

PRESIDENTIAL DECREE



Presidential Decree on Taking Certain Measures under the State of Emergency

Decree no. 132

Purpose

ARTICLE 1- (1) The aim of this Presidential Decree is to make certain arrangements on advance payments, periods regarding the industrial registration as well as professional organisations and cooperatives of tradesmen and craftsmen within the scope of the state of emergency declared with the Presidential Decision no. 6785 dated 8 February 2023.

Salaries paid in advance

ARTICLE 2-(1) In accordance with additional Article 24 of the Law on Civil Servants (Law no. 657 dated 14 July 1965), salaries and wage payments made to the public personnel as of 11 February 2023 shall not be taken back in case of death of the relevant persons due to the earthquakes occurred on 6 February 2023.

Suspension of the periods related to the industrial registration

ARTICLE 3- (1) In the provinces where a state of emergency has been declared, the periods specified in Articles 2, 4 and 5 of the Law on Industrial Registration (Law no. 6948 dated 17 April 1957) shall be suspended for three months as from 6 February 2023 (including this date) when this Presidential Decree enters into force. These periods shall start to run from the day following the day on which the suspension period ends.

Fees of documents to be issued by professional organisations of tradesmen and craftsmen

ARTICLE 4- (1) In the provinces where a state of emergency has been declared, tradesmen and craftsmen who carry out activities under the Law on Professional Organisations of

Tradesmen and Craftsmen (Law no. 5362 dated 7 June 2005) and who have suffered damage by the earthquake shall not be charged a fee for the documents to be issued by the professional organisations of tradesmen and craftsmen during the state of emergency.

In-kind and cash aids from the professional organisations and cooperatives of tradesmen and craftsmen

ARTICLE 5- (1) The chambers, unions, federations of tradesmen and craftsmen and the Confederation of Turkish Tradesmen and Craftsmen carrying out activities under the Law no. 5362 as well as the cooperatives and their supreme committees carrying out activities under the Law on Cooperatives (Law no. 1163 dated 24 April 1969) may provide in-kind and cash aids in the provinces where a state of emergency has been declared during the state of emergency as from 6 February 2023 (including this date) upon the decision to be delivered by the board of directors.

Entry into force

ARTICLE 6- (1) In this Presidential Decree:

- a) Article 2 shall enter into force at the date of publication as being valid as of 11 February 2023,
- b) Other provisions shall enter into force at the date of publication,

Execution

ARTICLE 7- (1) The provisions of the hereby Presidential Decree shall be executed by the President.

9 March 2023

Recep Tayyip ERDOĞAN
PRESIDENT

PRESIDENTIAL DECREE



Presidential Decree on Protection of Rights of Persons who have changed Their Place of Residence due to Earthquake under the State of Emergency

Decree no. 133

Purpose

ARTICLE 1- (1) The aim of this Presidential Decree is to protect the rights of persons who have changed their place of residence due to earthquake within the scope of the state of emergency declared with Presidential Decision No. 6785 dated 8 February 2023.

Protection of rights of persons who have changed their place of residence

ARTICLE 2- (1) In the event that the persons, who had a place of residence as of 6 February 2023 in the places declared as a disaster-area affecting general life due to the earthquakes occurred on that date, change their place of residence, there shall be no loss of rights granted to these persons in accordance with the laws, other legislation and administrative acts due to earthquake.

Entry into force

ARTICLE 3- (1) This Presidential Decree shall enter into force on the date of its publication.

Execution

ARTICLE 4- (1) The provisions of the hereby Presidential Decree shall be executed by the President.

9 March 2023

Recep Tayyip ERDOĞAN

PRESIDENT

PRESIDENTIAL DECREE



Presidential Decree on Measures Taken Regional Development and Investment Incentives under the State of Emergency

Decree no. 134

Purpose

ARTICLE 1- (1) The aim of this Presidential Decree is to take certain measures on regional development and investment incentives within the scope of the state of emergency declared with the Presidential Decision no. 6785 dated 8 February 2023.

Measures taken in relation to the regional development

ARTICLE 2- (1) Meetings of the board of directors of development agencies located in provinces where a state of emergency has been declared may not be held for three months. During the period when the board of directors cannot meet, the powers of the board of directors defined by the Ministry of Industry and Technology shall be used by the general secretary.

(2) The Ministry of Industry and Technology, regional development administrations and development agencies located outside the provinces where a state of emergency has been declared may implement support programs to support revival activities in the field of economic and social development in the provinces where a state of emergency has been declared. The procedures and principles regarding these programs shall be determined by the Ministry of Industry and Technology.

(3) Development agencies may lease and purchase the goods and services, except for immovable properties, during the state of emergency for the benefit of provinces where a state of emergency has been declared.

Deeming certain investments having certificate of investment incentive as completed

ARTICLE 3- (1) The certificates of investment incentive, issued within the scope of general incentive practices for investments to be made in places declared as disaster-area affecting

general life due to the earthquakes that occurred on 6 February 2023, shall be deemed to have been completed in their current situation as from 6 February 2023;

- a) without requesting certificates of investment incentive whose investment period has expired and completion visa has not been made;
- b) if their investment periods are ongoing, without seeking the terms and conditions listed in the certificate of investment incentive within three months as from the date of entry into force of this Presidential Decree.

(2) Certificates of investment incentive issued based on regional, large-scale and strategic incentive practices for the investments to be made in places declared as disaster-area affecting general life due to the earthquakes that occurred on 6 February 2023 and for which the completion visa has not been made as of 6 February 2023 shall be deemed to have been completed in their current situation without seeking the terms and conditions listed in the certificate of investment incentive if requested within three months as of the date of entry into force of this Presidential Decree, provided that the supports registered in the certificate of investment incentive be ceased and the supports benefited from be not withdrawn.

Measures taken under the Centres of Attraction Program (*Cazibe Merkezleri Programı*)

ARTICLE 4- (1) In the applications to be made for the issuance of certificates of investment incentive for the investments to be realized in the provinces and districts to be determined by the President of the Republic among the places declared as disaster-areas affecting general life due to the earthquakes that occurred on 6 February 2023, the requirement for the decision of the Assessment Committee specified in the additional Article 1 of the Law on the Encouragement of Investments and Employment and Amendments to Certain Laws (Law no. 5084 dated 29 January 2004) shall not be sought.

Entry into force

ARTICLE 5- (1) In this Presidential Decree:

- c) Article 2 shall enter into force at the date of publication as being valid as of 6 February 2023,
- d) Other provisions shall enter into force at the date of publication,

Execution

ARTICLE 6- (1) The provisions of the hereby Presidential Decree shall be executed by the President.

11 March 2023

Recep Tayyip ERDOĞAN

PRESIDENT

PRESIDENTIAL DECREE



Presidential Decree on Measures Taken in the Field of Agriculture under the State of Emergency

Decree no. 135

Purpose

ARTICLE 1- (1) The aim of this Presidential Decree is to take certain measures in the field of agriculture within the scope of the state of emergency declared with the Presidential Decision no. 6785 dated 8 February 2023.

Providing livestock and sugar aid to breeders suffered damages due to the earthquake

ARTICLE 2- (1) In places declared as disaster-areas affecting general life due to the earthquakes that occurred on 6 February 2023, beehive, bovine, ovine and poultry breeders shall be provided once with live animals and sugar for feeding animals with the aim of ensuring the continuity of livestock activities in their regions, increasing their productivity and ensuring animal health and welfare within the framework of the following procedures and principles.

a) The determination of animals that perished due to the earthquake shall be made by the relevant provincial/district damage assessment commissions by the Ministry of Agriculture and Forestry. The counted animals must be registered in the Livestock Information System of the Ministry of Agriculture and Forestry. The Beekeeping Registration System of the Ministry of Agriculture and Forestry shall be consulted for the determination of the amount of beehives to which sugar will be distributed for feeding purposes.

b) Livestock support shall be provided to the breeders suffered damages due to the earthquake as the same number as the number of beehives, cattle, ovine and poultry determined to have perished by the relevant province/district damage assessment commission.

- c) Beekeepers shall be provided once with sugar aid for feeding purposes up to 4 kilograms per hive.
- ç) The supply and distribution of bovine and ovine livestock and beehives shall be conducted through breeder/producer organizations authorized by the Ministry of Agriculture and Forestry.
- d) The distribution of sugar supplied by the Turkish Sugar Factories Joint Stock Company shall be carried out through breeder/producer organizations authorized by provincial directorates of agriculture and forestry and/or by the Ministry of Agriculture and Forestry.
- e) The distribution of poultry procured from the General Directorate of Agricultural Research and Policies of the Ministry of Agriculture and Forestry or from breeders shall be conducted through provincial directorates of agriculture and forestry and/or breeders.
- f) The Ministry of Agriculture and Forestry shall approve the summary lists submitted to the Ministry of Agriculture and Forestry and the amounts to be paid shall be transferred to the accounts of those concerned.

(2) The funds required for the payments related to the aids to be made under this Article shall be covered from the budget appropriation allocated for livestock support in the budget of the Ministry of Agriculture and Forestry and from additional appropriations to be transferred if necessary.

(3) The Ministry of Agriculture and Forestry shall be authorized to determine the procedures and principles regarding the provision of aids under this Article, to take the necessary measures and to resolve any dispute in practice.

Entry into force

ARTICLE 3- (1) This Presidential Decree shall enter into force on the date of its publication.

Execution

ARTICLE 4- (1) The provisions of the hereby Presidential Decree shall be executed by the President.

11 March 2023

Recep Tayyip ERDOĞAN
PRESIDENT

PRESIDENTIAL DECREE



Presidential Decree on Industrial Workplaces under the State of Emergency

Decree no. 136

Purpose

ARTICLE 1- The aim of Presidential Decree is to make certain arrangements on industrial workplaces within the scope of the state of emergency declared with the Presidential Decision no. 6785 dated 8 February 2023.

Measures taken to redress for disaster damage suffered by industrialists

ARTICLE 2- (1) In the areas declared as disaster zone for three-month due to the earthquakes of 6 February 2023 affecting general life, places that might be industrial zone shall be determined by the Ministry of Environment, Urbanisation and Climate Change and the Ministry of Industry and Technology in consideration of opinions submitted by relevant institutions according to the condition of the area, and in view of the criteria such as its distance from the fault line, suitability of the ground conditions and its proximity to places of residence. The determined places shall be announced as industrial zone by the Presidential Decision.

(2) For the areas in respect of which opinion has been asked, the Ministers concerned shall use the powers vested in board, commission and such by the relevant legislation. The Ministers concerned may delegate their powers. Where the relevant institutions have not submitted their opinions within three days, they shall be deemed to have given an opinion in favour.

(3) The relevant institutions shall grant permissions and alter the qualifications in respect of the areas determined within the scope of the first paragraph. The Ministry of Industry and Technology shall prepare or obtain, and approve the zoning and parcelling plans and changes therein pursuant to the zoning regulation. The relevant institutions shall submit their opinions within three days as to the zoning plans issued by the Ministry of Industry and Technology. The

provisions on displays, announcements, and objections as to the plans and parcelling procedures stipulated in the Zoning Act (Law no. 3194 dated 3 May 1985) shall not be applicable to the plans and parcelling plans approved by the Ministry of Industry and Technology.

(4) The Ministry of Industry and Technology shall prepare or obtain, and approve surveys, maps, plans and projects on infrastructure and superstructure of the industrial workplaces falling within the scope of the eighth paragraph and the areas determined under the first paragraph.

(5) The places that have been left unsurveyed in the areas determined under the first paragraph, except for those in respect of which proceedings are ongoing, and those which have been finalised but not registered in the land registry yet, shall be registered in the name of the Treasury by administrative means in line with the aim of the hereby Presidential Decree, without obtaining the relevant institutions' opinions asked by the Ministry of Industry and Technology, pursuant to Article 22 of the Cadastre Law (Law no. 3402 dated 21 June 1987).

(6) In the surveys made under the first paragraph, the permits in respect of the tenders requiring production of by-product and end product set out in Article 30 § 3 of the Mining Law (Law no. 3213 dated 4 June 1985) shall be excluded. Joint parts (*girişimli kısım*) of the areas subjected to a mining permit falling within the areas determined under the first paragraph shall be removed from the area subjected to a mining permit by the Ministry of Energy and Natural Resources. Where the industrial zone comprises the whole scope of the permit, the mining permit shall be revoked by the Ministry of Energy and Natural Resources. Investment costs calculated by the Directorate General for the Mining and Petroleum Affairs in respect of the reduction or annulment procedures conducted under this paragraph shall be paid to the permit holder by the Ministry of Industry and Technology within six months as from the date on which the reduction or annulment procedures have been carried out, pursuant to the relevant articles of the Law no. 3213.

(7) In the areas determined under the first paragraph, the Ministry of Industry and Technology may take a decision to transfer or urgent expropriation for the immovables belonging to public institutions and organisations to be included in the implementation and for all other immovables subject to private ownership. The expropriation procures shall be conducted by the Ministry of Industry and Technology. The expropriated immovables shall be registered in the name of the Treasury upon the request of the Ministry of Industry and Technology. In registration and cancellation procedure, the property owners' tax relation with the immovable property in question shall not be sought. However, the land registry office shall notify the situation to the relevant tax office. After registration, construction practices may be initiated in these areas. The appraisal for the immovables registered in the name of the Treasury shall be made by licensed real estate appraisal institutions granted authorisation in accordance with the Capital Markets Law (Law no. 6362 dated 6 December 2012) within one month at the latest from the date of registration. The determined value shall be submitted to the Civil Court of General Jurisdiction by the Ministry of Industry and Technology, and the relevant price shall be deposited in the bank designated by the court to be paid to the owners of the immovable registered in the title deed prior to its registration. The price deposited shall be converted into a three-months' deposit accounts, thereby it is ensured that it returns interest, and it shall be paid to the right owner together with the interest, if any. The decision with regard to the deposit of the price shall be served on the owners of the immovable by the court. Such rights of injunction, expropriation,

mortgage, preliminary attachment, attachment and usufruct as well as all prohibitive and restrictive annotations on the title deed prior to the registration of the immovable shall continue to be valid in respect of its price; the rights and annotations on the title deed shall be removed *ex officio* by the Directorate of Land Registry upon the request of the Ministry of Industry and Technology, and the relevant situation shall be notified to the right owner. Following the deposit of the price, provided that no agreement is reached in the settlement negotiations to be held over this price, the relevant provisions of the Expropriation Law (Law no. 2942 dated 4 November 1983) as to the determination and payment of the price among those regarding the cases on determination and registration of the price shall apply. Within the scope of this paragraph, those to be taken over among immovables belonging to the public institutions and organisations shall be registered *ex officio* in the name of the Treasury. The price of the immovable shall be determined in accordance with the provisions of Article 30 of the Law no. 2942 within sixty days as of the registration. In cases for which there are no provisions in this paragraph, the provisions of the Law no. 2942 shall apply.

(8) In the places accepted as disaster areas affecting general life on account of the earthquakes that occurred on 6 February 2023, upon the request of the owners of the industrial workplaces which were destroyed or damaged to the point of being unusable due to the earthquakes, the Ministry of Industry and Technology may construct, or ensure the construction of, new industrial workplaces on-site by obtaining the opinion of the Ministry of Environment, Urbanisation and Climate Change. The transfer to the Treasury of the ownership of the parcels on which the industrial workplaces shall be re-constructed on-site may not be sought. Upon the request of the owners of the industrial workplaces whose construction is on-going, the construction of the relevant industrial workplaces may be completed by the Ministry of Industry and Technology in accordance with this paragraph.

(9) The control of the infrastructure and superstructure projects and the land control in relation to the areas determined under the first paragraph and the industrial workplaces under the eighth paragraph and the construction control of the infrastructure and superstructure constructions and the controls at the operation stage concerning these areas and industrial workplaces shall be carried out or ensured to be carried out by the Ministry of Industry and Technology. Licenses and permits for the construction and use of the structures and facilities in these areas shall be granted and supervised by the Ministry of Industry and Technology. The building supervision of the constructions made in the areas determined under the first paragraph shall be carried out or ensured to be carried out by the Ministry of Industry and Technology.

(10) As regards the areas determined under the first paragraph and the industrial workplaces under the eighth paragraph, the Ministry of Industry and Technology shall be authorised to make or ensure to make all kinds of construction, including infrastructures and superstructures, to determine the land shares, to make type conversions, and to establish construction servitude and condominium. These practices may be performed in cooperation with the affiliated, associated and related institutions of the Ministry of Industry and Technology and its partnerships, the administrations subject to the Public Procurement Law (Law no. 4734 dated 4 January 2002), and the Housing Development Administration. As regards the acts and actions to be carried out in this respect, the procedures concerning the approximate cost determination laid down in the Law no. 4734, and provided that a preliminary project is made, the provisions of Article 62 § 1 (c) shall not be applicable. Contribution fee and technical infrastructure fee shall not be collected in relation to any acts concerning construction works and infrastructure.

In these areas, natural gas, electricity, water, waste water and treatment facilities as well as waste processing facilities, communication and all other infrastructure investments shall be primarily completed by the relevant institutions, organisations and distribution companies until superstructure constructions are completed.

(11) Industrial workplaces constructed or ensured to be constructed by the Ministry of Industry and Technology under this Article shall be provided to the right holders by having them debited. Right holdership, debiting and similar issues shall be determined according to the procedures and principles prepared by the Ministry of Industry and Technology by obtaining the opinions of the Ministry of Environment, Urbanisation and Climate Change, the Ministry of Treasury and Finance, and the Disaster and Emergency Management.

(12) Local or foreign persons, institutions and organizations may build or have industrial workplaces built in the places, which shall be designated by the Ministry of Industry and Technology as suitable for the type of projects to be determined, from the areas determined under the first paragraph, in order to meet the needs of the industrialists in the earthquake zone and so as to be granted to the Ministry of Industry and Technology.

(13) The donations, which are made in order to compensate for the damages of the disaster-torn industrial workplaces in the places accepted as a disaster zone affecting general life due to the earthquakes that took place on 6 February 2023 and which are collected in the disaster account of the Higher Body of Organised Industrial Zones, shall be used by the Ministry of Industry and Technology, in line with the purpose of the hereby Presidential Decree, under the coordination of the Ministry of Environment, Urbanisation and Climate Change and the Disaster and Emergency Management. The donations by the organised industrial zones under this paragraph may be made by the decision of the board of directors without obtaining the decision of the general board.

(14) The areas determined under the first paragraph may be included in the scope of the Law on Organised Industrial Zones (Law no. 4562 dated 12 April 2000), or the Law on Industrial Zones (Law no. 4737 dated 9 January 2002) by the Ministry of Industry and Technology, according to the size of the area or the nature of the industrial workplaces.

(15) Under this Article, plans, parcelling, building permits, the transfer of the ownership of immovable properties or development rights, exchange and barter procedures and the papers issued due to these procedures shall be exempt from stamp tax, duties, fees and fees of contribution to expenses. No fee, circulating capital fee and no amount under any name shall be collected due to these procedures.

(16) Vacant industrial workplaces that are determined to be usable according to the damage assessment report issued by the Ministry of Environment, Urbanisation and Climate Change may be leased by the Ministry of Industry and Technology. In the leased places, sub-leases may be made to the industrial enterprises whose workplaces have been destroyed or severely damaged. The procedures and principles concerning the lease prices to be paid by the Ministry and their collection from the beneficiaries shall be determined by the Ministry of Industry and Technology.

Supports to be provided to the industrial zones

ARTICLE 3- (1) The Ministry of Industry and Technology may provide loans in respect of the entire infrastructure and superstructure facilities of the earthquake-torn industrial sites and the required engineering and architectural services in the places accepted as a disaster zone affecting general life due to the earthquakes that occurred on 6 February 2023.

Supports to be provided for the temporary accommodation of the industrial workers

ARTICLE 4- (1) In the organised industrial zones located in the places accepted as a disaster zone affecting general life due to the earthquakes that occurred on 6 February 2023, the Ministry of Industry and Technology may provide loans in respect of the procurement, installation and infrastructure works of the containers and prefabricated structures to be installed for the temporary accommodation of those working in industrial enterprises within the organised industrial zones, without seeking any guarantee and associating the year with the investment program, or the relevant Ministry may provide non-refundable support to these works. In this context, those placed in the containers and prefabricated structures shall be notified to the Governor's Offices.

Procedures and principles

ARTICLE 5-(1) The procedures and principles concerning the acts and actions to be carried out under this Presidential Decree shall be determined by the Ministry of Industry and Technology.

Entry into force

ARTICLE 6- (1) This Presidential Decree shall enter into force on the date of its publication.

Execution

ARTICLE 7- (1) The provisions of the hereby Presidential Decree shall be executed by the President.

11 March 2023

Recep Tayyip ERDOĞAN

PRESIDENT