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LAW ON THE DISABLED (1)

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FIRST PART

*Purpose, Scope, Definitions and General Principles**Goal***Article 1- (Change: 6/2 / 2014-6518 / 62 art.)**

The purpose of this Law; encouraging disabled people to enjoy basic rights and freedoms, and social life by strengthening respect and respect for their dignity.
ensuring the full and effective participation of individuals with equal conditions and preventing disability measures to ensure that the necessary arrangements are made.

Scope (1)

Article 2- This Law provides the disabled people, their families, institutions serving the disabled and includes organizations and other interested parties.

*Definitions***Article 3- (Change: 6/2 / 2014-6518 / 63 art.)**

In the implementation of this Law;

- a) Direct discrimination: Disability based on disability based discrimination.
and preventing freedoms from being equally benefited from those comparable,
any different treatment that restricts or complicates,
- b) Indirect discrimination: Any apparently non-discriminatory action, process and practice
consequently, in connection with the basis of disability based discrimination,
a disadvantageous which cannot be objectively justified in terms of enjoyment of liberties
positioning,
- c) Disabled: Physical, mental, spiritual and sensory abilities from various levels of loss.
due to the attitude restricting full and effective participation of the society in equal conditions with other individuals
and the individual affected by environmental conditions,
- d) Disability based discrimination: Political, economic, social, cultural, civil or other
under full conditions of human rights and fundamental freedoms in any field and on an equal footing with others
any disability-based measures before using them or making use of them
any kind of discrimination, exclusion or restriction,
- e) Disability status: The disability of the individual and the special
ratings that determine their needs based on international methods,
classifications and definitions,

(1) With the 1st article of the Law No. 6462 of 25/4/2013;

a) "Disabled People and Some Laws and Decree Laws"

"Making changes" statement means "Disabled",

b) the words "disabled people" and "disabled people" in article 2, respectively "disabled people" and "Disabled"

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f) Accessibility: Buildings, open spaces, transportation and information services and information and communication technology can be reached safely and independently by the disabled and be available,

g) Accessibility standards: Accessibility standards of the Turkish Standards Institute published standards,

h) Habilitation: To meet the individual and social needs of the disabled and physical, social, mental and aiming to ensure that he can lead his life independently. services to gain professional skills,

i) Protected workplace: Mentally or mentally difficult to gain into the labor market by the State to provide vocational rehabilitation for the disabled and create employment workplace that is technically and financially supported and whose working environment is specially arranged,

j) Reasonable regulation: Full and other human rights and fundamental freedoms of the disabled. to ensure that they use or take advantage of them equally with individuals necessary and appropriate change that is needed in the situation, does not impose an excessive or excessive load, and measures,

k) Rehabilitation: As far as possible, the effects of the obstacle caused by any reason to ensure that people with disabilities can sustain their lives independently services aimed at developing physical, social, mental and professional skills,

l) Public service structure: Official buildings used for public service, worship locations, special education and private health facilities; cinema, theater, opera, museum, library, conference cultural buildings such as halls and entertainment buildings such as casinos and wedding halls; hotel, private dormitory, office building, commercial buildings such as offices, passages, bazaars; sports facilities, public parking and similar public property buildings,

express.

General principles

Article 4- (Change: 6/2 / 2014-6518 / 64 art.)

In the fulfillment of the services covered by this Law;

a) Based on the immunity of human dignity and dignity of people with disabilities, respect for individual autonomy, including freedom to do and independence It is essential.

b) No discrimination based on disability can be made, anti-discrimination is directed towards the disabled. is the basic basis of policies.

c) Ensuring equal opportunities for disabled people to benefit from all rights and services It is essential.

d) For the disabled to live independently and to participate fully and effectively in society ensuring accessibility is essential.

e) It is essential to prevent all kinds of abuse and disability abuse.

f) Maintaining family integrity is essential in the provision of services for the disabled.

g) It is essential to consider the best interests of the child in services for children with disabilities.

h) Preventing women and girls with disabilities from multiple discrimination by preventing Ensuring that they enjoy their rights and freedoms is essential.

i) In policy making, decision making and service delivery processes for the disabled participation of disabled people, their families and non-governmental organizations representing the disabled is essential.

j) Ministry of Family and Social Policies in legislative arrangements for the disabled opinion is received.

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Discrimination

Article 4 / A- (Annex: 6/2 / 2014-6518 / 65 art.)

Any disability-based discrimination, including direct and indirect discrimination it is forbidden.

Reasonable for people with disabilities to ensure equality and eliminate discrimination necessary measures are taken to make arrangements.

To ensure that people with disabilities enjoy full and equal rights and freedoms Special measures cannot be considered discrimination.

Inclusion in society

Article 4 / B- (Annex: 6/2 / 2014-6518 / 66 art.)

Disability isolation and isolation of the disabled are prevented.

It is essential for people with disabilities to live independently in society with other individuals. they cannot be forced into a private living order.

Individual support in order for disabled people to participate in society and live in society access to community-based support services they need, including services It is provided.

SECTION TWO ⁽¹⁾

Disability Status, Support and Care, Habilitation and Rehabilitation, Employment, Education and Teaching, Accessibility

Disability status ⁽²⁾

Article 5- (Change: 6/2 / 2014-6518 / 67 art.)

Determining the individual's disability and special needs arising from disability The international basic methods are based on ratings, classifications and diagnostics.

Determination and implementation principles of disability, Ministry of Labor and Social Security and National Ministry of Education and Ministry of Education, Ministry of Education, Ministry of Finance,

It is determined by the regulation jointly issued by the Ministry of Health.

Support and maintenance ⁽³⁾

Article 6- (Change: 6/2 / 2014-6518 / 68 art.)

In order for the disabled people to live independently in their environment, Appropriate psychosocial support and care services are provided. Support and maintenance

biological, physical, psychological, social, cultural and spiritual needs are taken into consideration by considering the family. Standardization of support and maintenance services, studies necessary for the development and dissemination of Family and Social Policies

It is executed by the Ministry.

 (1) The title of this section is "Classification, Care, Rehabilitation, Employment, Education, Job and Vocational Analysis".

It was amended as it was written in the text with the 67th article of the Law No. 6518 dated 6/2/2014.

(2) While the title of this article is "Classification", with the 67th article of the Law No. 6518 dated 6/2/2014 has been changed to the text as it is rendered.

(3) While the title of this article is "Maintenance", it is written to the text with article 68 of the Law No. 6518 dated 6/2/2014. has been changed as processed.

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Accessibility (1)

Article 7- (Change: 6/2 / 2014-6518 / 69 art.)

Planning, design, construction, to ensure the accessibility of the disabled in the built environment, Compliance with accessibility standards is ensured in manufacturing, licensing and inspection processes.

Nine or more except private and public public transport systems and the driver's seat public and public transport vehicles with seats suitable for the accessibility of the disabled

It is mandatory.

Information services and information and communication technology accessible for the disabled to be provided.

Presentation of service

Article 8- (Repealed: 6/2 / 2014-6518 / 124 art.)

Types of care

Article 9- (Repealed: 6/2 / 2014-6518 / 124 art.)

 (1) While the title of this article is "Licensing", 69th of the Law No. 6518 dated 6/2/2014

The article has been changed as it was written to the text.

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*Habilitation and rehabilitation (1)***Article 10- (Change: 6/2 / 2014-6518 / 70 art.)**

Habilitation and rehabilitation for disabled people on the basis of participation and equality in social life services are provided. Taking, planning, execution and decision of habilitation and rehabilitation Active and effective participation of disabled people and their families is ensured at every stage including termination.

Habilitation and rehabilitation services start as early as possible and It is essential to give the disabled person closest to the settlement.

Training of personnel needed in habilitation and rehabilitation services Training programs are developed. Auxiliary tool used in habilitation and rehabilitation necessary to ensure accessibility to supplies, support technologies and related information measures are taken.

Early diagnosis and preventive services (2)

Article 11- Newborn, early childhood and all periods of childhood are physical, auditory, monitoring sensory, social, spiritual and mental development, causing genetic transition and disability ensuring early diagnosis of possible diseases, prevention of disability, existing reduce the severity of disability to the lowest possible level and stop its progress Related studies are planned and carried out by the Ministry of Health.

*Job and profession analysis***Article 12- (Repealed: 6/2 / 2014-6518 / 124 art.)**

Occupational habilitation and rehabilitation ⁽³⁾**Article 13- (Change: 6/2 / 2014-6518 / 71 art.)**

Necessary measures are taken for disabled people to choose a profession and receive education in this field.

In line with the job and profession analysis conducted by the Ministry of Labor and Social Security professional for the disabled by the Ministry of National Education and the Ministry of Labor and Social Security habilitation, rehabilitation and training programs are developed.

Professional habilitation and rehabilitation services for disabled people, public institutions and organizations It can also be carried out by municipalities and other natural or legal persons.

Procedures and principles regarding this article, Ministry of Family and Social Policies, National Education Ministry of Labor and Social Security Ministry jointly issued by the regulation determines.

 (1) While the title of this article is "Rehabilitation", with the article 70 of the Law No. 6518 dated 6/2/2014 has been changed to the text as it is rendered.

(2) With the 1st article of the Law No. 6462 of 25/4/2013, "disability" in this article, The terms "disability" and "apology" are "disability", "disability" and "disability" respectively. It has been changed.

(3) While the title of this article is "Vocational rehabilitation", 71st Law of 6518 dated 6/2/2014 The article has been changed as it was written to the text.

*Employment***Article 14- (Change: 6/2 / 2014-6518 / 72 art.)**

Self-employment for disabled people in the labor market and sustainable working environment including the establishment of guidance and development of professional consultancy services necessary measures are taken.

Job application, recruitment, proposed working times and conditions, and continuity of employment, career on employment, including development and healthy and safe working conditions

Discriminatory practices based on disability cannot be made.

Employees from other people due to their disability in a way that will cause disability against the disabled. cannot be treated differently.

The obstacles and difficulties that employees or persons with job applications may encounter taking measures in employment processes aimed at eliminating and the work of the disabled institutions that have reasonable arrangements, duties, powers and responsibilities in this regard, and It is mandatory to be made by organizations and employers.

People with disabilities who are difficult to get into the labor market due to their disability

The status of the protected workplaces where they are employed and the procedures and principles regarding these workplaces Ministry of Social Security, Ministry of Finance and Ministry of Family and Social Policies

It is regulated by a regulation issued jointly.

Education and training

Article 15- (Change: 6/2 / 2014-6518 / 73 art.)

Training of people with disabilities cannot be prevented for any reason. People with disabilities, special situations and taking into account the differences, in the environments integrated in their environment, on the basis of equality, lifelong education is benefited without discrimination.

To ensure that people with disabilities receive education at all levels within the general education system integrative planning is included.

Disabled people who started formal education programs late for different reasons are included in this training. necessary precautions are taken.

To ensure the active participation of students with disabilities from university students to education with the aim of coordinating the Higher Education Council, within the higher education institutions, tools, materials and course materials suitable for the disabled, appropriate education, research and shelter working on issues such as the provision of their environment and the solution of the problems they experience in their educational processes Disabled Advisory and Coordination Centers are established to do this.

The working procedures and principles of the Disability Counseling and Coordination Center Family and Social Jointly issued by the Ministry of Policies, the Ministry of National Education and the Higher Education Council determined by regulation.

Turkish sign language system to provide education and communication for the hearing impaired Created. Studies on the creation, development and implementation of this system principles and procedures under the coordination of the Ministry of Family and Social Policies, National Education It is determined by the regulation issued jointly by the Ministry and the Turkish Language Association.

Relief to meet all educational, social and cultural needs of the disabled written, audio, electronic book; movies with subtitles, sign language translations and sound descriptions Necessary procedures for obtaining materials, Ministry of National Education, Culture and Tourism It is executed by the Ministry.

Educational evaluation

Article 16- (Change: 6/2 / 2014-6518 / 74 art.)

Jobs and processes related to educational evaluation, diagnosis and orientation of individuals

Special Education Evaluation Board established within the guidance and research center done by. At every stage of this process, the family is informed and their opinions are taken and their participation in the process It is provided. As a result of educational evaluation and diagnosis, it is determined that it needs special education.

A report is prepared by the Special Education Evaluation Board for individuals and a training plan is developed. This planning is revised every year.

Special Education Evaluation Board is interested in individuals who need special education, formal, in line with their qualifications, proficiency in academic discipline and educational needs and to non-formal education institutions.

The organization and working procedures and principles of the Board and the Ministry of Family and Social Policies and the National It is determined by the regulation jointly issued by the Ministry of Education.

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THIRD PART
Amended Provisions

ARTICLE 17-18- (With the Law of Private Education Institutions No. 625 dated 8.6.1965 is concerned and processed instead.)

Article 19- (It is related to the Condominium Law No. 634 dated 23.6.1965 and replaced Processed.)

ARTICLE 20-21- (Related to the Civil Servants Law No. 657 dated 14.7.1965 processed instead.)

Article 22- (Related to the Real Estate Tax Law No. 1319 dated 29.7.1970 processed instead.)

Article 23-24- (Related to the Notary Law No. 1512 dated 18.1.1972 and replaced Processed.)

Article 25- (Needed, Over 20 Years of Age, 2022, dated 1.7.1976, Weak and Regarding the Law on the Monthly Attachment to Turkish Citizens without or without regard to Processed.)

Article 26-30- (Social Services and Child Protection, dated 24.5.1983 and numbered 2828 It is related to the Institution Law and has been processed in its place.)

Article 31- (It is related to the Highway Traffic Law No. 2918 dated 13.10.1983. processed instead.)

Article 32- (Related to the Value Added Tax Law dated 25.10.1984 and numbered 3065 is processed instead.)

Article 33- (General Directorate of Youth and Sports, No. 3289, dated 21.5.1986 It is related to the Law on Organization and Duties and has been processed in its place.)

Article 34- (Related to Health Services Basic Law No. 3359 dated 7.5.1987 is processed instead.)

Article 35- (The Organization of the Ministry of National Education dated 30.4.1992 and numbered 3797 and It is related to the Law on Duties and has been processed.)

Article 36- (Law No. 3960 on Combating Hereditary Diseases dated 28.12.1993 and is processed instead.)

Article 37- (Establishment and Application of Radio and Television No 3984 dated 13.4.1994 and Its publications are related to the Law and processed instead.)

Article 38- (It is related to the Turkish Civil Code dated 22.11.2001 and numbered 4721. processed instead.)

Article 39- (Related to the Labor Law dated 22.5.2003 and numbered 4857 and replaced Processed.)

Article 40- (Regarding the Metropolitan Municipality Law No. 5216 dated 10.7.2004 is processed instead.)

Article 41- (It is related to the Turkish Penal Code No. 5237 dated 26.9.2004 and replaced Processed.)

ARTICLE 42-48- (Related to the Decree Law No. 571 of 25.3.1997 is processed instead.)

Article 49- a) The cadres in the attached list (1) are canceled and the Law no. 190 Social Services and Child Protection Agency of the table (I) annexed to the Decree The cadres that were removed from the General Directorate section and included in the attached list (2) have been established. the ruler number (I) attached to said Decree Law belongs to the said General Directorate. section has been added.

b) The positions in the attached list (3) are canceled and in the power of Law No. 190 The annex of the decree (I) has been removed from the Department of Disability Administration section, attached (4) The cadres in the numbered list are established and subordinated to the Decree Law mentioned (I) Numbered table has been added to the section of the said Presidency. (one)

(1) See the Official Gazette dated 7/7/2005 and numbered 25868 for the cadres canceled and issued with this article.

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Repealed provisions

Article 50- a) Additional 37th of the Social Security Law No. 506 dated 17.7.1964 agent,

b) Third of article 668 of the Turkish Commercial Code No. 6762 dated 29.6.1956 paragraph,

c) The last paragraph of Article 14 of the Obligations Law No. 818 dated 22.4.1926, It was repealed.

Provisional Article 1- Regulations envisaged in this Law Date of publication of the Law It is put into effect within a year.

Provisional Article 2- Existing official structures of public institutions and organizations, all existing social and cultural infrastructure such as roads, sidewalks, crosswalks, open and green areas, sports fields and similar All kinds of services made by natural and legal persons and providing public service structures are accessible to persons with disabilities within eight years from the date of entry into force of this Law.

is brought to the appropriate state. ⁽¹⁾⁽²⁾

Provisional Article 3- Metropolitan municipalities and municipalities, their own in the city have nine or more seats, excluding the driver's seat offered or under control to ensure that public transport services provided by vehicles are suitable for the accessibility of the disabled. takes necessary measures. Existing public and private public transport means that this Law comes into force

Within eight years from the date, vehicles with nine to sixteen seats, excluding the driver's seat public transportation services provided, transportation services provided by means of tourism transportation; and private and public intercity public transport services and passenger ships until 7/7/2018 made accessible for the disabled. ⁽¹⁾⁽³⁾⁽⁴⁾⁽⁵⁾

(Annex: 6/2 / 2014-6518 / 75 art.) Tourism transportation by road until 7/7/2018 real and legal persons who do or provide intercity public transportation services, request for the provision of accessible public transport within a maximum of seventy two hours is obliged to meet.

(Annex: 6/2 / 2014-6518 / 75 art.) Until 7/7/2018, the service and real Providing accessible transportation service to legal persons, disabled personnel or students upon request Are required.

(Annex: 6/2 / 2014-6518 / 75 art. ; Repealed: 10/9 / 2014-6552 / 144 art. ; Re-arrangement: 18/11 / 2014-6567 / 1 art.) Intercity and other cities produced after the entry into force of this paragraph . In-city, except for vehicles carrying international passenger transportation, service and tourism transportation Authority for passenger transportation service from vehicles providing passenger transportation service to those who are not accessible certificate, permit and working license are not given.

(1) With the 34th article of the Law No. 6353 dated 4/7/2012, the phrase "seven years" in this article It has been changed to "eight years".

(2) With the 1st article of the Law numbered 6462 and dated 25/4/2013, the phrase "disabled people" in this article Has been changed to "disabled people".

(3) With the 1st article of the Law No. 6462 of 25/4/2013, "disabled people" in this article and The expressions of "disabled people" were changed to "disabled people" and "disabled people" respectively.

(4) With the 75th article of the Law No. 6518 dated 6/2/2014, "under their control" in this paragraph After the phrase "vehicles with nine or more seats, except the driver's seat. "provided" means "within eight years", "after nine, except for the driver's seat. public transport with sixteen seats, passenger ships, and public and public intercity public transport vehicles with tourism transportation until 7/7/2018 "has been added.

(5) With the 1st article of the Law No. 6567 dated 18/11/2014, "public transport vehicles, Tourism transportation is carried out by passenger ships, private and public intercity public transportation vehicles. means of "vehicles", "public transportation services provided by vehicles, vehicles with tourism transportation transportation services provided and private and public intercity public transportation services and passenger ships " has been changed to.

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(Annex paragraph: 18/11 / 2014-6567 / 1 art.) Intercity transportation service with intercity and inner city service and Procedures and principles for making tourism transport service accessible Science, Industry and By taking the opinions of the Ministry of Technology and the Ministry of Transport, Maritime Affairs and Communications Within one year from the effective date of this paragraph by the Ministry of Family and Social Policies regulated by a regulation to be issued.

(Annex paragraph: 4/7 / 2012-6353 / 34 art.) Provisional article 2 of this Law and specified in this article Monitoring and supervision of the implementation of accessibility standards and obligations Family in each province and Social Policies, Science, Industry and Technology, Interior, Environment and Urbanism, Transport, Maritime and Commission consisting of representatives of the Ministry of Communication and confederations related to the disabled done by. More than one commission can be established if needed. Relevant municipality as a result of the audit and public institutions and organizations, and all kinds of structures and open spaces that provide public service and the owners of public transport vehicles, as specified in the first paragraph, to complete the deficiencies. Additional period may be given not exceeding two years from the end of the period. ^(one)

(Additional paragraph: 4/7 / 2012-6353 / 34 art.) Obligations after the expiry of the prescribed time all kinds of structures providing public services that are determined by the audit commissions that they do not fulfill; and real and private legal entities who own open spaces and public transportation vehicles, and second, third and the obligations envisaged by the regulation put into effect within the scope of the fifth paragraph Real and private legal entities who are determined by the audit commissions, For each determination by the Ministry of Social Policies, from one thousand Turkish Liras to five thousand Turkish Liras administrative fines are applied. In this way, the amount of administrative fines to be applied within a year is fifty thousand cannot exceed lira. The obligations stipulated in the second and third paragraphs or provisional 2 and 3 does not fulfill its obligations stipulated from the expiration of the periods specified in the articles. metropolitan municipalities, municipalities and other public institutions identified by audit commissions and organizations from the Ministry of Family and Social Policies for each determination from five thousand Turkish Lira Administrative fines up to twenty five thousand Turkish Liras are applied. This way, administrative will be applied within a year the amount of the fine cannot exceed five hundred thousand liras. From the notification of administrative fines issued according to this article paid within one month from. Considering the administrative fine amounts recorded in the general budget Ministry of Family and Social Policies for use in projects on accessibility Allowance is foreseen in the budget. ^(2nd)

(Additional paragraph: 4/7 / 2012-6353 / 34 art.) Procedures and principles for the implementation of this article; Science, Industry and Technology, Interior, Finance, Environment and Urbanism, Transportation, Maritime and Communication Family and Social with the views of their ministries and confederations related to the disabled Policies are determined by the Ministry to be issued within a year. ⁽³⁾

Provisional Article 4- Presidency of Disability Administration and Social Services and Children with this Law Due to the new regulation made in the organization laws of the General Directorate of the Protection Agency, those whose job titles have been changed or abolished are one year from the date of entry into force of this Law. They are appointed to the positions suitable for their vacant positions. Each of them until they are assigned to a new staff they continue to receive their financial rights according to their former staff. New staff appointed The net amount of the monthly, additional indicators, any hike and compensations and other financial rights of the staff, monthly, additional indicators, all kinds of hike and compensations, If the total financial rights are less than the net amount, they are appointed until the difference is eliminated. as long as they remain in the staff, they are paid as compensation without any tax and deduction. Staff and Those whose job title does not change are deemed to have been assigned to the same positions and positions. ⁽⁴⁾

 (1) With the 75th article of the Law No. 6518 dated 6/2/2014, "the first article of this article in the paragraph ", " changed in the article "to come after the phrase" standards " and his obligations" to come after the phrase "Family and Social Policies," The phrase "Science, Industry and Technology," has been added.

(2) With the 1st article of the Law No. 6567 dated 18/11/2014, "to the persons" in this article the phrase "persons and second and third paragraphs and the fifth paragraph determined by the audit commissions that it does not fulfill its obligations envisaged by the regulation to real and private legal entities ", the phrase " from the end of the term "means" Second and third the obligations stipulated in the paragraph or the periods specified in the provisional articles 2 and 3 has been changed to ".

(3) With the 1st article of the Law No. 6462 of 25/4/2013, "disabled people" in this article and The expressions of "disabled people" were changed to "disabled people" and "disabled people" respectively.

(4) With the 75th article of the Law No. 6518 dated 6/2/2014, the "implementation" in this paragraph

the procedures and principles regarding: The phrase "Science, Industry and Technology," to come after It was added.

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Validity of existing documents

Provisional Article 5- (Annex: 25/4 / 2013-6462 / 2 art.)

Individuals with disabilities acquired prior to the entry into force of this article according to the relevant legislation.

The health board report of the rights and benefits that they are still benefiting from the health board reports.

to preserve other conditions and to continue these rights and interests according to the relevant legislation.

provided it is possible, the previous reports will continue to be applied in the same manner within the validity period.

In addition, the health committee of individuals with disabilities that they have previously taken in accordance with the relevant legislation.

According to the reports, the determination of the disability status or the disability due to them or

has been given until the date of publication of this article for the convenience or rights of relatives.

Documents, IDs, cards containing handicapped, disabled, bruised or similar phrases describing mental or physical disabilities

and similar documents do not need to be renewed as long as they are valid.

Force

Article 51- Article 35 (a) of Article 35 and Article 50 of this Law, on 1.6.2006, other articles come into force on the date of publication.

Executive

Article 52- The Council of Ministers executes the provisions of this Law.

**ADDITIONAL AND CHANGED TO THE LAW NO 5378
DATE OF ENTRY INTO FORCE OF LEGISLATION
SHOWS LIST**

Shifters the Law Its number	Changing Articles of Law No. 5378	Effective Date
6353	Provisional Articles 2 and 3	12/07/2012
6462	Name of Law, 1, 2, 3, 4, 5, 6, 7, 8, 10, 10, 11, 12, 13, 14, 15, 16, Provisional Article 2, 3, 5	03/05/2013
6518	1, 3, 4, 4 / A, 4 / B, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, Provisional Article 3, II. Chapter Title	19/02/2014
6552	Provisional Article 3	11/09/2014
6567	Provisional Article 3	11/26/2014

