

WEEKLY NEWSLETTER

Metin & Cicek Attorney Partnership Weekly Legal Newsletter



IN THIS ISSUE

Capital Markets Board Published an Announcement Regarding the Issues To Be Taken Into Consideration In Terms Of The Law On The Protection of Personal Data in Terms of Material Event Disclosures Made on the Board's Website

Regulation on the Procedures and Principles Regarding the Procurement of Goods and Services by the Turkish Tourism Promotion and Development Agency Has Been Published

Turkish Food Codex Regulation on Flavorings and Food Ingredients with Flavoring Properties Amended

Regulation Amending the Regulation on Lines of Business has been published

And the ongoing developments...

Capital Markets Board Published an Announcement Regarding the Issues To Be Taken Into Consideration In Terms Of The Law On The Protection of Personal Data in Terms of Material Event Disclosures Made on the Board's Website

- *CMB Announcement dated January 23, 2024*

In the announcement of the Capital Markets Board dated January 23, 2024:

- The Board is the "data controller" about the disclosures made on the Board's website.
- The personal data contained in the explanations as mentioned earlier are determined by the real/legal person who is obliged to notify. In this sense, the persons making the notification are considered "data controllers."
- The notification obligors carry out the content/necessity assessment in terms of the information included in the disclosures.
- According to Article 28/2 of the Law, the Board is exempt from Article 11 of the Law regarding the data subject's rights.

Regulation on the Procedures and Principles Regarding the Procurement of Goods and Services by the Turkish Tourism Promotion and Development Agency Has Been Published

- Official Gazette dated January 20, 2024 and numbered 32435

The Law on the Turkish Tourism Promotion and Development Agency aims to achieve Turkey's tourism targets. The Regulation outlines the procedures and principles regarding the procurement of goods and services within the scope of the third paragraph of Article 8 of the Law on the Turkish Tourism Promotion and Development Agency. In the procurement of goods and services according to the Regulation, the goal is to comply with the principles of transparency, competition, equal treatment, reliability, confidentiality, equality of opportunity, public scrutiny, meeting needs on time and under favorable conditions, and efficient use of resources.



Turkish Food Codex Regulation on Flavorings and Food Ingredients with Flavoring Properties Amended

- Official Gazette dated January 20, 2024 and numbered 32435

The Turkish Food Codex Regulation on Flavorings and Food Ingredients with Flavoring Properties has been prepared within the framework of harmonization with European Union legislation. The Regulation specifies the flavorings used in foods, food ingredients with flavoring properties, source materials used in production, and the conditions of use and labeling rules. With this amendment, the changes made in the EU regulation have been reflected in the national legislation. New flavoring substances have been added, the conditions of use for 20 substances have been changed, and 22 flavoring substances have been removed from the list.



Regulation Amending the Regulation on Lines of Business has been published

- Official Gazette dated January 23, 2024 and numbered 32438

The amendment regulates the determination of the line of business for a workplace. With this amendment, it is stipulated that the determination of the line of business, in which a workplace is engaged, will be made upon application. The Ministry of Labor and Social Security will determine the line of business based on the nature of the work carried out in that workplace upon application.



Amendments to the Regulation on the Principles and Procedures for the Implementation of Active Labor Force Services

- Official Gazette dated January 20, 2024 and numbered 32435

With the Regulation on the Procedures and Principles for the Implementation of Active Labor Force Services, on-the-job training programs are provided in workplaces that meet the minimum conditions determined by the Turkish Employment Agency in order to help protect and increase employment, improve the vocational qualifications of the unemployed and employees, reduce unemployment and help bring groups requiring special policies into the labor market. With these amendments, the conditions for participation in the program have been eased for employers who want to provide on-the-job training programs.

Regulation Amending the Regulation on the Procedures and Principles Regarding the Acceptance and Withdrawal of Deposits and Participation Funds and the Procedures and Principles Regarding Deposits, Participation Funds, Deposits and Receivables that have expired

- Official Gazette dated January 23, 2024 and numbered 32438

The regulations for participation accounts are as follows:

- The daily unit values calculation table was removed from the regulation.
- To protect the rights of individuals, opening an overdraft account, increasing the limit, and making collections are not allowed without approval or request. In addition, the account holder must be informed when the overdraft limit is reduced.
- The authority to change the minimum transfer limit of TL 250 to the Savings Deposit Insurance Fund for overdrawn accounts was given to the Banking Regulation and Supervision Board, with the opinion of the Fund.



Individual Education Support for Those in Need of Special Education is 4,692 Lira per month

- Official Gazette dated January 23, 2024 and numbered 32438

According to the published communiqué, special education fees have increased. The hourly fee for individual education increased from 3,147 TL to 4,692 TL and for group education from 881 TL to 1,314 TL. In December 2023, the Ministry of National Education provided 1,991,933,364 TL to 504,908 individuals with special education needs. Special education fees were increased by 49.1 percent from 4,028 TL to 6,006 TL. With this increase, 35 billion TL is expected to be paid to special education within the year.



Guidelines on the Protection of Personal Data in Election Activities

- *January 24, 2024 dated KVKK Guideline*

A Guide on the Protection of Personal Data in Election Activities was published to remind public administrations, political parties, candidates, and voters of their obligations and rights in election activities. The Guide emphasizes the importance of protecting general principles, valid processing conditions, legal obligations, and the rights of data subjects in personal data processing processes. It also states that necessary technical and administrative measures should be taken for data security.

Amendment to the Regulation on the Regulation of Activities for Renting Houses for Tourism Purposes

- *Official Gazette dated January 25, 2024 and numbered 32441*

The amendment regulates the leasing for tourism purposes of dwellings that are valid for a certain period of time and that have not received a housing license from the municipality. The temporary article added to the Regulation allows such houses to be rented for tourism purposes until the end of the year.



ILO Publishes Report on "Preventing and Addressing Violence and Harassment at Work through Occupational Health and Safety Measures"

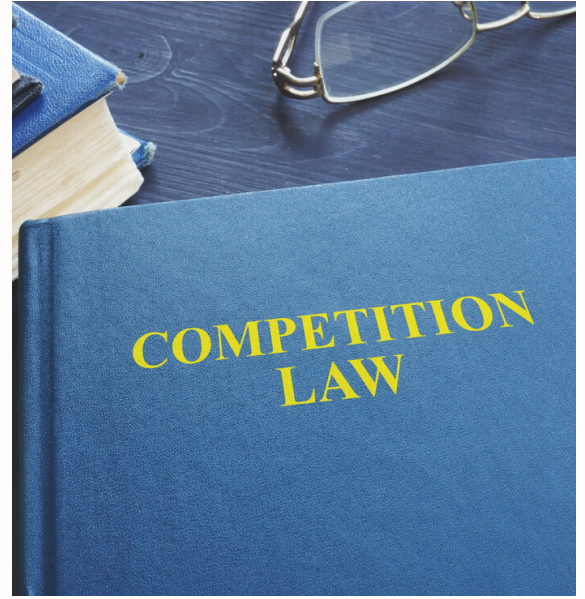
The ILO report calls for the use of Occupational Health and Safety (OHS) frameworks to address the root causes of violence and harassment and to promote collective action for better working environments. According to the report, one in five workers experience violence and harassment. The report argues that specific tools, training programs and guidelines can help workplaces implement violence and harassment policies.



The Investigation Against Electrolux Dayanıklı Tüketim Mamülleri Sanayi ve Ticaret A.Ş. Concluded

In the Competition Board's decision dated 18.1.2024;

- Electrolux Dayanıklı Tüketim Mamülleri Sanayi ve Ticaret AŞ has been found to restrict competition by fixing the sales prices of re-sellers.
- Therefore, the investigation decided to impose an administrative fine of 27.475.570,39-TL on Electrolux as a result of the violation in question. This fine is based on the Regulation on Fines to be imposed in case of Agreements, Concerted Practices and Decisions Restricting Competition and Abuse of Dominant Position.



Investigation Against Certain Undertakings Operating in the White Meat Sector

On 18.01.2024, the Competition Authority concluded the preliminary investigation regarding the allegation that the undertakings and associations of undertakings operating in the white meat sector violated Article 4 of Law No. 4054 on the Protection of Competition.

In the said decision, the Authority decided to initiate an investigation against the relevant companies to determine whether they violated Article 4 of Law No. 4054 on the Protection of Competition by exchanging information sensitive to competition.



EMRA Updates Regulation on Methodology for Installation of Distribution Assets by Users

According to the Official Gazette dated January 24, 2024, EMRA updated the Methodology for the Installation of Distribution Assets. Technical standards for electricity facilities were established, and procedures and principles for financing investments were regulated. Additionally, unit price calculations were amended. Investments for which repayment has not started as of the effective date will be repaid according to the updated methodology.