

WEEKLY NEWSLETTER

Metin & Cicek Attorney Partnership Weekly Newsletter



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Communiqué on Implementation Procedures and Principles of Green Transformation Support Progra

- *Official Gazette dated July 26, 2024 and numbered 32613*

The purpose of this Communiqué is to set out the implementation principles and procedures of the Green Transformation Support Program for investments supporting circular economy and low-carbon production in Turkey. The Communiqué regulates the application, evaluation, monitoring, revision and completion processes of the program and includes details on program management.

The Communiqué sets out the criteria and definitions to be used in the application and evaluation processes of the Green Transformation Support Program. Investors can apply with road map reports prepared in accordance with green transformation strategies. Supported projects are limited to improvements to existing facilities, while other activities such as renewable energy generation are supported with separate incentives. The program provides various procedures for monitoring, revision and completion phases and oversees the achievement of targets.

Regulation Amending the Regulation on Cooperative Project Support

- Official Gazette dated July 20, 2024 and numbered 32607



- Grant rates for cooperatives' procurement of goods and services are determined according to the socio-economic development ranking of the provinces. The grant rate is set at 50% in developed provinces and 75% in less developed provinces. In addition, the grant rate is 75% for cooperatives where at least 90% of the members are women.
- Cooperatives cannot apply for grant support for the same project again within five years, except for projects that become impossible to implement due to force majeure.
- After the signing of the grant contract, in case of force majeure such as natural disasters or epidemics, the project implementation may be changed, suspended or terminated by the Provincial Directorate in consultation with the Ministry. In this case, the payments made are not recovered.

Pursuant to Law No. 6356 on Trade Unions and Collective Bargaining Agreements; Communiqué on July 2024 Statistics on the Number of Workers in the Labor Sectors and the Number of Members of Trade Unions



- Official Gazette dated July 24, 2024 and numbered 32611

The Communiqué contains up-to-date data on the number of workers and the number of members of trade unions. The purpose of this communiqué is to evaluate the effectiveness of trade union activities and the representativeness of trade unions and to share with the public the statistical information necessary to ensure transparency in working life. The updated list for the period July/2024 is available [here](#).

Communiqué Amending the Communiqué on the Electronic General Assembly System to be Applied in General Assemblies of Joint Stock Companies

- Official Gazette dated July 24, 2024 and numbered 32611



With the amendment, the system entry for electronic participation in the general assembly meeting of joint stock companies has been regulated as starting at 06.00 on the day of the general assembly meeting and lasting until 5 minutes before the start time of the general assembly meeting.

Regulation on Disciplinary Supervisors of the Human Rights and Equality Institution of Turkey



- Official Gazette dated July 20, 2024 and numbered 32607

This Regulation aims to determine the disciplinary superiors of civil servants working at the Human Rights and Equality Institution of Turkey and covers civil servants working in accordance with the Civil Servants Law No. 657. The Regulation has been prepared based on Article 124 of the Law No. 657 and Article 5 of the Regulation on Discipline of Civil Servants put into force by the Presidential Decree No. 3935. The disciplinary supervisors are specified in the Table No. Annex-1 and the procedures and principles regarding discipline shall be applied in accordance with the provisions of Law No. 657 and the Regulation on Discipline of Civil Servants. The Regulation shall enter into force on the date of its publication.

Regulation on the Establishment and Working Principles of the Monitoring Committee of the Instrument for Pre-Accession Assistance Rural Development Program

- *Official Gazette dated July 20, 2024 and numbered 32607*



The purpose of this Regulation is to determine the composition, working procedures and principles of the Monitoring Committee established within the framework of the European Union Instrument for Pre-Accession Assistance Rural Development Program (IPARD III). The Regulation regulates the participation of public institutions, civil society organizations and other stakeholders in these processes. The Committee consists of representatives of relevant public institutions and civil society organizations and is supported in its work by the IPARD Management Authority. The tasks of the Committee include monitoring, evaluating and reporting on program implementation. Meetings are held at least twice a year and decisions are taken by majority vote. Secretariat services of the Committee are carried out by the IPARD Managing Authority.

Regulation on Sports Federations

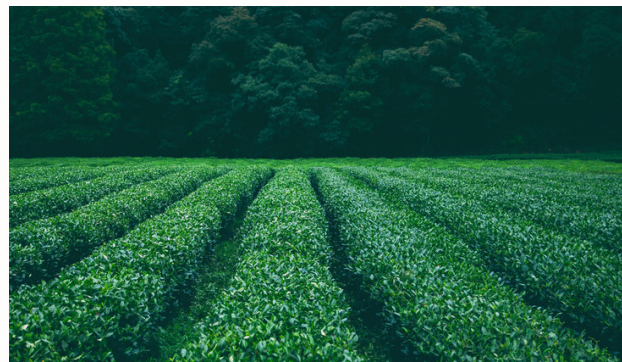


- *Official Gazette dated July 25, 2024 and numbered 32612*

The Regulation determines the organization of general assemblies of sports federations, determination of delegates, formation of the council, objections to delegate lists, formation of candidate lists for the management, audit and disciplinary boards, election processes, vote counting, audit procedures and principles, working procedures and principles of the boards, conditions and working procedures of the general secretariat, as well as the procedures and principles of in-kind and cash aids to be provided by the Ministry of Youth and Sports.

General Directorate of Tea Enterprises Personnel Regulation on Promotion and Change of Title

- *Official Gazette dated July 20, 2024 and numbered 32607*



The purpose of this regulation is to regulate the procedures and principles regarding the promotion and title changes of the personnel working in the General Directorate of Tea Enterprises in accordance with the principles of merit and career. The Regulation covers the personnel working subject to the Civil Servants Law No. 657 and the Decree Law No. 399 on the Personnel Regime of State Economic Enterprises. The procedures, appointment conditions and processes of promotion and title change exams are determined. Issues such as the announcement of exams, application conditions, the formation of exam boards and objections to exam results are explained in detail in the regulation.

Regulation Amending the Electricity Market Capacity Mechanism Regulation

- *Official Gazette dated July 25, 2024 and numbered 32612*

In 2024, if an additional budget is allocated for the capacity mechanism, this budget is distributed equally to the remaining months of the year and paid to the relevant power plants according to the formulas determined by the Regulation. In the distribution, the fixed cost is applied as 300 TL/MWh for natural gas power plants and 450 TL/MWh for domestic coal power plants; capacity utilization rates are set as 40% for natural gas power plants and 55% for domestic coal power plants. Some provisions of the Regulation shall not be applied in the distribution of this additional budget and the budget based on capacity payments determined for 2024 shall continue in accordance with the provisions of the Regulation.

Amendment to the Communiqué on Non-Resident Citizens Deposit and Participation System (YUVAM) Accounts

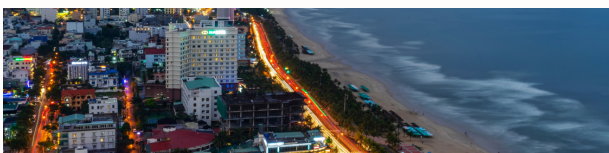
- *Official Gazette dated July 20, 2024 and numbered 32607*

The amendments to the Communiqué on Foreign Currency Deposit and Participation System (YUVAM) Accounts of Citizens Residing Abroad are summarized below:

- The purpose of the Communiqué is to regulate the procedures and principles regarding the conversion of foreign currency deposit accounts and foreign currency participation funds received by transfer from abroad or in foreign currency by companies whose legal domicile is abroad and in which non-residents and these persons are shareholders into Turkish lira-denominated YUVAM accounts.
- YUVAM Account refers to time deposit and participation accounts opened by converting foreign currency deposit accounts and participation funds denominated in foreign currency that are transferred from abroad or received in foreign currency by way of transfer from abroad or as foreign exchange from abroad. Participation funds denominated in foreign currency of non-residents and companies whose legal domicile is abroad and in which these persons are shareholders, into Turkish liras. Additional return is provided according to the procedure determined by the Central Bank.

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

- *Official Gazette dated July 20, 2024 and numbered 32607*



With the amendments made to the Regulation, the notarized decision of the board of condominium owners or co-owners and the relevant documents will be required to be submitted for the rental of timeshare residences for tourism purposes. In addition, timeshare or management agreements, zoning status and other documents will be required for permit applications. In addition, data sharing will be possible with intermediary service providers, public institutions and travel agencies.

Decision on Livestock Subsidies for the Years 2024-2026

- *Official Gazette dated July 26, 2024 and numbered 32613*



Within the scope of the decision aiming to develop animal husbandry, basic support payments will be made for 2024 for bovine and ovine animals that are vaccinated and of a certain age; 5,000 TL support will be provided for bovine waste and 1,000 TL for ovine waste. Beekeepers will receive 80-100 TL per hive and silkworm producers will receive 1,000 TL/kg of cocoons. Support will be paid to raw milk producers according to various criteria starting from 2025 and support will be given to those who turn it into dairy products. A support of 500 TL/head will be provided for male cattle for fattening, and mohair producers will receive a support of 80 TL/kg. Support will be paid according to the species and production methods determined in aquaculture.

Amendment to the Travel Agencies Regulation

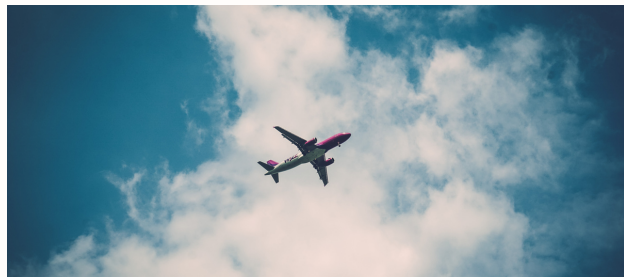
- *Official Gazette dated July 26, 2024 and numbered 32613*



Travel agencies may verify the certificate numbers of accommodation facilities and dwellings within the scope of the Tourism Incentive Law and the Law on the Leasing of Dwellings for Tourism Purposes from the Ministry's database and may engage in sales and marketing. Marketing and sales cannot be made for facilities and residences without a certificate.

Amendment to the Regulation on Commercial Air Transportation Enterprises (SHY-6A)

- *Official Gazette dated July 26, 2024 and numbered 32613*



The amendments to the Regulation on Commercial Air Transport Operators stipulate that Turkish citizens should not have usufruct rights that may infringe on operational control, operators that meet the required number of aircraft in their fleet can operate aircraft with a lower seat capacity, operators should have a paid-in capital of at least USD 150,000, and minimum capital requirements will not be required for licensed operators. In addition, in extraordinary circumstances, the requirement for the majority of pilots to be Turkish citizens will be exempted for two years.

Regulation Amending the Regulation on Delimitation, Determination and Control of Immovable Properties

- *Official Gazette dated July 25, 2024 and numbered 32612*

This regulation regulates the delimitation and use cadastral procedures to be carried out within the framework of Article 2/B of Law No. 6831 in forest areas that have been previously demarcated or cadastralized and in forest areas to be cadastralized under Law No. 3402. First of all, the relevant regional directorate of forestry and the cadastral directorate cooperate in order to avoid duplication of the procedures for deforestation. Technical errors are corrected, necessary registration procedures are carried out and objections are evaluated. During the utilization cadastre, documents are issued and suspended. All transactions related to the areas that are taken out of forest boundaries or to be subjected to utilization cadastre are completed in accordance with the legislation and registrations are made if no lawsuits are filed within the suspended period. Simultaneously, 2/B implementation and utilization cadastre are carried out together and the results are reported to the relevant directorates.

Communiqué on the Implementation Principles of the Digital Transformation Support Program

- *Official Gazette dated July 26, 2024 and numbered 32613*

This Communiqué sets out the implementation procedures and principles of the digital transformation program, which is supported to reduce costs, increase efficiency and quality by integrating technological products and solutions into business processes. The digital transformation support program covers the application, review, evaluation, monitoring and completion processes. Managed by the Ministry of Industry and Technology, the program provides support for large enterprises and SMEs based on a digital maturity assessment and investment plan. Applications must meet certain criteria and submit detailed plans and reports on digital transformation investments. The eligibility and progress of investments are monitored by the Ministry and revisions can be made when necessary. Investments not completed under the program may lose their incentive and digital transformation center status.

Amendment to the Communiqué on the Implementation Principles of the Technology-Oriented Industrial Move Program

- *Official Gazette dated July 26, 2024 and numbered 32613*

With the amendments to the Communiqué, the implementation procedures and principles of the Technology Oriented Industrial Move Program have been updated. In particular, definitions such as Commission report, value-added amount, SME definition, and project commission have been clarified; the Preliminary Evaluation Commission and Project Commission have been established and their processes have been determined. Furthermore, call plans, pre-application and final application processes have been detailed, and independent evaluation and project evaluation processes have been updated. With the new regulations, complete and timely submission of independent evaluation reports has been made mandatory, pre-evaluation commissions and project commissions have been established according to the quality and quantity of applications, and detailed project evaluation processes have been defined. In addition, general evaluation criteria were determined and cooperation processes with KOSGEB and TÜBİTAK were organized.

Crypto Asset Service Providers Suspicious Transaction Reporting Guide and Masak Online System Updated



On July 23, 2024, the Financial Crimes Investigation Board of the Ministry of Treasury and Finance made an announcement regarding the suspicious transaction notification guide and form. Pursuant to Law No. 5549, obligors are required to send suspicious transaction notifications to MASAK. Within the scope of MASAK General Communiqué No. 13, an updated Suspicious Transaction Reporting Guide and Form for crypto asset service providers has been published. With these updates, the form has been simplified, new transaction and account types have been added, crime typologies and notification categories have been expanded. In addition, the MASAK Online 1.0 system was renewed and an XML guide was prepared. As of July 26, 2024, crypto asset service providers will report suspicious transactions in accordance with these new procedures and principles.

Veri İhlali Bildirimi -Ann & Robert H. Lurie Children's Hospital of Chicago



Pursuant to Article 12 of the Personal Data Protection Law No. 6698, Ann & Robert H. Lurie Children's Hospital of Chicago has reported that personal data was leaked as a result of a cyber-attack and that this information relates to 791,784 individuals worldwide. The breach occurred between January 26-31, 2024, and affected data included contact, identity and health information. The number of affected persons from Turkey is not clearly specified. With its decision dated July 10, 2024, the Board decided to announce this data breach on its website. Detailed information is available on the hospital's website.

7521 Law Amending Certain Laws and Decree Laws

- *Official Gazette dated July 26, 2024 and numbered 32613*

1. Labor Law Regulations

- **Partial Work:** By providing flexibility in working hours, employees can work for shorter periods. Rules were set out on how employers could implement this regulation.
- **Job Security:** In the event of dismissal, employers were required to pay compensation to workers and give a certain period of notice. The scope of job security was expanded and dismissal processes were made more transparent.
- **Teleworking:** Within the framework of teleworking regulations, the terms of teleworking between employers and employees, working hours and occupational health and safety issues were detailed.

2. Tax Law Innovations

- **Income Tax:** Income tax brackets were reorganized and tax rates in some income groups were changed. Tax exemptions and deductions were also updated.
- **VAT:** Value-added tax rates were revised. In addition, VAT exemptions were introduced for some products and services.
- **Tax Penalties:** The amounts and conditions for applying tax penalties have been updated. The rights and obligations of taxpayers about penalties were redefined.

3. Trade Law Regulations

- **Company Establishments:** Company establishment procedures were accelerated by providing more convenience in company establishment processes. Regulations on new company types and structures have been introduced.
- **Capital Increase:** New rules have been set for capital increase transactions of companies. The capital increase process has been made more transparent and organized.
- **Financial Reporting:** Financial reporting standards and obligations have been updated. New rules were introduced for companies to comply with when preparing their financial reports

National Artificial Intelligence Strategy 2024-2025 Action Plan Published



The National Artificial Intelligence Strategy (UYZS) Steering Committee has decided to update the National Artificial Intelligence Strategy 2021-2025 Action Plan. The new action plan, prepared with the contributions of the public, private sector and NGOs, aims to strengthen Turkey's position in the field of artificial intelligence. The plan focuses on developing productive artificial intelligence technologies, creating Turkish big language models, strengthening the R&D and startup ecosystem, increasing high-performance computing infrastructures and increasing expert human resources.

Within the scope of the action plan, public institutions will aim to make citizens' lives easier by developing artificial intelligence projects. The 2024-2025 action plan aims to ensure that Turkey is among the leading countries in the field of artificial intelligence and will be implemented with the cooperation of all stakeholders.

Parliament Adopts the Bill Amending the Law on the Protection of Animals



The Parliament's Agriculture, Forestry and Rural Affairs Committee has adopted a bill that proposes important amendments to the Animal Protection Law. With the new regulation, stray animals will be clearly defined and pets such as cats and dogs will have to be registered in the database of the Ministry of Agriculture and Forestry in order to be recognized as owned. In addition, animal care homes will be redefined and it will be stated that stray animals will be cared for there until they are rehabilitated and adopted.

The regulations aim to improve the living conditions of animals. Local governments will establish animal care homes for the care and adoption of stray animals and ensure that these animals are registered. Of the animals taken into care, those that pose a danger to human and animal health or those with incurable diseases can be euthanized.

The bill includes deterrent penalties and financial incentives. Administrative fines will be increased for the abandonment of owned animals. Municipalities will be obliged to allocate a certain proportion of their budgets to animal care homes and these funds cannot be used for other purposes. In addition, cat and dog owners will be obliged to have their animals registered with digital identification methods by the end of 2025.

The Turkish Bar Association published a public vote announcement titled "Legal Evaluation of the Law Proposal on the Amendment of the Law on the Protection of Animals", in which it was stated that the proposed law was prepared based on the allegations of anti-street animal opponents without expert opinions and that it authorizes malicious people to kill animals under baseless pretexts, and therefore, it was demanded that the proposal be withdrawn and that the animal population be taken under control with scientific and humane methods with all parties.