

WEEKLY NEWSLETTER

Metin & Cicek Attorney Partnership Weekly Legal Newsletter



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Amendment to Road Traffic Regulation

- *Official Gazette dated February 10, 2024 and Numbered 32456, Regulation*

With the new paragraph added to the regulation, individuals holding a class B driver's license are now authorized to operate non-commercial motorcycles with a class A1 driver's license under certain conditions. A unique code will be assigned for this authorization, although no physical marking will be placed on the document. Any individual who no longer meets the specified conditions will have their authorization automatically revoked.

Amendment to the Regulation on the Procedures and Principles Regarding the Authorization Process of Bond Issues to be Made in Domestic Markets by Local Administrations under General Government and Their Affiliated Organizations and Economic Enterprises

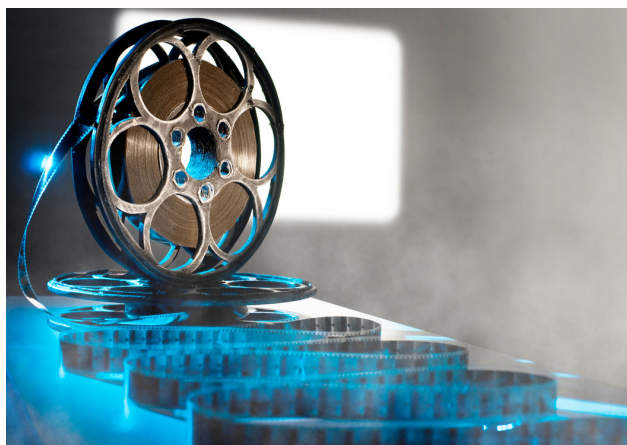
- *Official Gazette dated February 10, 2024 and numbered 32456, Regulation*

In summary, the amendments aim to delineate the procedures and prerequisites governing the issuance of domestic bonds by local governments and their affiliated entities, and to subject these processes to the oversight of the Ministry of Treasury and Finance. Accordingly:

- The phrase "from the Undersecretariat" has been replaced with "from the Ministry of Treasury and Finance."
- The definitions of "Minister" and "Ministry" have been revised to denote the Minister and the Ministry of Treasury and Finance, respectively.
- The authorization process and criteria for bond issuance have been elaborated upon.
- Emphasis has been placed on adhering to debt stock limits in bond issuances.
- Additional provisions have been introduced to regulate the implementation details concerning lease certificates.

Amendment to the Regulation on Supporting the Cinema Sector

- *Official Gazette dated February 10, 2024 and numbered 32456, Regulation*



The purpose of the Regulation is to regulate the procedures and principles regarding the support for the development and strengthening of the cinema sector. With the amendment, the conditions regarding the payment of the support have been rearranged, and in order for the entire support amount to be paid at once in the first feature-length fiction film production, feature-length feature film production, co-production, post-production, distribution and promotion and domestic film screening support types, a collateral equal to the support amount must be shown.

Communiqué Amending the Value Added Tax General Implementation Communiqué (Serial No: 50)

- *Official Gazette dated February 10, 2024 and numbered 32456, Communiqué*



Several amendments have been made to the Value Added Tax General Implementation Communiqué. These revisions encompass various matters, including the deduction of VAT concerning withholding, the clarification of state economic enterprises, adjustments to invoice issuance limits, sample applications, and offset requests. Furthermore, modifications have been introduced to the procedures regarding the deduction of VAT declared by individuals responsible for withholding tax, as well as offset requests.

Amendment to the Turkish Food Codex Communiqué on Fermented Milk Products (Communiqué No: 2024/1)

- *Official Gazette dated February 10, 2024 and numbered 32456, Communiqué*



As per the amendments:

- The total specific microorganism count of post-fermentation heat-treated fermented milk products must not exceed 102 cfu/g throughout their shelf life.
- Heat-treated fermented dairy products, flavored yogurt, and flavored strained yogurt are to be marketed in packages with a maximum capacity of 500 grams.
- The section entitled "Calculation of Milk Protein Ratio in Flavored Products" has been repealed.

Family and Youth Fund Regulation

- Official Gazette dated February 11, 2024 and numbered 32457, Regulation



The regulation outlines the operational procedures and guiding principles of the Family and Youth Fund, established to bolster the family institution, safeguard young individuals against social risks, and foster their development. Project applications from public institutions will undergo evaluation by the Fund's Board of Directors. Upon approval, the implementation of these projects will be entrusted to the institutions receiving resources from the Fund. Monitoring of project progress will be conducted through periodic reports, with the report format to be stipulated by the Board of Directors.

Regulation on Connection to Wind Power Monitoring and Forecasting Center

- Official Gazette dated February 11, 2024 and numbered 32457, Regulation



The regulation governs the connection of wind power plants to the Wind Power Monitoring and Forecasting Center and establishes the connection conditions. A Wind Power Monitoring and Forecasting Center connection certificate is compulsory for wind power plants with an electrical installed capacity of 10 MWe and above. Connection applications must be submitted concurrently with the acceptance process for the power generation plant primarily utilizing wind energy. Additionally, power plants seeking connection to the Wind Power Monitoring and Forecasting Center are required to establish specific infrastructure.

Memorandum of Understanding between MASAK and the Republic of TOGO on Cooperation in the Exchange of Financial Intelligence on Money Laundering, Related Predicate Offenses and Financing of Terrorism entered into force

- Official Gazette dated February 13, 2024 and numbered 32459, Presidential Decree No. 8176



In this context, the Financial Intelligence Units have agreed to cooperate in collecting, developing, and analyzing information on money laundering, terrorist financing, and related offenses by national legislation. This cooperation and information sharing has been agreed to be carried out following the regulations of the Egmont Group, and it has been agreed between the parties that this Memorandum of Understanding is not an international agreement.

Amendment to the Regulation on Communication Expertise

- Official Gazette dated February 13, 2024 and numbered 32459, Regulation

In summary, the amendments to the Regulation on Communication Expertise are as follows:

- Addition of the definition of Vice President.
- Establishment of regulations concerning the structure and operations of the Examination Board.
- Extension of the duration of announcements.
- Modification of the names of pertinent departments.
- Reorganization of the structure and responsibilities of the Thesis and Qualifying Examination Board.
- Establishment of rules about thesis advisors.
- Implementation of regulations regarding language proficiency requirements.
- Introduction of regulations concerning individuals who fail to meet the thesis submission deadline or fail to fulfill specific conditions.



Regulation Amending the Regulation on Control of Volatile Organic Compound Emissions from the Storage and Distribution of Gasoline and Naphtha

- Official Gazette dated February 11, 2024 and numbered 32457, Regulation

In summary, the amendments to the "Regulation on Control of Volatile Organic Compound Emissions from the Storage and Distribution of Gasoline and Naphtha" are as follows:

- Repeal of subparagraph (c) of Article 3.
- Modification of the words "Environment and Urbanization" to "Environment, Urbanization, and Climate Change" in subparagraphs (b) and (ü) of Article 4, and reordering of subparagraph (u).
- Addition of additional phrases to the first and third paragraphs of Article 7, and reorganization of the sixth paragraph.
- Amendments to the periods in the first paragraph of Article 11.
- Repeal of the third paragraph of Article 17, amendment of the fifth paragraph, and addition of a new paragraph to the Article.
- Addition of an additional article titled "Harmonization with the European Union legislation."
- Inclusion of a provisional article titled "Transitional provision."
- Amendments to Article 20, including changes in some subparagraphs, repeal of one subparagraph, and addition of a new subparagraph.

Regulation Amending the Regulation on the Procedures and Principles Regarding the Evaluation and Classification of Motion Pictures

- Official Gazette dated February 15, 2024 and numbered 32461, Regulation

In summary, the amendments to the Regulation on the Procedures and Principles Regarding the Evaluation and Classification of Motion Pictures are as follows:

- Addition of subparagraphs "ğ" and "h" to the second paragraph of Article 16.
- Amendment of subparagraph (b) of the third paragraph and addition of a new paragraph.
- Subparagraph "ğ" defines the institution ticket.
- Subparagraph "h" defines a special audience ticket.
- Paragraph (b) regulates the pricing of certain types of tickets.
- The newly added paragraph elucidates the revenue sharing mechanism from the sale of corporate tickets.

Information Note on the Personal Data Processing Requirement Stipulated in the Laws

In the Information Note dated February 12, 2024, the Personal Data Protection Authority stated that the protection of personal data, which is guaranteed by Article 20 of the Constitution, is an absolute right and that limitations for personal data can be made through the limitation methods foreseen for rights.

In this context, it is stated that personal data can only be restricted through laws without prejudice to its essence and in a measured manner, and that it can be regulated by regulations, communiqués and circulars authorized by law.

Amendment to the Ministry of National Education Regulation on Private Education Institutions

- *Official Gazette dated February 16, 2024 and numbered 32462, Regulation*

The amendments made to various articles of the relevant regulation are as follows:

- **General Regulations on Vocational Training Institutions:** The scope of the regulation now encompasses a broader range of institutions, including seaman training courses, pilot training courses, and social activity and development centers, in addition to vocational training centers. This expansion aims to provide a more comprehensive coverage of training initiatives.
- **Private Transportation Services Vocational Training and Development Courses:** Clear definitions and regulations have been established for private transportation services vocational training and development courses, addressing the specific needs of these sectors.
- **Description of Institutions and Activities:** The regulation now defines social activity and development centers, elucidating their functions and activities to provide clarity.
- **Document Submission:** A requirement is introduced stating that documents must be presented in portable electronic record format, enhancing document management and accessibility.
- **Time and Time Regulations:** Several adjustments have been made to time-related arrangements, aiming to streamline training processes and management practices.
- **Alignment with Values:** Emphasis is placed on educational institutions aligning with the values of the Turkish nation, fostering an educational environment grounded in national culture and values.
- **Structural Arrangements:** Criteria and requirements are established for the structural arrangements of institutions, ensuring they provide a physically suitable and secure environment.
- **Institutional Transfer:** Procedures and necessary documentation for institutional handover are defined, facilitating orderly and smooth transitions between institutions.

These changes are implemented to enhance the effectiveness, efficiency, and safety of educational institutions, ultimately aiming to elevate the quality of education provided.

Railway Operation Authorization Regulation

- *Official Gazette dated February 16, 2024 and numbered 32462, Regulation*



The Regulation governs transportation activities on the national railway infrastructure. It mandates the acquisition of an authorization certificate for railway transportation activities, with various types available. Holders of authorization certificates are obligated to adhere to specified rules and ensure the continuity of services. Additionally, transportation of dangerous goods must comply with relevant legislation. The process for obtaining the authorization certificate necessary for rail system operation is comprehensive, encompassing steps such as application, examination, document submission, decision-making, and other associated procedures.

Communiqué on Exemption of Taxes, Duties and Fees on Exports, Transit Trade, Sales and Deliveries Deemed Export and Foreign Exchange Earning Services and Activities

- *Official Gazette dated February 16, 2024 and numbered 32462, Communiqué*

Amendments were made to the Communiqué (Export: 2017/4). The name of the Communiqué has been changed as the Decree on Exemption of Taxes, Duties and Fees on Exports, Transit Trade, Sales and Deliveries Deemed to be Exports and Foreign Currency Earning Services and Activities. Article 6 of the Communiqué has been amended, the second paragraph of Article 3 has been revised, and the provisions of the previous legislation have been applied to applications for tax, duty and fee exemption certificates. Amendments are applied to tenders awarded after the publication date of Law No. 7491. Some amendments were made to Annex-1, Annex-3 and Annex-4 of the Communiqué.