

PRESIDENTIAL DECREE**Presidential Decree on Subsidization of Energy Consumption Costs under the State of Emergency****Decree no. 137****Purpose**

ARTICLE 1- (1) The aim of this Presidential Decree is to subsidize the unpaid consumption costs of electricity and/or natural gas subscribers, whose residence and/or workplace has been destroyed, will be promptly destroyed, or become heavily or moderately damaged, within the scope of the state of emergency declared with the Presidential Decision no. 6785 dated 8 February 2023.

Principles of subsidization

ARTICLE 2- (1) In places considered as disaster areas affecting general life due to the earthquakes that occurred on 6 February 2023, the subscribers' -whose residence and/or workplaces have been destroyed due to these earthquakes, will be promptly destroyed, or become heavily or moderately damaged- electricity and natural gas consumption amounts accrued but not collected until 6 February 2023, including the amounts arising from the electricity consumption transferred to the Turkish Electricity Distribution Corporation during the privatisation transfer processes of the Turkish Electricity Distribution Corporation as well as the electricity and natural gas consumption amounts to be accrued for the consumptions from the last billing date until 6 February 2023 in view of the previous consumption of the relevant consumers and the unpaid invoice amounts of these subscribers, if any, for the previous periods shall be subsidized together with their accessories to be covered from the budget of the Ministry of Energy and Natural Resources.

(2) Cases and enforcement proceedings, if any, filed for amount of invoice cancelled within the scope of this Presidential Decree shall be terminated. As regards the enforcement proceedings terminated within this scope, the fees required to be collected pursuant to the Law on Fees (Law no. 492 dated 2 July 1964) as well as the fee regulated in Article 1 of the Law on Fees to be Collected for the Construction of Prisons and Court Houses and Food Costs to be Paid to Prisoners (Law no. 2548 dated 30 June 1934) shall not be charged. The fees previously

received shall not be refunded. In this regard, the court expenses and lawyer's fees with regard to the cases and enforcement files, in respect of which the proceedings have been terminated, shall not be requested.

(3) Subscribers with public legal personality and the general lighting subscriptions shall fall out of the scope of this Presidential Decree.

(4) The procedures and principles concerning the implementation of this Article shall be determined by the Ministry of Energy and Natural Resources by means of receiving an opinion from the Energy Market Regulatory Authority.

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.

20 March 2023

Recep Tayyip ERDOĞAN
PRESIDENT

PRESIDENTIAL DECREE**Presidential Decree on Taking of Certain Measures under the State of Emergency****Decree no. 138****Purpose**

ARTICLE 1- (1) The aim of this Presidential Decree is to take certain measures in the field of social services, private education institutions, research, development and design activities as well as technology development zones and also receivables of support granted by the KOSGEB (Small and Medium Enterprises Development Organisation of Türkiye) within the scope of the state of emergency declared with the Presidential Decision no. 6785 dated 8 February 2023.

Measures taken in the field of Social Services

ARTICLE 2- (1) Accommodation, food, cleaning and other services shall be provided free of charge to the citizens affected from the earthquakes that occurred on 6 February 2023 and staying in social service organisations and violence prevention and monitoring centres affiliated to the Ministry of Family and Social Services, which provide services within the scope of the Law on Social Services (Law no. 2828 dated 24 May 1983). These expenses shall be covered from the budget of the Ministry of Family and Social Services.

Insurance premium support for private education institutions

ARTICLE 3- (1) The amount belonging to employer shares of the insurance premiums, set out in Article 81 of the Law on Social Security and General Health Insurance (Law no. 5510 dated 31 May 2006) and calculated over the earnings based on the premium determined in accordance with Article 82 of the same Law, of the personnel working in private education institutions which carry out activities within the scope of the Law on Private Education Institutions (Law No. 5580 dated 8 February 2007) in the provinces of Adıyaman, Hatay, Kahramanmaraş and

Malatya and the districts of İslahiye and Nurdağı of the Gaziantep province shall be covered from the budget of the Ministry of National Education for a period of three months.

Measures taken for research, development and design activities as well as technology development zones

ARTICLE 4- (1) The discount rates determined as ninety-five percent, ninety percent and eighty percent respectively in Article 3 § 2 of the Law on Supporting Research, Development and Design Activities (Law no. 5746 dated 28 February 2008) shall be applied as one hundred percent during the state of emergency for the personnel working in R&D centres and design centres located in the provinces where a state of emergency has been declared.

(2) All of the insurance premium employer shares set out in Article 3 § 3 of the Law No. 5746 shall be covered from the appropriation to be allocated in the budget of the Ministry of Treasury and Finance during the state of emergency in the provinces where a state of emergency has been declared.

Measures concerning the KOSGEB support receivables

ARTICLE 5- (1) From the businesses that benefit from the supports provided by KOSGEB in places considered as disaster areas affecting general life due to the earthquakes that occurred on 6 February 2023

- a) a) From the collection of the support amounts and legal interests to be repaid in 2023 by the enterprises whose workplaces have been destroyed, will be promptly destroyed, have become heavily or moderately damaged,
- b) By taking into account the partnership shares, from the collection of the support amounts and legal interests to be repaid by the enterprises belonging to those who lost their lives or became incapacitated,

it shall be waived according to the principles determined by the KOSGEB.

(2) As regards the enterprises benefiting from the supports provided by the KOSGEB in the places declared as disaster areas affecting general life due to the earthquakes that occurred on 6 February 2023,

- a) Receivables that become subject matter of a case and/or execution proceedings,
- b) Receivables split into instalments within the scope of the Decree Law no. 659 dated 26 September 2011 on the Execution of Legal Services in Public Administrations and Special Budget Administrations within the scope of General Budget and the support amounts structured within the scope of the Law on Restructuring of Certain Receivables and Amendments to Certain Laws (Law no. 7256 dated 11 November 2020),
- c) Support amounts that have been allowed to use of businesses by the relevant units before 6 February 2023 and decided to be recovered from the enterprises and requested to initiate legal proceedings but have not yet become subject matter of a case or enforcement proceedings as well as the collection of accessories

shall be waived according to the principles determined by the KOSGEB.

(3) The expenses of court and enforcement proceedings and lawyer's fees related to the receivables waived pursuant to the second paragraph shall also be waived. The waiving shall cover all pending proceedings including legal remedies. Fees required to be collected pursuant to Articles 22 and 23 of the Law on Fees (Law no. 492 dated 2 July 1964) regarding the receivables waived shall not be collected. Fees that have been collected before shall not be reimbursed. As regards the cases and enforcement files whose proceedings have been abandoned within the scope of this Article, the parties shall not mutually demand trial and follow-up expenses and lawyer's fees.

(4) The enterprises falling within the scope of the second paragraph which have filed a negative declaratory action against the KOSGEB may benefit from the provisions of this Article provided that they waive the action they have filed within one month. In this case, the court expenses and lawyer's fees incurred by the parties shall be left on themselves.

(5) The waiver of the collection of the receivable within the scope of this Article shall be applicable only for the remaining part of the receivable. No claim can be raised for partial payments made by the enterprises regarding the receivables whose collection has been waived.

Entry into force

ARTICLE 6- (1) In this Presidential Decree:

- a) Articles 2 and 4 shall enter into force on the date of publication as being valid as of 6 February 2023,
- b) Other provisions shall enter into force on the date of publication,

Execution

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

30 March 2023

Recep Tayyip ERDOĞAN
PRESIDENT

PRESIDENTIAL DECREE



**Presidential Decree on Amendment of Presidential Decree on Measures
Taken in the Judiciary under the State of Emergency**

Decree no. 139

ARTICLE 1- The following paragraph was added to Article 2 of the Presidential Decree No. 120 on Measures Taken in the Judiciary under the State of Emergency:

“(10) The provisions of this Article shall continue to apply until 1 May 2023 (including this date)

- a) For the centre of Adıyaman province as well as its Çelikhan and Samsat districts; Nurdağı district of Gaziantep province; the centre of Hatay province as well as its Antakya, Defne, İskenderun, Arsuz, Belen, Samandağ and Yayladağı districts; the centre of Kahramanmaraş province as well as its Dulkadiroğlu, Onikişubat, Afşin, Elbistan, Ekinözü, Nurhak, Göksun, Pazarcık and Çağlayancerit districts; the centre of Malatya province as well as its Battalgazi, Yeşilyurt, Arguvan, Kale, Yazıhan, Akçadağ and Doğanşehir districts,
- b) For real and legal persons whose place of residence is located in the places set out in subparagraph (a) as from 6 February 2023,
- c) For lawyers who have an office in the places set out in subparagraph (a) as from 6 February 2023.”

ARTICLE 2- This Presidential Decree shall enter into force on the date of its publication.

ARTICLE 3- The provisions of the hereby Presidential Decree shall be executed by the President.

4 April 2023

Recep Tayyip ERDOĞAN
PRESIDENT

PRESIDENTIAL DECREE



Presidential Decree on the Field of Electronic Communication and Water Structures Inspection Services under the State of Emergency

Decree no. 140

Purpose

ARTICLE 1- (1) The aim of this Presidential Decree is to take certain measures in the field of electronic communication and water structures inspection services within the scope of the state of emergency declared with Presidential Decision No. 6785 dated 8 February 2023.

Measures taken in the field of electronic communication

ARTICLE 2- (1) In order to properly and uninterruptedly maintain the communication service in the field of electronic communication:

- a) During the state of emergency, the first establishment special communication tax shall not be collected from one new mobile subscription to be established for those who have documented being affected by the earthquake in the provinces where a state of emergency has been declared.
- b) Three-month pro rata radio license and usage fee shall not be charged from the current mobile subscriptions of subscribers who received services in the provinces, where the state of emergency has been declared, within the last 24 hours before 4:17 a.m. on 6 February 2023 and/or whose address registered with the operator located in the provinces where the state of emergency has been declared.
- c) In the event that the invoices to be issued by the operators to the subscribers who have documented being affected by the earthquake in the provinces, where the state of emergency has been declared, as from 6 February 2023 (including this date) or whose payment due date falls on or after this date as well as the amount to be invoiced on account of the services to be provided to these subscribers until the end of the state of emergency are waived, the amount of invoice waived shall be considered as receivable within the scope of Article 322 of the Tax Procedure Law (Law no. 213 dated 4 January 1961).

ç) During the state of emergency, in the service invoices issued with zero cost as from 6 February 2023 (including this date) to subscribers who have documented being affected by the earthquake in the provinces where the state of emergency has been declared, the imputed cost shall be regarded as zero under Article 267 of the Law No. 213. Services with zero imputed cost shall not be included in the tax base in the calculation of public receivables.

d) In the provinces where a state of emergency has been declared, operators and those who provide the communication services required by the operators for disaster and emergency within the framework of the relevant legislation may install radio devices and systems and use them free of charge during the state of emergency, provided that they send the relevant information and documents to the Information and Communication Technologies Authority within one month following the end of the state of emergency. In the provinces where a state of emergency has been declared, the communication infrastructures that are urgent and will be established on behalf of the legal entities of the operators authorized by the Information and Communication Technologies Authority within the scope of the duty and concession agreement or the limited number of right of use authorization certificates during the state of emergency shall be established without any other document other than the site selection certificate to be provided free of charge by the Ministry of Environment, Urbanization and Climate Change and the permission to be given by the local civilian authority. During the state of emergency, no space usage fee and right-of-way fee shall be charged for them in places belonging to public institutions and organizations. In the event that the communication systems and infrastructures established within the scope of this subparagraph continue to be used after the state of emergency, the conditions in the relevant legislation shall be fulfilled within two months after the end of the state of emergency.

e) In the provinces where a state of emergency has been declared, the requests for electrical energy made by the operators for electronic communication devices and infrastructures in respect of the provision of electronic communication services shall be immediately fulfilled without any further information and documents other than the document certifying that the applicant is an operator, if there exists an electricity network in the place giving rise to the application. Necessary information and documents concerning relevant subscription shall be completed within two months following the end of the period of state of emergency.

f) The Communication Technologies Authority shall be authorised to eliminate the hesitations that may arise regarding the application of the hereby Article.

Measures concerning water structures inspection services

ARTICLE 3 - (1) In the event that the construction activities of hydroelectric power plants under construction in the provinces, where a state of emergency has been declared, cannot continue on account of the earthquake, in the event that the work program drawn up to cover the periods that cannot be worked is submitted to the relevant Regional Directorate of the General Directorate of State Hydraulic Works and approved by the Regional Directorate, the cost of water structures inspection required to be taken pursuant to the additional Article 6 of the Law on Services Provided by the General Directorate of State Hydraulic Works (Law no. 6200 dated 18 December 1953) for these facilities shall not be charged.

Entry into force

ARTICLE 4- (1) This Presidential Decree shall enter into force on the date of its publication as being valid as from 6 February 2023.

Execution

ARTICLE 5- (1) The provisions of the hereby Presidential Decree shall be executed by the President.

5 April 2023

Recep Tayyip ERDOĞAN
PRESIDENT

PRESIDENTIAL DECREE



**Presidential Decree on Amendment of Presidential Decree on Measures
Taken in the Judiciary under the State of Emergency**

Decree no. 141

ARTICLE 1- The subparagraph (a) of Article 2 § 10 of the Presidential Decree No. 120 on Measures Taken in the Judiciary under the State of Emergency was amended as follows:

“a) The centre of Adıyaman province as well as its Çelikhan, Samsat, Besni, Gölbaşı and Tut districts; İslahiye and Nurdağı districts of Gaziantep province; the centre of Hatay province as well as its Antakya, Defne, İskenderun, Arsuz, Belen, Samandağ, Hassa, Kırıkhan and Yayladağı districts; the centre of Kahramanmaraş province as well as its Dulkadiroğlu, Onikişubat, Afşin, Elbistan, Ekinözü, Nurhak, Göksun, Türkoğlu, Pazarcık and Çağlayancerit districts; the centre of Malatya province as well as its Battalgazi, Yeşilyurt, Arguvan, Kale, Yazıhan, Akçadağ and Doğanşehir districts,”

ARTICLE 2- The following provisional Article was added to the Presidential Decree No. 120:

“PROVISIONAL ARTICLE 1- (1) By the Presidential Decree establishing this Article, the amendments made in the subparagraph (a) of Article 2 § 10 of the Presidential Decree shall continue to apply in terms of the tenth paragraph until 7 April 2023 (including this date).”

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

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

9 April 2023

Recep Tayyip ERDOĞAN

PRESIDENT