

WEEKLY NEWSLETTER

Metin & Cicek Attorney Partnership Weekly Newsletter



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7532 Law Amending the Notary Public Law and Certain Laws

- *Official Gazette dated November 27, 2024 and numbered 32735*

Law No. 7532 amended the Law on Attorneys, the Law on Notary Public, the Council of State, the Court of Cassation, the Law on Judges and Prosecutors, the Turkish Civil Code, the Code of Criminal Procedure, the Code of Criminal Execution and the Law on Court of Accounts:

- 1. Lawyer Internship Regulations:** The obstacle to working with insurance during internship was removed, and public employees were granted the right to leave without salary or without pay. It is stated that internship arrangements can be made so as not to interfere with public duties.
- 2. Notary Public Law:** The working of notaries public on holidays and hours is regulated by regulation, transactions can be collected by bank card, and it is regulated that a transaction fee is charged per query from vehicle registry data.
- 3. Council of State, Court of Cassation and Judge-Prosecutor Positions:** Staff lists for members of the professions were added, and it was stated that title changes in vacant positions can be made with the decision of the Presidency or the relevant institution.
- 4. Turkish Civil Code:** The conditions for announcing a change of name have been updated, and the decision to divorce has been facilitated in cases where a common life cannot be established after a one-year waiting period for divorce.
- 5. Criminal Procedure and Criminal Execution Laws:** Regulations on training and examinations in closed prisons were introduced, and the rules for participation in training programs and procedures for examinations were clarified.
- 6. Law on Court of Accounts:** Staffing regulations for professional staff were added and authorization was given for title changes.

Ministry of National Education Regulation on School Libraries

- *Official Gazette dated November 23, 2024 and numbered 32731*

The new regulation aims to raise students who have developed a reading culture and are competent in accessing and using information in line with the general aims of Turkish national education. In this context, the establishment, functioning and personnel principles of school libraries affiliated to the Ministry of National Education have been regulated. It is stipulated that libraries and class libraries should be established in schools, technological infrastructure should be provided and libraries should not be used for purposes other than their intended purpose. In cases where a librarian cannot be appointed, it is envisaged that teachers with certain criteria will be assigned. In addition, the selection and organization of books in libraries are carried out in line with the standards set by the Ministry. The functioning of libraries includes the selection, organization, maintenance and repair of resources, lending services, and user and information services. Libraries are aimed to be user-friendly, to promote reading culture through activities and to make use of technological facilities. Thematic reading groups, author interviews and awareness activities are organized to promote reading habits among students. With the library automation system, lending and return processes have been digitized, and compensation methods for damage and loss of resources have been determined. Libraries

Amendment to the Regulation on Veterinary Medicinal Products

- *Official Gazette dated November 23, 2024 and numbered 32731*



The new regulations made significant changes to the Regulation on Veterinary Medicinal Products. According to the Regulation, marketing authorization for a second product with the same formula and pharmaceutical structure is prohibited unless there are differences proven by scientific data.

Furthermore, the use of antimicrobial medicinal products for growth promotion or productivity enhancement in animals is prohibited. An area of at least 100 square meters is mandatory for the departments of veterinary pharmaceutical warehouses, and this area does not include administrative departments or lavatories.

Regarding production sites, sanctions will be imposed on facilities that do not enter information into the electronic registration system determined by the Ministry. In addition, GMP certification is required for production sites of certain animal vaccines and test antigens until 31/12/2029 and for autovaxin production sites until 31/12/2025. Licensed veterinary pharmaceutical warehouses were given 3 years to comply with the new requirements, otherwise their activities will be suspended.

Amendment to the Liquefied Petroleum Gases (LPG) Market License Regulation

- *Official Gazette dated November 23, 2024 and numbered 32731*



The new regulations include significant amendments to the Liquefied Petroleum Gases (LPG) Market License Regulation. In license applications, amendments, and extension requests, applicants are given 10 business days to correct the deficiencies, and it is stated that if the deficiencies are not corrected, the application will be deemed not made. Applications and requests are envisaged to be submitted electronically (EMRA Application System). In addition, no overdue debt to the Social Security Institution is required for applications. The obligation to inform EMRA in cases such as mergers, divisions and changes in the shareholding structure of legal entities holding licenses has been regulated. The new regulation clarifies the notification obligations regarding license cancellations and changes in the management and representation authorities of license holders. Vehicles used in LPG transportation activities are required to be notified electronically, and the technical requirements and administrative processes for the implementation of these regulations have been restructured.

Amendment to the Regulation on the Duties, Authorities and Responsibilities of the Personnel of the Turkish Tourism Promotion and Development Agency and the Procedures and Principles Regarding their Recruitment

- *Official Gazette dated November 24, 2024 and numbered 32732*

According to the new regulation, with the amendment made to the Personnel Regulation of Turkey Tourism Promotion and Development Agency, the foreign language certificate requirement has been abolished for candidates who graduated from undergraduate programs that provide 100% foreign language education. For these candidates, the language proficiency score will be based on YDS/e-YDS (B) level.

Amendment to the Implementing Regulation on Fixed Odds and Joint Betting Games Based on Sports Competitions

- *Official Gazette dated November 26, 2024 and numbered 32734*



The amendments to the Regulation update the procedures and principles regarding the conduct of Fixed Odds and Joint Betting Games based on Sports Competitions. Fixed, mobile and virtual media dealers are now considered under a single category of “dealers”. Dealer licenses, operating conditions and obligations have been rearranged, and the Organization has been granted broad powers in terms of sales targets and commission rates for dealers. The sanctioning powers of the Organization were clarified in cases such as dealership transfer, collateral increase, failure to meet minimum sales conditions and violations of obligations.

New regulations were also introduced in areas such as non-disclosure of the names of jackpot winners, transfer of virtual media dealerships, subscription and promotion principles. Control over electronic platforms and the central betting system has been increased, and inspections and sanctions against dealers have been detailed. In addition, measures to detect fraud in jackpot payments were developed and the confidentiality of winners' identity information was ensured.

Decision on the Amendment of the Exemption Rate in Paragraph (e) of the First Clause of Article 5 of the Corporate Tax Law No. 5520 (Decision No: 9160)

- *Official Gazette dated November 27, 2024 and numbered 32735*

Pursuant to the Presidential Decree dated 26/11/2024 and numbered 9160, the corporate tax exemption rate for the earnings determined pursuant to Article 5, paragraph 1, subparagraph (e) of the Corporate Tax Law No. 5520 has been determined as 50%. With this regulation, only half of these earnings will be subject to tax, while the other half will be exempt from tax.

Amendment to the Social Security Institution Drug Reimbursement Regulation

- *Official Gazette dated November 28, 2024 and numbered 32736*



Amendments to the Regulation on Drug Reimbursement of the Social Security Institution aim to increase transparency and efficiency in drug reimbursement processes. The definitions in the Regulation have been expanded and the evaluation processes for generic drug groups, biosimilar products and reference medicinal products have been clarified. The membership and duties of the Pharmaceutical Reimbursement Commission have been increased, and the formation of groups and pricing principles have been regulated.

In addition, the price and market share criteria, inactivation and reactivation processes of drugs to be included in the list have been detailed. In particular, the consumption and availability of drugs in the market will be closely monitored and drugs that do not meet certain criteria may be removed from the payment list. Flexibility is provided for exchange rate changes, pharmacist/dealer profit rates and VAT changes. These arrangements aim to promote the economical and efficient use of medicines.

Amendment to the Regulation on the Procedures and Principles Regarding the Production and Trade of Tobacco Products

- *Official Gazette dated November 27, 2024 and numbered 32735*

With the amendments made to the Regulation on the production and trade of tobacco products, production permits, facility establishment and activity conformity certificates, market supply conditions, export and import regulations were detailed, and new regulations were introduced on issues such as banderole application and tobacco destruction. The Regulation aims to increase the technical, environmental and administrative compliance of production facilities by making the permitting and inspection processes more comprehensive, and added guarantee and sanction regulations. In addition, the Ministry's surveillance and inspection authority has been expanded in areas such as production processes, use of machinery, product monitoring systems and recovery operations.

General Communiqué on Tax Procedure Law (Sequence No: 574)

- *Official Gazette dated November 27, 2024 and numbered 32735*



The revaluation rate for the year 2024 has been determined as 43.93%. This rate was determined based on the Domestic Producer Price Index (D-PPI) data of the Turkish Statistical Institute, in accordance with the repeated Article 298 of the Tax Procedure Law. The revaluation rate reflects the price increases as of October compared to the same period of the previous year and is announced by the Ministry of Treasury and Finance in the Official Gazette. This rate is used as the basis for updating many monetary limits and amounts used in tax applications and other financial regulations.

Regulation Amending the Road Traffic Regulation

- *Official Gazette dated November 29, 2024 and numbered 32737*

With the amendments added to the Road Traffic Regulation, taxis, taxi minibuses and other vehicles are required to be equipped with a vehicle tracking system, camera and video recording device and emergency button equipment. This obligation may be determined by transportation coordination centers or provincial traffic commissions, or may be implemented nationwide by the Ministry of Interior. The installation of the equipment will be documented by the institutions assigned by the Ministry of Industry and Technology and will be recorded in vehicle registration records. In addition, periodic checks of these systems will be carried out. According to the provisional articles, this equipment requirement will not be required until the first inspection of covered vehicles after March 1, 2025, while school buses will be evaluated according to the provisions of the legislation at the date of production between 2018 and 2025. In addition, new regulations have been added to the table for bicycles, motorcycles and electric bicycles. These changes aim to improve transportation safety.

Amendment to the Communiqué on the Principles and Procedures for Electronic Identification of Building Inspection Organizations to Sign Building Inspection Service Contracts with Building Owners

- *Official Gazette dated November 29, 2024 and numbered 32737*

With the amendments made to the Communiqué on Building Inspection Service Contracts, building inspection assignment processes were regulated under certain conditions for wind power plant structures to be built on immovable properties within the scope of urgent expropriation. The definition of the total construction area based on the building supervision service fee was updated, and the period for the removal of audit organizations from the list was extended from 60 to 90 days. In addition, the obligation to appoint an assistant supervisor for structures for which construction has not started has been abolished, and an exception has been defined for the previous removal from the queue, preserving the 60-day period.