber of Deputies is dissolved the new Chamber which must succeed it within a period of four months shall be deemed to assemble in an extraordinary session which shall last for two months. This session may be extended but may not be adjourned. The duration of the Chamber of Deputies which is fixed by Section 69 hereof at four years shall be counted from the first of November.

Convocation before appointed time ; extension of period of session.

*Section 44 as amended.* When necessary, the Sultan shall, of his own motion or at the request of the Chamber of Deputies made to him in writing by an absolute majority of votes, open Parliament before the time appointed therefor. He shall also, of his own motion or upon resolution of Parliament have power to extend the period fixed for the session of such Parliament.

Opening of Parliament.

*Section 45.* On the day of the opening of Parliament the Sultan shall attend the sitting or shall depute on his behalf the Prime Minister. When all the Ministers and the members of both Houses are present the ceremony of the opening shall be performed and an Imperial address shall be delivered bearing on the internal affairs and external relations of the State during the current year, and the measures which are projected for the year following.

Imperial address.

Deputies to be sworn.

*Section 46.* The persons who are elected or appointed members of Parliament shall, on the day of the opening of Parliament, and in the presence of the Prime Minister, take an oath that they will be loyal to the Sultan and to the country, that they will observe the provisions of the Constitution and loyally perform the duties entrusted to them and refrain from any thing which is contrary to them.

Text of oath.

Liberty of speech and opinions.

*Section 47.* Members of Parliament shall have complete freedom when giving vote or expressing an opinion and shall not be affected by any threat, promise or influence. They shall not be liable to any criminal charge whatever on account of a vote given by them or any opinion expressed by them in the course of the House's debates. Provided that any action on their part which is contrary to the Internal Regulations of Parliament shall be dealt with in accordance with the provisions of such Regulations.

Impeachment of Deputies.

*Section 48.* If a member of Parliament is charged with treason or with an attempt to violate or destroy the Law of the Constitution, a vote of impeachment shall be passed against him by the Chamber to which he is attached by an absolute majority of two-thirds of the members present.

Conviction and forfeiture of membership.

If a member is sentenced to any penalty involving by Law, imprisonment or banishment he shall thereby forfeit his membership, and he shall be tried and convicted for the offence by the Court which is competent to try the case.

Vote to be given in person : right of abstention.

*Section 49.* Every member of Parliament shall give his vote in person. He shall also have the right to abstain from giving an assenting or dissenting vote on any matter which is in debate.

The capacity of a person as deputy and senator concurrently.

*Section 50.* No person shall be a member of both Houses hereinbefore mentioned, at the same time.

Opening of debate : majority of two-thirds, absolute majority ; vote of President.

*Section 51.* Neither House of Parliament shall open any debate unless half its members exceeded by one are present. In all debates votes shall be passed by an absolute majority of the members present, unless the matter in discussion is subject to a majority of two-thirds. In case of equality of votes the President shall have a casting vote.

Application to Parliament.

*Section 52.* If an application is presented by any person to either House of Parliament, in respect of a suit in which he himself is solely concerned, if it appears that such application had not been made previously to the official of the State who is competent to deal with the matter or to the authority to which such official is dependent, it shall be rejected.

Initiative of legislation to lie with Ministers, Senators and Deputies.

*Section 53 as amended.* Any Minister, Senator or Deputy shall have the right to make proposals for any new legislation or the amendment of any existing legislation. Any Bill which is drawn up by either House as a new law or as an amendment of an existing law shall be sent by such House to the other House. If approved by the other House such Bill shall be submitted to the Sultan for his sanction.



*Section 54 as amended.* All Bills which are passed and accepted by the Chamber of Deputies and the Senate, if approved and sanctioned by an Imperial sanction, Iradah issued by the Sultan, shall thereby come into force. Laws submitted for sanction shall, within two months be either sanctioned or returned for re-examination. Laws which are so returned shall require to be discussed and passed by a majority of two-thirds. Laws in respect of which a vote has been passed to the effect that they are urgent shall be sanctioned or returned within 10 days. Imperial sanction, its period return, urgency of Law.

*Section 55.* Bills shall not be deemed to have been accepted, unless they have been read over and voted upon article by article and then again passed as a whole by a further majority vote, first in the Chamber of Deputies and then in the Senate. Mode of discussion and acceptance of Laws.

*Section 56.* Neither House shall have the right to receive or hear any person who comes on his own part or on behalf of any corporation, to make any statement before such House, unless such person is a Minister, or a person delegated by the Ministers, or a member of such House, or an official formally summoned before such House. Formal summons to appear before House.

*Section 57.* The discussions of both Houses shall be conducted in Turkish. Copies of any draft which is to be discussed shall be printed and handed to the members of the House before the day of discussion. Language. Printing of drafts.

*Section 58.* The votes of both Houses shall be given either in the name of each voter or with personal marks or by secret vote. The procedure of such secret voting shall be determined by the majority of the members present. Voting publicly or secretly or by marks.

*Section 59.* The internal discipline of each House shall be regulated exclusively by the President of such House. Discipline.

### THE SENATE.

*Section 60.* The President and members of the Senate shall be appointed direct by the Sultan. The number of senators so appointed shall not exceed one-third of the number of Deputies. Senators and their mode of appointment.

*Section 61.* Senators shall be well known persons who have gained by their acts the confidence and reliance of the public, and who have a past of honourable Government service, and they shall not be less than forty years of age. Conditions of appointment.

*Section 62.* The appointment of a Senator shall be for life. Senators shall be selected among retired Ministers, Walis, Field Marshals, Qadhi-Askers, Ambassadors, Patriarchs, Chief Rabbis, Generals of the Army or Navy, and such other persons as may possess the requisite qualifications and are suitable for such appointment. Senators who are appointed, at their own request, to any office in the service of the State, shall thereby relinquish membership of the Senate. Senators.

*Section 63.* Senators shall receive a salary of 10,000 piastres per mensem. If anyone who is appointed as Senator receives from the Treasury salary in some other capacity, then if such salary is below 10,000 piastres, it shall be raised to this amount, and if more than 10,000 piastres it shall remain unaffected. Salary of Senators.

*Section 64.* The Senate shall examine draft laws and budgets passed by the Chamber of Deputies. If they find in any such drafts anything which is in essence prejudicial to religious affairs, or the Imperial rights of the Sultan, or individual liberty, or the provisions of the Constitution, or the integrity of the territories of the Empire, or the internal security of the country or the means of defence and preservation of the State, or contrary to public morality, they shall append their opinion to the draft and either reject it definitely or return it to the Chamber of Deputies for amendment and alteration. Drafts accepted by the Senate shall be approved and submitted by them to the Prime Minister. Petitions presented to the Senate shall be examined by them, and if necessary, shall be referred by them with their opinion to the Prime Minister. Their duty of examining draft legislation. Petition to Senate.

### CHAMBER OF DEPUTIES.

*Section 65.* The number of Deputies shall be represented by means of one deputy for every fifty thousand male Ottoman subjects. Number of Deputies.

*Section 66.* The election shall rest on the basis of secret ballot. Its procedure shall be determined by a special law. Mode of election.

*Section 67.* A deputy shall not hold at the same time any other Government appointment. Provided however that a minister may be elected as a Deputy. Other officials who are elected as deputies shall have the option of accepting or refusing and if they accept they shall relinquish their appointment. Deputyship and Government service.

*Section 68.* The following are disqualified from election as deputies :—

Disqualifications from deputyship.

1. Anyone who is not an Ottoman subject.
2. Anyone who enjoys temporarily the privilege of foreign service in accordance with the appropriate Regulations.
3. Anyone who does not know Turkish.
4. Anyone who has not completed his thirtieth year.
5. Anyone who at the time of election is in the domestic service of any person.



6. Anyone who has been declared bankrupt and has not since been discharged.
7. Anyone who is a notoriously bad character.
8. Anyone who has been placed under inhibition and has not since been restored to his status.
9. Anyone who has lost his civil rights.
10. Anyone who claims to be a foreign subject.

Such persons shall not be eligible for deputyship. At the elections which will be held four years hereafter anyone who is elected as deputy must read Turkish and must also write it suitably.

**Period of deputyship.** *Section 69.* The general election of deputies shall be held once every four years. The period of appointment of every deputy shall be four years, provided that they shall be capable of re-election.

**Commencement of election.** *Section 70.* The general election of deputies shall commence at least four months before the date on which the Chamber meets, namely, the first of November.

**Quality of deputy.** *Section 71.* The deputies shall not be deemed to represent their particular college where they were elected, but each of them shall be deemed to represent the whole Ottoman Empire.

**Mode of election of deputies.** *Section 72 as amended.* The electors may elect as deputy any Ottoman subject who possesses the requisite qualifications. Provided that no person shall stand as candidate for more than three electoral colleges at the same time.

*Section 73. (Repealed.)*

**Election to vacant deputyship.** *Section 74.* If any deputy dies, or falls within one of the legal disabilities, or fails to attend the Chamber for a long period, or resigns or forfeits his deputyship on account of a conviction or the acceptance of a Government post, another person shall be appointed in his place in accordance with the appropriate procedure for the remaining period of his duties.

**Period of duty.** *Section 75.* The period of the duties of a member elected to a vacant deputyship shall extend to the next general elections.

**Emoluments of Deputies.** *Section 76 as amended.* Every deputy shall receive 50,000 piastres for every year's session. He shall also receive a travelling allowance for his journey to and from Constantinople at the rate of 4,000 piastres per mensem. No extra allowance shall be payable for the prolongation of the session or for any extraordinary sitting. In case of dissolution of the Chamber the members of the new Chamber shall receive half the above-mentioned emoluments.

**President and Vice-President.** *Section 77 as amended.* A President, First Vice-President and Second Vice-President for the Chamber of Deputies shall be elected every year by the Deputies by a majority of votes. The result of such election shall be submitted to the Sultan.

**Public and secret debates.** *Section 78.* The debates of the Chamber of Deputies shall be public. Provided that if a request is made by the Ministers or fifteen deputies for the discussion in camera of an important matter, the place where the meeting is held shall be cleared of all persons other than the deputies, and a vote shall be given by a majority accepting or rejecting such request.

**Arrest and trial of deputies.** *Section 79.* A deputy shall not be arrested and tried during the period of session of the Chamber unless the Chamber finds by a majority vote sufficient ground for the charge brought against him, or unless he is arrested while committing or immediately after having committed a crime or "misdemeanour."

**Debates on budget.** *Section 80 as amended.* The general expenditure as shown in the Law of the Budget shall be examined in detail by the Chamber of Deputies, and a resolution fixing the amount of such expenditure shall be passed by them in the presence of the Ministers. The sources, amount and mode of distribution of the revenues with which such expenditure will be balanced shall also be determined in the presence of the Ministers.

## COURTS.

**Removal, Pension and trial of Judges.** *Section 81.* Judges who are appointed by the State and hold an Imperial Berat, in accordance with the appropriate Law shall be irremovable. Their resignation however may be accepted. The promotion, transfers and pension of Judges and their removal on account of a conviction shall be subject to a special law. Such Law shall indicate the qualifications required of Judges and officials of the Courts.

**Procedure of trials.** *Section 82.* The Courts shall hold every kind of trial publicly. It shall also be permissible to publish the judgments of such Courts. Provided that, for reasons specified by Law, the Courts may hold any trial in Camera.

**Freedom of defence.** *Section 83.* Any person may when before the Court use any lawful means he may deem fit to defend his rights.

**Refusal and delay in respect of trials.** *Section 84.* No Court shall, by any means, refuse to hear a case which is within its jurisdiction. If the hearing of a case or the preliminary investigations necessary for such hearing has or have been started the hearing of such case shall not be suspended or delayed, except where the plaintiff abandons his claim. Provided that in criminal cases the rights of the Government shall be exercised in accordance with the Law.



**Section 85.** Every case shall be heard by the Court which has jurisdiction to hear it. All cases between the Government and private individuals shall also be within the jurisdiction of ordinary Courts. Competent Court.

**Section 86.** All Courts shall be free from any sort of interference.

Interference with Court.

**Section 87.** Shara cases shall be heard by the Shara Courts and civil cases by the Civil Courts. Shara and civil cases.

**Section 88.** The classification, duties, grades and divisions of the jurisdiction of Courts and the appointment of Judges shall be based on Law. Classes and duties of Courts.

**Section 89.** It shall be strictly forbidden to institute on any ground whatever any extraordinary Court, other than the established Courts of Justice, or to appoint a board vested with power to give judgment, for the purpose of hearing and deciding any special matter. Provided that it shall be lawful to appoint "Muallas" and arbitrators subject to the provisions laid down by Law. Institution of extraordinary Courts and Commissions. Appointment of Muallas and arbitrators.

**Section 90.** No Judge shall combine with his judicial functions any other paid post in the service of the Government. Judicial function and Government service.

**Section 91.** In criminal matters there shall be public prosecutors to defend public rights, and the grades and duties of such prosecutors shall be determined by Law. Public Prosecutors.

### HIGH COURT.

**Section 92.** The High Court shall consist of thirty members, of whom ten shall be senators, ten members of the Shurai Dowlat and ten selected by lot from among the Presidents and members of the Courts of Revision and the Courts of Appeal. The High Court shall be convened by Imperial Iradah when necessary and shall hold its sittings at the Senate. Its duty shall be to try any of the Ministers or the Presidents or the members of the Court of Revision, or any person who is guilty of an attempt against the person or the rights of the Sultan, or who has attempted to endanger the safety of the State. Members of High Court, their number, their mode of appointment and duties.

**Section 93.** The High Court shall be divided into two bodies :—Ithamiyah (Committing) Board and the Court proper. The Ithamiyah Board shall consist of nine members selected by lot from among the persons appointed as members of the High Court, in the proportion of three from among the Senators, three from among the members of the Courts of Revision and Appeal and three from among the members of the Shurai Dowlat. Constitution of Committing Board and High Court.

**Section 94.** Such Board shall find the accused person guilty or not guilty by a majority of two-thirds. Persons who are brought before the Ithamiyah Board shall not at the same time be brought before the High Court. Mode of Commitment.

**Section 95.** The Court proper shall consist of twenty-one persons comprising seven senators, seven Judges of the Court of Revision and the Court of Appeal and seven members or Presidents of the Shurai Dowlat. Cases committed for trial by the Ithamiyah Board shall be tried and finally decided in accordance with the Law by a majority of two-thirds of the members of the Courts. The judgments of the High Court shall not be liable to appeal or revision. Constitution and duty of the Court.

### FINANCIAL MATTERS.

**Section 96.** No tax or contribution shall be imposed or collected unless sanctioned by special law. Taxes.

**Section 97.** The Budget of the State is the Law which shows the estimates of revenues and expenditure. This Law shall be the law on which the assessment and collection of taxes shall be based. Law of the Budget.

**Section 98.** The Law of the General Budget shall be discussed, item by item, by Parliament. The Schedules appended to the Estimates of Income and Expenditure, which show the particulars of such Estimates shall be drawn up on forms determined by law and shall be divided into different parts, chapters and items. Discussions on such particulars shall be made on each chapter separately. How to discuss the budget.

**Section 99.** In order that the Law of the Budget may be brought into force at the beginning of the year to which it belongs, the draft of it shall be handed to the Chamber of Deputies immediately after the convocation of Parliament. Submission of the budget to the Chamber of Deputies.

**Section 100.** No expenditure, other than expenditure provided in the budget, shall be made out of Government property unless authorized by special law. Unlawful expenditure.

**Section 101.** If, at a time when Parliament is not sitting, it is found urgent to make any expenditure in excess of the provisions of the Budget, for reasons of an extraordinary and pressing nature, the authorization of the Sultan for such amounts as may be required for such expenditure shall be sought, and if an Imperial Iradah issues, such amounts may be procured and the expenditure made. Provided that responsibility in this respect shall rest with the Cabinet and that a Bill in respect of such expenditure shall be submitted to Parliament immediately after its convocation. Expenditure when Parliament is not sitting.

**Section 102 as amended.** The Law of the Budget shall be in force for one year. Its effect shall not extend beyond such year, and shall not be invalidated by any adjournment or delay. Provided that if the Chamber of Deputies is dissolved before the budget is passed by them, the Ministers acting under Imperial Iradah shall issue an order which shall have effect for not more than a year and shall thereby extend the period of the Budget of the concluding year till the next session of the Chamber of Deputies. Budget Law and its extension in case of dissolution of Chamber of Deputies.



**The Law of Final Audit.** *Section 103.* The Law of Final Audit shall show the amounts actually recovered on account of revenues, and the amounts actually spent under the head of expenditure, during the year to which such Law relates. The form and divisions of this Law shall correspond fully with the Law of the General Budget.

**Submission of Bill of Final Audit to Parliament.** *Section 104.* The Bill of Final Audit shall be submitted to Parliament within a period of not more than four years from the end of the year to which it relates.

**Audit Board, their duty.** *Section 105.* There shall be constituted an Audit Board which shall examine the accounts of those who are charged with the collection and expenditure of Government property, and to check the yearly returns of accounts drawn up by Government Departments. This Board shall present every year to the Chamber of Deputies a report containing a summary of the examination made by them together with their own observations. They shall also submit once in every three months to the Sultan a report on the financial situation. Such report shall be presented by them through the Prime Minister.

**Members of the Audit Board.** *Section 106.* The Audit Board shall consist of twelve members. Such members shall be appointed for life by an Imperial Iradah. None of such members shall be removed unless his removal is approved by a majority of the Chamber of Deputies.

**Qualifications and duties of members.** *Section 107.* The qualifications of members of the Audit Board, their duties, the procedure for their resignation, replacement, promotion, pension and the organization of their Department shall be determined by special regulations.

#### WILAYETS.

**Wilayet Administrative system.** *Section 108.* The administration of Wilayets shall rest on the principle of extensive authority for the provinces and division of duties therein. The graduated system of such administration shall be fixed by special Regulations.

**Administrative Council and General Council.** *Section 109.* The mode of election of the members of the Administrative Councils which sit in the Wilayet, Liwa and Qadah headquarters, and of the members of the General Council which meets once a year at the Wilayet headquarters shall be determined by special law.

**Duties of General Council of Wilayet.** *Section 110.* The duties of the General Councils of Wilayets shall be laid down in a special law, and shall comprise the organization of roads and bridges, the foundation of savings banks, the promotion of industry, commerce and agriculture and the discussion of all like matters relating to public works or purporting to spread moral and intellectual education. They shall also give notice to the competent authority of anything contrary to the laws and regulations in the matter of the collection and assessment of Government taxes and any other transactions. They shall also have power to make representations with the view of having such matters amended and improved.

**Questions of waqf and orphans' property.** *Section 111.* In every Qadah every community shall have a communal council whose duty it will be to assure that all revenues derived from Musaqafat, Mustaghilat and Waqf Funds are spent on the purposes of such endowments in accordance with the will of the donor or the usage which has prevailed in respect of such endowments; to assure that all legacies made in favour of charitable institutions or for pious purposes are spent on the objects specified in such legacies, and to supervise the Administration of orphans' property in accordance with the Regulations relating thereto. Such councils shall consist of persons elected by their respective communities in accordance with special Regulations. The authority over such councils shall be the Government of their locality and the General Council of their Wilayet.

**Organization of Municipalities.** *Section 112.* Municipal affairs shall be administered by Municipal Councils elected in Constantinople and in the Provinces. The organization, duties and the mode of election of the members of such Councils shall be laid down in a special law.

#### MISCELLANEOUS PROVISIONS.

**Proclamation of Martial Law.** *Section 113 as amended.* Whenever indications or symptoms of an impending disturbance in any part of the country are noticed, the Imperial Government shall have power to proclaim martial law temporarily in such part of the country. Martial law shall mean the temporary suspension of the laws and regulations of the Empire. The administration of localities placed under martial law shall be laid down in special Regulations.

**Compulsory primary education.** *Section 114.* Primary education shall be compulsory for all Ottoman subjects. The degrees and branches of such primary education shall be determined by special Regulations.

**Omission of any provision of the Constitution.** *Section 115.* None of the provisions of the Law of the Constitution shall, for any reason whatever, be suspended or left unenforced.

**How to amend the Constitution.** *Section 116.* It shall be lawful to amend any of the provisions of the Law of the Constitution whenever a real and definite necessity for such amendment is found, subject to the following conditions :—

If a motion of amendment is put forward by the Cabinet or the Chamber of Deputies or the Senate, such amendment shall first be passed by the Chamber of Deputies by a majority of two-thirds of its members. It shall then be approved by the Senate by a majority of two-thirds of its members, and if sanctioned by Imperial Iradah such amendment shall come into force. Any provision of the Law of the Constitution which is so proposed to be amended shall remain in force until all debates in respect of such amendment are terminated and an Imperial Iradah issues.



**Section 117.** When any necessity arises for the interpretation of any provision of law, if such law relates to the affairs of justice, it shall appertain to the Court of Revision to interpret such provision. If such provision relates to the administration of the State its interpretation shall be given by the Shurai Dowlat, and if it relates to the present Law of the Constitution its interpretation shall be given by the Senate. Interpretation of Law of Constitution.

**Section 118 as amended.** All laws, usages and customs which are now in force shall remain in force unless and until amended or repealed by subsequent laws and regulations. All laws and regulations which are hereafter laid down shall be based on public morals, and human relations and on such principles of Fiqh (Muhammadan Law) and jurisprudence as may be best suited to human intercourse and the requirements of the time. Existing Laws and Regulations.

**Section 119 as amended.** All letters and other papers entrusted to post offices shall not be opened except on the authority of a decision of a Court of Justice or a Judge of Instruction. Inviolability of correspondence.

**Section 120 as amended.** Subject to the appropriate law all Ottoman subjects shall have the right to organize themselves in associations. It shall be forbidden to form any association for the purpose of impairing the territorial integrity of the Ottoman Empire or altering the constitution or the form of Government, or contravening the provisions of the Law of the Constitution, or spreading political dissensions among Ottoman communities, or to form any other associations which are incompatible with public morals, and generally all secret associations are forbidden. Right of association. Unlawful associations.

**Section 121 as amended.** The debates of the Senate shall be public. Provided that if a motion is put forward by the Ministers or five Senators for the discussion in camera of any important matter, the place where the meeting of the Senate is held shall be cleared of all persons who are not Senators, and a vote shall be given by a majority accepting or rejecting the motion. Public and secret debate of Senate.

## PART II

### SECTIONS COMMITTEES

**Section 8.** While nominating a temporary President and temporary Secretaries the deputies will be divided by lot into five sections, each section shall stand till the opening of the ordinary session of the next year.

**Section 9.** Each section shall elect a President and a Secretary in conformity to Section 8.

**Section 10.** The sections shall discuss all matters and bills referred to them by the Chamber. The debates of every meeting shall be recorded together with the names of the members present.

**Section 11.** With the exception of matters which the Chamber has decided upon, no legislative bill or proposals referred to any of the sections shall be discussed until twenty-four hours after such reference.



# REGULATIONS OF THE CHAMBER OF DEPUTIES.

*Note* :—The Regulations of the 1st Mayis 1293 (13 May 1876) are obsolete. The Regulations here translated were printed by Authority of the Chamber of Deputies, and are in fact followed but it is believed that they have never been formally sanctioned by the Chamber.

## PART I.

### COMPOSITION OF THE CHAMBER OF DEPUTIES.

- Deputies assuming office.** *Section 1.* At the first sitting of the first session held after closure of the elections, the deputies shall proceed to take an oath in accordance with Section 46 of the Law of the Constitution, and shall thereafter begin their duties.
- Temporary President and Vice-Presidents.** *Section 2.* At the first sitting of a new Parliament or of any session opened during the life of a Parliament, the duty of President shall be performed by the first Vice-President, and in default by the second Vice-President of the session which immediately preceded such new session, until a permanent President is elected. In default of both such persons the oldest member present shall preside, or any other member may be elected as temporary president.
- Temporary Secretaries.** *Section 3.* The duty of Secretaries shall be performed by four former secretaries, in accordance with the procedure described in Section 2. In default of all or any such former secretaries their places shall be taken by the youngest members of the Chamber.
- Time of election of the Board of the Presidency.** *Section 4.* When the election of half the members of the Chamber of Deputies, increased by one is ratified, the Chamber may proceed to elect a permanent Board of Presidency. If the election of the members has already been ratified at a previous session, the Chamber shall at its first sitting, and after the temporary President has taken his place proceed to elect such permanent Board of Presidency.
- Mode of election of Board of Presidency.** *Section 5.* The Board of Presidency shall consist of a President, two Vice-Presidents, four or six secretaries of whom half at least shall in turn attend the Chamber, and three Administrative officials. The election to the Board of Presidency shall be carried out by ballot and by absolute majority in accordance with the provisions of section 103 hereof.
- Procedure in election when absolute majority is not obtained.** If on counting the votes it is found that an absolute majority has not been obtained, a second vote shall be made in the same manner as the first vote. If such second vote does not give an absolute majority a third vote shall be taken in respect of such members who have obtained the largest relative majority, as may be double in number to the number of persons required to be elected. In such third election a relative majority shall be sufficient. In case of equality of votes lots shall be drawn.
- Equality of votes.**
- Election of Vice-presidents, Secretaries and Administrative officials.** *Section 6.* Separate votes shall be passed in respect of the Vice-Presidents' the Secretaries and the Administrative Officials. On the voting forms there shall be written two names in the case of Vice-Presidents, four or six names in the case of Secretaries and three names in the case of Administrative Officials.
- Definite constitution of the Chamber.** *Section 7.* After election of the permanent Board of Presidency, the President shall communicate to the Sultan and to the Senate that the Chamber is definitely constituted and shall state the names of the President and the Vice-Presidents.

## PART II.

### SECTIONS COMMITTEES.

- Election and duration of sections.** *Section 8.* While nominating a temporary President and temporary Secretaries- the deputies will be divided by lot into five sections, such Sections shall stand till the opening of the ordinary session of the next year.
- Quorum of Sections for voting purposes.** In such Sections a quorum for voting purposes shall consist of one-third of their members.
- Presidents and Secretary of Section.** Each Section shall elect a President and a Secretary in conformity to Section 5 hereof.
- Debates of Sections.** *Section 9.* The Sections shall discuss all matters and bills referred to them by the Chamber. The debates of every meeting shall be recorded together with the names of the members present.
- Urgent debates.** *Section 10.* With the exception of matters which the Chamber has decided are urgent, no legislative bills nor proposals referred to any of the Sections shall be discussed until twenty-four hours after such reference.



**Section 11.** At the beginning of every session there shall be appointed a Committee to answer the speech of the Throne consisting of fifteen persons selected either by the Sections or by the whole Chamber, as may be directed by the Chamber. Answering Committee.

**Section 12.** At the beginning of every session there shall be appointed sixteen committees which will remain in office till the session of the next year. Such committees shall consist each of fifteen persons elected from the members of the Sections, and each shall be allocated to one of the following matters : Election and duration of Standing Committees.

Petitions, Forests-mines and Agriculture, Cadastre and Immovable Properties, Posts Telegraphs and Téléphones, Commerce, Industry and Taxes, Foreign, Interior, Health, Justice, Military, Religious and Awqaf, Financial legislation, Bills, Education, Budget, Public Works. Standing Committees.

It is not necessary that all the members of a Committee should belong to the same Section. Mode of election of members of Committees.

If a deputy is elected to a Committee, by his own section and by other Sections at the same time, he shall be deemed to have been elected by his own section. If a deputy is elected to a Committee by more than one section other than his own section, he shall be deemed to have been elected by the Section who comes first in the list of Sections. In both cases the remaining Sections whose election is considered void shall proceed to elect new members.

**Section 13.** The Chamber shall have power to increase the members of any Committee whenever it considers this necessary for the discussion of any matter or Bill and shall similarly have power to decide in regard to any matter that it shall be examined jointly by more than one Committee. Such joint Committees shall elect a President, a Secretary and a Reporter in accordance with Section 15. Increase of members of Committee, appointment of joint committees. President and Secretaries of joint Committees.

**Section 14.** If a motion is put forward for the transfer of any Bill or legislative proposal from the Committee which is competent to deal with it to another special Committee, the members of such special Committee shall be selected either by the whole Chamber, or by the sections or by the President as may be decided by the Chamber. Selection of members of Special Committees.

**Section 15.** A Committee will not vote on any subject unless a quorum of one-third of its members is present at the meeting. Resolutions shall be passed by majority of the members present. Quorum of Committees.

Each Committee shall select in accordance with Section 5 a President, Secretaries and Reporter whose duty will be to submit to the Chamber the result of the Committee's proceedings. In case of necessity a special Reporter may be selected for any specified matter. At every meeting of a Committee the names of the members present shall be mentioned in the minutes of such meeting. President, Secretaries and Reporters of Committee.

A Committee may pass a resolution to publish in the official Gazette the names of those of its members who without authorization fail to attend an appointed meeting. Announcement in official Gazette with regard to absent members.

**Section 16.** The agenda of a Committee shall be drawn up by such Committee. The President of the Committee may when necessary convene the members of the Committee by wire. If necessary the President of the Chamber may also convene the Committees. Agenda of Committees. Pressing matters for Committees.

**Section 17.** Deputies who fail to attend three consecutive meetings of a Committee without informing such Committee of their reasons, shall be deemed to have resigned. The matter shall be communicated to the President of the Chamber and the section to which such retiring member belongs shall be required to elect a new member in his place. Absence from Committees.

**Section 18.** The Committees may if the Chamber so decides meet during the vacation of the Chamber or after expiry of the duration of the Chambers session, for the purpose of discussing any specified matters. The President of the Chamber shall in such a case report the matter to the Government. Meetings of Committees during vacation.

**Section 19.** A deputy shall not be member of more than two standing Committees at the same time. Membership of Standing Committees.

**Section 20.** The President of the Chamber shall send and distribute to the Sections and Committees all papers relating to matters which are before them for discussion. Papers to be discussed by Sections and Committees.

Every member of the Chamber of Deputies shall have the right to apply to any Section or Committee to examine any documents distributed to them, and if he desires he may attend the debates of any Committee and express his opinion before it by way of information. Right of Deputies to attend debates of Sections and Committees.

After a definite resolution has been passed by the Chamber in respect of a Legislative Bill, the sections and Committees shall deposit in the archives of the Chamber their documents and reports relating to such Bill. Documents in respect of which a definite resolution is passed.

**Section 21.** Sections and Committees shall have the right to request the attendance of Ministers and other competent persons whom they find necessary. Summon by Sections and Committees.

**Section 22.** If a Committee finds that any Bill or legislative proposal referred to it is within the province of another Committee, it may request the transfer of such Bill or legislative proposal to such other Committee and shall state its reasons for so doing. Procedure where Bill referred to a Committee is within the competence of another Committee.



If a Committee find it necessary to take the views of another Committee on any Bill or legislative proposal submitted to it, it may request the transfer of such Bill or legislative proposal to such other Committee, and shall itself write its ultimate report on the matter.

Likewise a Committee wishing to express its views on a Bill or legislative proposal submitted to another Committee, may request the transfer to itself of such Bill or legislative proposal.

In such cases, if both Committees concerned are in agreement the President of the Chamber shall take the necessary action and shall duly inform the Chamber of the matter at its next sitting.

In case of disagreement between the two Committees the matter shall be communicated by the President to the Chamber and shall be decided by them in regular debate.

The report of a Committee requested to express its views shall like all other reports be printed and distributed.

**Committees bound to examine papers committed within 3 months.** Section 23. A Bill or legislative proposal transferred to a Committee must be submitted by such Committee to the Chamber within a period not exceeding three months from the date of transfer. In default the Government or the person who introduced such Bill or legislative proposal shall have the right to require that they should be included in the Order of the Day of the Chamber for direct consideration by them.

**Printing and distribution of Committee's reports.** Section 24. Sections and Committees shall hand their reports to the President of the Chamber.

When so decided by the Chamber, such reports shall be read over to them forthwith. In default of such decision the report shall be printed and distributed to all deputies.

**Publication of Committee's reports in Official Gazette.** The Chamber may also vote that the reports be published in the official Gazette of the Government.

**Time of distribution.** With the exception of matters regarded by the Chamber as urgent, printed copies of all other matters shall be distributed to the deputies 24 hours at least before the time proposed for their discussion. The Bill of the general budget shall not be discussed before eight days from the date of distribution of the report relating thereto.

**Announcement of report to the Chamber.** When the report of a Committee has been presented to the President of the Chamber, the President shall announce to the Chamber the receipt of such report when announcing other papers in accordance with Section 46, and such announcement shall also be written on a board posted for the purpose in a suitable place.

**Verbal statements by Committees.** Section 25. Committees may authorize their Reporters to submit verbally to the Chamber the result of their proceedings. Nevertheless the Chamber shall have power to refer back the matter to the Committee with the request that a written report be drawn up.

**Report of Chief Secretary on work of Standing Committees.** Section 26. A report on the work of the standing committees shall be made by the Chief Secretary and presented to the President of the Chamber at least twice a year. The President shall cause such report to be printed and distributed to the deputies and also published in the official Gazette of the Government.

### PART III.

#### EXAMINATION OF ELECTORAL RETURNS.

**Examination of Electoral Returns.** Section 27. Electoral returns shall be distributed to the Sections in alphabetical order of the electoral colleges. Each section shall for the purpose of examining electoral returns be divided by lot into Commissions of not less than five members. Such Commissions shall forthwith examine the electoral returns and shall submit the result to the Sections. The Sections shall make such further examination and enquiry as they may think necessary and will then draw up a report (Mazbatah) which they will present to the Chamber.

A deputy in regard to whose electoral return an objection is made shall have the right to apply to the Commission and Section which examined his return, to defend himself.

**Ratification of Electoral Returns.** Section 28. When made up the reports (Mazbatah) on the examination of elections shall be presented by their respective Sections to the President of the Chamber and shall be read before the whole Chamber. A deputy in regard to whom a majority vote is given attesting that his election was made in due legal form shall be announced by the President to the Chamber as having been admitted to the membership of the Chamber of Deputies.

**Invalidating election.** If by the Report on the examination of elections, the election of a deputy is declared invalid, the question whether such deputy should or should not be admitted to the membership of the Chamber shall not be put to the Chamber on the same day as the report is read before it. Such question shall be included in the Order of the Day of a subsequent sitting after the report has been printed and distributed to the deputies.



*Section 29.* Deputies in regard to whom the Chamber has not given a decision attesting the regularity of their election, shall in the meanwhile have the right to express their opinions and to vote at the discussions of the Chamber.

Power of deputy whose election has not yet been ratified.

Provided that deputies whose admission has been deferred by the Chamber, shall not participate in the votes of the Chamber until their return is ratified.

Deputies whose admission is deferred.

Deputies whose returns have not yet been accepted shall not have right to vote, either in a Section or in the whole Chamber, in any discussion regarding their own admission or non-admission to the membership of the Chamber.

Deputies whose returns are not yet ratified.

*Section 30.* When a vote of non-admission of a deputy to the membership is given by the Chamber, the President shall inform the Prime Minister of the necessity of proceeding to a fresh election and shall state the reason why the existing election has been invalidated.

Repudiation of election.

*Section 31.* A deputy whose election has been examined may resign his deputyship. A deputy who resigns before such examination shall not thereby defeat the right of the Chamber to examine his election.

Resignation of deputies.

## PART IV.

### BILLS (DRAFT-LAWS).

*Section 32.* Bills presented to the Chamber of Deputies on behalf of the Government shall be sent or handed in the Chamber to the President together with a note explaining the reasons thereof, duly signed by the Prime Minister and the responsible Minister concerned. If required by the Chamber, any Bill so presented may be read out to them.

Procedure in depositing Bills.

All Bills shall be referred to the Committees concerned. The Chamber may if it so desire refer to the Sections also the examination of such Bills. Any Bills which are of particular importance shall be caused by the President to be printed and distributed to the members together with a note explaining the reasons of their importance.

Printing and distribution of Bills.

*Section 33.* If among the Bills presented to the President of the Chamber in the interval of two sittings there are any Bills which are particularly urgent the President shall have power to send such Bills to the competent Committee, subject to informing the Chamber at the next sitting.

Urgent Bills.

*Section 34.* If in accordance with Section 54 of the Constitution, a Bill is returned by the Sultan for re-examination, the Imperial note explaining the reasons for such re-examination shall be printed and distributed and the Bill shall be referred to the Committee to which it belongs, unless the Chamber passes a vote for the appointment of a new Committee. Fresh debates shall be held on the Report presented by such Committee.

Returned Bills.

Printing and distribution of Imperial Note.

*Section 35.* The Government may after due notice to the Chamber withdraw any of the Bills submitted to it.

Withdrawal of Bills.

*Section 36.* A new Chamber of Deputies which is elected upon the dissolution of an existing Chamber, or upon the expiry of the duration of such Chamber, shall ignore all Bills and legislative proposals which had not already been passed by the retiring Chamber. Bills and legislative proposals which were passed and referred to the Senate by such retiring Chamber and which are returned by the Senate for reconsideration by the new Chamber, shall be subject to the rules regulating the return of Bills from the Senate to the Chamber of Deputies.

Nullity of Bills and Proposals left over by retiring Chamber.

*Section 37.* Reports drawn up by the Committees of a Chamber which is subsequently dissolved or whose duration has expired, and therefore are regarded as null may, at the request of the Committees of a new Chamber, or at the request of twenty deputies be referred by the President to the new Committees. Such reports may be adopted by the Committees with or without modification.

Delivery of nullified Reports to Committees.

*Section 38.* Decisions which have temporarily the effect of law shall be excepted from the provisions of Section 35 and from liability of being treated as null, and the consideration of such decisions shall be proceeded with from the point where it was left off.

Temporary Decisions not to be treated as null.

## PART V.

### LEGISLATIVE PROPOSALS.

*Section 39.* Legislative proposals introduced by deputies shall require to be couched in legal form and to be accompanied by an explanatory note.

Submission and reference of legislative proposals.

Legislative Proposals shall be submitted to the President. The President shall, after giving due information to the Chamber, refer such proposals to the Committee of Bills.

*Section 40.* If the mover or movers of a legislative proposal desire to express their views to the Committee which is entrusted with the consideration of such proposal, such Committee shall be bound to hear them.

Movers of legislative proposal to be heard by Committee.

*Section 41.* The Committee of Bills shall be bound to draw up and present within a fortnight a brief report on every legislative proposal which is submitted to it. Such report shall contain a proposal either for consideration or for rejection or for non-consideration. The Committee shall also have power to move a resolution or urgency.

Duty of Committee of Bills.



Legislative proposals which are thought to deserve consideration by the Chamber shall be referred to the competent Committee for consideration. If the Committee of Bills considers that a legislative proposal is connected with the work of one of the existing Committees, it may propose to the Chamber that the said legislative proposal be referred to such Committee.

Proposals for amendment of Internal Regulations.

*Section 42.* Proposals for the amendment of the Internal Regulations of the Chamber shall not be approved and passed at the same sitting as they are introduced, and shall be subject to the same rules as other legislative proposals.

Withdrawal of proposals.

*Section 43.* The mover of a proposal shall always have right to withdraw such proposal even if it is already under discussion.

If in such a case a member of the Chamber other than the mover, requests that the proposal should be regarded as being made by himself and that the discussion thereof should be continued, such discussion will be continued.

## PART VI.

### PROCEDURE FOR HOLDING SITTINGS.

Opening of sitting.

*Section 44.* At the time appointed in the Order of the Day the President shall take the chair and shall thereby open the sitting.

Quorum for opening debate.

He shall then cause the summary record of the previous sitting to be read by one of the Secretaries. No debate shall be opened unless at least one more than half the members of the Chamber are present.

Call of the Chamber.

If the members present do not constitute a quorum the President shall cause a roll call of the members to be made and shall close the sitting by announcing that the debate will not be opened.

On the day appointed for the next sitting the Chamber shall assemble under the same Order of the Day.

Record of previous sitting.

*Section 45.* The record of the last sitting held during a session of the Chamber shall be read at the end of such sitting. After a record is approved by the Chamber it shall be signed by the person who presided on the day to which such record relates, together with at least two of the Secretaries.

Approval of previous record and papers received.

*Section 46.* After the sitting is opened and the record of the previous sitting is read and approved the President shall inform the Chamber of any papers received and those shall be disposed of as may be decided by the Chamber. The debate shall then be opened subject to the matters being taken in the order in which they stand in the Order of the Day. Provided that the Chamber may by special resolution alter such order.

Opening of debate.

Members speaking.

*Section 47.* No deputy shall be allowed to speak unless he has previously given notice of his intention by registering his name with the Secretaries or unless he takes leave from the President in the course of the sitting.

Restriction on members wishing to speak.

If the proposed speech bears on a Bill and if the Report of the Committee to which such Bill relates is not included in the Order of the Day the Secretaries shall not register the name of the member wishing to make such speech.

Assenting and dissenting members speaking in turn.

*Section 48.* Members shall be allowed to speak in the order in which their names stand in the register or in turn as they apply to address the Chamber. The Chamber may if it thinks fit, while debating on matters of importance, arrange the turn of the members speaking by dividing them into groups of assenting or dissenting members who will speak in turn.

Proposal of amendment.

Deputies intending to move an amendment in respect of a provision of law must submit to the President a draft amendment which will serve as a basis for voting on such amendment.

Ministers, their representatives, Reporters and Presidents of Committees speaking before Chamber.

The Ministers or any superior officials delegated by them, the Reporters representing the Committees, and also the Presidents of the Committee will have the right to speak at any time and will not be liable to observe the order of registration or verbal application.

Procedure for speaking.

*Section 49.* A deputy who has to speak must mount the tribune. A deputy wishing to speak from his own place must apply to the President for special leave.

A speaker can address himself only to the President or the whole Chamber.

Duration of speech.

Deputies may read out their speeches from the tribune, provided that such reading shall not last more than a quarter of an hour.

Participation of President in debates.

*Section 50.* When putting any matter to the vote the President shall not express an assenting or a dissenting opinion. If he desires to take part in the debates, he shall leave his seat and mount the tribune and he shall not resume the presidency over the Chamber before the matter in debate has been voted on. Questions arising from the application of the Internal Regulations of the Chamber shall be excepted from the above provision.

Secretaries when speaking before Chamber.

A Secretary who desires to speak must also in conformity to the procedure, apply for permission and wait his turn to mount the tribune. In such a case he shall not repair to his seat as a Secretary until the matter in debate has been voted on.



**Section 51.** A deputy who is the object of an attack against his private life or to whom an opinion is attributed which is contrary to another opinion professed by him shall have the right to demand to speak at any time. In such a case he shall state the circumstance which induces him to demand to speak and such circumstance shall be considered by the President. If the President declares that there is no reason for granting the deputy leave to speak and such deputy insists upon his demand, the Chamber will decide on the matter by voting by signs. Provided however that the President may adjourn such matter till the end of the debate.

Right to speak of deputy subjected to an attack.

**Section 52.** The President will have right to interrupt a speaking deputy only when calling him to order. A deputy must not stray from his subject. If he does the President shall call him to order. If a speaker, after being twice called to order, continues to speak outside the subject, the President shall propose to the Chamber to forbid such deputy to speak on the same subject during that sitting. The Chamber shall decide without debate by voting by signs.

Irrelevancy.

**Section 53.** No deputy shall speak on the same subject more than twice except where the Chamber decides to the contrary. The Chamber may pass a resolution that persons other than ministers and Committee-reporters, shall not speak on a specified matter more than a specified time.

Duration of speech.

**Section 54.** Motions of non-discussion and motions for calling a person to order and reports on questions of precedence shall always have priority over the principal matters. If any such motion is put forward the deputies shall express either a dissenting or an assenting opinion and shall not speak more than a quarter of an hour. If the matter is put to the vote, votes shall be given by signs.

Motions which have priority over essential matters.

**Section 55.** It is strictly forbidden to interrupt a person who is speaking before the Chamber, or to make attacks against his private life or to make any other demonstration of a nature to disturb the good order of the Chamber.

Interrupting speaker Disturbing order.

**Section 56.** After the pro's and con's of any matter have been discussed any one of the deputies may demand the closure of the debate on such matter.

Vote on closure of debate.

If one or more deputies wish to speak against the motion of closure, one only shall be allowed to speak and the matter shall then be put to the vote.

If the President or Secretaries feel any doubt on the preponderance of a vote they may make a second vote. If the doubt is not dispelled by such second vote the debate will be resumed. After the majority decides to discontinue the debate of any matter no one shall be allowed to speak for or against it, except anyone wishing to speak on the method of the voting.

**Section 57.** When the debates of the Chamber become noisy, if the President does not succeed in restoring order he shall stand up. If the noise continues he shall announce that he intends to suspend the sitting. If notwithstanding such warning order is not restored the President shall suspend the debate for an hour.

Noise during debate.

After one hour the President shall re-open the sitting. If however noise is again created he shall adjourn the sitting until the next day.

**Section 58.** In accordance with Section 78 of the Constitution a motion may be put forward by the Ministers or by fifteen members of the Chamber of Deputies, that the discussion of the Chamber in respect of an important matter should be held in camera.

Debate in Camera.

When such a motion is put forward the place where the meeting is held shall be cleared of all persons other than the members and a vote shall be taken by signs without debate, approving or dismissing the motion.

The names of the persons who demand a debate in camera shall be noted in the record of the Chamber and published in the official gazette of the Government.

Publication of names of persons demanding debate in Camera.

When a matter in respect of which a debate was held in camera is settled the President shall move the resumption of open debate and the Chamber shall vote thereon.

Resumption of open debate.

The record of the proceedings of a secret sitting shall be taken by the Secretaries of the Chamber and shall be kept with the Board of Presidency. Before the opening of the next sitting a sitting in camera will be held in which such record will be read.

Record of secret sitting.

**Section 59.** If a motion is put forward for the publication and proclamation of a speech such motion shall not be put to the vote before publication of the speech in the Journal of the Chamber.

Proclamation of a speech.

**Section 60.** Before closing a sitting the President shall obtain from the Chamber a resolution with regard to the order of the day of the next sitting.

Order of the day of next sitting.

**Section 61.** The Journals of the Chamber of Deputies shall also be issued in the official Gazette of the Government.

Publication of Journal.

## PART VII.

### PROCEDURE OF DEBATES ON BILLS AND LEGISLATIVE PROPOSALS; AMENDMENT BILLS.

**Section 62.** After distribution of the report of a Committee the Chamber shall fix a day for its discussion.

Fixing a day for debate.



- Two readings necessary.** *Section 63.* All Bills and Legislative Proposals concerning matters which are not urgent shall be read completely and discussed twice at an interval of at least five days and a motion for their definite acceptance will not be put to the vote unless this provision is complied with.
- How to discuss Bills and Legislative Proposals.** *Section 64.* At the first reading the debate shall bear on the Bill or Legislative Proposal as a whole.  
When such preliminary debate is terminated the President shall ask the Chamber if they will proceed to discuss the clauses.  
If the Chamber decides not to discuss the clauses the President shall declare that the Bill or Legislative Proposal has not been accepted.  
If the Chamber decides to discuss the clauses, each clause shall be discussed in turn together with any proposal put forward for its amendment.  
When the debate on the clauses is terminated the Chamber will resolve as to whether they will or will not proceed to the second reading.
- Proposals for Amendment of Bills.** *Section 65.* If one or more deputies desire to make proposals for the amendment of a Bill referred to a Committee, they shall prepare a Draft Amendment which they will submit to the President. Such Draft Amendment must contain a clear statement of the provision of the Bill or the chapter of the budget to which it relates.  
It shall be referred by the President to the competent Committee.
- Printing and distribution of Draft Amendments.** It shall also be printed at the foot of the Report of the Committee together with the explanatory note of the person who introduced it. The Report shall also state the decision passed by the Committee in respect of such Amendment together with their reasons therefor.
- Discussion of Draft Amendment.** When, in the course of the debate of the Chamber on a Bill, the turn of the proposed amendments of such Bill arrives, the person who introduced them shall be at liberty to expound his reasons and if any of the members present seconds him, the amendment shall be put on debate. Failing this the amendment proposed shall be ignored.
- Amendment Proposals after termination of 1st Reading.** *Section 66.* When the first reading of a Bill is terminated any Draft Amendment thereafter submitted shall be referred to the Committee entrusted with the consideration of such Bill.
- Reference to Competent Committee of Draft Amendment submitted during First or Second Reading.** *Section 67.* If the Reporter of a Committee demands on behalf of such Committee that any Draft Amendment submitted in the course of the First or Second Reading should be referred to the competent Committee such Draft Amendment shall be so referred.
- Amendments submitted during 1st or Second Reading and which are not asked to be referred to Committee.** *Section 68.* If the reference to a Committee, of a Draft Amendment submitted during the First or Second Reading is not demanded by the Reporter the person who introduced such Amendment shall explain summarily the reasons thereof. The members of the Committee alone are allowed to answer the proposal of amendment at the Second Reading. The Chamber shall thereupon vote as to whether the Amendment should or should not be considered. If it is to be considered it shall be referred to a Committee.
- Right of person introducing Amendment.** *Section 69.* If the person who introduces a Proposal of Amendment desires to express his views to the Committee to which such Amendment has been referred such Committee shall be bound to hear him.
- Proposal of Amendment of Bills, returned to a Committee upon their Second Reading.** *Section 70.* If at the Second Reading, a Draft is returned to a Committee any deputy may submit to such Committee proposals of amendment in respect of such Draft.
- When Amendments are to be voted.** *Section 71.* Amendments shall always be voted on before their respective clauses.
- Division of complex matters and separate vote thereon.** *Section 72.* If a matter under discussion is composed of more than one subject and a motion is put forward to divide such subjects and put them to the vote separately such motion shall be complied with.
- Voting on Bills as a whole.** *Section 73.* At the Second Reading, after a vote of acceptance or rejection is taken in respect of each clause and the Amendments relating thereto, a definite vote shall also be passed accepting or rejecting the Bill as a whole.
- Bills which are not subject to two Readings.** *Section 74.* The above provisions which regulate the double reading of a Bill shall not apply to Budget Bills of income or expenditure nor to the Bill of Final Audit nor to Bills embodying a demand for subsidy or other extraordinary allowance. In the case of such Bills one reading shall be sufficient.
- Rejected Proposals.** *Section 75.* Proposals which are rejected by the Chamber shall not be again submitted to it during the same session.
- Bills demanding Ratification of treaty.** *Section 76.* When a Bill is presented to the Chamber, demanding the ratification of a treaty which under Section 7 of the Constitution is subject to the approval of the Chamber of deputies, the clauses of such treaty shall not be put to the vote and no motion shall be permitted for amendment of the text of such treaty.



If at the First Reading an objection is made respecting the clauses of the treaty such objection shall require to be in the form of a demand to return the Bill to the Committee. Objection to clauses of treaty.

If after due discussion, the Chamber decides to consider the objection made, such objection shall be referred to the Committee.

The Committee shall draw up a report on the proposal referred to it for consideration, as a whole, and such report must be printed and distributed. In its report the Committee shall recommend acceptance, rejection or suspension of the Bill. A decision of suspension must be justified by the following reasons :— Committees report on objection.

"The Chamber of Deputies calls the attention of the Government to such and such clauses of the treaty (the clauses to be suspended must be quoted in *extenso*) and withholds its sanction to their ratification". Reasons of Report.

If a resolution of urgency is passed in respect of any such treaty the Committee shall present its report with regard to the Amendment Proposals after the clauses which are unopposed have been discussed.

Section 77. Agreements concluded by the Government subject to the approval of the Chamber of Deputies and Bills demanding the ratification of such agreements shall be subject to the procedure described in the preceding Section. Agreements, and Bills demanding their ratification.

## PART VIII.

### RESOLUTIONS OF URGENCY.

Section 78. A minister or a deputy or the mover of a Proposal may, at the time of presentation of such proposal or in the course of the preliminary discussion as a whole of a Bill or Legislative proposal, make a motion for a resolution of urgency in respect of such Bill or Legislative Proposal. Time of presentation of motion for urgency.

Section 79. A motion for a resolution of urgency must be made in writing and must state reasons to justify it. Form of motion of urgency.

When a motion of urgency is handed to him the President shall put it to the vote and it shall then be either accepted or rejected by the Chamber. Voting on motion of urgency.

Section 80. After passing a resolution of urgency in respect of a Bill or Proposal the Chamber may resolve to proceed forthwith to the discussion of such Bill or proposal. Bill or Proposal despatch of which is decided.

Section 81. Bills or Proposals in respect of which a resolution of urgency has been passed shall be discussed once only. Urgent Bills to be discussed once.

Section 82. Before such Bill or proposal is put to the vote as a whole, if it be necessary to correct its drafting it shall be referred to the competent Committee. If a demand to this effect is made by the Committee the Bill or proposal must in any case be referred to it. Reference of urgent Bill to Committee.

Where reference is thus made to the Committee the necessary alterations must be made by such Committee and the Bill or Proposal must be returned by it without delay to the Chamber.

## PART IX.

### DEBATE ON BUDGET AND FINAL AUDIT.

Section 83. The following are the matters which are to be referred for consideration to the Committee of the Budget:— Matters to be examined by Committee of Budget.

1. Bills concerning the budget and the subsidiary grants of the Chamber of Deputies,
2. The Law of the Budget,
3. Bills containing a demand for subsidiary or extraordinary grants,
4. All Bills and Proposal which will have the effect of increasing or reducing the income and expenditure of the State.

Section 84. The Chamber of Deputies may also refer for consideration any of the Bills or Proposals described in the preceding Section to the standing Committee to which such Bill or Proposal relates. Such Committee shall resolve on the Bill as a whole. It may not make any proposal for additional grants. If the Committee approves the Bill it shall send its report thereon to the Committee of the Budget. Reference of Bills concerning income and expenditure to competent standing Committee.

Section 85. After three sittings from the date of distribution to the Deputies of a report on the Budget of a Department no deputy shall be allowed to make any motion for amending or additional provisions in respect of any Chapter of the said Budget, if such motion will have the effect of increasing the expenditure. Proposal for increase of expenditure.

Section 86. Deputies shall not move any amendment or additional provision to the budget, for the purpose of increasing salaries, allowances, daily wages, travelling allowances, or personal salaries, or for creating a new office or for extending any of such matters beyond the limit which is by law prescribed for it. Proposal of increase or addition to the budget.

Provided however that amendments approved by the Government or the Committee of the Budget or bearing fifty signatures may be introduced even after the time prescribed in the preceding section.



**Voting on increase of expenditure.** In no case will proposals for increase of expenditure be put to the vote unless and until the opinion of the Committee of the Budget is received.

**Voting on Schedules of budget.** *Section 87.* Each chapter of the schedules appended to the Law of the Budget shall be severally put to the vote in presence of the Ministers.

**Method of debate on budget.** *Section 88.* Chapters of the budget, in respect of which a demand for amendment is not moved by the Government or by the Committee of the Budget or by the deputies in the form of a draft amendment introduced in due form, shall be discussed summarily.

A speaker shall not be allowed to speak on the same Chapter more than once nor longer than a quarter of an hour.

Chapters of amending Bills introduced in due form shall be subject to the same rule of summary discussion, except however speeches made in respect of the Bill.

**Duty of the Committee of Audit.** *Section 89.* At the beginning of every session a Committee of Audit shall be constituted consisting of five members selected from among the Sections. This Committee shall examine Bills of final Audit and the quarterly reports submitted by the Audit Board (Diwan Muhasabat) concerning the commitments of the Government in expenditure. The result of their proceedings shall be stated in a report (Masbatah) which will be printed and distributed to the deputies.

## PART X.

### DEBATE ON ORDERS WHICH HAVE TEMPORARILY THE EFFECT OF LAW.

**Reference of provisional Orders to Chambers.** *Section 90.* Any order which is issued by the Cabinet by virtue of an Imperial Iradah at a time when Parliament is not sitting and which has the effect of law, in conformity to Section 36 as amended of the Constitution, shall be submitted to the Chamber of Deputies at its next session thereafter together with an explanatory note printed in the same volume which shall be distributed to the deputies.

The debate on Bills relating to such orders shall be conducted in the same manner as other Bills.

**Bills concerning expenditure made at a time when Parliament is not sitting.** *Section 91.* If at a time when Parliament is not sitting any expenditure is made by the Cabinet in excess of the provisions of the Budget, in conformity to Section 101 of the Constitution, the Bill relating to the expenditure so made together with the Imperial Iradah and Explanatory Note relating thereto and also the returns of the grants allowed shall be submitted to the Chamber of Deputies at its next session, printed in one volume which shall be distributed to the Deputies.

The debate on such Bills shall also be conducted in the same manner as other Bills.

**Publication of List of Provisional Orders in Official Gazette.** *Section 92.* At the beginning of every session the President of the Chamber shall publish in the Official Gazette of the Government a list of all Bills such as those described in Sections 90 and 91. Special consideration shall be given to such Bills through all their proceedings until they are transferred to the Senate.

**Priority in debate of Provisional Orders.** If during a session any such Bill does not become a final law, it shall, at the next session, have priority over all other Bills and Proposals, except Bills and Proposals in respect of which a resolution of urgency has been passed by the Chamber.

**Provisional Orders which are rejected.** *Section 93.* If any Bills mentioned in the preceding sections are rejected by the Chamber of Deputies they shall be deemed to be null and void from the date of rejection.

If any such Bill is approved subject to amendment it shall remain in force in its original form until the amended Bill is published.

The resolution of the Chamber of Deputies rejecting any such Bill shall be communicated to the Prime Minister in the form of a regular Order (Qararnamah). Such order shall be included in the Dastur (Compendium of Ottoman legislation) and shall be published in the Official Gazette of the Government.

**Necessity for Sanctioning Order superseding a Provisional Order.** *Section 94.* Any order passed by the Government superseding another Order previously issued by them as a law by virtue of an Imperial Iradah when Parliament was not sitting, shall also be liable to be submitted for sanction to the Chamber of Deputies at its next session.

**Amalgamation of Provisional Orders.** *Section 95.* If two or more Orders issued by the Government and having the force of law are complementary or relate to the same matter and the Chamber of Deputies find it necessary to amalgamate them a provision shall be added to the Bill relating to the Order which is maintained, whereby the Order embodied in such Bill shall be repealed.

## PART XI.

### PROCEDURE OF VOTING.

**Manners of voting.** *Section 96.* The Chamber of Deputies shall vote on matters which are submitted to it in three ways : by signs, publicly, and by ballot. Voting by signs shall be effected by a show of hands or by standing up.



Public voting shall be by Ayes and Noes in accordance with Section 100 hereof or by the deputies writing their votes publicly on a sheet bearing their names.

Ballot votes shall be given by unmarked and rolled up voting forms in accordance with Section 102 hereof.

Section 97. On questions relating to calling a person to order in the course of a debate, or forbidding a deputy to speak or reprimanding or expelling him temporarily from the Chamber, the Chamber shall be bound to vote by signs. In all other matters voting by signs shall also be used except however matters in which it is necessary according to these Regulations to pass public or ballot votes.

Matters on which voting by signs is obligatory.

Section 98. Votes given by a show of hands shall be counted by the President and the Secretaries jointly. If they do not agree or if they have any doubt as to the result of a vote they shall get the voters to stand up. If they are still doubtful a public vote shall be taken. No person shall speak while voting is in progress.

Manner of fixing result of votes by signs.

Section 99. In the case of Bills relating to the General Budget or to the imposition of new taxes or the suppression, reduction or increase of existing taxes, or to treaties, it shall be necessary to proceed direct to a public vote. In all other matters, except matters in respect of which it is necessary to vote by signs, the passing of a public vote shall first require to be moved.

Cases where public voting is obligatory.

A motion for a public vote on a subject may be made in writing when such subject is put to the vote or verbally when the preponderance of a vote is doubtful to the President and the Secretaries.

Manner of moving a Public vote.

Provided, that such motion must be seconded by fifteen members. A motion for a public vote made before voting takes place shall require to be signed by at least fifteen members and to be submitted to the President. The names of the persons demanding a public vote shall be published in the official gazette of the Government.

Section 100. A public vote shall be taken in the following manner: One of the Secretaries shall proceed to call the names of the deputies arranged and written in alphabetical order. The letter of the alphabet from which such reading is to begin shall be decided by lot. Any deputy whose name is called shall stand up and give his vote by pronouncing one of the word "assenting" "dissenting" or "abstaining". The vote shall be noted down by the Secretaries.

Manner of passing a public vote.

A deputy whose name is called may instead personally put his voting paper into the box which is placed on the tribune, or declare that he is abstaining from voting.

Immediately after the call of the names, the names of those who have not voted shall be called a second time and anyone who has arrived in the meanwhile shall be called upon to give his votes. Every deputy shall possess white and red voting forms on which his name is printed. White forms are used for assenting votes and red forms for dissenting votes.

The President shall take the opinion of the Chamber as to which of the two modes of voting described above shall be used for passing a public vote.

When the votes have been gathered the President shall declare that the proceeding has terminated. After termination of the proceeding no vote shall be accepted.

The voting boxes shall be opened by the Secretaries and the voting forms found in each of them will be sorted by them.

The number of deputies abstaining shall not have any effect on the result of a vote which will be solely determined by the respective number of assenting and dissenting votes.

The result obtained by the Secretaries shall without fail be announced by the President at the same sitting with full details (*viz.*, the respective number of assenting, and dissenting votes, the number of persons who have abstained from voting and the number, if any, of voting forms which have been cancelled).

Section 101. In all matters in respect of which a public vote is applicable a motion may be made by fifteen members for a ballot vote. In such a case the Chamber shall be required to vote without discussion, approving or rejecting the motion.

Motion for ballot vote.

The names of the persons who move a ballot vote shall be published in the official Gazette of the Government.

Section 102. Ballot votes shall be given on the tribune in the same manner as public vote, except however that each deputy shall take from the Secretaries who are to the left of the President one white and one black voting roll, the white roll shall mean assent and the black roll dissent; the deputy shall cast one of the rolls as he may choose into the polling box which is on the tribune and the other into the checking box. The voting rolls contained in the polling box shall be emptied by the secretaries into a special tray and shall be sorted by them into white and black forms which they shall count publicly.

Manner of passing a ballot vote.

The voting rolls contained in the checking box shall also be counted. The result shall then be announced by the President.



Manner of conducting elections made by Chamber, Sections or Committees.

**Section 103.** Elections made by the Chamber of Deputies or by the Sections or Committees shall be carried out in the following manner :—

A box shall be placed to receive the votes.

The names of the deputies will be called in alphabetical order and each of them when so called will come to the tribune and will put into the box his voting form enclosed in an open envelope. On this voting form he will have written the name of the person or the names of the persons chosen by him.

The voting forms shall be sorted by three deputies selected by lot.

Quorum for voting.

**Section 104.** In all debates, with the exception of matters which are subject to a majority vote of two-thirds, resolutions shall be passed by an absolute majority of the members present. In case of equality of votes the President shall have a casting vote.

The presence of a quorum of members shall be ascertained by the President and the Secretaries.

Call of the House.

When putting a question to the vote, if the President and the Secretaries, do not agree as to the number of members present a roll call of the House shall be made.

Default of quorum.

If, a quorum of members be not present, and it becomes impossible to take a vote on a question which is in debate, the decision on such question shall be left to the next sitting, and a note shall be made in the order of the day of that sitting that the vote adjourned will be taken on that day. On that day the vote adjourned shall be taken irrespective of the number of voters.

Quorum for acceptance of Proposals concerning impeachment of Ministers and amendment of the Constitution.

**Section 105.** The acceptance of motions relating to a complaint made against a Minister or to the impeachment of a deputy shall be subject to a majority vote of two-thirds of the members present.

Proposals for amendment of the Constitution shall not be accepted unless two-thirds at least of the members of the Chamber give their assent.

Manner of announcing resolution of Chamber.

**Section 106.** When any matter is approved or rejected by the Chamber the President shall announce the resolution upon such matter by saying only that it has been "approved or rejected !"

## PART XII.

### QUESTIONS.

Questions put to a Minister.

**Section 107.** Every deputy shall have the right to put questions verbally or in writing to any of the Ministers.

Meaning of question.

**Section 108.** A question shall be a demand for information made in a clear and concise form such as "Is such matter true" or "Is such news true or has it been heard by the Government" or "Has the Government come or is it about to come to a decision upon such and such matter".

Verbal and written questions.

On the question paper it shall be necessary to state if the answer to the question should be given verbally (that is to say in presence of the Chamber) or in writing (that is to say by being inserted in the Journal of the deliberations). A question paper shall be signed by one deputy only.

Presentation of written question and its communication to Government.

**Section 109.** A deputy who desires to put a written question to a Minister shall present the text of such question to the President. The President shall forthwith communicate it to the Minister concerned and shall cause it to be inserted *in extenso* in the minutes of the deliberations within three days. The Minister shall present his answer in writing to the President. Within ten days from the date of presentation of the question this answer together with the question shall be published at the end of the Journal of debates.

Minister's answer.

Presentation of verbal question.

**Section 110.** The written text of verbal questions shall be submitted to the President. The President shall communicate them to the Minister concerned and shall cause them to be inserted at the end of the minute of the deliberations. He shall also enter them in the Order of the Day of the next sitting in the order in which they were received by him.

Minister's reply to verbal question.

**Section 111.** At the opening of a sitting the President shall cause the questions included in the Order of the Day to be read over. Each question shall be answered by the Minister concerned. A Minister may also state in reply to a verbal or written question that he will not give an answer for reasons affecting public welfare or that he will adjourn his answer for sometime in order to get the necessary information.

Adjournment of reply.

If the deputy who has put up a question is not present at the reading of such question he shall be deemed to have withdrawn it.

Remarks upon Ministers' reply.

**Section 112.** After the Minister concerned has given his reply, only the deputy who put up the question shall have the right to speak. Such speech however shall not last more than five minutes.

Adjournment of questions entered in Order of the Day.

**Section 113.** If within half an hour from the opening of a sitting the questions entered in the Order of the Day are not completely dealt with, the President shall leave the remaining questions to the Order of the Day of the next sitting where they shall have priority. He shall then open the debate.



**Section 114.** If the Government decide that any question is to be treated as urgent it may give to such question priority over other questions and reply to it at any time. Questions decided to be treated as urgent.

**Section 115.** In deliberations upon the budget deputies shall be free to put any question to the Minister of the Department whose budget is under discussion. Such questions shall not be subject to restrictions and upon discussion of each Chapter the deputies shall be free to put any questions concerning that Chapter. Questions put in the course of budget deliberations.

**Section 116.** The result of a question shall not be subject to a vote. Result of a question.

**Section 117.** A deputy who desires to move a demand for explanations from the Cabinet with regard to any matter shall have to submit to the President written notice to this effect containing the reasons of his demand. The notice shall be read before the Chamber and a vote shall be given accepting or rejecting it, without however a debate being opened on its subject matter. If the notice is accepted by a majority vote a day shall be fixed therefor. An invitation stating the matter upon which explanation is demanded shall be issued by the President to the person from whom the explanation is demanded and he shall be required to attend the Chamber or send to it one of the superior officials of his Department on the day fixed. How to present vote demanding explanations.  
Voting upon such note.  
Summon of person from whom explanation is required.

**Section 118.** On the day appointed the member of the Cabinet who was summoned or any superior official of his Department delegated by him shall attend the Chamber and give the explanation demanded. The right to speak and challenge such explanation shall belong first to the deputy who introduced the proposal and then to the other deputies. How explanation is given.

(The following provisions which through an omission are not numbered come after Section 118.)

**Section.** After the explanations required have been given by the Government and any reply thereto has been made by the deputies, if no notice of a motion is given the President shall pass to the Order of the Day.

**Section.** A notice of a motion, may if desired, be given in respect of the result of an explanation.

**Section.** Notices of motions to the effect that any explanations are sufficient and demanding resumption of deliberations shall have priority over other notices of motions.

**Section.** If the motion to pass to the Order of the Day is rejected any other notices of motions with explanatory reasons shall come next to such motion.

Unless a resolution is passed referring such notices of motions to a Committee, the notice of motion which is given preference by the Government shall be first put to the vote.

**Section.** Any motion for appending any additional paragraph to a Notice of motion accompanied by explanatory reasons must in all cases be made before such notice of motion is put to the vote and must be communicated to the Chamber.

**Section.** The Report of a Committee in respect of any notice of motion referred to it under Section 122\* shall be subject to the same rules of debate as matters which are decided to be urgent. If the Report of the Committee is rejected all notices of motions accompanied by explanatory reasons shall be read and put to the vote in the order in which they were submitted to the President.

**Section.** After three sittings following the day appointed for any explanation, or after the commencement of deliberations upon such explanation, no other demand for explanation shall be added to such initial explanation.

Additional demands for explanations shall not be allowed in the case of deliberations upon budgets.

**Section.** Any person who put forward a demand for explanation shall have the right to withdraw it. Such withdrawal may also be effected through the medium of any deputy other than the person who introduced the demand.

### PART XIII.

#### DISCIPLINARY PUNISHMENTS.

**Section 119.** The punitive measures to which members of the Chamber of Deputies may become liable in the maintenance of discipline and good order shall be of three kinds: (1) Warning, (2) reprimand (3) temporary expulsion from the Chamber. Kinds of punishments.

**Section 120.** The following shall be the acts which are liable to the punishment of warning: The interruption of a person addressing the Chamber, the disturbance of the tranquility of the Chamber or the regularity of the deliberations by any act or movement, or by personal disputes. Acts liable to warning.

**Section 121.** The right to award and enforce the punishment of warning shall belong to the President. When a warning is addressed to a deputy he must submit to it; if he wishes to justify himself he will be authorized to do so. A deputy who incurs a warning and who is not authorized to speak may if he desires to justify himself address the Chamber at the end of the sitting. It is however open to the President to allow such deputy to speak before the end of the sitting. If the President finds the explanations of the deputy unsatisfactory he shall uphold the warning. Warnings shall be noted by the Secretaries. Award of warning and the right of self-justification.

\* Section 122 referred to here is the fourth, unnumbered Sections following Section 118.  
(Note by Translator.)



Warning to be entered in summary Record.  
A deputy subject to two warnings at one sitting forbidden to address Chamber.  
Acts liable to reprimand.

If a deputy is subject to the punishment of two warnings at the same sitting such punishment shall be noted in the summary record of the Chamber.

*Section 122.* Upon a motion of the President the Chamber may pass by signs and without deliberations a vote forbidding a deputy who has incurred two warnings at the same sitting, to speak before the end of the sitting.

*Section 123.* The following shall be the cases where the punishment of reprimand shall apply :

When a person fails to discontinue any action which has called for two warnings on the same day, when he incurs three warnings in one month, when he causes a disturbance in the Chamber, when he takes the initiative in a coalition of the deputies for the purpose of refusing to participate in the work of the Chamber, when he slanders or threatens one or more members of the Chamber.

Acts entailing temporary expulsion.

*Section 124.* The following acts shall entail the punishment of temporary expulsion from the Chamber :

To fail to submit when incurring a reprimand, or to incur three reprimands at the same sitting, in the course of the deliberations of the Chamber to excite the public to violent measures or to civil war or to the violation of the Constitution, to slander the whole Chamber of Deputies or a part of it or the President thereof, to slander or threaten any Minister, to do anything which is outrageous to the Imperial person of the Sultan or to any member of the Imperial family or to any member of the Senate or to the Government.

Manner of exercising powers of reprimand and expulsion and their mention in Record.

*Section 125.* The punishments of reprimand and temporary expulsion shall be decided on by the Chamber upon a motion of the President, without discussion and by voting by signs.

A deputy against whom a motion for any such punishment is made shall have the right to give explanations in person or through any of his colleagues.

Resolutions of reprimand and temporary expulsion shall be entered in the summary record of the Chamber.

The punishment of reprimand shall entail the forfeiture of the deputy's emoluments for one week and the punishment of temporary expulsion shall entail the forfeiture of such emoluments for a fortnight.

Consequences of the infliction of temporary expulsion.

*Section 126.* A deputy who incurs the punishment of temporary expulsion from the Chamber shall be bound to leave the Chamber immediately and shall be forbidden to re-enter its premises for a fortnight thereafter.

If the deputy who incurs such punishment refuses to leave the Chamber the sitting shall be temporarily suspended and the President shall cause such deputy to be expelled from the premises of the Chamber.

## PART XIV.

### COMPLAINT AGAINST A MINISTER.

Manner of bringing a charge against a Minister.

*Section 127.* If one or more members of the Chamber of Deputies desire to raise a complaint against any of the Ministers of the State in respect of a matter which is within the jurisdiction of the Chamber and of a nature to entail responsibility upon such Minister, they shall be required to submit a resolution to this effect to the President.

After due information to the Chamber the President shall, within three days from the date of its presentation, send such resolution to a Section selected by lot by the Chamber.

This Section shall make the necessary enquiry and shall obtain sufficient explanation from the person against whom the complaint is made, and if it finds by a majority vote that the matter is worth deliberation it shall draw up a formal resolution and present it to the Chamber.

After due deliberation the Chamber may if it finds it necessary summon the person against whom the complaint is made and hear any explanations made by him in person or through a representative and then put the resolution to a vote.

The resolution shall be read out in the Chamber and if accepted by a majority of two thirds of the members present a notice demanding trial shall be drawn up and transmitted by the President to the Prime Minister.

## PART XV.

### PETITIONS TO THE CHAMBER.

Conditions to which presentation of petition is subject.

*Section 128.* A petition presented to the Chamber of Deputies shall require to bear the signature of the petitioner and beneath it his surname and domicile. If the signatories are more than one the respective domicile of each of them shall be stated. The petitioner or petitioners must petition as complainants and must have previously duly applied to the competent authority in respect of the subject matter of the petition.

Petitions to the Chamber shall be presented to the President. It is permissible to submit a petition to the President through a deputy but in such a case the deputy shall sign, on the petition handed by him, a note to the effect that the petition was presented through him.



Petitions presented or sent on behalf of a great multitude of persons shall not be accepted by the President. No member shall serve as a medium for the presentation of such petitions.

*Section 129.* Petitions shall be numbered by the order in which they are received and shall be registered in a special register. In such register there shall be entered the number of the petition, the name, surname and domicile of the petitioner, a short abstract of the petition, and if submitted through a deputy the name of such deputy. Registration of petition.

A summary of such entries shall be printed and distributed to the members. Printing and distribution of abstracts of entries.

*Section 130.* Petitions entered in the register shall be sent by the President to the Committee of Petitions. Provided however that petitions relating to any matter which is under the consideration of another Committee may be referred by the President direct to such Committee. Such a reference can also be made by the Committee of Petitions. Reference of petitions to Committee.

Any deputy who desires to see any petition which has been referred to a Committee may do so by applying to the President of such Committee.

*Section 131.* The Committee of Petitions shall examine all petitions received by it and shall sort them into three classes : Classification of petitions.

(1) Petitions requiring to be communicated to any of the Ministers of the State.

(2) Petitions requiring to be communicated to one of the Ministers of the State and to be examined by the Chamber.

(3) Petitions which do not require to be communicated to any of the Ministers nor to the Chamber.

Any resolution passed in respect of a petition shall be communicated to the petitioner with the serial number of his petition.

*Section 132.* The Committee of Petitions shall, if necessary, publish and distribute to the members weekly returns of petitions submitted to the Chamber of Deputies, showing the number of each petition, the name, surname and domicile of the petitioner, an abstract of the petition and the resolution passed by the Committee together with a summary statement of the reasons thereof. The Committee may, if it finds it necessary and if a resolution is passed unanimously by the members present, decide in respect of any petition that its number, the name, surname and domicile of the petitioner and the resolution passed shall only be entered in the return. Resolutions of Committee of Petitions of manner of their printing and distribution.

*Section 133.* Any deputy may within a month from the day of distribution of the aforesaid return demand that the Chamber should consider any resolution given on any Petition by the Committee of Petitions whatever the nature of such a resolution may be. In this case the Committee of Petitions must submit a report concerning the said petition. After the expiry of the above period the resolutions of the Committee shall become final. Manner of discussing above resolution in the Chamber.

With regard to petitions so laid before the Chamber for consideration, any of the Ministers or any of the Superior officials delegated by him shall be heard if necessary and the Chamber shall then pass a vote.

*Section 134.* Standing Committees must mention in their report (Mazbata) any petitions which are referred to them. Petitions referred to Standing Committees.

*Section 135.* Ministers shall be bound to give notice to the Chamber, within a period not exceeding six months, of any decisions or proceedings taken by them in respect of the petitions communicated to them, by recording the information regarding such petitions in the returns which are distributed to the members of the Chamber. Obligation of Ministers to cause their decisions upon petitions referred to them, to be entered in the return.

## PART XVI.

### RELATIONS AND PROCEEDINGS OF CHAMBER OF DEPUTIES WITH THE SENATE.

*Section 136.* Legislative Bills and Proposals which are definitely passed by the Chamber of Deputies shall be sent by the President to the President of the Senate, and notice shall also be given by him to the Government. Transfer of Legislative Bills and Proposals to Senate and notice of the matter to the Government.

*Section 137.* Legislative Proposals introduced by a member of the Senate and which are approved by the Senate and sent by its President to the President of the Chamber of Deputies shall be discussed in such Chamber subject to the same procedure as Legislative Proposals introduced by Government. Legislative Proposals forwarded by the Senate.

If the Senate has passed a resolution of urgency in respect of a Legislative Proposal a resolution of urgency must similarly be put to the vote by the Chamber of Deputies.

*Section 138.* If a Bill or Legislative Proposal sent by the Senate is adopted without alteration by the Chamber of Deputies, it shall be forwarded by the President of the Chamber to the Prime Minister. Bills and Legislative Proposals sent by Senate and adopted verbatim by Chamber of Deputies



Legislative proposals submitted to the Senate and the Chamber of Deputies at the same time and on the same subject.

Bills returned by the Senate. Committee of Senate and Committee of Chamber of Deputies to combine together.

Concurrence or disagreement of the two Committees.

Disagreement of Senate and Chamber of Deputies upon amendments proposed.

Bills and Proposals rejected by Senate.

**Section 139.** If Legislative Proposals are put before the Chamber of Deputies and the Senate at the same time and in respect of the same matter, and the Senate has begun first to consider such proposals, the Chamber of Deputies shall not pass to the Order of the Day the Proposals put before them unless and until the Senate passes a resolution in the matter.

**Section 140.** If a Bill passed by the Chamber of Deputies is returned by the Senate for amendment, it shall be referred to the competent Committee. Such Committee shall combine with a Committee which shall be elected by the Senate, and may appoint any of the deputies to make the draft of the amendments demanded.

**Section 141.** If the Committees of both parties are agreed with regard to the amendments demanded, the Committee of the Chamber of Deputies shall draw up a report concerning the new draft prepared by the two Committees, and the deliberations of the Chamber shall be conducted upon the data of such report (Mazbata).

**Section 142.** If the Chamber of Deputies reject the amendments of the Senate and adhere to its original view, or if it reject the proposal for joint consideration by Committees of both parties or if such Committees, after due discussion, do not agree the Bill shall not again be put in the Order of the Day before expiry of two months. If moved by the Government the debate upon such Bill may however be re-opened before expiry of this period.

**Section 143.** If a legislative Bill or Proposal passed by the Chamber of Deputies is rejected by the Senate, such legislative Bill or Proposal shall not before the expiry of three months be again put in debate unless a motion therefor is put forward by the Government.

## PART XVII.

### BOARD OF PRESIDENCY.

Duration of appointment of members of Board of Presidency.

Duties of Board of Presidency.

**Section 144.** Members of the Board of Presidency shall hold their appointment until the opening of next year's ordinary session.

**Section 145.** The duties of the Board of Presidency shall be to supervise the preparation of the records of the Chamber, to make rules regulating the establishment of the internal services of the Chamber and determining the duties, mode of appointment, promotion and discipline of the personnel and the menials of the Chamber, to give advice concerning the appointment or removal of personnel, to hear and decide any representations made by deputies whose names have appeared in the official gazette as having been absent from any sitting, without permission, to pass resolutions concerning any alterations or repairs or building to be made to the premises of the Chamber, to consider applications for authorizations of non-attendance.

Complaint against Board of Presidency.

**Section 146.** Complaints and objections made against anyone or more members of the Board of Presidency in regard to anything done by them individually, shall be examined by the body of members sitting as a board, who shall pass resolutions for such action as may be necessary.

Equality of votes in Boards deliberations.

**Section 147.** In case of an equality of votes in any deliberation of the Board of Presidency sitting in a body the President shall have a casting vote.

Sub-Committees appointed from the Board of Presidency of Senate and Chamber of Deputies.

**Section 148.** The Boards of Presidency of the Senate and the Chamber of Deputies shall have power to appoint out of their own number sub-committees to consider jointly any matters relating to the internal affairs and services of both the Senate and the Chamber of Deputies. Resolutions passed by such sub-committees shall be respectively submitted to both Houses for approval.

In case of error in the counting of votes given by the Chamber Board of Presidency to be convened.

**Section 149.** If it is discovered after the closure of a sitting that an important error has been committed in counting the votes given by the Chamber at that sitting (such count having been made by the Secretaries of the Chamber) the President shall convene the Board of Presidency which shall decide on the proper steps to be taken.

Questions of internal regulation arising out of elections made in the Chamber.

**Section 150.** Questions relating to the Internal Regulations arising out of the elections made in the Chamber may be considered by the Board of Presidency.

Duties of President.

**Section 151.** The President shall open and close the sittings, regulate the debates, see that the provisions of the Internal Regulations are properly carried out, and call on the speakers in the order in which their names are registered. Though he may not take part in the deliberations nor address the Chamber unless he mounts the tribune he may however recapitulate summarily the deliberations and determine the form in which they will be put to the vote. He shall also put all matters to the vote, announce the result of such vote and keep order within the Chamber. In case of disturbance he shall have right to suspend the sitting. He shall be the representative of the Chamber of Deputies in its external relations.



It shall also be the duty of the President to watch over the work of the Sections and Committees in general and to ensure that it is carried out with regularity and diligence. He shall have right to take part in the deliberations of the Sections and the Committees but shall not have a vote. He shall appoint and discharge all officials of the Chamber with the advice of the Board of Presidency and all menials of the Chamber at the request of the administrative officials of the Chamber.

*Section 152.* The duty of the Vice-Presidents shall be to officiate for the President when he is absent. For this purpose the First Vice-President, and in case he is absent or declines for good reason, the Second Vice-President shall have all the powers and duties of the President. Duties of Vice-Presidents.

*Section 153.* The Secretaries shall supervise the preparation of the records and the printing of the deliberations of the Chamber. They shall read out all papers and shall authenticate the records with their own signatures. They shall register before the opening of any sitting the names of those who desire to speak at that sitting, call the names of those present, sort and count the votes. Duties of Secretaries.

*Section 154.* It shall be the duty of the administrative officials to take care of the building, halls, furniture and all other property of the Chamber of Deputies, and to keep a proper register thereof. They shall also supervise the performance of certain special ceremonies, the discipline and other affairs of the menials of the Chamber and the adjustment of expenditure. They shall keep a register of the deputies who have permissions of non-attendance, and shall draw up the budget of the Chamber after taking the views of the President. Duties of the Administrative Officials.

*Section 155.* The Administrative officials shall be the executive mediums of the President in the preservation of peace and good order, in ensuring the publicity and freedom of deliberations and in using military force when necessary.

Tickets of admission shall be issued by the Administrative officials.

Tickets of admission.

*Section 156.* The Administrative officials shall continue in office during the vacation, and also when the Chamber is dissolved or when its duration expires; in those cases such officials will lose their capacity of deputies, until their successors are appointed. They shall submit to the succeeding Chamber an account of their work during this period. They shall receive for the services done by them after the dissolution or expiry of the duration of the Chamber a remuneration of 4,000 piastres per mensem. Period of office of Administrative officials. Remuneration of administrative officials after dissolution or expiry of duration of Chamber.

*Section 157.* In case of the dissolution of the Chamber of Deputies the Administrative officials shall be under the authority of the President of the Senate. Administrative officials to be under President of Senate in case of dissolution.

## PART XVIII.

### ACCOUNTS AND INTERNAL SERVICES OF CHAMBER OF DEPUTIES.

*Section 158.* The internal services of the Chamber of Deputies shall comprise the office of the Chief Secretary (Bash Katib) with the departments of Mudir of Legislation, Mudir of Records and Mudir of Archives which are attached to it, the office of Mudir of Accounts with the cashier's department attached to it and the Mamur of the library attached to the proper Committee. Internal services of the Chamber.

*Section 159.* The appointment, promotion and removal of all official shall be effected by the President with the advice of the Board of Presidency. The servants, Farrashes and other menials shall carry out their duties under the orders of the Administrative Officials and shall also be appointed and removed by the President at the request of the Administrative Officials. Manner of appointing and removing officials and menials.

*Section 160.* At the beginning of every session a Committee of Audit shall be appointed consisting of five persons elected by the Sections. Such Committee shall supervise the enforcement of the budget of the Chamber as sanctioned by it. Committee of audit: its duty.

Every year all property belonging to the Chamber of Deputies shall be counted by this Committee and checked with the register relating thereto.

The budget of the expenditure of the Chamber of Deputies shall correspond as regards the period with the General Budget of the State. Period of budget of Chamber.

At the end of every year the Committee of Audit shall submit to the Chamber final accounts of the budget of the preceding year. Final account of budget of preceding year.

*Section 161.* The Administrative officials shall nominate one of themselves to work specially at the accounts of expenditure. Payment Bills given in respect of any expenditure shall in order to be accepted and paid by the cashier, require to be provided for in the budget of the Chamber, to be attached to the necessary documents in accordance with the rules laid down by the State and to bear the signature of the administrative official who is in charge of the accounts. Members of the Board of Presidency shall not be members of the Committee of Audit. Administrative official to work at expenditure accounts. Manner of paying off expenses.

*Section 162.* The library of the Chamber of Deputies shall, at the beginning of every session, be placed under the administration of a Committee of five persons. Committee of the library: its duty.



This Committee shall consist of two Administrative officials and three deputies selected by the Chamber of Deputies. It shall be the duty of the Committee to select books, newspapers, maps, etc.

Each member of this Committee shall in turn specially look after the library. At the end of every session the Committee shall draw up a report showing the result of its work. Such report shall be printed and distributed.

Duties of librarian. *Section 163.* The librarian shall keep a proper register of the books newspapers, etc. for all of which he shall be responsible.

He shall be present at the library in his free hours.

No book to be taken from library without receipt. *Section 164.* No book shall be taken from the library without a receipt. No deputy shall keep in his possession for more than one month a book taken from the library.

Period of loan of book. If a book is not returned in due time, the title of such book with the name of the deputy who took it shall be written on a sheet which shall be posted up inside the library.

## PART XIX.

### LEAVE OF NON-ATTENDANCE.

Period of leave granted by the President. *Section 165.* The President shall have power to grant a deputy leave of non-attendance for eight days. Leave for a longer period shall require the assent of the Chamber.

Leave for long period to be considered by Board of Presidency. *Section 166.* Applications for leave for more than eight days shall be first considered by the Board of Presidency.

Communication to the Chamber of the opinion of the Board in respect of application for leave. *Section 167.* When putting before the Chamber applications for leave of non-attendance the President shall also state the opinion of the Board in respect of each application. The Chamber shall vote on such matters without discussion and by signs.

Cases when absent deputy is deemed to be not authorized. *Section 168.* Any deputy whose absence from three consecutive sittings, is proved either by a roll call of the Chamber or by a vote which records the names of the voters, or from the fact that he has not taken part in the deliberations either of the Chamber or of the Sections or Committees, shall be deemed to be absent without leave.

Administrative officials to ascertain cases of non-attendance. In such circumstances the absence of a deputy shall be enquired into and verified by the Administrative officials.

Announcement in the official gazette of Deputy who is absent without Authorization. If a deputy who is reckoned as absent without leave does not account for his absence by a lawful excuse, his name shall be proclaimed in the official gazette.

Authority which considers complaints in connection with non-attendance. Complaints in this connection shall be submitted to the Board of Presidency.

Stoppage of emoluments of deputy who is absent without leave. *Section 169.* A deputy who is absent without leave or who exceeds the period of leave granted to him shall be deprived of his emoluments for the period of his absence or for the period passed in excess of the time granted to him.

Deputy whose permission expires to report to President. *Section 170.* A deputy who is absent on leave shall at the expiry of his leave report to the President.

## PART XX.

### INTERNAL POLICE.

Internal and external safety of Chamber. *Section 171.* The President shall be bound to make the necessary provision for the internal and external safety of the Chamber of Deputies. He shall have a company of troops under his orders.

Company of troops specially detailed for the Chamber. The President shall occupy a house specially reserved for the President of the Chamber of Deputies.

President to ensure maintenance of order. *Section 172.* The maintenance of order in the Chamber of Deputies shall be ensured by the President acting on behalf of the Chamber.

Prohibition from entering the Chamber while carrying arms. *Section 173.* It is forbidden to enter the Chamber of Deputies carrying arms. No person from outside shall on any account enter the deliberation hall of the Chamber of Deputies. The personnel and menials of the Chamber of Deputies may enter when so ordered by the President for the purpose of performing their duties.

Audience to keep silence during debate. *Section 174.* When the Chamber is sitting all persons who are in the place reserved for the audience shall be bound to keep silent.



**Section 175.** Any member of the audience who does or says anything in token of approbation or disapprobation shall, upon order of the President, be forthwith ejected by the servants. Persons who do not observe silence.

**Section 176.** Anyone who by any action hinders the deliberation of the Chamber shall be reported at once to the proper authority. Measures to be taken against persons who by their actions hinder the debates.

### SPECIAL PART.

**Section 177.** Ceremonies which are not attended by the Chamber of Deputies in a body shall be attended by the Board of Presidency on behalf of the Chamber. In case a delegation is deputed on behalf of the Chamber the number of members of such delegation shall be nominated by lot. The President or one of the Vice-Presidents together with two of the Secretaries and one of the Administrative officials shall always be included in such delegation. Board of Presidency to attend ceremonies on behalf of the Chamber. Manner of Selecting delegation on behalf of the Chamber.

**Section 178.** The insignia of deputyship which shall be used in special ceremonies shall be a badge half red and half white to which shall hang an enamelled crescent with a star. Badge of deputies.

Such badge shall be furnished in a uniform specimen and distributed by the Administrative officials.

In addition, each deputy shall be given an identification certificate bearing his name, constituency, the dates of the period for which he is elected and his photograph. Identification certificate of deputies.

**Section 179.** The resignation of a deputy shall be accepted only by the Chamber of Deputies. Resignations must be presented to the President. Resignation of a deputy.

**Section 180.** The following superior officials may act on behalf of the Ministers in the Chamber of Deputies : Officials who may come to the Chamber on behalf of Ministers.

(1) The advisers of the Prime Minister and the Mashiyakhat, the Ders-Wakili of the Mashiyakhat, the President of the Tadqiqat Shariya (Shara' Court of Revision) the Mudir of Personnel, the Vice-Presidents of the Audit Board and also the advisers, the Account Mudirs and Legal Advisers of all Ministries, and in the case of departments possessing a dependant budget, the Mudirs and Account Mudirs of such departments.

(2) Ministry of the Navy : the first head of the department.

(3) Ministry of Posts, Telegraphs and Telephones. The Mudirs of Postal and Telegraphic affairs.

(4) Ministry of Commerce and Agriculture : The Mudirs General of Industries, Mines, Commerce, Agriculture and Forests, the Assistant General Manager of the Agricultural Bank, the Mudir of Veterinary Services and the Mudir of the General Administration of Statistical Researches.

(5) Ministry of War : The Assistant Adviser, the President of the Commission of Military Law, the Head of the Department of the Army and his Assistant, the Head of the Department of War and his Assistant, the Commander of all Gendarmerie Forces and the Mudir of Accounts of such Forces, the General Mudir of the Army Engineers with their Mudir of Accounts, the General Mudir and the Mudir of Accounts of Military Railways and Ports, the Heads of the Departments of Sanitation and Supply.

(6) Ministry of Foreign Affairs : the General Mudirs of Political and Administrative Affairs.

(7) Ministry of Interior and Health : The General Mudir of nomadic Tribes and Emigrants, the General Mudir of Health, and the Mudir of Internal Security, together with their Mudirs of Accounts, the Shahr Amini (Mayor of the Capital), the General Mudir of the Police, the Mudir of the General Administration of Wilayets and the Mudir of the Local Administration of Wilayets.

(8) Ministry of Justice : The Mudirs of Criminal Affairs, Civil affairs and Religious Affairs.

(9) Ministry of Finance : The Assistant Adviser, the General Mudir of Tapu and the Mudir of Tapu Accounts, the General Mudir of Customs and his Mudir of Accounts, the General Mudirs of the General Accounts Office, of Revenue, Miri properties, Public Debts, and Exchange Operations, the Mudir of the Civil List and the Mudir of the Imperial Mint.

(10) Ministry of Education : The General Mudirs of High Education, Secondary Education and Primary Education.

(11) Ministry of Public Works : The General Mudirs of Railways and Ports, Roads and Bridges and Public works.

**Section 181.** The Superior officials who, according to the preceding Section, may come to the Chamber of Deputies on behalf of the Ministers, shall present to the President a note from the Minister concerned addressed to him stating the matter for which such official is delegated. If in a specified case the Government find it necessary to depute a Superior official other than those mentioned in the preceding Section the Council of Ministers shall determine the rank of the official to be deputed. Officials deputed by Ministers to present a note from such Ministers. Delegation of officials other than those mentioned in the preceding schedule.

**Section 182.** A Regulation for the Internal Administration of the Chamber of Deputies shall be made by the Board of Presidency, to fix the manner of preparing the records, regulate the internal administration of the Chamber and fix the duties, manner of appointment, promotion and removal of its officials and menials. Regulation for the Internal Administration of the Chamber.



# Regulations of the Senate.

Dated  $\frac{12 \text{ Ramadhan } 1294}{8 \text{ Eylol } 1293}$  (20th September 1877).

## PART I.

### APPOINTMENTS OF PRESIDENT AND VICE-PRESIDENT. SELECTION OF SECRETARIES.

*Section 1.*—The Senate shall have a Vice-President, a President and two Secretaries.

*Section 2.*—The President and the Vice-President shall be appointed from among the senators by the Sultan. The appointments of the President and the Vice-President shall be for one year. They shall be replaced on the expiration of such year. Any of them whose term of office has expired shall be re-eligible. If the President or the Vice-President resigns his appointment, he shall not cease to be a member of the Senate.

*Section 3.*—The duty of the Vice-President shall be to act for the President when the latter is not in office.

*Section 4.*—Every year, at the first sitting of the Senate two of the youngest senators shall temporarily perform the duties of Secretaries until Secretaries are selected from among the Senators in manner described in Section 5 hereof.

*Section 5.*—Secretaries shall be elected by ballot from among the senators for a period of one year. They shall be entrusted with the duties described in Section 52. If at the first ballot an absolute majority is not obtained a second ballot shall be held and if again an absolute majority is not obtained a third ballot shall be held in respect of the two persons who, at the second ballot, have won the biggest relative majority. At such ballot those who win a preponderant majority shall be appointed. If at any of such three ballots two persons obtain an equal majority one of them shall be chosen by lot. Some persons shall be appointed by lot from among the Senators to open the ballot box publicly, to extract and register the names written on the voting forms and to announce the results of the vote. When the proceeding is terminated the final results shall be announced by the President. The persons so appointed as Secretaries shall forthwith proceed to take up their duties.

*Section 6.*—At the first sitting of every year, after definite appointment of the Secretaries, the Senate shall proceed to elect two Committees as described in Section 8.

## PART II.

### CONSTITUTION AND DUTIES OF COMMITTEES.

*Section 7.*—Bills and other documents submitted to the Senate shall be considered in the first place by Committees appointed by the Senate. Such Committees shall ordinarily consist of five members. A Committee may, however, by resolution of the Senate, comprise 7 or 9 members, according to the degree of importance of any specified matter. The members of such Committees shall be elected in manner provided in Section 5.

*Section 8.*—Apart from Committees elected when required in accordance with Section 7, there shall be constituted two Standing Committees of five members each which shall be replaced every two months. One of these Committees shall consider Bills introduced by any one or more members of the Senate and the other shall consider petitions presented to the Senate.

*Section 9.*—When the members of any Committee are elected, they shall elect from among themselves a President and another person to supervise the preparation of reports after closure of the deliberations and to give explanations before the Senate when necessary. The election of such persons shall be conducted in manner described in Section 5. The President of the Senate shall have power to preside over any Committee as he may think fit. At every sitting of a Committee the number and the names of the members present shall be noted in the minutes of the sitting.

On arrival at the Senate House each member shall register his name in a special register.

*Section 10.*—Reports of the Committees shall be handed to the President in pre-printed copies of them shall be read publicly if the House so desires, and distribution must be made at least one day before the opening of deliberations upon the report except in the case of urgent matters.

*Section 11.*—A Senator who is a member of two Committees shall not become member of a third Committee. But this shall be permissible if one of such two Committees dissolves and submits a report of its work.



### PART III.

#### LEGISLATIVE BILLS AND PROPOSALS FOR LEGISLATION OR THE AMENDMENT OF EXISTING LEGISLATION.

*Section 12.* Legislative Bills referred by the Chamber of Deputies to the Senate shall if the House so desire be first read over publicly. The President shall then cause them to be printed together with their Explanatory Notes and distributed to all the members. The formal reference of such Bills to the proper Committee in accordance with Section 7 shall be made by the President.

*Section 13.*—If one or more members of the Senate desire to move the submission to the Imperial Government of any Bill enacting fresh legislation or amending existing legislation, they must submit to the President a Note with explanatory reasons for this purpose. Such Note shall be read before the House and a vote shall be taken as to whether the motion should or should not be considered. If the House resolve to consider the motion, such motion shall be referred to the Committee mentioned in Section 8.

The report of the Committee upon the motion so referred to it shall, when received in the House, be read before it and if after due deliberation the motion is approved by a majority a Note shall be forwarded to the Prime Minister for necessary action.

*Section 14.*—If a motion made in accordance with Section 13 for any fresh legislation or the amendment of any existing legislation, is rejected by the House by a majority, it shall not again be brought forward during that year's session.

### PART IV.

#### PROCEDURE FOR THE DISCUSSION OF LEGISLATIVE BILLS IN THE HOUSE.

*Section 15.*—In the case of a Legislative Bill referred to a Committee such Committee shall first ascertain if it contains anything which is fundamentally injurious to religious affairs, or to the Imperial rights of the Sultan, or to individual liberty, or to the provisions of the Law of the Constitution, or to the territorial integrity of the Empire, or to the internal safety of the State, or to the means of defence and preservation of the country, or to public morality. If after due examination none of such things be found, the Committee, in its Report shall recommend adoption of the Bill as it stands, and in case of the contrary it shall recommend either total rejection or partial amendment of the Bill. The Report shall be handed to the President of the Senate, and after printed copies have been distributed to the Senators, a day shall be fixed by the House for deliberation.

*Section 16.*—Legislative Bills relating to matters which are not urgent shall not be subjected to a majority vote of acceptance or rejection, unless previously read and discussed in two distinct and complete readings held at intervals of five days at least.

*Section 17.*—At the first reading the deliberations shall, in the first place, have reference to the legislative Bill as a whole, the issue being whether the Bill should or should not be put in debate. When the discussion on this subject is terminated the President shall put to the House a question as to whether a discussion of the Bill clause by clause should or should not be opened. If the House decides in the negative then the President shall announce that the Bill has not been accepted by the House, and if in the affirmative then the clauses of the Bill shall be read one by one successively and when the reading is finished, the House shall pass a resolution as to whether it will or will not hold a second reading.

*Section 18.*—At the second reading the House shall pass by majority a resolution of assent or dissent in respect of each clause. Then before a vote is taken for the definite adoption or rejection of the Bill each member of the House shall have the right to put forward general arguments in support of the adoption or rejection of the Bill.

*Section 19.*—Bills relating to the Budget of receipts and expenditure, or to the final audit, or to the allocation of emoluments or to local interests shall not be subject to two readings. They shall be read and discussed in the House once only and if approved a vote shall be passed adopting them definitely. The voting upon such Bills with the view to their definite adoption or rejection shall be conducted in accordance with the provisions of Part VI hereof which relate to urgent matters.

*Section 20.*—For the defence of Legislative Bills before the Senate, a certain number of suitable persons may be deputed by authorization from the Prime Minister confirmed by Imperial Iradah. Such persons shall be appointed from among the Ministers, Advisers and members of the Shurai Dawlat who have previously appeared before the Chamber of Deputies in connection with such Bills.



## **PART V.**

### **PETITIONS TO THE SENATE.**

*Section 21.*—Any petition submitted to the Senate must bear the signature of the petitioner and beneath it his surname and domicile. If the petition bears more than one signature, the surname and domicile of each signatory shall be stated. The petitioner or petitioners must petition as complainants. Petitions to the Senate must be submitted to the President. It is permitted to submit petitions to the President through a member of the Senate, provided that such member shall sign a note on the petition to the effect that it was presented through him. Petitions sent or presented by an association of persons shall not be accepted by the President nor shall a member of the House be allowed to present such a petition to the President.

*Section 22.*—Petitions shall be dated and numbered in the order in which they are received and abstracts of them shall be entered in a special register. Such abstract shall record the number of the petition the name, surname and domicile of the petitioner and the name, if any, of the Senator through whom the petition was presented.

*Section 23.*—After registration petitions shall be referred by the President to the Committee of Petitions. Petitions with regard to a Bill referred for consideration to another Committee, shall be sent by the President direct to such other Committee. Any senator who desires to see a petition already referred to a Committee shall be at liberty to do so upon application to the President of such Committee.

*Section 24.*—The Committee of Petitions shall examine one by one all petitions received by it and shall divide them into three categories : (1) Petitions which are to be communicated to any of the Ministers of the State, (2) Petitions which are to be communicated to a Minister of the State and are also to be considered by the House, (3) Petitions which are not of sufficient importance to be communicated to any of the Ministers of State nor to the House. If it appears that the person who has submitted a petition relating to his own personal interest, has not previously applied to the competent official of the State nor to the proper authority superior to such official, the petition shall be returned to him. The resolution passed on any petition shall be communicated to the petitioner in writing with due reference to the number and date of his petition.

*Section 25.* Every week a return shall be drawn up containing a statement of the number of petitions received by the Committee of Petitions together with the number and date of each petition, the name, surname and domicile of the Petitioner, an abstract of his petition, a summary of the enquiry made by the Committee and of its explanatory remarks. Such returns shall be printed and distributed to the members of the House. The Committee may in the case of any petition pass a resolution by unanimity of votes to enter in the return only the number of such petition, the name, surname and domicile of the petitioner and a statement of the result of the enquiry.

*Section 26.* Every week the Committee of Petitions shall draw up a report showing the result of the investigations made with regard to the petitions referred to it. Such report shall be read before the House and if debate shall follow in respect of any petition a vote shall be taken thereon.

*Section 27.* If any of the ministers of the State does not reply within a fortnight to a petition referred to him, the President shall send him a reminder. If a second reminder is thereafter sent and is not answered the House shall by application to the Porte require the attendance of the Minister or some other official of his department.

## **PART VI.**

### **RESOLUTIONS OF URGENCY.**

*Section 28.* When a Legislative Bill or Proposal is submitted to the House any of the Ministers of the State or the proposer or any other member of the House may ask in writing that the said Bill or proposal should be treated as urgent. The memorandum containing such demand must also show reasons to support it.

*Section 29.* The President shall ask if the motion of urgency should or should not be adopted. If the house adopts the motion, it shall pass a resolution referring the Bill or proposal to the competent Committee, and in default of such Committee, to a Committee appointed for the purpose. The Committee will give such Bill or proposal priority over any other matters which are not urgent.

*Section 30.* Bills and Proposals in respect of which resolutions of urgency have been passed shall be discussed once only in the House. In the first place the deliberations shall be conducted on the Bill or proposal as a whole. Then the President shall ask if the House will or will not proceed to discuss the Bill or Proposal clause by clause. If the House declines to proceed to the discussion of the clauses the Bill or proposal shall be deemed to have been rejected. Otherwise the discussion of the clauses shall be opened.



*Section 31.* If the House rejects the motion of urgency the discussion and voting shall be subject to the ordinary procedure.

*Section 32.* Explanatory reasons of any motion of amendment or addition made in the course of debates shall be offered summarily by the proposer of such amendment or addition. If so required by a Minister of State or by the Reporter on the Bill or proposal, such proposed amendment or addition may be referred to the competent Committee. In default of such demand the Reporter shall give his opinion with regard to the proposed amendment or addition and the House shall then pass a resolution to consider or not to consider the motion. If a resolution to consider the motion is passed the Bill shall be referred again to the Committee for examination.

*Section 33.* After the clauses of a Bill or proposal are severally approved by a majority vote and before the said Bill or proposal as a whole is passed by the House any of the members may make statements to support its adoption or its rejection. If it is desired to make verbal corrections in a Bill or proposal before passing it such Bill or proposal may be returned to the competent Committee for necessary action. The Bill or Proposal shall in any case be referred back to the Committee, if the Committee so request. In case of return to the Committee, the necessary corrections shall be made with dispatch and a revised Bill shall be submitted to the House. The revised Bill shall be read out and its drafting only shall be discussed.

## PART VII.

### MANNER OF VOTING.

*Section 34.* The approval or rejection of all matters submitted to the House for consideration shall be voted either by public vote or by ballot vote. Public vote shall be given by a sign or by recording the names of voters. A sign shall consist of a show of hands or standing up. Votes recording the names of voters shall be given in manner prescribed in Section 37 hereof on forms containing a list of the names of the Senators. Ballot votes shall be given in manner described in Section 39.

*Section 35.* In all matters which the President puts to the vote, the House shall vote by standing up or by show of hands, except where the matter is one of those set out in the first paragraph of Section 36 and in Section 47 hereof. When a resolution is given it shall be the duty of the President and the Secretaries to determine and fix the Majority and minority obtained. If they declare that they have any doubt as to the preponderance of a vote the same process shall be repeated once again. If the President and Secretaries are in doubt of the result of such second vote, a public vote recording the names of voters shall be taken. No one shall be allowed to speak in the intervals between the first and the second vote or between the second vote and the public vote recording the names of voters.

*Section 36.* Votes recording the names of voters shall be obligatory first when the preponderance of a vote is twice doubted as provided in Section 35, and secondly in the case of Legislative Bills relating to financial matters or to any other important matters which in the opinion of the Government require to be voted on in this manner.

A motion for such voting may be made also in the case of any matters other than the above. Proposals to call a member to order or to forbid him to speak, or to reprimand him in the course of a debate shall be exempted from the above provision. Such proposals shall in all cases be voted on by standing up or by a show of hands.

*Section 37.* A motion for a vote recording the names of voters shall not be adopted unless made by one-tenth of the members at least. But whenever the result of a vote given by standing up or by a show of hands is doubted it shall be sufficient for the purpose of taking a vote recording the names of voters that a motion therefor is made by one senator. In a vote recording the names of voters the names of assenting and dissenting voters shall be noted in the record.

*Section 38.* Votes recording the names of voters shall be given by the Senators sitting in their places. The servants of the House shall circulate the voting box and each member shall cast into it a voting form on which his name is printed. For this purpose white forms shall indicate assent and red forms dissent. When this is done the President shall announce that the proceeding has terminated and shall call upon the servants to place the voting box on his table. The president assisted by the Secretary shall open the box, count and sort the forms and shall then announce the result of the vote.



**Section 39.** A motion for ballot vote in respect of a matter which is subject to a vote recording the names of voters, shall not be adopted unless voted by a majority of the House. The difference between a ballot vote and a vote recording the names of the voters shall consist in the senators being given instead of white and red forms on which their names are printed, white and black rolls of which they shall cast one into the voting box placed on the table and another one into the checking box. For this purpose white rolls shall indicate assent and black rolls dissent. The rolls contained in the voting box shall be emptied by the Secretary into a special tray in presence of the President. White rolls shall then be separated from black rolls and shall be counted publicly. The result of the vote shall then be announced by the President.

**Section 40.** If, when a public or ballot vote is taken, before the votes are counted, a motion is made for a roll call of the senators such motion will be adopted if voted by the House without deliberation. A roll call shall consist in the names of the members being called by one of the Secretaries, in the order in which they are registered and in a mark being put against the name of any member who answers the call.

**Section 41.** All elections provided in these Regulations whether within the Senate or within any of its Committees, shall be made by ballot votes. In elections made in the House, each member shall place in an open envelope a voting form bearing the name of the person or persons elected by him and shall cast such envelope into the voting box placed on the table. The voting forms shall be divided among the Secretaries and each of them shall open the envelopes one by one in the presence of the President and shall place on record the name written on each form. The result of the vote shall be announced by the President.

**Section 42.** The House may at any time be requested to decide by resolution whether any proposal put before it deserves or does not deserve to be considered. In such a case a vote shall first be passed adopting or rejecting the motion. Provided that in any matter which is not urgent such motion shall not be admissible before the report of the competent Committee on the matter has been received by the House.

**Section 43.** When a motion is made to leave any matter and pass to the discussion of another subject, or to give precedence to one subject over another, or to enforce observance of these Regulations, the discussion in hand shall be stopped and a majority vote shall first be taken upon the motion so made. Provided that if a member is speaking no such motion shall be made by any person before the member finishes his speech.

**Section 44.** If a motion for amendment is made in respect of any matter which is in debate a vote shall first be taken in respect of the amendment moved. In case such amendment is not adopted a vote shall be taken on the original matter under discussion.

**Section 45.** If any matter which is in debate comprises two subjects and a motion is made for their separation and submission to the vote severally, action shall be taken accordingly.

**Section 46.** In the case of Legislative Bills vote shall be taken on each clause of the Bill. In the case of Budget Laws votes shall be taken in respect of each Chapter of the Schedules appended to the Law. Any Bill the clauses of which have been severally adopted or rejected by votes shall also be submitted to the vote as a whole.

**Section 47.** No debate shall be opened unless a quorum of half the members increased by one are present. All matters shall be voted by absolute majority of the members present with the exception however of matters which are subject to a majority of two-thirds. When a vote is taken it shall also be necessary that half the members of the House increased by one are present. In case of equality of votes the President shall have a casting vote. If a quorum of the members increased by one is present and an absolute majority is not however obtained the resolution upon the matter in debate shall be left to the next sitting.

**Section 48.** As laid down in Section 48 of the Constitution, motions for the impeachment of a member of the Senate shall be subject to a majority of two-thirds of the members present. A motion for amendment of the constitution shall not be accepted unless approved by a majority of two-thirds of the members of the House.

**Section 49.** When any matter is approved or rejected by the House the President shall announce the result of the resolution by saying that "the House has approved or disapproved by unanimity or by majority."

## PART VIII.

### MANNER OF HOLDING SITTINGS AND DELIBERATIONS.

**Section 50.** On the day appointed for a debate the sitting shall be opened by the President. It is duty of the President to regulate the debates, to prevent breaches of these Regulations and to keep order and discipline.



*Section 51.* The Secretaries shall supervise the preparation of the records of the House. At the beginning of every sitting one of them shall read over the record of the previous sitting. After the record is approved by the House it shall be signed by the person who presided on the day it was taken and by one of the Secretaries.

*Section 52.* Before opening the debate upon the matters mentioned in the Order of the Day the President shall give information to the House with regard to any papers, whether received or sent out, which are to be communicated to it.

*Section 53.* Any papers which are to be communicated to the House shall be submitted to the President. If the House thinks it necessary such papers may be printed.

*Section 54.* None of the members shall speak without the leave of the President. A member who has obtained leave to speak must proceed to the place appointed for the purpose. The President may also allow a member to speak from his own place while standing up.

*Section 55.* The names of members applying for permission to speak shall be registered by the Secretaries in the order in which the applications are made. If the speech proposed bears on a Legislative Bill on which the Report of the competent Committee has not yet been submitted to the President, registration shall be refused without regard to the speech being in support of or against the Bill.

*Section 56.* The persons who desire to speak in the course of the debate shall speak in the order in which their applications are registered. Speakers for and against a matter may also speak alternatively. Ministers of the State or any superior officials delegated by them as also the Reporters on any Legislative Bill which is under consideration shall not be required to observe the turn and shall be allowed to speak at any time they desire during the debate. After any Minister or any superior official delegated by such Minister has finished speaking any member who asks for leave to speak may be allowed to do so.

*Section 57.* A member who asks to speak on a matter personal to himself in connection with any subject which is in debate may be allowed to do so.

*Section 58.* A speaker shall not diverge from his subject. If he does the President may call him to order. No member shall be allowed to speak with regard to a warning from the President calling another member to order. If after having been twice called to order in the course of his speech a member continues to diverge from his subject the President shall put to the House a motion to forbid him to speak on that subject that day. Such motion will be voted by the members sitting in their places or standing up or by a show of hands, without deliberation. On such occasions ballot votes or votes recording the names of voters shall not be taken. Provided that if the preponderance of such a vote is doubted the member concerned shall not be forbidden to speak.

*Section 59.* It is strictly forbidden to interrupt a member while speaking or to make personal remarks or to do anything injurious to the good order of the House.

*Section 60.* Before notifying the closure of a debate the President shall consult the House. If any members ask to speak against the closure of debate such members only shall be allowed to speak. In such a case a vote shall be taken as to whether the debate should or should not be closed. If the President and the Secretaries have any doubt as to the preponderance of the vote another vote shall be taken. If the result still remain doubtful the debate shall be continued. If the closure of a debate has been adopted by vote no one shall be allowed to speak on the matter which was in debate, provided that anyone wishing to speak upon the manner in which such matter has been voted on shall be allowed to do so.

*Section 61.* If the deliberations of the House become turbulent and the President does not succeed in restoring order, he shall stand up. If the disturbance continues he shall notify his intention to suspend the sitting. If notwithstanding this, order is not restored the President shall suspend the sitting for an hour. After an hour the President shall reopen the sitting. If the disturbance is renewed he shall suspend the sitting until the next day.

*Section 62.* Before the closure of a sitting the House shall fix the day and hour of the next sitting and the matters which will be then discussed, the President shall then announce that the sitting is closed. An Order of the Day shall be drawn up showing the time appointed for such next sitting and the matters which will form the subject of its deliberations. This shall be posted at a suitable place within the Senate building.

## PART IX.

### MAINTENANCE OF ORDER.

*Section 63.* Any member who commits an act contrary to the order of the House or who disturbs such order by committing any of the acts defined in Sections 58 and 59 of these Regulations or in any other manner, shall in case of a first instance receive a warning. The procedure of warning shall consist in the member who commits a breach of order being called to order, the name of such member being clearly stated. Warnings shall be given by the President only. A



member who receives a warning while speaking must submit to it. If he asks leave to speak in order to justify himself he shall be allowed to do so. Any member who speaks without leave shall similarly be liable to warning. If he asks leave to speak in order to justify himself he shall be allowed to do so at the end of the sitting. The President may at his discretion allow such member to speak before the end of the sitting. If the justification offered does not satisfy the President he may uphold the warning, whereupon the matter shall be noted in the Journal of the House.

*Section 64.* If, after receiving two warnings at the same sitting, a member commits a breach of order for the third time the President shall propose to the House to forbid such member to speak till the end of the sitting. On this proposition the House shall pass without deliberation an assenting or dissenting vote by standing up or by a show of hands.

*Section 65.* If, after having been forbidden to speak in accordance with Section 64, a member does not behave in a seemly manner, or if he incurs three warnings on different occasions within a period of thirty days, or makes any disturbance in the House, or takes a leading part in a coalition of the members for not attending the House, or insults or threatens the members of the House, a motion for his reprimand shall be put to the vote. A reprimand shall consist in the member who is guilty of breach of order being notified that the House blames him for his action. Reprimands shall be recorded in the journal of the House.

*Section 66.* Any member who after receiving a reprimand disregards the same or who incites one or more members of the House to violent measures or who does anything which is insulting to the House or a part thereof or to the President thereof or to the Chamber of Deputies, shall be liable to reprimand and to temporary expulsion from the House.

*Section 67.* A member against whom a vote of temporary expulsion is passed shall be bound to leave the House, and shall be forbidden to attend it for three consecutive sittings thereafter.

*Section 68.* Proceedings of reprimand or of reprimand with temporary expulsion shall be moved by the President and shall be voted by the House without deliberation by standing up or by a show of hands. A member in regard to whom such a motion is put may, before a vote is given justify himself in person or through any of his colleagues. Resolutions of the House upon reprimands and reprimands with temporary expulsion shall be entered in detail in the Journal of the House. If a crime is committed by a member of the House inside the precincts of the House the President shall immediately suspend the sitting, informing the House of the occurrence. Upon the order of the President the offender shall then be brought to the President's room and shall be there interrogated. The Secretaries who are members of the House shall be present at such interrogation. A report shall then be drawn up and forwarded to the Prime Minister for necessary action.

## PART X.

### INTERNAL ORDER OF THE HOUSE OF SENATE.

*Section 69.* It shall be the duty of the President to take all necessary measures for the protection and safety of the House of Senate.

*Section 70.* The internal discipline of the House of Senate shall be enforced by the President in the name of the House.

*Section 71.* The deliberations of the House of Senate shall not be public. No person shall for any reason enter the place where the House deliberates, except the Ministers and the superior officials who are deputed to the House in accordance with Section 20 and also the members of the Chamber of Deputies who are invited to attend the House.

## PART XI.

### RELATIONS OF THE SENATE WITH THE CHAMBER OF DEPUTIES.

*Section 72.* Legislative Bills received from the Chamber of Deputies shall when definitely approved by the Senate be forwarded by the President to the Prime Minister.

*Section 73.* When a Legislative Bill is returned for amendment to the Chamber of Deputies, and the Chamber of Deputies, requests that a Committee be appointed by the Senate to settle the draft of the Bill in conjunction with a Committee from the Chamber of Deputies, a special Committee shall be appointed which will settle between the two Committees asked for. The result of the agreement arrived at between the two Committees shall be communicated in writing to the House by its Committee.

### SPECIAL PROVISION.

*Section 74.* The President, Vice-President and Secretaries appointed for the first time in accordance with these Regulations shall hold their appointment until the 1st of November, 1293.



# Provisional Law for the General Administration of Wilayets.

Dated  $\frac{17 \text{ Rabi Akhir, 1331}}{13\text{th March, 1329}}$  (26th March, 1913.)

AS AMENDED BY THE LAW

Dated  $\frac{20 \text{ Jamad Awal, 1332}}{3\text{rd Nissan, 1330}}$  (16th April, 1914).

## PRELIMINARY.

In accordance with Section 108 of the Law of Constitution the Administrative system of the Wilayets is based on the principle of giving local authorities wide powers while defining their duties. Every official is bound to perform the duties entrusted to him by law and is responsible for all acts done by him in connection with his office.

## PART I.

### GENERAL ADMINISTRATION OF WILAYETS.

#### CHAPTER I.—ADMINISTRATIVE DIVISIONS AND WILAYET OFFICIALS.

*Section 1.* Wilayets are divided into Liwas which in turn are divided into Qadhas, Nahiahs and Qariahs. The head of the general administration of the Wilayet is the Wali. The responsible head of the administration of the Liwa is the Mutasarrif and of the administration of the Qadha, the Qaimaqam. The Wilayet headquarters constitute also a Qadha under a Qaimaqam. The responsible head of the administration in the Nahiah is the Mudir.

*Section 2.* Unattached Liwas are to be considered as Wilayets.

*Section 3.* The creation of a new civil organization requires special legislation.

Any change of Liwa or Qadha headquarters, or of their boundaries and any separation or change of subordination of Nahiahs shall require an Imperial Iradah issued after the proposed alteration has been decided upon by resolution of the General Council of the Wilayet approved by the Ministry of the Interior.

Any change of Nahiah boundaries or headquarters, and the creation of any new village or quarter or the separation of such village or quarter from a Qadha and its subordination to another Qadha, shall be carried out by the Wilayet after resolution of the General Council. Information in such a case must be sent to the Ministry of the Interior (The constitution and administration of Nahiahs are set out in a special law).

*Section 4.* The settlement and organization of nomadic tribes within Ottoman territories shall be governed by special regulations suitable to their customs, mode of life and social conditions.

### WILAYET OFFICIALS.

*Section 5.* The administrative staff at the Wilayet Headquarters shall consist of the Naib (Qadhi), Daftardar, Mektoubji, Commandant of Gendarmerie, Mudirs of Education, Public Works, Agriculture, Tapu, Police, Awqaf, Census, Public Health, and where necessary an Assistant Wali and a Mudir of Foreign Affairs or Wilayet Dragoman.

At Liwa Headquarters the administrative staff shall consist of: Naib, Muhasabji, Mudir, Tahrirat, Commandant of a Gendarmerie Regiment, Engineer of Public Works, Mamurs of Agriculture, Awqaf, Tapu and Census and a Commissioner of Police.

At Qadha headquarters the administrative staff shall consist of a Naib, Mal Mudir, Correspondence Clerk, Commandant of a Gendarmerie Battalion, Mamurs of Awqaf, Census, Tapu and a Commissioner of Police.

*Section 6.* Each Nahiah shall have a Mudir, a Nahiah clerk, Mamurs of Police and where necessary Mamurs of Tapu and Mal.

*Section 7.* At Wilayet, Liwa, Qadha and Nahiah headquarters, in addition to the Shara and Judicial personnel, Military Mamurs, Directors-in-Chief, Directors and Assistant Directors of taxes, posts and telegraphs or public debts, there may, if necessary, be other mamurs representing the various other branches of the Wilayet administration.



## MODE OF SELECTION AND APPOINTMENT OF WILAYET OFFICIALS.

*Section 8.* Walis are appointed by Imperial Iradah after selection by the Ministry of the Interior and approval by the Cabinet. Assistant Walis, Mutasarrifs, Maktubjis and Qaimaqams are appointed by Imperial Iradah after selection by the Ministry of the Interior.

*Section 9.* The other officials mentioned in Section 5 and the Muhasabji of the Liwa, Mudir of Correspondence, Inspector of Education for the Wilayet, Mudirs and Teachers of Sultani Schools, Secondary and Normal night Schools shall be appointed by their respective Ministries in accordance with the appropriate procedure. In the case of such officials as the Assistant Wali, Maktubji, Commandant of Gendarmerie, Mudir of Police, Mudir of Census, Mudir of Foreign Affairs, Dragoman of the Wilayet and Mudirs of Correspondence of Liwas, the opinion of the Wali on the subject of their appointment shall first be taken by the Ministry of the Interior.

*Section 10.* With the exception of the subordinate Mamurs of the Wilayet headquarters, the Muhasabji and Correspondence Mudir of a Liwa, Government Medical Officials of a Liwa together with the Mal Mudir of a Qadha and the officials under the Mudir of a Nahiah shall be nominated by the heads of their respective departments in accordance with special regulations on the subject made by the central department concerned, and such nomination shall require the confirmation of the Wali.

With the exception of the subordinate officials of Liwa headquarters and the Mal Mudir of such Liwa, the principal officials of the Qadha shall be selected and nominated by the head of the Liwa central office concerned and such nomination shall require the confirmation of the Mutasarrif.

Subordinate officials of Qadha headquarters and clerks and other Mamurs of Nahiahs shall be appointed by the Qaimaqam and such appointments shall require the confirmation of the Wali.

## REMOVAL OF WILAYET OFFICIALS.

*Section 11.* The Wali shall be removed only by Imperial Iradah following a resolution passed by the Cabinet on the motion of the Ministry of the Interior.

*Section 12.* If the Wali find it necessary to remove an official appointed by an Imperial Iradah or by one of the Ministries, he may communicate to the Ministry to which such official is attached the legal reasons for his removal. If the Ministry be not satisfied by the reasons of the Wali, it may within a month from the date of receipt of the papers, refer them to the Shurai Daulat for investigation and a decision as to the action to be taken. It shall also in the meantime telegraph immediate instructions to the Wali. The Shurai Dawlat shall complete the investigation within two months and return the papers to the Ministry concerned.

If within a month no reply be received by the Wilayet concerning the case of an official of the central Administration whose removal or replacement has been recommended, the Wali may remove or replace such official on his own responsibility. In general, the Wali may suspend any official whose tenure of office is considered prejudicial to the public peace or order, provided that he must at once inform the Ministry to which such official is attached.

*Section 13.* The Wali shall have power to warn, reprimand, fine, reduce the rank or pay of, or remove, any subordinate official in any of the various departments of the Administration in accordance with the regulations on this subject. Naibs and judges are excepted from this provision.

*Section 14.* The Wali may by writing require the Director or Inspector of Justice or the Procurator General of the Court of Appeal to make immediate enquiry into the conduct of any Judge or Naib, if he receive information that such Judge or Naib is guilty of misconduct. Such enquiry shall be made promptly and its result shall be communicated to the Mashyakh at or to the Ministry of Justice. A resumé of such enquiry shall also be sent to the Wali.

*Section 15.* With the exception of the Directors of Police of Wilayets headquarters who are appointed by the Ministry, Commissioners of Police and constables may be appointed and removed by the Wali in accordance with the regulations relating thereto.

*Section 16.* The Wali shall have power of control over Gendarmerie Commandants of headquarters in matters within the powers of the latter such as the suspension or transfer of officers and other changes within their units. He may also issue orders on matters concerning, but beyond the competence of Gendarmerie Commandants.

*Section 17.* The selection, appointment, promotion, punishment and removal of officials shall be governed by special regulations.

*Section 18.* Any person having knowledge of an unlawful act committed by an official may give information and make complaint verbally or in writing. Provided that the person giving such information must state his full name, profession and residence and must sign or seal the information.



*Section 19.* If any such information or complaint is proved to have been fabricated for personal motives or in order to incriminate or insult any person the matter shall be referred by the proper authority to the Procurator General. In such case the official attacked need not bring a separate action to protect himself but the Procurator General shall prosecute the case on the papers received by him.

## CHAPTER II.

### FUNCTIONS.

#### FUNCTIONS OF THE WALI AND WILAYET OFFICIALS.

*Section 20.* The Wali is the Chief Executive Official of the Wilayet. He is the agent and representative of every Ministry and is responsible for the general administration of the Wilayet.

He shall publish, proclaim and ensure full enforcement of all laws and regulations, shall perform the duties and exercise the powers thereby vested in him, shall safeguard the rights of the State and of individuals and shall execute the orders and instructions of the Ministries.

*Section 21.* The Wali is the channel for the issue to the various departments of all Laws and Regulations promulgated by the State and of any instructions or orders issued thereunder. If the head of a department of the administration desire to make a reference concerning the subject matter or mode of enforcement of any law, instruction, regulation or order issued to him, he may communicate direct with the Wali and shall follow such order on the subject as the Wali may issue in writing, either directly or through any appropriate authority.

*Section 22.* In general the most important aims of the Walis in the conduct of the administration shall be :—

- (1) To ensure peace and good order in the Wilayet.
- (2) To ensure complete application of the principles of liberty, equality and equity between all individuals and bodies.
- (3) To protect every individual in respect of his personal and proprietary rights and of his personal security.
- (4) To provide and develop for each class of the population proper means for economic and social progress.
- (5) To administer justice with as much promptitude and facility as may be possible with due respect to the independence of the Courts.
- (6) To endeavour constantly to spread education on such sound principles as may ensure for every class of the population intellectual and moral development and material prosperity.
- (7) To develop and bring to perfection commerce, industry, agriculture and agricultural industries.
- (8) To protect the public health, improve sanitary conditions and in particular to devise adequate means for the prevention of epidemics and contagious diseases such as Syphilis and consumption.
- (9) To give assistance and facilities to agriculturists.

*Section 23.* All administrative departments and sections of the Wilayet shall be under the control and supervision of the Wali.

*Section 24.* The Wali is responsible for maintaining safety and good order in the Wilayet. He shall perform the duties of judicial police in accordance with the provisions laid down in the Code of Criminal Procedure, he shall also perform his duties in connection with the preventive police through the medium of the civil and Nahia officials, police and gendarmerie.

*Section 25.* The forces responsible for maintaining the public peace such as the police and gendarmerie in the towns and the mounted gendarmerie in districts inhabited by nomadic tribes, shall be under the direct authority of the Wali in matters relating to their local functions. Such forces shall be distributed in the necessary localities in accordance with special regulations. The Wali shall, however, have power to remove or transfer them temporarily from one place to another.

*Section 26.* In case the Wali finds that the police force available does not suffice to perform the duties of judicial or preventive police, or to enforce the laws and regulations of the State and maintain in any locality public peace and safety, he may by order in writing require the assistance of the Commandants of the Military and naval forces of the locality.

The Commandants of such military forces are bound to execute written orders issued to them by the Wali.



*Section 27.* If the Wali find the military force present in any locality inadequate to maintain the public peace in that locality or if he apprehend the public peace to be so threatened as to necessitate the movement of military forces from other parts of the Wilayet he may in writing require the local Commandant to furnish such number of troops as he may think necessary. If the Wali find that the total military forces of the Wilayet are inadequate to ensure the public security he may notify the Commander of the Army Corps to move a sufficient force from elsewhere. The Commander of an Army Corps shall act without delay upon a reference so made to him by the Wali.

*Section 28.* If the Wali have strong reason to anticipate a disturbance within the Wilayet he may request the Ministry of the Interior to authorize him to proclaim martial law temporarily in any particular place. In case no reply to such communication be received within 24 hours or in case it be impossible to send a communication, the Wali may proclaim martial law on his own responsibility, and in such a case he shall at the earliest opportunity inform the Ministry of the Interior of the fact and of the reasons for his action.

*Section 29.* In order to prevent the import of contraband or dutiable articles the Wali may issue written orders to the captains of all vessels guarding the coasts of the Wilayet specifying the places which they should watch most closely. The Captains of such vessels on receiving such orders shall execute them without delay.

*Section 30.* The Wali shall annually at such time as he may think fit make a tour of inspection within the Wilayet. The duration of such tour shall not ordinarily be less than two months nor more than four months in each year. The Wali shall submit to the Ministry of the Interior a report of the condition and requirements of the places inspected by him and of the steps which should be taken to satisfy such requirements. In order to avoid delay in the adoption of such measures as may be necessary the papers should be handed by the Wali to his successor.

*Section 31.* The Wali shall have power to issue to the officials of the Civil and Religious Courts notice to expedite the hearing of suits. If it be brought to his notice that any case is being unduly delayed he may by writing require the Qadhi or Procurator General to state the reasons for the delay.

*Section 32.* The Wali shall have full supervision over the expeditious disposal of business and the prompt execution of the decrees and orders of the Civil and Religious Courts. He shall furnish any assistance required of him by the proper official in this respect.

*Section 33.* In matters beyond his competence and requiring Imperial decision the Wali shall apply to the Ministry concerned for authorisation.

*Section 34.* The principal officials of the Wilayet shall carry out the provisions of law with which they are respectively concerned and such orders or notices as may be issued by the Wali in accordance with the law.

*Section 35.* Besides the duties which are by special law or regulation entrusted to them the principal officials of the Wilayet shall be directly responsible to the Wali for the proper disposal of their business.

*Section 36.* The principal officials of the Wilayet shall investigate and report to the Wali on all matters referred to them by him.

#### FUNCTIONS OF MUTASARRIFS AND LIWA OFFICIALS.

*Section 37.* The Mutasarrif is the chief executive official of the Liwa and is responsible for the general administration thereof.

He shall see to the full enforcement of the law within the Liwa, and shall perform the duties and exercise the powers which are by law entrusted to him, and shall safeguard the rights of the people and of the State, and shall carry out the orders and instructions of the Wali.

The Mutasarrif shall correspond exclusively with the Wali on the affairs of the Liwa, except in extraordinary circumstances.

*Section 38.* All departments of administration within the Liwa are under the inspection and control of the Mutasarrif.

*Section 39.* The Mutasarrif is responsible for the maintenance of public order and safety within the Liwa. He shall perform his duties in connection with the judicial police in accordance with the provisions laid down in this respect in the Code of Criminal Procedure, and shall also perform his duties in connection with the preventive police through the civil and Nahiah officials, the police and the gendarmerie.

*Section 40.* In all matters concerning internal police regulations, the Police and Gendarmerie of the Liwa shall be subordinate to the Mutasarrif and shall carry out his orders.

*Section 41.* In the circumstances described in Section 26 the Mutasarrif shall have power to employ immediately the military forces stationed in the Liwa subject to informing the Wali. The Commanders of military forces within the Liwa shall without delay comply with the written instructions of the Mutasarrif in such event.



*Section 42.* The Mutasarrif shall make an annual tour of inspection within the Liwa. The duration of such tour shall be not less than one nor more than two months. He shall fix the time for such tour in consultation with the Wali. He shall report fully to the Wali the condition and requirements of the places inspected by him and shall suggest the measures necessary to satisfy such requirements.

*Section 43.* The Mutasarrif may give notice to the officials of the Civil and Religious Courts to expedite the disposal of their business. He shall report to the Wilayet any case in which undue delay has come to his notice.

*Section 44.* The Mutasarrif shall have full supervision over the expeditious disposal of the business and the prompt execution of decrees and orders of the Civil and Religious Courts. He shall furnish any assistance required of him by the proper official in this respect.

*Section 45.* The Mutasarrif shall exercise supervision over the full application of the Prisons Regulations. He shall from time to time either personally or through a representative, inspect the prisons and lock-ups at headquarters and at other places attached to the Liwa and shall take such steps as may be necessary for their improvement.

*Section 46.* All the heads of departments of the Liwa and other officials shall perform the duties which are by law entrusted to them and shall carry out the orders and instructions issued by the Mutasarrif in accordance with the law.

*Section 47.* All heads of departments and other officials of the Liwa shall investigate and report on such matters as may be referred to them by the Mutasarrif.

*Section 48.* The Mutasarrif shall have power, subject to the relevant rules and regulations, to warn, reprimand, fine, reduce the rank or pay of, or remove any subordinate official of any department, whom he is competent to appoint, except in the case of Qadhis and Judges. In such cases information must be sent to the Wilayet.

#### FUNCTIONS OF THE QAIMAQAM AND QADHA OFFICIALS.

*Section 49.* The Qaimaqam is the chief executive official of the Qadha and is responsible for the general administration thereof. It is his duty to ensure the full enforcement of the laws and regulations within his Qadha, to perform all the duties and exercise all the powers which are by law vested in him, to safeguard the rights of the State and of the people and to carry out the instructions of the Mutasarrif and Wali. Except in extraordinary circumstances, he shall correspond on the affairs of the Qadha, exclusively with the Liwa to which he is subordinate.

*Section 50.* All departments and sections of the administration of the Qadha are under the control and inspection of the Qaimaqam.

*Section 51.* The Qaimaqam is responsible for the maintenance of public order and safety within the Qadha. He shall perform his duties in connection with the judicial police in accordance with the provisions laid down in this respect in the Code of Criminal Procedure, and shall also perform his duties in connection with the preventive police through the civil and Nahiah officials, the police and the Gendarmerie.

*Section 52.* In all matters concerning internal police regulations the Police and Gendarmerie of the Qadha shall be subordinate to the Qaimaqam and shall carry out his orders.

*Section 53.* In the circumstances described in Section 26 the Qaimaqam shall have power to employ immediately the military forces stationed in the Qadha subject to informing the Mutasarrif. The commanders of military forces within the Qadha shall without delay comply with the written instructions of the Mutasarrif in such event.

*Section 54.* The Qaimaqam shall make tours of inspection within the Qadha. He shall visit the Nahiah headquarters at least once a year and the other villages of the Qadha in alternate years. The time and duration of the tour shall be fixed in consultation with the Mutasarrif. In the course of his tour the Qaimaqam shall receive any complaint made to him by the public and shall see to the prompt execution of legal measures. He shall notify the Nahiah Mamur the Mukhtars and the Council of Elders of duties to be performed by them. The Qaimaqam shall make it the special object of his tour to see that public security prevails, and that the personal safety and personal and proprietary rights of individuals are protected in the places visited by him.

He shall attend specially to the due enforcement of the regulations relating to the prevention of thefts of animals in the villages. He shall also inquire whether the rules regarding sanitation, education, agriculture and public works which it is his duty to enforce are productive of good results. The Qaimaqam shall submit to the Mutasarrif a report of his inspection. The Mutasarrif shall examine the report and shall take such measures as may be necessary.

*Section 55.* The Qaimaqam may give notice to the officials of the Civil and Religious Courts to expedite the disposal of their business. He shall report to the Mutasarrif any case in which undue delay has come to his notice. He shall take measures in consultation with the Assistant Procurator General to prevent the undue detention at the Qadha headquarters of persons summoned from the villages as witnesses or as defendants.



*Section 56.* The Qaimaqam shall have full supervision over the expeditious disposal of the business and the prompt execution of the decrees and orders of the Civil and Religious Courts. He shall furnish any assistance required of him by the proper official in this respect.

*Section 57.* The Qaimaqam shall exercise supervision over the full application of the Prisons Regulations. He shall from time to time, either personally or through a representative, inspect the prisons and take such steps as may be necessary for their improvement.

*Section 58.* The Qaimaqam shall facilitate the application of the law of military service. He shall enrol the recruits and shall arrest deserters and defaulters.

*Section 59.* The Qaimaqam shall duly enforce the Census Law and the orders issued thereunder by the Mutasariff.

*Section 60.* The officials of the Qadha shall perform the duties described in Sections 46 and 47 in so far as they relate to the Qadha.

*Section 61.* The Qaimaqam shall have power, subject to the relevant rules and regulations, to warn, reprimand, fine, reduce the rank or pay of, or remove any subordinate official of the various departments of the Qadha, whom he is competent to appoint. In such cases information must be sent to the Liwa.

### CHAPTER III.

#### ORGANIZATION OF ADMINISTRATIVE COUNCIL.

*Section 62.* At the headquarters of every Wilayet there shall be an Administrative Council under the presidency of the Wali or his Assistant and composed of the Qadhi, the Deftardar, the Makhtoubchi, the Director of Education, the Chief Engineer of Public Works, the Director of Agriculture, the Mufti, the religious chiefs and other elected members.

*Section 63.* In every Liwa there shall be an Administrative Council under the presidency of the Mutasariff and composed of the Qadhi, the Muhasabachi, the Mudir of Correspondence, the Engineer of Public Works, a Mamur of Agriculture, if any, the Mufti, the religious chiefs and other elected members.

*Section 64.* In every Qadha there shall be an Administrative Council under the presidency of the Qaimaqam and composed of the Qadhi, the Mudir Mal, the Correspondence Clerk, the Mufti, the religious chiefs, and other elected members.

*Section 65.* Heads of departments who are not permanent members of the Administrative Council may be invited as members to attend any discussion of the Council which concerns their department. They shall sign and seal the record of such discussion.

#### FUNCTIONS OF ADMINISTRATIVE COUNCILS.

*Section 66.* The duties of the Administrative Council shall be to try Government officials, to arrange all auctions and requests for tenders made by Government in accordance with the proper law or regulation and to determine the conditions of any agreement made accordingly, to arrange for the auction and farming of Government Ushr or other dues in accordance with the law or regulation, relating thereto, to arrange for the administration of such dues as remain unfarmed, to arrange for the auction of the monopoly of cutting wood from Miri forests in accordance with the regulation relating thereto, to supervise and protect all State movable and immovable property, to allocate grounds for cemeteries, to examine any proposal made by a local department in connection with canals, and furthermore to decide such matters as are by law or regulation assigned to them for decision.

*Section 67.* The Administrative Council shall not encroach upon the duties which are by the present law vested in the General Council and the Wilayet Council. They shall when necessary hear appeals from Administrative Councils of Liwas or Qadhas subordinate to them. An appeal from the decisions of Administrative Councils of the Wilayet shall lie to the Shurai Dawlat.

*Section 68.* Any objection made by any person against a decision arrived at by any Department of Administration shall be investigated by the Administrative Council of the Wilayet, against whose decision an appeal shall lie to the Shurai Dawlat.

*Section 69.* The Administrative Council of the Liwa shall perform the duties of an Administrative Council of the Wilayet described in Section 66.

It shall also when necessary hear appeals from decisions of the Administrative Councils of the Qadhas subordinate to it. An appeal shall lie to the Wilayet from decisions of the Administrative Council of the Liwa.

*Section 70.* Any objection made by any person against the decision of any department of the Administration of the Liwa shall be investigated by the Administrative Council of the Liwa, whose decision in the matter shall be subject to appeal to the Administrative Council of the Wilayet.

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Turks no regular  
elections were held  
to elect the elected  
members of the  
Administrative  
Councils. They were  
chosen by a list of  
notables (landowners  
etc) such list being  
made up by the Wali,  
Mutasariff or Qaimaqam  
in the case might be.  
was informed of I  
collected rights, that  
the Wali (Mutasariff  
Qaimaqam) had  
given a Circular  
order to selected  
notables asking them  
from they wish to  
list. 8/2/20*



*Section 71.* The provisions of Sections 69 and 70 shall apply to the Administrative Councils of Qadhas. An appeal shall lie from the decision of such Councils to the Administrative Council of the Liwa.

*Section 72.* Members of Administrative Councils shall be held responsible for their decisions.

*Section 73.* Attested copies of orders of the Administrative Council shall be issued free of copying or other charges upon application by the parties concerned.

*Section 74.* Any person who obstructs or prevents the application or execution of any order issued or measure taken by the Administrative Council, the General Council or the head of a department of the Civil Administration in accordance with the present law may be sentenced by the Administrative Council of the locality to a fine of not less than one nor more than five Liras. Such sentences are not subject to appeal or revision. If the person sentenced refuse to pay the fine a note shall be drawn up by the Administrative Council and sent with the written recommendation of the highest civil official of the locality, to the Procurator General for execution. The Procurator shall have power, without trial by a Court of First Instance, to substitute imprisonment for the fine in accordance with Section 37 as amended of the Penal Code and shall enforce such sentence immediately.

## PART II.

### SPECIAL ADMINISTRATION OF WILAYETS.

#### CHAPTER I.—WILAYETS.

*Section 75.* The Wilayet is a juristic person and may possess movable or immovable property and is bound to perform the duties which are appropriated to it by the present Law.

In respect of protection and preservation, the private property of Wilayets is considered as the public property of the State.

*Section 76.* The Wilayet is represented and personified in administrative matters by the Wali, the General Council and the Wilayet Committee (Anjuman) who administer and protect the affairs and special interests of the Wilayet.

*Section 77.* In all the affairs and duties of the Wilayet the executive power is confined to the Wali.

Trials of Wilayet officials for misconduct in connection with their duties shall be subject to the same rules as apply in the case of Imperial officials.

#### LOCAL SERVICES APPERTAINING TO WILAYETS.

*Section 78.* The local services, appertaining to the Wilayet are as follows :—

1. To construct, maintain and repair the roads and bridges, which connect the Liwas, Qadhas and Nahiahs within a Wilayet, other than public roads which are constructed, maintained and repaired by the Ministry of Public Works, where this is considered necessary by the Departments of State within Ottoman dominions.

(The parts of public roads or of private roads of a Wilayet which pass through a town or village shall be constructed and repaired according to their nature by the Ministry of Public Works or the Wilayet).

2. (*As amended by the Law of 3rd Nissan, 1330.*) To carry out or to give contracts at advantageous terms for the performance of any work necessary for the drainage or improvement of lakes or marshes within the limits of expenditure allowed by the ordinary and extraordinary revenues of the Wilayet.

(All technical documents relating to such works must be examined by the Ministry of Public Works and approved by them, with or without amendment, within two months).

3. (*As amended by the Law of 3rd Nissan, 1330.*) To grant concessions for a period not exceeding forty years for the construction, within towns or villages, and in accordance with the system adopted by the State of tramways with vehicles propelled by animal, steam or electric power, or for the installation of electric or gas light or for the distribution of electric power and of drinking water. The profits on such concessions must be credited to the Municipality.

To grant permission for the establishment of motor, autobus, omnibus or carriage services within the Wilayet or for the construction of factories in relation to any industry.

(Concessions for periods exceeding 40 years and concessions relating to electric power obtained from waterfalls must be granted by the Ministry of Public Works).

4. To institute experimental farms and agricultural centres, to found agricultural schools and depôts for breeding animals and for agricultural implements, to organize and institute rewards at competitions and shows of agricultural products and domestic animals, to organize races, to improve the varieties of local products, to introduce such new varieties as may be suitable to the climate and to grant free seed for this purpose to keep in readiness at agricultural centres machines for mowing, winnowing, sifting and other agricultural implements for hire to agriculturists, to institute agricultural museums and co-operative societies and generally to take every sort of measure to ensure the regular progress of agriculture.



5. To take measures for the afforestation of lands suitable for the purpose and to convert wild trees by proper grafting into productive trees.

6. To create local savings and credit banks or authorize their creation.

7. To establish in suitable places Chambers of Industries and Technical Schools for training in the industries of the locality, to organize shows and competitions of local industrial productions and provide prizes for the purpose of encouraging local industrial endeavour, and to institute museums for local industrial productions.

8. To establish Chambers of Commerce and Bourses in places where this is necessary, to organize shows and markets, fairs and generally take all necessary measures for developing and facilitating commerce and increasing the wealth of the locality.

9. To establish, for the purpose of securing thorough primary education, public and if necessary moveable primary schools and Primary Normal Schools, special night schools for workmen and indigent persons, and Liwa secondary schools and to administer and supervise such schools in accordance with the General Law of Education.

10. To establish in the interior of the Wilayet charitable and hygienic institutions, such as orphanages, hospitals, and lunatics and pauper asylums.

11. To administer all properties belonging to the Wilayet.

12. To administer and supervise all profitable and charitable institutions established for the benefit of the Wilayet.

The following paragraphs are added to the above Section : (Law of 3rd Nissan, 1330) :—

“The institutions created in connection with the services enumerated in the preceding paragraph shall be in conformity with the programme of the Government : such programme shall be framed by the General Council with due regard to the special and general needs of the Wilayet, once every five years and shall be approved with or without amendments by the Ministry of the Interior in communication with the other Ministries concerned.

“When an institution is in course of establishment, no other institution of the same kind shall be started unless the previous one is wholly completed”.

#### WILAYET BUDGET.

*Section 79.* The Budget of the Wilayet is divided into two parts, namely, the Ordinary Budget and the Extraordinary Budget.

*Section 80.* (As amended by the Law of 3rd Nissan, 1330). The following will constitute the receipts of the ordinary budget of the Wilayet :

1. The additional contribution of tithes ; (the share appropriated to Education belongs entirely to the Wilayet ; the share appropriated to Public Works shall, as hitherto, be paid into the Agricultural Bank, and in compensation therefor the share of tamattu, payable to the Ministry of Agriculture shall be paid by the Bank to the Wilayet.

2. The share appropriated to Education from the “vergo” on buildings (“Musaqqafat”).

3. The Wilayet share contributed in addition to the “Tamattu vergo” in accordance with the appropriate law.

4. The Wilayet share contributed in addition to the tax on sheep, camels, buffaloes, etc., in accordance with the appropriate law.

5. The Wilayet share contributed in addition to the fees leviable on “Firagh” (alienation of Miri land) and “Intiqal” (transfer by inheritance), in accordance with the appropriate law.

6. The Wilayet share payable by members of the active reserve or territorial forces in addition to the tax payable for exemption from military service in accordance with the appropriate law.

7. Road tolls, the tax levied on Mulk, and Tamattu in accordance with the appropriate law and the share assigned to the roads of the Wilayet from the allowances made under Section 3 and 8 of the Law as to War Vergo.

8. The Wilayet share of slaughter taxes.

9. The income or bedel firagh (proceeds of alienation) of properties and mulk belonging to the Wilayet.

10. The fares or farm proceeds of public services established by the Wilayet such as bridges, ports, boat services and the like.

11. The fixed amounts payable yearly by the proprietors or the companies running tramway, omnibus, autobus and motor car services in the Wilayet.

12. The income of agricultural, industrial and commercial establishments such as experimental farms and lands, agricultural schools, dépôts for breeding animals and agricultural implements, industrial schools and exhibitions, commercial exhibitions, fairs and the hire of agricultural implements.

13. All kinds of income derived from schools opened and managed by the Wilayet.



14. The income of the Wilayet Printing Press and Newspapers.
15. Gifts and legacies made to the Wilayet.
16. Miscellaneous revenues which have been or may be appropriated to the Wilayet, in addition to the revenues mentioned above, in accordance with the Law of Primary Education and other laws.

17. The additional fractions, as determined by the General Council, which are levied on all direct taxes other than tithes. Such fractions are independent of the shares mentioned in paragraphs 1, 2, 3, 4, 5 and 6 of this section and should not exceed the limit fixed in the Law of the General Budget.

18. The amounts granted when necessary from the general budget of the State to assist in meeting the current expenditure of the Wilayet.

*Section 81. (As amended by the Law of 3rd Nissan, 1330).* The following will constitute the receipts of the extraordinary budget of the Wilayet :—

1. The surplus revenues of the ordinary budget.
2. The proceeds of loans.
3. The extraordinary additional fractions imposed provisionally by the General Council on all direct taxes within the limits provided for by the Law of the General Budget, for the purpose of covering extraordinary expenditure.
4. The amounts granted when necessary from the General Budget to meet extraordinary expenditure.

*Section 82. (As amended by the Law of 3rd Nissan, 1330).* The following yearly and permanent expenditure relating to the services of the Wilayet will constitute the expenditure of the ordinary budget :

1. Salaries and expenses of the officials and departments of the Wilayet.
2. Cost of collection of the special revenues of the Wilayet.
3. Incidental and fundamental repairs of roads and ferries maintained by the Wilayet and salary and expenses of their technical staff. (The technical staff of roads maintained by the Wilayet will be selected according to the requirements of each Wilayet by the Ministry of Public Works).
4. Incidental and fundamental repairs of public works and expenses and pay of the technical staff.
5. Pay of staff and expenses of Primary Schools, Primary Normal Schools and those Secondary Schools of which the management is entrusted to the Wilayet. (The share of each Community out of the amount provided for Education in the Budget of the Wilayet shall be fixed in proportion to the share of the taxes appropriated to Education contributed by such Community).
6. Pay and expenses of Agricultural and Industrial Schools and other agricultural, industrial and commercial establishments the management of which is entrusted to the local authorities.
7. Expenditure on account of the upkeep, taxes and insurance of Wilayet estates.
8. Pay and expenses of charitable and hygienic establishments established and managed by the Wilayet.
9. Interest and sinking funds of loans.
10. Expenses of Wilayet Printing Press and Newspapers.
11. Cost of stationery, furniture and firewood and miscellaneous expenses for the General Council and Wilayet Committee (Anjuman), pay and travelling expenses of members of the General Council and allowances of members of the Wilayet Committee (Anjuman).
12. Expenses in connection with the election of members of the General Council of the Wilayet.
13. Permanent expenses necessary for the performance of any services, other than the above, which fall within the special duties of the Wilayet or which are by law entrusted to the Wilayet.

*Section 83.* The expenditure of the Extraordinary Budget shall include the cost of any new establishment or institution in connection with the services of the Wilayet, and unforeseen and temporary expenses in excess of the provision made in the Ordinary Budget for current expenditure.

*Section 84. (As amended by the Law of 3rd Nissan, 1330.)* If the General Council of the Wilayet refuse to make provision in the budget for any of the items of permanent expenditure enumerated above, such items may, upon communication received from the Wali or the Ministry concerned or upon enquiry made by the Ministry of the Interior, be entered in the budget by the Ministry of the Interior.

The revenue against an item so introduced shall be either deducted from non-urgent expenditure or from surplus revenues or by collecting unrealized additional fractions within the limits of the ordinary additional fractions fixed by the Law of the General Budget.

Except as provided above the ordinary budget sanctioned by the General Council shall not be altered.



New projects for which provision is made in the extraordinary budget must be the same as those included in the programme mentioned in the additional paragraph appended to Section 78. In case they are not included in this programme the Ministry of the Interior may appropriate expenditure for such projects in addition to the projects already provided for in the programme.

*Section 85.* The budget of the Wilayet is for twelve months.

Advances are allowed for two months. Excess expenditure or receipts shall be carried over to the budget of the next year under the appropriate head.

*Section 86.* The budget of the Wilayet after being approved by the General Council shall be sent by the Wali to the Ministry of the Interior, who will obtain an Imperial Iradah to confirm it. It shall then be enforced.

#### THE WALI AND SPECIAL OFFICIALS OF THE WILAYET.

*Section 87.* The local services which are by this Law attributed to the Wilayet shall be executed by the Wali after a resolution thereon has been passed by the General Council.

In the performance of such services the Wali shall have power to employ the heads and officials of the Departments concerned in such services.

*Section 88.* Every year before the meeting of the General Council of the Wilayet, the Wali shall have the budget prepared and shall refer it for examination to the Wilayet Anjuman and subsequently to the General Council of the Wilayet.

*Section 89.* The Wali shall draft any contract necessitated by the provisions made in the budget for expenditure and receipts and after having such contract examined by the Wilayet Anjuman in accordance with paragraph 3 of section 144, he will arrange for the necessary auctions and applications for tenders and will execute the necessary contracts.

*Section 90.* The Wali is authorized to order payments under the budget. The accounts of the monthly expenses made in accordance with the budget and sanctioned by the General Council shall be submitted with the documents supporting them to the Wilayet Anjuman.

*Section 91.* The Wali shall prepare annually the final accounts of the expenditure of the preceding year and after having them checked by the Wilayet Anjuman, shall refer them to the General Council for confirmation.

*Section 92.* Upon the decision of the General Council the Wali may, in the name of the Wilayet, purchase, sell or exchange any land, and may fix the method of management of such land and may allot one or more of the estates so acquired to public services such as for the building of schools or hospitals.

*Section 93.* Upon a decision of the General Council the Wali may accept any gift or legacy made in favour of the Wilayet.

*Section 94.* In all matters concerning the attributions of the Wilayet the Wali is authorized to appear in any Court of Justice or other Government Department as a plaintiff or defendant and may use all legal processes accordingly. He may also, by duly sealed power of attorney, delegate to any person whom he may deem proper all or any of such powers generally or specially.

*Section 95.* The Wali may, upon decision of the General Council, authorize the drawing of water by mechanical means from rivers used for navigation or for transport, up to a limit certified by the Department of Public works not to be deleterious to such navigation or transport service.

(Where any work established on a river lowers the level of such river or delays or obstructs the navigation it shall be within the discretion of the central authority to refuse authorization for such work).

*Section 96.* The Wali shall have power to grant permission for the construction of wharves on the banks of rivers for the convenience of steamer services, provided that such permission do not constitute a monopoly. He may, subject to the decision of the General Council, determine the conditions of and fix fees for the use of such wharves.

*Section 97.* It shall be a part of the duties of the Wali with the concurrence of the Director or Inspectors of Education to grant permission for the opening of private schools in accordance with the Regulations relating thereto and he shall exercise control over such schools through the Inspector of Education.

*Section 98.* The Wali shall have under him a Wilayet Private Accounts Office under a responsible Mudir who shall furnish security. The salaries and other expenses of such office shall be defrayed out of the revenues appropriated to the Wilayet.

*Section 99.* The Mudir of the Wilayet Private Accounts Office shall submit annually to the Wali, a month-and-a-half before the convocation of the General Assembly, the budget estimates of the current year together with the final accounts of the previous year.

He shall obtain returns from the budget estimates and final accounts sent by the heads of the various departments of the Administration together with the returns of the Accounts office of the Wilayet.



*Section 100.* The Mudir of the Wilayet Private Accounts Office is responsible for the collection of the revenues of the Wilayet, for the payment, subject to the orders of the Wali, of expenses within the budget of the Wilayet and for all other operations in connection with the accounts.

*Section 101.* It shall be the duty of the branches of the Agricultural Bank to receive and pay the revenues appropriated to the Wilayet, and where a branch of the Agricultural Bank does not exist, this duty shall be performed by the Treasury.

Bills and payment orders shall bear a note by the Mudir of the Wilayet Private Accounts office to the effect that the expenditure is necessary and the signature of the Wali who ordered the payment.

The system of accounts of the Wilayet Private Accounts office will be explained in special instructions.

*Section 102.* All officials special to the Wilayet may be appointed or removed by the Wali. Provided that the Mudir of the Wilayet Private Accounts office, who shall be a person competent in questions of finance, can only be removed upon the recommendation of the Wali approved by the Ministry of Finance.

## GENERAL COUNCIL OF THE WILAYET.

### CHAPTER II.

*Section 103. (As amended by the Law of 3rd Nissan, 1330).* In every Wilayet there shall be a General Council. The members thereof shall be elected by the Qadhas. The number of members shall be on the basis of one member for every 12,500 of the male population.

The number of Mohammedan and non-Mohammedan members of the Council shall be in proportion with the male Mohammedan and non-Mohammedan populations of the Wilayet. The Administrative Council of the Wilayet shall, subject to such proportion, determine the number of Mohammedan and non-Mohammedan members and the places where the election shall take place and the election shall be carried out in accordance with the decision of the Administrative Council. Pending the renewal of Census registration, the General Councils of the Wilayets of Van and Bitlis shall comprise an equal number of Mohammedan and non-Mohammedan members. Members of the General Council may be appointed members of the Wilayet Committee (Anjuman) on the same principle of election. The Wali shall begin the elections of the General Council at the time appointed therefor.

*Section 104. (As amended by the Law of 3rd Nissan, 1330).* The members of the General Council shall be elected by the secondary electors of the most recent Parliamentary elections and the Municipal Council of the Qadha headquarters, who will elect jointly.

Such secondary electors shall continue to perform this duty until new secondary electors are elected at the next election. Such election shall take place in presence of the Administrative Council; and after the result of the election separate mazbatas shall be given to the Mohammedan and non-Mohammedan members who have obtained the greatest majority in accordance with the proportion of Mohammedan and non-Mohammedan Members eligible for the Qadha.

*Section 105.* It shall not be conditional that a member of the General Council should be a resident of the Qadha in which he is elected, provided he be a resident of the Wilayet. The qualifications for membership of the General Council are the same as those for membership of Parliament.

*Section 106.* The following shall not be eligible to the membership of the General Council :—

1. Persons engaged in active military service.
2. Senators and Deputies.
3. Imperial or Wilayet Judges and officials.
4. Farmers and contractors of any work belonging to the Wilayet within the limits of such Wilayet.

*Section 107.* A member who is elected by more than one Qadha must within 8 days choose which Qadha he desires to represent. If he fails to do so he will be deemed to represent the Qadha in which he has obtained the largest number of votes.

*Section 108.* Members of the General Council of the Wilayet are elected for four years and may be re-elected.

*Section 109.* A member of the General Council shall cease to be such upon his resigning or being convicted of a "crime" or a "misdemeanour" of a dishonourable nature, or upon his failure to attend without lawful reason more than half the sittings of the Council in any year.

*Section 110.* If any of the members elected resign, die, move to another wilayet before expiry of the period of his appointment, or forfeit his appointment, he shall be replaced for the remainder of the period by the person who obtained the next largest number of votes in the Qadha which he represents. In case of an equality of votes the decision shall be by lot.



*Section 111.* The General Council of the Wilayet shall meet once a year. The opening of the session shall be fixed by the Council for a date before the new annual budget which shall allow sufficient time for such budget to be voted and forwarded to the Ministry of the Interior. The first meeting of the Council shall be summoned by the Wali.

*Section 112.* The period of session of the Council shall be forty days. The sessions may be terminated before the expiry of such period if the Council decide that they have completed their task.

*Section 113.* If at the expiry of the period of the session there remain any important matter the discussion of which has not been completed, the Wali may extend the period of session for a period not exceeding fifteen days and shall inform the Ministry of the Interior of his reasons for such extension.

*Section 114.* In case it be so deemed necessary by the Central Government or by the Wilayet the General Council may be summoned to hold an extraordinary session at an appointed time. The agenda for such extraordinary session shall be notified to the members in the requests for attendance sent to them. No matter shall be discussed at such session other than the agenda so notified.

*Section 115.* If two-thirds of the members of the General Council apply to the Wali for the convocation of the General Council to an extraordinary session and state their reasons the Wali shall inform the Ministry of the Interior of such request with his own observations thereon. If the Ministry approve the General Council shall hold an extraordinary session in the manner prescribed in the preceding section.

*Section 116.* Each member of the General Council shall be paid 50 Piastres for every day on which he attends a Meeting and in addition a monthly travelling allowance of 1,500 Piastres.

*Section 117.* The Wali shall open the General Council on the date fixed and shall proclaim its closure on the termination of the session.

*Section 118.* The Wali shall preside over the General Council. At its first meeting the Council shall elect from among its own number by absolute majority a Vice-President and two Secretaries, who shall perform their functions until the next ordinary session of the Council. If the Wali be absent the Vice-President shall preside. The clerical work of the General Council shall be carried out by the staff of the Wilayet Committee (Anjuman).

*Section 119.* The conduct of business and enforcement of discipline in the General Council shall be exclusively the duty of the President. The enforcement of discipline and the method of deliberation shall be the subject of special rules of procedure.

*Section 120.* The General Council shall not begin any discussion unless a majority of members be present. The resolutions of the General Council shall be carried by absolute majority of the members present. If an absolute majority be not obtained on any question, such question shall be deferred for discussion to the following day. If an absolute majority be not then obtained a relative majority shall be accepted. In case of an equality of votes the President shall have a casting vote.

*Section 121.* Every member of the General Council of the Wilayet shall give his vote in person. In voting on the budget it is necessary that the member voting should state his name. At the election of the General Council of the Wilayet and in voting on a resolution to reject a mazbata the voting shall be secret.

*Section 122.* A resumé of the deliberations of the General Council shall be published in the Gazette of the Wilayet.

*Section 123.* The questions for discussion by the General Council shall be referred to them by the Wali. Provided that any member of the Council may propose a motion on any question which concerns the business of the Wilayet.

Such motion if accepted by absolute majority shall be included in the resumé of deliberations.

*Section 124.* The General Council shall on no account discuss or express views upon matters of political import.

*Section 125.* The Wali may in case of urgent necessity postpone for a week the deliberations of the General Council, provided that he shall in such case immediately inform the Ministry of the Interior. If he consider it urgently necessary that the Council should be dissolved, the Wali shall request the Ministry of the Interior to authorize him accordingly stating his reasons, and the decision shall then rest with the Cabinet. A decision to dissolve the Council requires confirmation by an Imperial Iradah.

In such case there shall be a fresh election and the new Council shall meet within three months from the dissolution of the former Council.

*Section 126.* In case the General Council be dissolved before the budget is passed the old budget shall remain in force until a fresh budget is voted by the new General Council.



*Section 127.* The General Council of the Wilayet shall not hold a session at a time other than that appointed or in a place other than that allotted to them. Any session so held and the decisions arrived at in such session shall be null and void. If any such session be held the Wali shall take immediate steps for its dispersal.

*Section 128.* Every year at the first sitting of the General Council the Wali shall read to them an account of the manner in which the resolutions of the previous session have been carried out in the course of the year and the observations made thereon by the Wilayet Anjuman. The Council may then proceed to discuss such account, a copy of which must be sent to the Ministry of the Interior. If the explanations given by the Wali are voted by a majority of two-thirds to be inadequate a complete record of the Council's deliberations on the matter shall be sent to the Ministry of the Interior.

*Section 129.* The General Council of the Wilayet shall examine in detail the draft of the special budget and the tables appended thereto, and shall if necessary amend any part thereof before approving it.

The heads of the Administrative Departments of the Wilayet shall attend the Council when details of the special services of the Wilayet with which their respective departments are concerned or the departmental budget are under discussion and shall provide any explanation that may be necessary.

*Section 130.* The General Council of the Wilayet shall fix the amount of ordinary and extraordinary additional contributions within limits and in accordance with proportions fixed by special law.

*Section 131.* The General Council of the Wilayet may also sanction loans for the benefit of public works, sanitation or education subject to the following conditions :—

Loans of a total amount not exceeding one-third of the ordinary annual receipts shown in the budget may be proposed by the Wali subject to the confirmation of the General Council.

Loans of a total amount exceeding the said limit but not exceeding the ordinary annual receipts of the Wilayet shown in the budget, if approved by the General Council require confirmation by Imperial Iradah. If the amount of any loan or loans exceed the ordinary annual receipts, they require the sanction of special legislation.

*Section 132. (As amended by the Law of 3rd Nissan, 1330).* The General Council may examine projects for construction or repairs included in the budget together with the reports of the Wilayet Committee (Anjuman) thereon and may make decisions on non-technical points.

*Section 133.* The General Council besides examining the budget for the current year shall consider the final accounts of the previous year which shall be submitted to them together with the connected memorandum of the Wilayet Committee (Anjuman) and shall pass orders thereon. After examination such final accounts shall be sent by the Wali to the Ministry of the Interior for transmission to the Diwan Muhasabat (Accounts Office of the Central Government).

*Section 134.* The General Council may express opinions on enterprises which are outside the local services and may communicate with the proper authority with a view to their improvement or the redress of any illegality in the collection of Government taxes and dues or in any other matter, and may advise as to the methods of increasing the revenue or the proceeds of such taxes and dues.

*Section 135.* Decisions of the General Council shall become final on being confirmed by the Wali. The Wali shall have power to make objection to any such decision within twenty days from the date of the record of proceedings.

In case such objection be made the matter shall be examined by the Shurai Dowlat. The Shurai Dowlat shall give its decision within two months from the date of reference.

#### WILAYET COMMITTEE (ANJUMAN).

*Section 136.* The Wilayet Committee (Anjuman) shall consist of four members appointed by the General Council at the conclusion of the session from among their own number. Where the members of the General Council are less than eight in number the Committee may by order of the Council consist of two members only.

*Section 137.* The General Council shall elect double the number of members required for the Wilayet Committee. Half of this number, comprising the members who obtain the greatest numbers of votes shall constitute the Committee. In case of equality of votes decision shall be by lot. The remainder shall be called assistant members and shall fill, in the order of the majorities obtained by them, any vacancy which may occur in the Wilayet Committee during the period when the General Council is not in session. If such vacancy occur when the General Council is in session, a member shall be appointed by the General Council.

*Section 138.* Members of the Wilayet Committee shall be residents of different Qadhas. A member of the Administrative or Municipal Council shall not be a member of the Wilayet Committee unless he resign his appointment.



*Section 139.* The members of the Wilayet Committee shall hold their appointments for one year. Provided that if the General Council find it necessary it may alter the composition of the Committee (*even*) at an extraordinary sitting. Members of the Committee may be re-elected.

*Section 140.* The General Council shall vote a remuneration not exceeding 1,500 Piastres monthly for every member of the Wilayet Committee.

*Section 141.* The Wali or a person delegated by him shall preside over the Committee. The Committee shall be convened by the Wali, whenever necessary.

*Section 142.* The Committee shall not discuss any question nor pass any resolution unless a majority of the members are present. In case of equality of votes the President shall have a casting vote.

A record shall be kept of the discussions of the Committee and shall contain the names of the members present.

*Section 143.* A member who fails to attend three consecutive meetings of the Committee without lawful reason shall be deemed to have resigned.

*Section 144.* The duties of Wilayet Committee shall be as follows :—

1. To examine the budget of the Wilayet referred to them by the Wali and submit a report of their observations.
2. To examine the returns of expenditure referred to them by the Wali at the end of each month and to see if they conform with the budget, in which case they shall confirm them.
3. To give opinions on the terms of tenders and auctions made in accordance with the budget and with the decisions of the General Council, and to draw up all necessary documents in this connection.
4. To determine how the amounts provided in the budget for unforeseen expenditure shall be spent and to bring the items of such expenditure under their proper heads. Transfers from one head to another require a decision of the General Council or of the Committee under paragraph (6) of this section, and must be sanctioned by Imperial Iradah.
5. To give opinions on schemes submitted to the General Council in connection with the local services.
6. To give decisions in urgent cases in which the decision of the General Council is necessary. Such decisions shall be submitted to the Council at its next sitting.
7. To Submit to the General Council at the beginning of its yearly session a report on the operation of the administration of the Wilayet and in the execution of the decisions given at the previous session.
8. To give opinions on all matters referred to them by the Wali concerning any of the special duties vested in the Wilayet by the present law.
9. The Wilayet Committee is absolutely forbidden to discuss any question which lies outside the functions of the Wilayet, as laid down in the present law.

#### PROCEDURE IN MATTERS COMMON TO ADJOINING WILAYETS.

*Section 145.* Questions within the competence of General Councils, which are common to adjoining Wilayets and which require joint decision shall be examined by a mixed Committee composed of persons elected from among the members of the General Councils of the Wilayets concerned with the approval of the Ministry of the Interior. Such Committee shall meet at a place to be appointed by the Walis concerned in consultation with each other.

*Section 146.* Mixed Committees will be under the presidency of the Wali of the place at which they meet or of some person delegated by him. The decisions of the Committee shall be communicated by the President to the Walis concerned and shall at once inform the Wali presiding over the Mixed Committee whether such decisions have been accepted or not. If accepted by the General Councils the decisions of the Mixed Committee shall be carried out by the Walis concerned acting in concert. If rejected they shall be submitted by the Wali presiding over the Committee to the Ministry of the Interior for settlement by the Shurai Dowlat.

*Section 147.* The provisions of this Law shall be in force from the date of its promulgation.

*Section 148.* The Regulations as to General Administration of Wilayets dated 7th Jamad Akhir, 1281 and 29th Shawal, 1287 are hereby repealed.

*Section 149.* The Cabinet is required to execute this Law.

*Provisional Section.* Until special provisions are made to regulate the elections the election of General Councils will be carried out in accordance with the provisions of Part V of the Law of Wilayets dated 7th Jamad Akhir, 1281 and the Rulings issued thereunder.

I order that this draft Law be promulgated and temporarily added to the Laws of the Empire until Parliament be opened and sanction it.



*As translated from  
Young, I p. 69-84*

# Wilayet Municipal Law.

**Dated 5th October, 1877=27th Ramadhan, 1294.**

1. A Municipal Council shall be set up in each city and town. The duties of Municipalities in Nahiyahs will be laid down in a special law.

2. Large cities will be divided by the Administrative Council into several municipal circles according to size and local requirements. As far as possible the basis of the division shall be a population of 40,000. A municipal council will be appointed in each circle. The number of women will be reckoned as equal to the number of men.

3. The duties of a municipal council are to watch over and attend to the following :—

- (a) The construction of all buildings.
- (b) The widening and arrangement of streets.
- (c) The construction of pavements and sewers.
- (d) The construction and repair of all public and private water-supplies on payment by the party interested ; and in general all matters relating to water supply, subject to the condition that waqf affairs be administered according to the regulation relating thereto.
- (e) The destruction of buildings which have been decided by the municipality to be a source of danger and the prevention of danger on such account.
- (f) The inspection, in accordance with the special law, of the construction and repair of public buildings.
- (g) Expropriation for widening streets or for public purposes.
- (h) The management, exchange, partition and sale of buildings and sites, belonging to the municipality.
- (i) The defence of suits instituted against the municipal administration and the institution of suits to uphold the rights of the municipality.
- (j) The beautifying and lighting of the town.
- (k) The maintenance of the town in a state of cleanliness at all times by removing refuse and depositing it (in towns not on the sea shore) in places selected for refuse pits outside the town.
- (l) The registration of all immoveable properties, with their value, income and owners' names, the preparation of plans.
- (m) The registration of the existing population and of births and deaths.
- (n) The arrangement and enlargement of quays : the making of open spaces in suitable spots according to the needs of the people.
- (o) The preservation of existing open spaces and public gardens.
- (p) The improvement of public transport.
- (q) The establishment of markets in suitable open spaces, and the improvement of such markets.
- (r) The preparation of tariffs for vehicles and transport within municipal limits. The supervision of horses and carriages, to ensure their being kept in good condition. The appointment of carriage and horse-stands.
- (s) The general supervision of inns, coffee-shops, casinos, theatres, circuses, places of amusement, places in which the public congregate, and fairs held within municipal limits. The supervision and superintendence of matters falling within the scope of the Police and public morals remain with the Police as in the past.
- (t) The erection of baths on the sea-shore and the prevention of people entering the water naked.
- (u) The inspection of harbour boats as to soundness, number of passengers, and character of the boatmen.
- (v) Inspection of weights and measures.
- (w) The price, weight, cooking and cleanliness of bread ; the soundness of the flour ; and the cleanliness of the ovens and workmen.
- (x) That flesh of weak or diseased animals be not sold, that meat in butchers' shops be covered with fine mesh, that slaughter houses be built in suitable places and animals be not slaughtered in the town ; the supervision in the interest of the public health of existing slaughter houses and buildings for skins, sinews, etc., which emit an offensive smell ; and the prohibition of the sale of harmful foods.
- (y) To take all necessary steps to safeguard the public health, e.g. to construct latrines in suitable places to keep such latrines clean, to clean all roads, etc.

*not realized as yet  
Young I. 70 n.  
now under contract  
Procurement I 70*



- (z) The setting up of hospitals, poor-houses, reformatories and technical schools for the training of blind, dumb, orphan and friendless children ; the care of the poor and the needy, and the maintenance of indigent persons who are unable to work ; and the maintenance of such institutions with control of their income and expenditure and the appointment and replacement of their officials.
- (aa) The acquisition of the means of extinguishing fires such as pumps, axes, hatchets, buckets, casks and their maintenance in good condition in their appointed places ; the appointment of firemen.
- (bb) The employment of beggars capable of working, on suitable work, and provision for those incapable, in order to put a stop to begging gradually.
- (cc) Burial of the poor.
- (dd) That nothing inconsistent with public morality occurs in places of amusement.
- (ee) The realization of the municipal revenues and their expenditure on the needs of the municipality.
- (ff) The prevention of the cornering of goods.
- (gg) The supervision of guilds.
- (hh) All other similar matters of public benefit.

## CHAPTER II.

### ON THE FORMATION OF MUNICIPAL COUNCILS.

4. As laid down in section 19 the Council shall consist of from 6 to 12 members according to the size and population of the town. Members will be elected for 4 years and must be owners of house property in their quarters and Ottoman subjects. One of the elected members will be appointed President by Government, and will be paid from the Municipal revenues. The services of the members will be honorary. Half the members will be changed every two years.

5. The Government Engineer, Doctor and Veterinary Doctor will be advisory members of the Municipal Council.

6. A secretary, a treasurer and as many serjeants as are required will be appointed for the Council. The treasurer will be changed every two years.

7. No one may be a member of two Councils at the same time.

8. The secretary and the treasurer will be paid officials. The treasurer will be required to find security.

9. The Council should meet at least twice a week, and if necessary, and it is summoned by the President, more frequently.

10. The oldest of the members will act in the absence of the President.

11. No discussion shall be held unless the members present exceed half the total number by one or more. Decisions shall be taken by a majority of votes. In case of equality of votes the President or Vice President shall have a casting vote. Votes may be taken by ballot on the demand of any two members.

12. The President is responsible for the proper conduct of all the proceedings of the Council. The Secretary is responsible for all the correspondence and accounts.

13. At the commencement of each meeting the minutes of the previous meeting will be read aloud, and signed by the President and by the members who were present at that meeting.

14. If a meeting has been called and has broken up twice for want of a quorum then at a third meeting those members present shall vote and their decision shall be accepted whatever their number.

15. A member absenting himself without legitimate excuse from three successive meetings shall be considered to have resigned. The place of a member who dies or resigns will be taken by the person who received the next largest number of votes at the previous election.

16. The pay of the officials, rent of the Town Hall, cost of stationery and fuel and other miscellaneous expenses shall not under any circumstances exceed one-tenth of the municipal income, or at most (and that only temporarily) one-fifth.

17. The Municipal secretary is responsible for the safeguard of all papers and registers relating to the correspondence and accounts of the Council.

## CHAPTER III.

### ON THE ELECTION OF MEMBERS.

18. Every resident of a city or town who is over 25 years of age, owns immovable property therein of an annual rateable value, for "vergu" of 50 Piastres, is an Ottoman subject, is in full possession of all civil and personal rights, and has not been sentenced for any crime, shall be entitled to vote.

*must be municipal  
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young I 72.1*



19. Every candidate for membership shall have the following qualifications :—

- (1) be resident of the city or town ;
- (2) pay at least 100 Piastres vergu annually to the State on immovable property owned therein by him ;
- (3) be over 30 years of age ;
- (4) be an Ottoman subject and able to speak Turkish ;
- (5) be in full possession of his senses ;
- (6) not be a domestic servant ;
- (7) be in full possession of his personal and public rights in accordance with the Penal Code ;
- (8) not be an undischarged bankrupt ;
- (9) not have been sentenced to imprisonment for one year on account of a misdemeanour, or to any other punishment equivalent thereto ;
- (10) not have been convicted of vagabondage ;
- (11) not possess even temporarily the rights attaching to service with a foreign power ;
- (12) not claim to be a foreign subject ;
- (13) not be a municipal employee ;
- (14) not be a contractor to the Municipality or surety for such contractor ;
- (15) not be a farmer of any taxes ;
- (16) not be on the active list of the Army or Gendarmerie ;
- (17) not be a Governor in the town or city in which he lives ;

20. Election will begin in December of every electoral year, and will be concluded, in accordance with the following rules, at the end of February.

21. At the beginning of the month of December in the electoral year the imams, priests, rabbis and mukhtars of the mahallahs will be called to form an Electoral Committee to supervise the elections. Each one of them will be asked the names of two respectable men entitled to vote. All these men will be called to the headquarters of the Municipality. When at least 20 of them are present lots will be cast for ten and these ten so chosen by lot will form the Committee of election. This Committee should be formed by the 10th of the month at latest. The President of the Municipal Council will preside over this Committee.

22. If any member of an Electoral Committee so chosen by lot resigns, lots will again be drawn among those not previously chosen and the person so chosen will take the place of the member who resigned.

23. The Electoral Committee will call from the mahallas for a list of the persons present in the town or city who are entitled to vote and also of those who are eligible for election and after inspection of the register of property will prepare two copies within at most 15 days. One copy will be posted on the 25th of the month by the door of every mosque or place of worship and will remain posted for 8 days. The Police will be responsible for the protection of these lists.

24. If within the period of eight days during which the lists remain posted under section 23 objection be made by any person that his name has been omitted from the list, the objection will be heard and examined by the Electoral Committee and if necessary the list of voters will be corrected. Objections made after the period of 8 days will be rejected.

25. Objections made within the prescribed period shall be examined and decided by the Electoral Committee within 8 days from the date of their presentation.

26. Any person dissatisfied with the decision of the Electoral Committee may appeal to the Court of First Instance within 10 days. After 10 days the right of appeal lapses.

27. The Court of First Instance must decide appeals presented to it within 8 days.

28. The Electoral Committee should record in a special register all its deliberations from its formation until the completion of proceedings.

29. Five days before posting the list mentioned in Section 23 a notification should issue giving the date of posting, stating that the list will be posted for eight days together with the period for objection, enquiry and appeal and that after that period no objection and no appeal will be entertained and that on the first of February the election will begin and fixing the date on which the electors of each quarter should be present.

30. At the beginning of the first election on the 1st of February every elector will write on a piece of paper the names of as many persons as there must be elected for the Municipal Council or in subsequent elections, of half that number to replace the half retiring by lot (see section 34). The elector will sign or seal the voting paper, wrap it in a sealed envelope, and place it in the ballot box. The ballot box will have two locks opening with different keys and a narrow slit large enough to admit the voting paper. During the period of the election the President of the Council will keep one key and the oldest of the members of the Electoral Committee the other.



31. Any voter unable to be present to vote may vote by writing. In this case he should place his voting paper in a sealed envelope and write on the outside his name and address and send it to the Electoral Committee who at the time when the other residents of his quarter are voting will have the name written on the back of the envelope entered in the register of voters and the President will himself put the vote unopened in the ballot box.

32. No vote presented after the lapse of the period for voting (10 days) will be accepted.

33. Votes will be received and placed in the ballot-box from the first to the tenth of February. At the end of ten days the box will be opened and the votes counted and entered in order in another register. If at the time of counting any voting paper cannot be read or if it cannot be made out who the voter is, the voting paper shall not be included in the count but shall be kept separate. Thereafter a statement of those who obtained the majority of the votes shall be prepared and forwarded to the authorities before the 15th of February. After their names have been recorded in the registers of the Administrative Council an official certificate will be granted them by the Government attesting their appointment.

34. At the time of the second elections, the names of the members elected in the first elections will be read out in presence of the members of the Council and of the Electoral Committee, and half the members, chosen by lot, will retire. Thereafter those will retire who have completed the term of their membership.

35. As laid down in Section 7 no person may be a member of two or more municipal councils at the same time. If such a possibility comes to light during an election, the person concerned must make his choice within 8 days.

36. Those who have completed the term of their membership may be re-elected.

37. Each Electoral Committee should prepare a list giving the names of twice as many candidates as were elected as members. The names should be in order according to the number of votes obtained, beginning with the candidate who obtained most votes, and the number of votes should be shown in each case. This list will be hung in the Council Hall for reference.

38. The list mentioned in section 37 will be referred to in case of the resignation or death of one of the members. The unsuccessful candidate who obtained the largest number of votes will replace him and will hold office until the end of the period for which the member he replaces was elected.

## CHAPTER IV.

### MUNICIPAL REVENUES.

39. Municipal revenues are :—

1. The taxes allotted to it by the State.

The ordinary and extraordinary Municipal taxes imposed and collected in accordance with sanction conferred by Iradah.

2. The sale-proceeds of land remaining over after the improvement or re-alignment of roads and pathways, as well as "Sharafiyah" (charge for enhancement of value) which will be levied from those who profit by the improvement.

3. The fines which the Municipality is permitted to levy.

4. Fees for steelyard, weighing, measuring, contract, slaughter or sale of animals and other various fees which the Council is permitted to levy.

5. Subscriptions and gifts made to Municipalities.

40. Where persons owing money to the Municipality refuse to pay, the following procedure shall be observed :—

(a) If the debtor is an official or other public servant or if he is a tax-farmer or has a claim on the Treasury the amount due will be withheld from his pay or other moneys due to him from the Treasury ;

(b) In other cases, if the debtor owns a house, shop or other real property, when the time for letting comes the tenant will not be allowed to carry his effects to it ; and similarly ;

(c) If the debtor desires to sell, proceedings will not be taken on the *ilm-u-khabar* but will be stayed until the amount due be realized from him. However if the tenant offers to pay the rates assessed on that property he may be allowed to do so. If these methods are insufficient to secure the collection of the debt easily the Council will send the debtor a notice that if he fails to pay the sum due within 8 days from the date of the notice or to furnish good security for payment within one month the Council will report to the local authorities and the debtor will be arrested and the sum due recovered from him.



41. A budget will be prepared each year showing the income and expenditure. It will be sealed by the Council and forwarded to the Administrative Council. After it has been examined and confirmed by the assembly in the manner explained in Chapter VI, it will be kept as a record in order that collections and expenditure may be made accordingly.

## CHAPTER V.

### THE FUNCTIONS OF THE PRESIDENT OF THE COUNCIL.

42. The President will.—

- (a) preside at the bi-weekly meetings of the Council ;
- (b) summon all extraordinary meetings at his discretion ;
- (c) appoint officials and sergeants to posts, subject to the sanction of the Council ;
- (d) carry out all decisions of the Council which are within its powers ;
- (e) obtain the sanction of the Administrative Council, through the local authorities, to all decisions of the Council requiring its sanction ;
- (f) issue and enforce proclamations and notices on Municipal matters ;
- (g) prepare the annual budget at the proper time and lay it before the Council, and collect the income and expend it in accordance with the decisions of the Council within the limits of the budget as sanctioned in accordance with Section 41.
- (h) sign or seal, with the Council, all agreements entered into in the name of the Municipal Administration and with the approval of the Council ;
- (i) present to the Municipal assembly a monthly abstract of income and expenditure throughout the year and a similar statement at the end of the year ;
- (j) publish in the Gazette of the Wilayet the annual budget and the annual balance of accounts.

43. Those who commit such municipal offences as are governed by Chapter III of the Penal Code or who disobey Municipal orders will be tried and punished by the Municipal Council or, on days on which the Council is not sitting, by a committee formed of the President, the Secretary and the Engineer.

### THE FUNCTIONS OF THE COUNCIL.

44. The functions of the Council are :—

- (a) To discuss and give decisions on questions relating to the general duties set forth in Section 3 and such matters as are handed over to Municipalities by the Provinces Law and the Law on the Election of Deputies.
- (b) To examine and sanction ordinary and extraordinary budgets and annual accounts.
- (c) To inspect the entries and registers on matters of finance.
- (d) To decide the manner and object of expenditure of the sums allotted in the budget.
- (e) To decide matters relating to management, partition, exchange, sale and purchase of Municipal property.
- (f) To allot to the various mahallahs, according to their respective needs the buildings and other works which it is proposed to carry out each year.
- (g) To carry out auctions in accordance with the regulations.
- (h) To examine and sanction all agreements and contracts entered into by the Municipal Administration.
- (i) To examine and decide on proposals made by the President for the appointment or dismissal of officials within the limits of the sanctioned budget.
- (j) To examine the account of receipts and expenditure once a month, on the basis of the monthly statement, and to check the balance in hand.
- (k) To carry out the actual supervision of the Engineer's surveys.

### THE MUNICIPAL CLERK.

45. The duty of the Clerk is to attend to the correspondence and the accounts, to keep in safe custody all the papers and registers which belong to the Council, and to keep all the registers relating thereto.

### THE MUNICIPAL ENGINEER.

46. The duty of a Municipal Engineer is to carry out all works entrusted to him in connection with roads, buildings and technical matters generally, and to keep in safe custody all plans, drawings, and technical papers whether prepared by the Municipality or received by it from outside.

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## THE PROPERTY AND CENSUS OFFICE.

47. The duty of this office is to record in a special register all kinds of *mulk* situated within the town with the name of the street, number, nature, value and owner's name; to record in another special register the population of the town; and to record (a) transfers, by sale, etc., or inheritance, of building property and sites and (b) births and deaths.

## THE CLERK OF CONTRACTS.

48. The duty of the Clerk of Contracts is to draw up contracts of lease concluded for property within the Municipal circle in accordance with the special regulation (regulation of 15th April 1882 as amended on 1-2-1329) to enter them in his register, to grant a sealed statement of the fees which are payable to the Municipal Treasury. At the end of each month he will present to the Council an abstract of his registers showing the number of proceedings which took place during the month. He will then check his accounts with the Treasury receipts, recover the above-mentioned statements, and get his register signed by the Treasurer. In small towns the Municipal Secretary will fulfil the duties of Clerk of Contracts in addition to his ordinary duties.

## THE DUTIES OF THE CASHIER.

49. The Cashier must provide good security. He will receive and disburse the revenue of the Municipality. Every evening he must present to the President an abstract, classified under heads, of the daily receipts and expenditure and cash in hand. No payment shall be made from the Treasury save on a payment order from the President signed and dated by the clerk.

## CHAPTER VI.

### MUNICIPAL ASSEMBLY.

50. Twice a year the Municipal Council will unite with the Administrative Council to form the Municipal Assembly.

51. A President and Vice-President will be elected by the Assembly. The Vice-President will act in the absence of the President.

52. The Assembly will meet twice yearly on the invitation of the local authorities. The first meeting will be for not more than 15 days, in April, when it will examine and sanction the Town Council's expenditure for the past year, its accounts, and everything relating thereto. The second meeting will be held in November to examine and approve the budget of the following year and the public works which it is intended to undertake during that year.

53. The Assembly is entitled to examine the general condition of the Municipal Council and to send a statement to the Vali, for discussion in the General Council of the Wilayet of all reforms, and changes in the regulations governing Municipal Councils which it considers desirable.

All decisions arrived at in the Assembly on the budget, accounts and public works will be communicated by the Local Government to the Council after the dissolution of the Assembly, and will then be carried out. All reports regarding changes in the regulations and the purchase of real property for public purposes in accordance with the special regulation will be similarly forwarded to the Vali for discussion in the General Council of the Wilayet.

54. The Assembly may not give a decision on any question unless the number of members present exceeds by one or more half the total number of members. If, however, the members are summoned twice without a quorum being obtained the decision of the members present at the third meeting will be valid whatever their number.

55. All decisions of the Assembly will be decided by a majority of votes. In case of a tie the President will have the casting vote.

## CHAPTER VII.

### DUTIES OF MUNICIPAL SERJEANTS.

56. In each Municipality there shall be appointed an Inspector of Serjeants and as many Serjeants as the size and importance of the town require. The Inspector will be the Officer of the Serjeants. They will perform their duties within the limits of the Municipal area.

57. The Inspector and the Serjeant must be Ottoman subjects. The Inspector must be able to read and write, must be in good health and sound of limb, must not have been sentenced for any crime, and find security. Those coming from the army will be given a preference over men who are their equals in other respects. Inspectors already in service who cannot read and write should not be dismissed all at once, but gradually. In future, vacancies shall only be filled from those able to read and write.

See P 40  
Sec 62-65



58. In case of a vacancy for an Inspector, if there is a Serjeant who is competent to fill the post, it should not be given to an outside candidate. An examination will be held and the Serjeant who excels the others in his knowledge of reading, writing and Municipal Law will be appointed.

59. The Inspector and the Serjeants will fulfil the duties allotted to them by the head of the Municipal circle to which they are attached. They will supervise carefully the application of all rules and regulations. They will send to the Council all those who contravene such rules and regulations, together with a report of the offence. If necessary they may call on the Regular Police for assistance. In case of fire they will inform the nearest Police Post, proceed at once to the scene of the fire, supervise the water-carriers so that they may work actively, and make every effort to protect the public from damage or danger.

60. The Inspector and Serjeants may enter khans, baths, stores, shops, theatres, circuses, coffee shops, casinos and such like places, in order to make search or enquiry on any matter within their functions, and in the execution of their duties they may enter any other place which the public frequent for business purposes.

61. Serjeants shall patrol the beat assigned to them and carry out their duties in a proper manner. They are forbidden to smoke pipes or cigarettes in the streets, or to carry any umbrella or cane in their hands. They may not speak to persons in the streets save in connection with their duties and may not sit in drinking-shops, coffee-shops or casinos. They may however sit inside coffee-shops to rest.

## CHAPTER VIII.

### WHAT THE MUNICIPALITY SHOULD PREVENT.

62. The Municipality should prevent :—

- (a) The public or sweepers from shooting refuse in the streets or open spaces.
- (b) The use of untinned copper vessels in restaurants and cooks-shops.
- (c) The use of soiled towels, etc., in baths.
- (d) The discharge of water or sewage from houses and shops into the streets.
- (e) The non-elevation of chimneys above the roofs of buildings.
- (f) The opening of water-channels or sewers without Municipal sanction.
- (g) Damage to public or private water-channels, gas pipes or taps, whether by the opening up of water-channels or sewers or otherwise.
- (h) The carrying of sheep skins on animal-back, without covering, instead of their being put in a pannier.
- (i) The placing of receptacles for food or other things, whether full or empty, in the street, e.g., trays, tubs, baskets, bales, boxes, etc.
- (j) The placing of braziers or shutters in front of shops.
- (k) Letting show-cupboards, counters, etc., stick out beyond the alignment of shops.
- (l) The placing of chairs and stools outside coffee shops and wine-shops, etc. (however broad the street) to seat customers, without a permit from the Municipal Department concerned.
- (m) The erection of tents, booths or trays in the streets and the sale of food or other things therein.
- (n) The cooking of meat or other kinds of food in the front part of shops, on makeshift ovens or braziers.
- (o) The raising of gutters and chimneys unreasonably.
- (p) The leaving of refuse from wells or sewers, or any other obstacle to traffic, lying on the roads, and the transporting of such refuse in open receptacles.
- (q) The slaughter of weak or sickly sheep, cattle or calves ; of lambs less than 2 months old, and of calves less than four months ; the hunting and sale of game birds before the 15th of August or after the end of February.
- (r) The inflation of the breast of fowls, geese, turkeys, etc. and their sale in this condition.
- (s) The sale, whether in shops or in the street, of bad, rotten or tainted meat or fish ; unripe or rotten fruit, provisions or other eatables ; adulterated coffee, butter, etc., or bread which is short in weight or made with bad yeast.
- (t) The erection of screens in front of shops at a height of less than 5 dhra and the leaving of them up during the night.
- (u) The chopping of wood in the streets so as to impede traffic.



- (v) The driving of cattle on the pavement ; letting cattle run through the streets ; or leaving animals, whether loaded or not, without tying them together, and letting them wander in the streets.
- (w) The riding of beasts of burden ; the beating of animals.
- (x) Letting loads of wood and iron trail on the ground.
- (y) The carrying of loads by night in unlit streets.
- (z) Loading sore, lame or emaciated animals.
- (aa) The loading of sound horses with more than 120 okes, and donkeys with more than sixty okes.
- (bb) Keeping in khans or shops things injurious to the public health such as wet skins, bones, horns, rags and such like noisome articles.
- (cc) The throwing of manure in the streets or at the foot of walls.
- (dd) The spreading of sacks or skins in front of the shops of fruiterers, grocers and others.
- (ee) The stretching of ropes whether in front of shops or across the street, on which clothes and other things may be up to dry by laundrymen, dyers and fullers.
- (ff) The cooking and sale of meat in pans, etc. in the streets.
- (gg) The keeping of shavings, hay or other inflammable or insanitary articles in bread or pastry shops which have no basement, or in any other place not approved by the municipality.
- (hh) The letting loose or driving of cattle, sheep, goats or other animals, untied, in places not approved by the municipality. The tying up of sheep or other animals in front of shops.
- (ii) Bathing in public naked.
- (ij) All other things of a similar nature which ought to be forbidden by the Municipality.

## CHAPTER IX.

### DUTIES OF THE MUNICIPALITY.

63. It is the duty of the Municipality to see that the following and similar provisions are carried out :—

Timber, stone, lime and other materials required for the repair or reconstruction of buildings should be placed in gardens or yards or (with the owner's consent) on vacant land near by. If this be impossible they may be placed in the road in front of the building on condition that they occupy not more than one dhra of the width of the road. They must be protected by a hoarding.

All rubble, stone or earth which is left in the street as the result of fire or from some other cause should be removed at once by the owner.

All vacant land should be surrounded by a wall or fence

If a cess-pit or water-channel has to be opened in any place it should be closed at once after the completion of the work and the pavement should be restored. If its closure the same day be impossible a lantern should be placed there at night by the person making the excavation. Graves should be dug in the manner required by the public health and in accordance with the orders of the Municipal Doctor. Open wells scattered here and there should be closed forthwith by the Municipality.

All shops must be kept clean and butchers' shops washed down daily. Meat should not be left exposed, but enclosed in safes fitted with wire-netting sufficiently fine to keep off flies or hung up with a covering of fine muslin.

64. All scales, weights and measures must conform to the correct standard and must be stamped. Food and other articles sold by grocers up to 5 okes will be weighed in a balance. For larger quantities the steelyard may be used.

## CHAPTER X.

### PENALTIES.

65. Any person contravening the provisions of this law or any notices issued by a Municipality will be liable under Chapter III of the (Turkish) Penal Code. He will also be liable for any damage which he may have caused.

66. Those unable to pay the fines inflicted upon them will be handed over to the Police in accordance with Section 37 of the Penal Code.

67. If an Inspector or Serjeant fail to carry out his duties he will receive a warning from the Council on the first occasion, be fined one month's pay on the second, and be dismissed on the third. Once dismissed he shall not be re-employed by the Municipality.



## Addendum to the Wilayet Municipal Law.

Dated 13 Sefar, 1304. (12th November, 1886.)  
30 Tashrin Awal, 1302.

If the Administrative Authority of a Wilayet makes proposal for the opening of a Municipal Office at the headquarter of a Nahiah or at any big village which is susceptible of development, authority may be granted for the opening of such office. Municipal fees collected by offices so opened shall belong to their respective Municipality.

## Addendum to the Wilayet Municipal Law.

Dated 30 Moharram, 1308. (15th September, 1890.)  
3 Eilal, 1306.

Any Municipal or other official who converts to his personal use any property of the Municipality or who assists another person in doing so and anyone who disposes of such property in manner contrary to Law shall be liable to the penalty provided in the Penal Code for offences relating to Government property.

## Addendum to the Municipal Law of the 27 Ramadhan 1294.

Dated 30 Rajab, 1330. (15th July, 1912.)  
2 Temuz, 1328.

Special Provision: The owner of a house who has to change his Mahallah temporarily in consequence of a fire or flood or earthquake or similar disaster which destroys his residence shall for the purpose of Municipal elections be exempted from the obligation of possessing immovable property and shall have right to vote and to be elected within the circle in which his ruined property is situated, provided he possesses the other requisite qualifications.



# Law Regulating Chambers of Commerce and Industry.

Dated 5 Jamadil Akhar, 1328. (13th June, 1910.)  
31st May, 1326.

## PART I.

### MODE OF CONSTITUTION OF THE CHAMBERS.

*Section 1.* Where in any place the local Government find it necessary to constitute a Chamber of Commerce and Industry, or the local merchants apply therefor the matter will be submitted to the Administrative Council of the Wilayet to which such place belongs who will give decision thereon. It will then be communicated to the Ministry of Commerce and if approved by them permission will be granted for the constitution of the Chamber.

*Section 2.* Chambers of Commerce and Industry will consist, in Constantinople, of 24 members and in the Wilayets of 12 members, belonging to the first and second class of merchants, bankers and manufacturers.

*Section 3.* A member must not be less than thirty years of age, he must have worked in commerce at least five consecutive years, and never been convicted of a crime or misdemeanour; if he had been declared bankrupt he must have been rehabilitated. The members will be elected by secret votes among respectable merchants and manufacturers of good honorability and honesty. In case of equality of votes preference will be given to the more aged. Two members shall not be elected on behalf of one company.

*Section 4.* When a new Chamber is constituted twenty persons will be nominated among the merchants and manufacturers, half by the Wali, Mutasarrif or Qaimmaqam and half by the merchants and manufacturers for the purpose of electing members for such Chamber.

The election of members to replace outgoing members when the term of their appointment expires will be carried out by twenty electors appointed as follows: five persons among the outgoing members and five persons among the merchants and manufacturers of the 1st and 2nd class who are registered with the Chamber, will be appointed by the Ministry of Commerce and Public Works, if in Constantinople, and by the Wali, Mutasarrif or Qaimmaqam if in a Province, and ten persons will be appointed by the merchants and manufacturers registered with the Chamber of Commerce of the locality. In all cases one-third of the members of the new Chamber must be former members irrespective of the number of the members.

*Section 5.* The Electoral Committee will meet if in Constantinople under the presidency of the Minister of Commerce and if in the provinces under the presidency of the local officials mentioned in Section 4.

*Section 6.* If any of the members elected decline the membership the person coming next to him in the voting list will be offered the membership.

*Section 7.* A President and Vice-President will be elected among the members. Their election will be communicated by Mazbata for approval and sanction to the Ministry of Commerce if in Constantinople and to the wali if in a Province. The election of Presidents will be made once in two years by full majority of votes, that is to say, a majority exceeding half the members by one. The Presidents will be reeligible. After appointment of a President and Vice-President one or two persons will be elected by full majority among the members present for a period of two years as First and Second Assistant. Those also are reeligible.

*Section 8.* The members of the Chamber will hold their office for 6 years. Outgoing members are reeligible.

*Section 9.* If during the term of his office a member dies, resigns, becomes bankrupt or is convicted of a crime or dishonorable misdemeanour he will be replaced in accordance with Section 6 by the person who comes next to him in the voting list as a member for the remaining period. A member who does not attend four consecutive meetings without reason shall be deemed to have resigned.

## PART II.

### THE OBJECT AND DUTIES OF THE CHAMBER.

*Section 10.* Chambers of Commerce will be the source from which the Government will obtain all information concerning commerce and industry and the special medium between the Government and the merchants in all operations which take place between them in accordance with these Regulations.



*Section 11.* Chambers of Commerce will report to the Government, either spontaneously or at the latter's request on all matters concerning the means of promoting and developing commerce and industry, the amendments which are necessary to be made to the Laws and Regulations relating to commerce, will take part in the discussion of customs tariff and will report on subjects of public work, on the construction of ports, on the establishment of steamer services in rivers or seas, on the extension and development of post, telegraph and railway lines, on the construction of roads and bridges, the establishment of bourses, on concessions to be granted for industrial enterprises in the Ottoman Empire and generally on all subjects intended to promote the progress of commerce and industry. In this connection the Chamber of Commerce will communicate with the Ministry of Commerce and Public Works if in Constantinople and with the local authorities if in the Provinces. Chambers of Commerce may publish newspapers treating of commerce and industry.

*Section 12.* The fundamental duties of the Chambers of Commerce are to seek out the means proper to serve commercial and industrial interests and the measures to be taken for removing all the causes which check the economic development of their locality; after enquiry to communicate to the Government in due time the information gathered with this object.

*Section 13.* The Chambers of Commerce will keep a regular record of the price of all kinds of materials, things, moneys, shares and all other details concerning operations of commerce. When required by the Ministry of Commerce or the local Government any particulars should be extracted from the record and sent duly sealed with the seal of the Chamber.

*Section 14.* The Chamber will meet at least once a fortnight. It may however if necessary be summoned for an extraordinary meeting by the President or on the written demand of six members.

*Section 15.* The Chamber may appoint and dismiss a secretary and other staff. Members of the staff appointed for the Chamber cannot hold another employment.

*Section 16.* Two days before every meeting the President will send to the members invitations containing the agenda for the meeting. No decision can be passed unless the members present exceed at least half the Chamber by one.

*Section 17.* When half the members are present the President opens and closes the sitting. He will also carefully gather the votes at the end of the discussions, have care that the discussions are properly conducted, and if necessary he may submit questions under discussion to a secret vote on the demand of a majority of the members present.

*Section 18.* No member shall speak without permission of the President.

*Section 19.* Questions submitted to a meeting of the Chamber for decision are to be decided by majority. In case of equality of votes the President shall have a casting vote.

*Section 20.* Whenever a member during the discussion of one question desires to make an observation on some other matter his observation will not be heard till after conclusion of the discussion. If the discussion of the observation is then agreed to the subject of such observation will be included among the points for discussion at the next sitting.

*Section 21.* At the opening of a sitting the minutes of the previous sitting will be first read over and after approval will be signed by the President, Vice-President, First and Second Assistants and by the secretary. The order of the Day will then be examined and on the demand of a majority of the members present the order in which questions will be discussed will be decided.

*Section 22.* In the absence of the President the Vice-President will preside. In the absence of the latter the First Assistant and after him the Second Assistant will preside. If the latter also do not attend the oldest member present will be selected to act as President.

*Section 23.* Members present shall not give opinion on behalf of absent members.

*Section 24.* All affairs concerning a Chamber of Commerce and Industry must be discussed in such Chamber. Discussions made outside are null and void. Provided that in extraordinary circumstances the President may call a meeting in another appointed place and subject to the meeting conforming to regulations, the decisions arrived at in such place will be valid.

*Section 25.* All petitions and communications by any merchant registered or not to or with the Chamber of Commerce and Industry, concerning commercial interests or any other matter shall be addressed to the President of such Chamber. The President will transfer such petitions to the Chamber for discussion. In the discussion of a petition signed by a member of the Chamber such member shall not give his vote.

*Section 26.* Correspondence addressed to the Chamber of Commerce will in the absence of the President be opened by the Vice-President and after him by one of the Assistants or by the secretary.

*Section 27.* Letters and other documents on subjects decided on by the Chamber will be signed by the President and in his absence by the Vice-President and after him in turn by the Assistants and will be sealed with the seal of the Chamber. Papers bearing a seal without signature are null and void.



**Section 28.** Every year one of the members will be elected Treasury Inspector and another one Inspector of the Chamber's decisions and other concerns. Such Inspectors may at any time inspect and check the cash, decisions and other concerns of the Chamber. A paid treasurer not being a member may be appointed on security.

**Section 29.** The office of the Chamber must be in a place most easily reached by the members and merchants.

**Section 30.** The secretary and staff of the Chamber will be paid from the revenue of the Chamber in accordance with its yearly budget. The secretary will also do the work of an accountant. The Secretary and Treasurer will each furnish a security of Ps.20,000. Revenue Collectors will furnish a security of Ps.5,000.

**Section 31.** The secretary will supervise the preparation of the record of the discussions of each meeting and will sign with the President such record and all other papers and correspondence decided on by the Chamber. He must also submit to the Chamber all correspondence, petitions and reports which are transferred to him. He must take care that the registers and records of the Chamber are kept properly. He should determine the duty of each of the clerks under him and ensure that it is done in accordance with the instructions of the Chamber.

**Section 32.** A receipt book with counterfoils will be kept for registration fees taken from merchants. The receipts will be granted in consecutive order and will be signed by the President, Treasurer and Secretary and sealed with the official seal of the Chamber. The secretary will prepare monthly a statement of accounts which he will submit to the Chamber. All other fees will be acknowledged by receipts with numbered counterfoils signed by the Secretary and Treasurer.

**Section 33.** It is forbidden for any official or menial in connection with any payment to the Chamber on any pretext whatever to accept the gratuity of PT. 10 usually paid to servants for their trouble under such circumstances or any other amount in excess of the sum acknowledged in the receipt.

**Section 34.** All documents concerning moneys deposited with or drawn from banks or similar financial transactions will be signed by the President or Vice-President and in their absence by one of the Assistants.

**Section 35.** The secretary must obtain the written permission of the Chamber for all expenditure exceeding Ps. 100.

**Section 36.** Every member of the Chamber will be entitled at any time to examine and check the registers and accounts of the office.

**Section 37.** The internal affairs of every Chamber will be regulated by instructions made by the Chamber.

**Section 38.** In addition to the duties described in the preceding sections the Chamber of Commerce and Industry shall also do the following work :—

1. The staff of the Chamber must prepare the necessary registers for registering the matters set out in Section 13.
2. The Chamber will announce by public notices or through the local papers the necessity of the merchants, bankers and manufacturers registering themselves within appointed periods.
3. A special register will be held by the Chamber recording any bankruptcy or rehabilitation of any merchants registered with the Chamber, or any conviction of a crime or a misdemeanour of a dishonourable character.
4. The rates of all goods, moneys and stock as also anything concerning commerce will be entered in a special register. Extracts from such registers shall be given to any applicant upon payment of fees in accordance with the attached tariff.
5. The Chamber will attest all deeds of security in connection with commercial transactions, certificates and Customs declaration identifying a merchant's signature and the means of persons standing as sureties.
6. The Chamber will register in a special register any protest produced to them for non-payment of bills of exchange and other bills payable to order drawn by merchants, bankers and manufacturers.
7. The Chamber will register textually in a special register partnership agreements and other instruments made by private persons relating to commercial, financial, maritime, industrial and public works and this upon application of the parties concerned. A note must be made on such documents that they have been registered. A copy of the document may be given to any of the parties who applies therefor.
8. The Chamber will certify to the standing and means of the merchants standing surety in deeds of security produced to Government Departments, civil and commercial Courts.
9. It will attest the Balance Sheet of any merchant who so desires.

**Section 39.** If necessary for the study of questions concerning their duty the Chamber may appoint commissions comprising members and non-members.



## PART III.

## DUTIES OF MERCHANTS.

*Section 40.* Any person whether Ottoman or foreign subject residing in the place where a Chamber is working and who according to the Code of Commerce is to be deemed a merchant shall have the right to have his name registered in the special register. Those who do not use this right shall not enjoy the advantages of these Regulations.

*Section 41.* To meet the expenses of the Chamber the subscription payable by commercial and financial registered companies (société anonyme) will be a matter for agreement between the Chamber and such Companies. For the same purpose the merchants will be divided into four classes:—Those included in the first class must pay a registration fee of LT. 5 yearly, those in the 2nd class LT. 3, those in the 3rd class LT. 2, and those in the 4th class LT. 1. The Chamber will decide in the case of every merchant the class where he will be entered. The annual subscription is payable in advance. If the trade name of a partnership comprises several names registration fee will be recovered for a single name.

*Section 42.* All deeds and documents addressed by registered merchants to Government Departments or to the Chamber should contain their name, surname, domicile, trade and class.

*Section 43.* The persons appointed in accordance with the provisions of the Commercial and Civil Procedure Codes as examiners (Mumayiz), experts, syndics or auditors of commercial books in lawsuits must be selected among the merchants registered with the Chamber of Commerce.

*Section 44.* Upon decision of a Court or Government Department the Chamber shall select among the merchants registered with it a person competent to value commercial commodities or to attend the auction of such commodities and shall recover his wages for him in such cases.

*Section 45.* In tenders offered by Government Departments, merchants or brokers who do not hold a certificate that they are registered with the Chamber of Commerce will not be accepted.

## PART IV.

## INCOME OF THE CHAMBERS OF COMMERCE AND INDUSTRY.

*Section 46.* The income of the Chamber is composed of the annual registration fees paid by merchants and the fees levied in accordance with the special tariff.

*Section 47.* Any excess of income over expenditure will be used if so decided by the Chamber with the approval and sanction of the Government, in founding commercial schools and in publishing commercial newspapers. Nevertheless such an amount will be kept as may be approved by the Chamber for the construction of a suitable building in proportion with the importance of the Chamber or to meet extraordinary expenditure.

*Section 48.* A Budget Commission of at least five members will be appointed by the Chamber at the end of every year to draw up and check the balance sheet of the income and expenditure of the year, which they must then submit to the Chamber for confirmation. Such commission will also draft budget proposals for the next year and submit them to the Chamber for sanction.



# Provisional Law as to the mode of Expropriating immovables in the name of Municipalities in Constantinople and in the wilayets.

Dated  $\frac{7 \text{ Rabi Awal, 1332}}{21 \text{ Kanoun Thani, 1329}}$  (3rd February, 1914).

*Section 1.* The Shahr Amanat (Mayoralty) of Constantinople and the Municipalities of the wilayets shall have power to expropriate any places whether or not containing buildings for any public purposes such as the opening of a new street or enlargement of an existing street, the institution of a public garden or place, the foundation of hospitals, asylums for disabled persons or orphanages, the construction or enlargement of market places, ports, promenades, water courses or reservoirs for extinguishing fires or other purposes and such other works or constructions as may be necessary for the sanitation of the town.

*Section 2.* The formalities of expropriations made in the name of Municipalities will be performed by the "Shahr Amanat" (Mayoralty) Commission if in Constantinople and by the Municipal Council if in a wilayet. Particulars of the place which is necessary to be expropriated, showing its nature, condition, area, the name of its owner and the nature of his title and its value as assessed by special assessors appointed for this purpose by the Municipality will be drawn up, if in Constantinople by the technical body of the "Shahr Amanat", if in a wilayet by the Engineer of the Municipality and in places where there is not a Municipal Engineer by the Engineer of the Department of Public Works. Such proposals will be examined by the "Shahr Amanat" Commission or Municipal Council as the case may be, and if it is approved by them, a memorandum will be attached to it and sent to the Ministry of the Interior if in Constantinople and to the highest civil official if in a wilayet. The Minister of the Interior or highest civil official will, within ten days from receipt of the papers forwarded to him, give a final decision approving or refusing the expropriation and will communicate such decision to the Municipality. Such decision shall not be liable to appeal or revision.

*Section 3.* When the expropriation of any place has been decided on in manner prescribed in the last paragraph of the preceding section clear particulars of such place giving its nature, area, the name of owner, the nature of his title to possession and the value as assessed, shall be published in the newspapers, if any, and shall be posted up at the door of the Government headquarters and at a conspicuous part of the place which is to be expropriated. Where the owner of such place has a known residence he will also be notified of the matter at his own residence. Where a newspaper does not exist it will be sufficient to post up and serve notices as aforesaid. Notices shall remain posted up for eight days. The owners of the properties shall have the right to enter an opposition within nine days from the date of service or posting up of the notices. Their objections shall be confined to the nature of the title to possession, nature, ownership, area and value as assessed of the place intended to be expropriated. The petition for opposition will be submitted, if in Constantinople to the wali and if in the provinces to the highest civil official of the locality. On the day following the presentation of such petition a Commission of Investigation will be constituted comprising the members of the Administrative Council who are appointed by the population, the Engineer who has made the valuation and the Mamur of Tapu. Such Commission will hear the applicants and if necessary the assessors mentioned in Section 2 and after taking on the spot the necessary measurements and other information, and examining the entries in the Tapu and Vergo registers relative to the property in question, it will, within a week, draw up and forward to the official who sent the reference, a procès-verbal of the investigations. Such procès-verbal will be transmitted and notified by such official to the competent Municipality.

*Section 4.* Every year the General Council of each wilayet will appoint during the first week of their session arbitrators selected among land owners and experts. The number of such arbitrators will be forty for Constantinople, 30 for wilayet headquarters, 20 for Liwa headquarters and 15 for Qadhas and dependent Nahiahs. A table will be drawn up showing the names, surnames and residences of such arbitrators copies of which must be sent to the Civil Courts. An arbitrator shall not be selected for more than one locality for the same year.

*Section 5.* An assessor appointed to value a property shall not be at the same time an arbitrator, and the Municipalities shall not select as assessor any person who is at the same time an arbitrator. In appointing arbitrators the Court shall not confine itself only to certain of the arbitrators nominated under the preceding section but shall vary such appointments in different cases unless this is impossible.



*Section 6.* After completion of the formalities prescribed in Section 3 if an agreement cannot be reached as to the value of the property the expropriation of which has been decided, the Municipality will apply to the Civil Court which is competent in the matter. Upon such application, if the Court considers that the formalities of expropriation have not been carried out in accordance with the present Law it shall reject the application and shall direct that the formalities be completed. If the Court considers that the formalities have been properly carried out it will appoint a Commission of Arbitrators under the presidency of a Naib selected among the members of the Court. Such Commission will consist of not less than three nor more than ten members selected among the arbitrators mentioned in the preceding section, and a disinterested engineer will be attached to it. After its constitution the Commission will summon both parties and after hearing them and making the necessary enquiry it will determine by unanimity or majority of votes the real value, at the time of expropriation, of the property in respect of which the opposition was entered. It will then draw up an Award which will be signed or sealed by all the members present and forwarded to the Court through the Naib. The performance of the above formalities shall not take more than 10 days. The value as fixed in the Award of the Commission shall not be less than that assessed by the Municipality nor more than the amount claimed by the owners.

*Section 7.* Any person who is associated with or in the service of the owner of the place which is to be expropriated, and any person who has with such owner any relationship as defined in Section 62 (2) of the Civil Procedure Code, or has in the property to be expropriated any interest or concern directly or through any medium, shall not be appointed to the Commission of Arbitration. The members of the Commission of Arbitration will be sworn by the Court that they will not act contrarily to the truth.

*Section 8.* The Award of the Arbitrators sent to the Court in accordance with Section 6 will be examined by the Court and if considered correct it will be confirmed and registered and copies of it will be served on both parties and on the Tapu Office. If the Order is considered incorrect it will be sent back to the Commission with indication of the defects for their revision and correction. The order if confirmed and registered by the Court shall not be liable to appeal, but it shall be liable to revision in cases constituting a breach of the present Law. The period within which revision may be applied for is eight days from the date of service of the order after its registration. Provided that the recourse to revision shall not delay the formality of Expropriation.

*Section 9.* The value as fixed by the Award will be deposited with a branch of the Agricultural Bank or Ottoman Bank against a receipt which must be sent to the President of the Court. After such receipt being received the Court will have a notice in due form served on the owner and if a "Firagh" (transfer) is not then made by consent, it will be carried out by the Tapu Mamur upon an order in writing of the Court without regard to the owner and a Sanad of Tassarruf will be given to the Municipality.

*Section 10.* When the formality of "Firagh" (transfer) of waqf properties or of properties belonging to orphans or interdicted or absent persons is terminated their price will be handed to the Treasury of the Awqaf in the name of the waqf property concerned or to the guardian or agent of such persons.

*Section 11.* When it is decided to enlarge a street or public place or open a new street or public place the Municipality shall have the right to expropriate from each side of such street or public place twenty metres in addition to the breadth of the street or place. If the remaining portions of such properties become profitless by reason of the expropriation or if their access to air, light or view is impaired, the Municipality shall be bound to expropriate such portions also if the owners so request.

*Section 12.* If by reason of the expropriation a property gains a frontage on the street or if in any manner whatever such frontage is extended or if through the enlargement of the street a property increases in value, one-fourth of the difference between the former and subsequent value of such property will be for once, recovered by the Municipality in four instalments payable in four years in the same manner as other revenues of the Municipality. If the increase in the value of a property is the direct consequence of the expropriation of a portion of such property the share of the increase to which the Municipality is entitled may be deducted from the expropriation price. Except this nothing will be levied on account of "Sharafiah".

*Section 13.* The costs of the Courts and the travelling and other necessary expenses of the experts will be paid in the first instance by the Municipality. Provided that if the value as assessed by the Award issued by the Commission of Arbitration and confirmed and registered in the Court is equal to the amount assessed by the experts of the Municipality, the costs and expenses will be recovered from the owners.

*Section 14.* This Law will come into force from the date of its promulgation. It will also apply to properties which by reason of an opposition being entered, have not yet been transferred and the price of which have not yet been paid, also to cases which have not yet been referred to a Commission of Arbitration. Provided that all matters which have been settled by an Order of a Court previously to the promulgation of this Law shall be excluded from the provisions of this Section.



**Section 15.** If in any wilayet the General Council is not sitting at the time of the promulgation of this Law, the Commission of Arbitration will be selected by the Court of the locality.

**Section 16.** If the "Shahr Amanat" of Constantinople or the Municipalities suspend any work of enlargement or construction already undertaken in any place decided to be expropriated and cancel such work, the owners of the properties expropriated shall have right upon restitution of the expropriation price to recover the said properties.

**Section 17.** The provisions of this Law shall apply only to expropriations by Municipalities.

The provisions of the Expropriation Regulations of the 21 Jamad Awal 1296 (24 Tashrin Thani 1295) and the Appendix thereto dated 2 Safar 1300, in so far as they relate to Municipal expropriation are hereby repealed.

**Section 18.** The Ministers of the Interior and Justice are ordered to execute this Law.

Ordered to be temporarily enforced till it is approved by Parliament in their next session.



# Regulations of Expropriation for Public Purposes.

(Dated <sup>21 Djem I, 1296</sup> 6th December, 1879.)  
<sub>24 Tashrin Thani, 1295.</sub>

As amended by the Law of 17th Nissan 1330. (30th April, 1914).

## CHAPTER I.

### GENERAL PROVISIONS.

*Section 1. (As amended by the Law of 17th Nissan 1330):*—Expropriation for public purposes consists of the purchase, in return for payment of their estimated value of any property or waste or agricultural lands for any public purpose such as the opening or extension of a street, public place, market or wharve, the improvement of public gardens, promenades or watercourses, or of rivers or their branches for the purpose of rendering them fit for navigation or extending their capacity so as to preclude floods, the construction of Ports, docks, railway roads, reservoirs for fire extinguishing or other purpose, the establishment of hospitals, asylums, orphanages, the construction of barracks, Government offices, jails and schools managed by Government or by any Community and all sanitary works or institutions and generally all other works or institutions for the benefit of the public.

*Section 2. (As amended by the Law of 17th Nissan 1330):*—The Administrative Council of a Wilayet shall be the authority for deciding whether any works projected in that particular Wilayet are works of public utility. The Wali shall then approve such works and order them to be carried out. Provided that in the case of large areas of waste or agricultural lands the Council of Ministers shall upon reference from the Ministry of the Interior decide whether the work is of public utility.

Large works common to two or more Wilayets shall after approval of the Shurai Dowlat require the sanction of an Imperial Iradah.

*Section 3.* Before the full payment of the estimated value of any property ordered to be expropriated has been completed and in the absence of a judgment from a competent tribunal, should any claim be made, it is not permissible to proceed to evict the owner nor to put any obstacle in his way to prevent him from realising any profits that he derives from such property. The owner cannot be deprived of his rights before the final payment of the whole sum.

Property expropriated without payment for the purpose of opening or widening a street in accordance with the regulations relating to bridges, highways and public works, is governed by the provisions of such regulations.

*Section 4.* Tribunals cannot decide on the expropriation of any property unless they are satisfied that the attendant formalities have been complied with in pursuance of this law.

## CHAPTER II.

### EXPROPRIATION FORMALITIES.

*Section 5.* The plans of all lands or buildings that are to be expropriated for public purposes must be prepared before any further proceedings.

*Section 6.* Three expert valuers who must be disinterested parties must be sworn and selected by the Municipal and Nahiah Council and will then proceed to value the property to be expropriated: the expenses of valuation payable to such valuers are fixed by the Municipal Council and paid by the Administration which carries out the expropriation.

*Section 7.* The valuers indicated in Section 6 accompanied by 4 members of the Municipal Council and a delegate from the Shara Court and another from the Awqaf or Tapu Administration must proceed to the place, in which the land or building to be expropriated is situated, and after careful measurement of the property they will estimate its value after due enquiry from the persons who have knowledge of the place. The procès-verbal must be sealed with the seals of all the aforesaid officials and submitted to the Municipal Council.

*Section 8.* The plans of all property to be expropriated with the names of their owners and the estimated price will be posted for 8 days on the walls of the mosques, churches or the Municipal office within the municipal boundaries of the locality. An advertisement will also be inserted in the local press, if such exists. Another notice will be posted on the property itself.



*Section 9.* In the event of legal proceedings, the procès-verbaux of the Municipal Administration and of the Arbitration Commission and the formalities carried out will be regarded as valid documents.

*Section 10.* Owners of property ordered to be expropriated may transmit to the President of the Municipality within the eight days prescribed in Section 8 any observation or objections either verbal or written. The President must take note of such observations and refer them to the Municipal Council.

*Section 11.* The Municipal Council, after investigating the claims of the owners or of the Administration which is carrying out the expropriation, will summon the owners within 8 days, if it considers it necessary, and will listen to their remarks and inform them of its decision. The valuers and the delegates above mentioned must be present at the audience.

*Section 12.* After the investigation of the matter before the Municipal Council and the adoption of a decision on the subject, a report containing the grounds for the decision will be drawn up and submitted to the Ministry of the Interior at Constantinople or the Wali in the provinces.

*Section 13.* When the reply to the reports referred to in the preceding section are received, if the expropriation was decreed, the owners will be notified of the day on which the expropriation will take place and an advertisement to that effect will be inserted in the Press.

*Section 14.* After payment of the total amount due for expropriation to owners who have consented to accept it, the transfer of the title-deeds of the property in accordance with the regulations will be proceeded with. Owners who may refuse to accept the amount fixed will be liable to legal proceedings before the competent tribunal.

*Section 15.* When property belongs to orphans or absent or missing or interdicted owners, the expropriation will take place in the presence and by the agency of their guardians or attorneys appointed in due form.

The expropriation of state property (emlak emiriah) will take place in the presence of agents appointed for the purpose by the Treasury or other Administration concerned.

*Section 16.* Owners of property ordered to be expropriated may, if the transfer has not been effected within a year from the date of the decision adopted for the expropriation, demand by petition the cancellation of the said decision and the purchase of the property by a fresh decision or a declaration that the property is released. The tribunal to whom the petition is addressed must investigate the matter and decide it within one week.

*Section 17.* Within 15 days of the notification, prescribed in Section 13, owners are bound to state that they accept the proposed sum or that they have objections to raise.

*Section 18.* The amount due for the expropriation of property belonging to orphans, or missing or absent or interdicted owners must be remitted on the authorisation of the judge and in accordance with the customary practice to their guardians or agents.

*Section 19.* The amount due for expropriation of property belonging to State Administrations or to the Municipality will be paid against receipt to the proper Department in accordance with the regulations.

*Section 20.* In all cases of refusal to accept the price recourse must be had to the tribunal and action will be taken according to the provisions of Chapter III.

### CHAPTER III.

#### ARBITRATION COMMISSION.

*Section 21.* In the event of legal proceedings for the increase or decrease of the valuation of any property to be expropriated, an Arbitration Commission is appointed by the Court. Their number must be not less than seven nor more than eleven. They are elected from those who obtained most votes after those members who succeeded in being elected as members of the Municipal Council, in whose district the property to be expropriated is situated. The Court appoints one of these President of the Arbitration Commission.

*Section 22.* This Commission directly after appointment calls on the parties to appear before it.

*Section 23.* Owners or tenants of property to be expropriated, any persons who have advanced money to the owner on a mortgage of the said property and any parties who may have an interest in raising the value of the property, are ineligible as members of the Arbitration Commission.

*Section 24.* Any members who resign for some good reason or who are guilty of non-attendance are replaced by individuals who follow them by order of preponderance of their votes, in accordance with Section 21 of these Regulations.

*Section 25.* The President and members of the Arbitration Commission will take oath before the Court and undertake to act with impartiality.



*Section 26.* As soon as the Arbitration Commission is formed, the President of it must post up the plans of the property to be expropriated and announce the names of the owners and the amount of the valuation. A procès-verbal of the objections of the parties interested will be drawn up and if necessary one or more members will go to examine the property on the spot.

*Section 27.* After obtaining the necessary information, the Commission will deliberate in a room assigned for the purpose and if the votes are equally divided, the party with whom the President casts his vote will prevail. On the completion of the deliberations a report will be drawn up stating the price determined and will be submitted to the Court, which will pass judgement on the report.

*Section 28.* If the lease of the property to be expropriated has not fallen in the tenants will be re-imbursed for the expenses of moving.

*Section 29.* There is no appeal from the decision of the Arbitration Commission.

*Section 30.* A period of 15 days from the date of the communication of the judgment is allowed for recourse to "cassation"; once this period is completed, the right is forfeited.

*Section 31.* If the owner of a building, of which at least one quarter is to be expropriated, so demands, the whole of the property must be purchased. If the owner has no other land next to the lands, of which at least half is to be expropriated, and if he demands that the whole property should be purchased because the portion left is of no use to him, the whole property must be purchased.

## CHAPTER IV.

### PAYMENT OF THE PRICE OF EXPROPRIATION.

*Section 32.* The property, of which the expropriation for public purposes is regarded as necessary, can only be taken possession of after payment to the owner of the price fixed by the Court. Should the latter refuse to accept payment, the money must be deposited with the Ottoman Bank at Constantinople or its branches in the provinces or in the Public Treasury, wherever there are no branches, and the expropriation will be carried out.

### SPECIAL ARTICLE REGARDING FORTIFICATIONS.

*Section 33.* Works consisting of the construction of ramparts and fortifications are governed by the military regulations in force or those which may be enacted in future.

*Section 34.* The Law dealing with expropriation enacted on 4 Redjeb 1272 is abrogated from the date of the promulgation of this law.

## APPENDIX

### TO THE REGULATIONS OF EXPROPRIATION.

Dated  $\frac{2 \text{ Sefar } 1300}{1 \text{ Kanun Awal } 1298.}$  (13th December 1882.)

If after the execution of all the preliminary formalities prescribed in Chapter II of these Regulations the owner fails to accept the compensation fixed, this price will be raised by 20% as a provisional guarantee and paid into the Bank or any other place fixed by law and a receipt will be handed to the executive authority and the transfer of the property to the expropriator will be effected by the Government without prejudice to any other rights of the parties recognised by law.

## Provisional Law Added to the Regulations of Expropriation dated the 21 Jamad Awal 1296.

Dated  $\frac{20 \text{ Rabi Awal } 1331}{14 \text{ Shabat } 1328.}$  (27th February 1913.)

*Special Provision:*—Until a Municipal General Assembly is elected at Constantinople in accordance with the Law of Organization of the Shahr Amanat (Mayoralty) of Constantinople, dated 20 Moharram 1331 (16 Kanun Awal 1328), the duties which are by the Expropriation Law vested in the Municipal Councils shall be performed by the Commission appointed for the Shahr Amanat.



# THE PRESS LAW.

Dated  $\frac{11 \text{ Rejab } 1327.}{16 \text{ Tamuz } 1325.}$  (29th July, 1910.)

(Amended by the Law of 26 Rabi Awwal 1330—3rd March 1328)  
" " " " " 23 " " 1331—16th Shebat 1328)  
" " " " " 13 Rabi Akhar 1331—9th March 1329)  
" " " " " 22 Dhil Hijjah 1331—9th Tashrin Thani 1329)  
" " " " " 16 Shawal 1332—25th August 1330)

## PART I.

### FORM OF PUBLICATION.

*Section 1.* Every paper or daily or periodical pamphlet must have a responsible editor (Mudir).

*Section 2.* (As amended by the Law of 3rd March 1328 and the Law of 9th March, 1329). It is requisite that every responsible Mudir of a daily or periodical paper or pamphlet published in Constantinople or in the Wilayets, (1) should be an Ottoman subject, (2) should have completed his 21st year, (3) should not have lost his civil rights, (4) or been convicted of an offence denoting a debasement of moral qualities such as forgery, swindling or breach of trust, (5) should be a graduate of a high school or should hold a certificate testifying to his having studied in such school, or a diploma of a secondary school of seven years' course or any other school of equivalent degree.

The owner (Sahib Imtiyaz) of such paper or pamphlet shall be bound to deposit, in the case of a political paper or pamphlet, a security of 500 Liras if in Constantinople and 100 Liras if in the wilayets, and in the case of periodical publications of a political nature a security of 200 Liras if in Constantinople and 50 Liras if in the wilayets.

Provided that existing papers and periodical publications of a political nature shall be exempted from the above provisions.

Provided also that papers and periodical publications of a political nature in respect of which a declaration requesting authorization has been submitted to the Government previously to this Law, but which have not issued or have issued but have subsequently fallen into abeyance or have been suspended by the Government, shall not again issue unless the responsible Mudir conforms to all the provisions of this section.

*Section 3.* (As amended by the Law of 9th March 1329). Anyone wishing to publish a newspaper or daily or periodical pamphlet must submit to the Ministry of the Interior if in Constantinople, and to the Wali or Mutassarrif if in the provinces, a declaration signed by himself and the responsible Mudir, containing the following particulars :

1. The title of the newspaper or pamphlet ;
2. Where it will be published ;
3. The subject of which it will treat ;
4. The periods of its publication ;
5. The name, description, age, domicile and nationality of the applicant ;
6. The name, description, age, domicile and nationality of the responsible Mudir ;
7. The language in which it will be published.

Such declaration must be acknowledged by formal receipt,

Senators, Deputies and officials of the State shall not be responsible Mudirs of political papers.

The owner of a newspaper if possessing the requisite qualifications may also assume the duties of a responsible Mudir.

*Section 4.* Any newspaper or pamphlet published without a declaration as laid down in the preceding section being previously submitted shall be immediately stopped ; a fine of 5 to 50 Liras shall also be recoverable by Court. A second offence will be punishable with a fine of 10 to 100 Liras or imprisonment of 24 hours to one month. If the contents of the said newspaper or pamphlet entail by law a heavier punishment, such punishment will be enforced. If the particulars given in the declaration are untruthful, or if any act is done which is contrary to such declaration, action will be taken as if no declaration had been given.



*Section 5. (As amended by the Law of 9th March 1329.)* Every newspaper or daily or periodical pamphlet is the property of its owner who may transfer such ownership to another person. Upon death of the owner that ownership shall devolve on the heirs in accordance with the provisions relating to Sirf Mulks. If the deceased owner of a newspaper was also performing the functions of a responsible Mudir the heirs shall appoint in his place a responsible Mudir possessing the requisite qualifications under whose direction publication will continue.

*Section 6. (As amended by the Law of 9th March 1329.)* The title of a newspaper or periodical pamphlet, or such title altered in such manner as to cause confusion shall not be used by another person. Provided nevertheless that the title of a newspaper established and published but subsequently fallen into abeyance may after a lapse of fifteen years be used by another person. The title of a newspaper in respect of which a declaration has been lodged, but which has never been published, may after a lapse of a year be similarly used by another person.

*Section 7.* If the responsible Mudir resigns, dies or ceases to exercise his office on account of a conviction and if any other changes occur in the details of the declaration which is by Section 3 required to be filed, notice of the matter must be given within five days to the proper authority. If the publication continues to appear without the above provision being carried out, the provisions of Section 4 will be enforced.

## PART II.

### PENALTIES.

*Section 8.* Two copies of every issue of a newspaper or daily or periodical pamphlet, signed by the responsible Mudir must be sent on the day of their issue to each of the Prosecutor General and the highest official of the Interior. A fine of half a Lira will be recoverable from the responsible Mudir for every issue of a newspaper or pamphlet which is not so sent.

*Section 9.* If a newspaper or periodical pamphlet is published without the name of the responsible Mudir being written at the beginning or at the end of it a fine of one Lira will be recoverable without prejudice to the responsibilities accruing on the responsible Mudir from the nature of the subject published.

*Section 10. (As amended by the Law of 9th March 1329.)* Anyone desiring to sell newspapers, books, pamphlets, pictures or other printed matters in the streets and bazars must apply to the Police Department for the registration in special register, of his name and domicile and he will be given a certificate acknowledging the declaration made by him. Such persons can declaim loudly only the title, the name of the author and the price of the publications sold by them. It is forbidden to use titles or headings contrary to public morals or to cry out with the purpose of attracting buyers, utterances against the honour or reputation of a person or body or which generally are likely to excite the public. Anyone contravening the above provisions shall be liable to a fine of 25 Piastres to one Lira, or imprisonment for 24 hours to one week.

*Section 11.* The penalty which is by law provided for the contents of newspapers, and daily or periodical pamphlets will be enforceable in the first place on the responsible Mudir or his representative, in the second place on the writer under whose signature the article appeared, in the third place on the printer, and in the fourth place on the seller and distributor. Provided that persons coming under one of the classes above mentioned, shall not be amenable to justice so long as there remains possibility of action against another person according to the above order of priority. Provided that in all such cases the writer of the article, the responsible Mudir and the editor if any will be treated as joint offenders. Where damages are awarded the owner of the newspaper or pamphlet will also be responsible.

*Section 12.* If any person deems himself materially or morally prejudiced by any publication made in a newspaper or daily or periodical pamphlet, he may by application to a Court file a claim for damage against the persons responsible under Section 11. Such claim does not require to be preceded by a protest. After trial in due form the Court awards to the Civil claimant damages in proportion to the material or moral damage caused to him by the said publication, and in addition such other penalty as imprisonment or fine as may be provided by this Law. In addition the judgment of the Court must be textually published in the earliest or next issue of the said newspaper or pamphlet. Failure to publish such judgment is punishable with a fine of 50 Liras. The judgment may also be ordered to be published in one or more other newspapers and the cost of publication in such a case shall be payable by the judgment debtor.

*Section 13.* Newspapers or daily or periodical pamphlets may publish the proceedings of all Courts of Justice and the decisions of all official councils.

Provided that in no case shall the deliberations of a secret sitting of a Court or of any other official body calling a secret meeting in accordance with the appropriate law, be published. When the proceedings have been published the judgment also must be published. Contraventions of this Section are punishable with a fine of 5 to 25 Liras.



*Section 14.*—The Courts shall have power to forbid the publication of such details of the proceedings as may be contrary to public morality. Anyone publishing such forbidden matters will be punishable with a fine of 2 to 10 Liras or imprisonment of 24 hours to one week.

*Section 15.* It is forbidden to publish Laws or regulations before they are officially promulgated. Any breach of this provision will be punishable with a fine of 2 to 10 Liras. If necessary the papers printed may be confiscated.

*Section 16.* (As amended by the Law of 9th March 1329). If any insulting or defamatory publication is made against a community or religion recognised within Ottoman dominions, or if any publication is made of a nature to spread dissidence and animosity between Ottoman Communities, or inspire the population with indifference for military service, or approving and praising acts which are by law regarded as criminal offences, the person responsible under Section 11 shall be liable on conviction to imprisonment for one month to one year and to a fine of 20 to 100 Liras, or one only of these penalties. Scientific and philosophic discussions based on sound arguments on the subject of religions shall not be deemed to be insulting publications.

*Section 17.* If any publication is made instigating directly to the commission of any of the offences described in Part II of the Penal Code, the person responsible under Section 11 will be punished as having in fact himself committed such offence. But if no practical consequence whatever results from such instigations the penalty will be banishment for life.

*Section 18.* Anyone who by threats to reveal through the press anything likely to compromise the honour or good reputation of a person, or by threat to attribute to such person any such thing obtains or attempts to obtain from such person any money or other benefit shall be liable to imprisonment for three months to three years and a fine of 10 to 100 Liras.

*Section 19.* (As amended by the Law of 9th March 1329). Those who publish or transmit news without foundation or documents falsified or fabricated or falsely attributed to any person, or give in their publications a falsified version of official documents or speeches, and are proved to have acted intentionally with the purpose of agitating public opinion, shall be liable to imprisonment for one to six months and to a fine of five to twenty-five Liras. If such publications have caused public peace to be disturbed the punishment shall be imprisonment for six months to two years and fine of 25 to 100 Liras, or one only of these penalties. Anyone who transmits any of the publications which are hereby deemed to be criminal publications shall be deemed to have committed an offence under this section and shall be liable to the punishment prescribed therefor. The presence in the publications so transmitted of notes purporting to show that such publications are attested to be correct or are printed without responsibility or under the responsibility of a third person shall not protect the publisher against the responsibility accruing to him.

Newspapers shall be forbidden to open a public subscription for the purpose of paying off fines, costs or damages to which they have been sentenced. Any contravention to this proviso shall be punishable with imprisonment for one week to six months and to a fine of five to twenty-five Liras.

*Section 20.* (As amended by the Law of 16 Shebat 1328). It is forbidden to publish books, pamphlets, articles or pictures contrary to public morality or offensive to decency. Works, pamphlets or pictures published contrarily to such prohibition shall be collected immediately by the police, and those responsible under Section 11 and those who continue to sell or distribute such publications after their collection by the police shall be liable to a fine of from two to ten Liras.

*Section 21.* (As amended by the Law of 9th March 1329). If any publication is made against a person in a newspaper or daily or periodical pamphlet, such person, and in the case of a deceased person his descendants shall have the right to publish in the same paper a reply not more than double the size of such publication; the Government shall similarly have the right to publish denials to any publications considered by them to be contrary to the truth. Such replies or denials must be inserted in the earliest issue of such paper or pamphlet in the same column and type as the initial publication. In case of failure a fine of five to fifty Liras shall be inflicted.

*Section 22.* Repetition of any of the offences described in the preceding section shall constitute an aggravating circumstance.

*Section 23.* (As amended by the Law of 9 Tashrin Thani 1329.) Newspapers or pamphlets which issue publications of a nature to endanger the internal or external safety of the State may by an order of the Council of Ministers be suspended if such suspension is deemed necessary for the preservation of peace and public order.

*Section 24.* The penalties provided by this Law for offences in connection with the Press shall be also applicable to pictures published in newspapers or daily or periodical pamphlets and to all written or printed papers or supplements which are sold or distributed in public places or assemblies, as also to all notices and boards exposed to public view.



### PART III.

#### DEFAMATION.

*Section 25.* "Dham" is an imputation stating facts against any person or body of persons and affecting the honour or good reputation of such person or body of persons. "Qadh" is an imputation in which facts are not stated. Criticisms within limits of propriety shall in no case constitute defamation.

*Section 26.* If any article or expressions are published containing "Dham" or "Qadh" against the Sultan, the person responsible under Section 11 shall be liable to imprisonment for three months to three years.

*Section 27.* If any "Dham" or "Qadh" is published against the sovereign or head of a friendly power the offender shall be liable to imprisonment for one month to one year.

*Section 28.* If any "Dham" is published against a member of the Imperial family, the Senate, the Chamber of Deputies, Courts and other official Departments or bodies, as also against members of the Ottoman Armies or Marine and the political officers or consuls of friendly powers residing in Ottoman territory, the person responsible under Section 11 shall be liable to imprisonment for 15 days to six months or a fine of five to fifty Liras or both.

In case of "Qadh" the imprisonment shall be for a term of one week to three months and the fine shall be 1 to 25 Liras, or one only of these penalties. If the "Dham" or "Qadh" has caused damage to the complainant, compensation shall also be separately awarded.

*Section 29.* If any "Dham" is made against a private individual, the person responsible under Section 11 shall be liable to imprisonment for one week to three months, and to a fine of 2 to 25 Liras, or one only of these penalties. In case of "Qadh" the punishment shall be imprisonment for one week to two months and a fine of 1 to 15 Liras or one only of these penalties. If the publications containing the "Dham" or "Qadh" have caused any damage to the complainant, compensation shall be separately awarded.

*Section 30.* If any "Dham" or "Qadh" is made personally against a Minister, Senator, Deputy or Government official, the provisions of Section 29 shall be enforced. If such "Dham" or "Qadh" is made in connection with the official duties of such persons the provisions of Section 28 will apply. Provided that if a "Dham" stating facts is made against any of the above persons or the Manager and staff of any commercial or financial establishments with share capital such "Dham" being confined to acts done by the said persons in their official capacity, if at the trial the facts alleged in the publications prove correct no imprisonment whatever will be awarded.

### PART IV.

#### MISCELLANEOUS PROVISIONS.

*Section 31.* (As amended by the Law of 9th March 1329). Cases relating to offences of the press shall be tried by the Courts of Justice in accordance with the provisions contained in the appendix to the Code of Criminal Procedure dated 12 Shawal 1330 (11th September 1328). The prosecution for any of the offences described in Sections 16, 17, 19, 20 and 26 or of offences of defamation against members of the Imperial family or the sovereigns of friendly powers shall be undertaken direct by the Procurator General. The prosecution for offences of defamation against political officers of friendly powers accredited with the Imperial Government shall, upon communication of the Embassy to the Ministry of Foreign Affairs be likewise conducted by the Procurator General. The prosecution for offences of defamation against the Senate, the Chamber of Deputies, Government Departments and other official bodies as also against the Ottoman Army or Navy shall, upon written communications of the Heads or Commandants of such bodies to the Department of Justice, be also conducted by the Procurator General.

Cases of defamation as defined in this Law must exclusively be instituted by the Civil Complainant.

*Section 32.* No case shall be heard in connection with an offence of the press, after three months from the date of the publication from which the offence arises.

*Section 33.* (As amended by the Law of 25th August 1330.) In time of peace or war no newspaper or pamphlet shall be allowed to publish news or articles relating to the means of defence or to the movements of the military and naval forces of the State, except such communiqués or informations as are issued by the Ministry of War or by the Navy and such other publications as are allowed by the Military Censors. In case of contravention to this provision the owner or responsible Mudir of the paper shall be liable to a fine of 100 to 500 Liras.



The owner or responsible Mudir of a newspaper or pamphlet containing publications in contravention to the above provision shall in addition be bound to indicate the sources of or the person who furnished them with the information published and if they fail to do so they shall be liable, in addition to the full amount of the fine herein provided, to an imprisonment of one to three months.

**Section 34.** Periodical pamphlets of a strictly technical or literary character which do not treat of political matters are to be regarded as books and are not subject to the provisions of this Law as regards the mode of publication.

**Section 35.** Newspapers or periodical pamphlets published in foreign countries or privileged provinces may by special decision of the Council of Ministers be forbidden to be published or distributed in the Ottoman Empire. One issue may however be prohibited by order of the Ministry of the Interior.

Anyone selling or distributing a newspaper or pamphlet which he knows to be so prohibited shall be liable to a fine of 2 to 15 Liras.

**Section 36.** The Press Law of 2 Shaaban 1281 is hereby repealed.

**Section 37.** The Ministers of Interior and Justice are ordered to execute this Law.

#### PROVISIONAL SECTION.

The owners and responsible Mudirs of the newspapers and periodicals now existing must within one month from the promulgation of this Law comply with the provisions thereof. In case of failure action will be taken against them in accordance with Section 4.

**Addendum, dated 26 Rabi Awal 1330 (16th March 1912)**  
3rd March 1328

Is strongly prohibited the publication of any article or document contributed by an officer of any rank of the military or naval forces, who is on active service, or on pension as a member of the reserve or who has retired from military service or by any sanitary official or other person attached to the military forces, if such article or document contains observations bearing on internal or external political questions or criticisms contrary to discipline or subordination, against the Military Administration. If the responsible Mudir of any paper keeps secret the name and description of any officer who has sent for publication such articles, he shall be liable to imprisonment for one week to six months, and to a fine of 5 to 25 Liras.











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