

WEEKLY NEWSLETTER

Metin & Cicek Attorney Partnership Weekly Newsletter



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Amendment to the Social Security Institution Immovables Regulation

- 07 September 2024 dated and 32655
numbered Official Gazette

This amendment concerns an update to Article 28 of the Social Security Institution (SSI) Immovables Regulation. Article 28 of the Regulation regulates transactions such as the leasing or selling of SSI's immovable properties.

The amendment adds the phrase “to professional organizations with the status of public institutions” after the words “to regulatory and supervisory institutions”. This amendment allows professional organizations that are public institutions to be the lessee or purchaser in cases such as the lease or sale of SSI's immovable properties.

National Cyber Security Strategy and Action Plan

- 07 September 2024 dated and 32655 numbered Official Gazette



This circular provides information on the National Cyber Security Strategy and Action Plan (2024-2028) and sets out Turkey's goals and strategies in the field of cyber security. This plan, prepared under the coordination of the Ministry of Transport and Infrastructure, will be implemented in cooperation with the public, private sector, non-governmental organizations and universities. The strategy will be published on the website of the Ministry of Transport and Infrastructure and the action plan will be shared with relevant institutions.

Amendment to the Regulation on Cyber Security Competency Model in the Energy Sector

- 08 September 2024 dated and 32656 numbered Official Gazette



With the amendments made to the Competency Model Regulation, new rows were added to the table and the scope of the cyber security competency model was expanded. Cyber security technical control items for sectors such as natural gas storage, natural gas and crude oil transmission, and electricity transmission were included. In addition, obliged institutions are obliged to have audits conducted by authorized audit firms within 12 months after completing the audit processes and to submit the reports to the Energy Market Notification System within one month.

Union of Chambers of Turkish Engineers and Architects Chamber of Mechanical Engineers Mechanical Installation Services Specialization and Certification Regulation Amendment

- Official Gazette dated September 10, 2024 and numbered 32658



With this regulation, some amendments have been made to the Chamber of Mechanical Engineers Mechanical Installation Services Specialization and Certification Regulation. Instead of the requirement of presentation to the Mechanical Installation Project Evaluation Board, the requirement to attend the Mechanical Installation Design Application training has been introduced. In addition, the term "Ministry of Public Works and Settlement" has been changed to "relevant ministry" and the right to take the expert engineer certificate exam within 2 years after the training. The Regulation will enter into force on the date of publication and will be implemented by the Board of Directors of the Chamber of Mechanical Engineers.

Amendment to the Regulation on Promotion and Title Change for Supreme Court of Appeals Personnel

- Official Gazette dated September 10, 2024 and numbered 32658



With this regulation, various amendments have been made to the Regulation on Promotion and Title Change of Supreme Court of Appeals Personnel. The definitions in the Regulation have been updated, and new regulations have been introduced for promotion and title change positions and examination conditions. In addition, new titles such as landscape architect were added, length of service and examination criteria were regulated, and the rules regarding written and oral exams were clarified. PhD graduates can be appointed without taking the title change exam.

Regulation on Ships and Watercraft Operating in Inland Waters

- *Official Gazette dated September 11, 2024 and numbered 32659*

This Regulation aims to regulate the inspection and certification procedures of ships and watercrafts operating in inland waters. It sets out the procedures and principles regarding the construction, modification, maintenance-repair, measurement, and registration of ships and watercraft. Commercial ships and watercrafts operating in inland waters are subject to certain personnel equipment and qualification criteria. The Regulation details the issuance of certificates of seaworthiness and suitability for vessels operating in inland waters and how inspections and surveys will be carried out. The Regulation also sets out the principles regarding the certification of ships and watercrafts operating in inland waters, survey intervals, validity, and cancellation of certificates. Certificates of seaworthiness are issued by the regulations applicable in inland waters and inspection processes are organized to check the physical and operational compliance of vessels.

Regulation on the Implementation of the Second Paragraph of Article 17 of the Forestry Law

- *Official Gazette dated September 11, 2024 and numbered 32659*

The purpose of this Regulation is to regulate and control unauthorized structures and facilities, cultivation and planting areas in State forests based on the second paragraph of Article 17 of the Forestry Law No. 6831. The Regulation determines the removal of construction, occupation and planting activities in forests by the law, and the procedures and principles to be followed in this process. When unauthorized structures and facilities as well as planting and cultivation activities are detected within the scope of the Regulation, they are immediately intervened and removed, and the costs are collected from the suspect. While forest conservation officers and law enforcement officers carry out these operations, the goods and vehicles subject to the crime are confiscated and taken under protection with a judge's decision or prosecutor's order. While the inspection and detection committee is responsible for the assessment of unauthorized structures, the demolition committee carries out demolition operations. After demolition, the environmentally harmful waste is cleaned.

Amendment to the Communiqué on Verification of Greenhouse Gas Emission Reports and Accreditation of Verification Bodies

- *Official Gazette dated September 12, 2024 and numbered 32660*



With this regulation, several amendments were made to the Communiqué on Verification of Greenhouse Gas Emission Reports and Accreditation of Verification Bodies. Firstly, MEDAS (Central Electronic Verification Agency Assignment System) was defined and the verification periods and fees of verification bodies and their obligations to comply with impartiality rules were rearranged. In addition, verification bodies are required to conduct strategic analysis site visits for facilities subject to the Public Procurement Law No. 4734.

Other amendments cover additional information requirements such as documents and diagrams required in the verification process, determination of verification periods and man-day fees, reporting of staff and accreditation status of verification bodies. There is also more clarity on the cooperation of verification bodies with MEDAS, contract duration, site visits and determination of fees.

Regulation on the Cultivation and Control of Cannabis for the Production of Active Pharmaceutical Ingredients

- *Official Gazette dated September 13, 2024 and numbered 32661*



This regulation regulates and controls the cultivation of cannabis to obtain pharmaceutical active ingredients. It covers cultivation, harvesting, processing, exportation and the organization of scientific research and the necessary measures to be taken in this process. It also guarantees that hemp is used only in authorized areas and for authorized purposes. Applicants apply by submitting a project document to TMO between October 1-31, and after evaluation of the application, authorization and permission documents are issued for those deemed eligible. Special permits must also be obtained for scientific research, and the products obtained can only be used for such research.

Cannabis cultivation must take place in closed facilities equipped with high-security measures and air conditioning features. The facilities must be protected by camera systems, alarm systems and security personnel. Similar requirements apply to scientific research. Growers are obliged to ensure facility security, keep camera recordings for two years, take security measures during transportation and properly dispose of plants after harvest. Control committees regularly inspect the facilities and, in cases of violations of the legislation, cancel the certificates and destroy the products.

Data Breach Notification - İncirli Sağlık ve Sosyal Tesisler A.Ş.



According to Article 12 of the Law No. 6698 on the Protection of Personal Data, in case personal data is obtained illegally, the data controller is required to notify the relevant persons and the Board as soon as possible.

İncirli Sağlık ve Sosyal Tesisler A.Ş. reported that all data was deleted by external intervention in the information system, and that this breach started on 14.08.2024 and ended on 04.09.2024. The breach affects affected individuals, such as employees and patients, and categories of personal data include identity, contact, health information and biometric data. It is estimated that 1000 or more people were affected. Interested parties can obtain information from the data controller's website and call center.

The Personal Data Protection Board has decided to publish the data breach notification on its website.