

WEEKLY NEWSLETTER

Metin & Cicek Attorney Partnership Weekly Newsletter



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Amendment to the Regulation on the Execution of Sales, Transfer and Registration Services of Vehicles

- 04 December 2024 dated and 32742 numbered Official Gazette

The amendments to the Regulation on the Execution of Sales, Transfer and Registration Services of Vehicles include the removal of some regulations regarding vehicles with a loaded weight over 750 kilograms, the ability to perform transactions such as the reissuance of lost registration plates via e-Government, and the invalidation of sales and transfer transactions not performed by notaries. In addition, annotations have been added to the registration records of disabled vehicles, the rules for the use of these vehicles have been detailed, and the mandatory documents and insurance conditions for sales and transfer transactions have been rearranged.

License plate printing and distribution procedures will be recorded in the database of the Turkish Federation of Drivers and Automobilists and shared with relevant institutions. The registration period for trailers up to 750 kilograms has been extended until 2035, and those not registered after this date will be banned from use on the highway. The procedures and principles for cases where certificates of conformity cannot be obtained will be determined by the Ministries of Justice and Interior.

7533 Amendments to the Law on Civil Servants and Certain Laws and Decree Law No. 375

- Official Gazette dated November 30, 2024 and numbered 32738

With the amendments made to the Law on Internal Civil Servants and other relevant laws, the conditions for the candidacy of district governor were expanded and new fields of undergraduate and graduate education were added. The calculation of the term of office, financial rights of governors and first class evaluation processes were regulated in the Civil Administration Services Class. In addition, a medal system was introduced for police personnel, while social benefits were strengthened by establishing the Police Care and Assistance Fund. New provisions were added to the Law on Firearms regarding ballistic parts and arrangements were made in gun license procedures. In the Law on Bazaar and Neighborhood Watchmen, the working hours, duties, powers and appointment conditions of watchmen were revised. The opening and supervision of association clubs was elaborated and administrative sanctions were envisaged for violations. The Migration Foundation was established to support migration management and judicial procedures regarding residence permits and deportations were accelerated. Medal regulations were introduced for Gendarmerie and Coast Guard personnel, while other laws were amended in various areas such as notary public, traffic and Turkish Armed Forces personnel.

Amendment to the General Communiqué on Tax Procedure Law (Sequence No: 459)

- Official Gazette dated November 30, 2024 and numbered 32738

With the amendments made to the General Communiqué on Tax Procedure Law (Serial No: 459), the amounts related to the obligation of certification have been increased and the examples have been adjusted according to these new amounts. Regarding the scope and amounts, the limit for the obligation of certification has been increased from TRY 7,000 to TRY 30,000, and it has been emphasized that if the limits are exceeded in collections and payments made on the same day or in parts, the transactions must be made through intermediary financial institutions. Parties that do not comply with this rule will be penalized. In addition, in transactions with foreigners and non-residents of Turkey in relation to collections and payments that are out of scope, the requirement to indicate the passport number on the invoice issued has been introduced, but the obligation to attach a copy of the passport has been removed. The obligation to deposit the collected amounts in financial institutions has also been relaxed.

Amendment to the Regulation on Social Insurance Transactions

- 02 December 2024 dated and 32740 numbered Official Gazette



According to the new regulation, in cases where no catering service is provided at the workplace, employees may be provided with cash or other non-catering means such as meal cards, vouchers or vouchers. Only the portion of the meals provided in this way for the days actually worked will be exempt from social security premiums. The exemption cannot exceed the amount calculated by multiplying the cost of one day's meal determined by the Board of Directors of the Institution by the number of days worked. The regulation will enter into force at the beginning of the month following the date of publication (01.01.2025).

Midwifery Regulation

- 03 December 2024 dated and 32741 numbered Official Gazette

This regulation defines the duties, authorities and responsibilities of midwives and specifies the midwifery practices they can fulfill in health service delivery processes from pre-pregnancy to the postnatal period. The Regulation covers midwives working in all health institutions and organizations and has been prepared in line with the Law No. 1219 on the Practice of Medicine and Medical Sciences and other relevant legislation.

The main duties of midwives include pre- and post-pregnancy counseling, birth monitoring and delivery, newborn care, reproductive health services, activities to protect patient and public health, education and counseling. In addition, the roles of responsible midwife, specialist midwife, certified midwife and guide midwife are defined and additional responsibilities are introduced according to their areas of duty. The Regulation aims to ensure that midwifery practices are carried out in accordance with professional standards, within the framework of ethical values and in consideration of public health.

Regulation on the Procedures and Principles Regarding the Conduct of Land Registry Transactions Outside the Jurisdiction and in Case the Parties are Located in Different Units

- 03 December 2024 dated and 32741 numbered Official Gazette



The Regulation on Out-of-Jurisdiction Land Registry Transactions regulates the procedures and principles of contracts aiming to transfer ownership in cases where immovables are traded in a unit other than the land registry district in which they are registered and the parties are located in different units. The Regulation aims to ensure that title deed transactions are carried out electronically through TAKBIS, documents are securely stored and transaction processes are accelerated. The unit conducting the transaction examines the records of the immovable subject to the request, completes the deficiencies and prepares the official deeds by ensuring the simultaneous presence of the parties at the designated units. These units are also responsible for the collection of land registry fees and revolving fund fees.

Registration, cancellation and archiving procedures are carried out through TAKBIS with electronic signatures and physical documents are archived when necessary. For security reasons, transactions cannot be followed by hand, and all correspondence and documents are carried out electronically. While requests for transactions in different units within the same province are not accepted, title deed transactions outside the jurisdiction cannot be made with power of attorney issued before November 21, 2023. The Regulation aims to increase transparency, security and efficiency in real estate transactions.

Regulation on Hospital Coordination Board

- 03 December 2024 dated and 32741 numbered Official Gazette

This regulation sets out the organization, duties, authorities and working principles of the Hospital Coordination Board to be established in secondary and tertiary health care facilities affiliated to the Ministry of Health. The Board is responsible for ensuring the efficient and orderly execution of services provided in health facilities, ensuring coordination between units and monitoring the preparation and implementation of hospital development plans. It is also responsible for monitoring the performance of contracted personnel within the scope of co-utilization, assessing breaches of obligations and making recommendations for disciplinary or termination proceedings when necessary. Board members are appointed by the provincial health director and their term of office is limited to a calendar year. Meetings are held regularly every month and decisions are recorded through digital systems. Members are obliged to comply with the principles of impartiality and confidentiality. The Board conducts the necessary investigations and submits a report to the relevant units in case of staff violations of contracts or failure to meet performance targets, and manages the appeal processes regarding decisions.

Amendment to the Regulation on the Licensing of Medicinal Products for Human Use

- 03 December 2024 dated and 32741 numbered Official Gazette



These amendments update the Regulation on the Marketing Authorization of Medicinal Products for Human Use and regulate the authorization process. The amendments include updating references to the Regulation on Clinical Trials, adding new information such as e-mail address in the documents related to the marketing authorization application, defining new concepts such as "compulsory state application" in the marketing authorization processes and making the evaluation processes more detailed. In addition, special regulations have been introduced for products to be used in priority public health issues, and new procedures have been introduced to speed up the authorization process.

Amendment to the Regulation on the Authorization of Traditional Herbal Medicinal Products

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

This Regulation Amendment includes several updates and amendments to the Regulation on the Authorization of Traditional Herbal Medicinal Products. The references to natural persons and commercial companies have been clarified, and the information and document requirements in the licensing and license renewal processes have been detailed. New regulations have been introduced on the import, production and co-marketing of traditional herbal medicinal products. In addition, ethical requirements for clinical trials, evaluation of pharmacovigilance data and processes for marketing authorization renewal have been clarified.

Amendments also include allowing products to be placed on the market for a limited period of time in exceptional circumstances, such as supply problems, elaboration of marketing authorization processes based on the results of analyses, and transitional arrangements for CE certification or notified body opinion. Temporary flexibility has been provided for some articles, such as the transfer of products for which registration has not been renewed. Overall, these amendments aim to improve harmonization and efficiency of processes.

Amendment to the Regulation on Licensing of Homeopathic Medicinal Products

- *03 December 2024 dated and 32741 numbered Official Gazette*

Amendments to the Regulation on the Licensing of Homeopathic Medicinal Products have expanded the scope to include products produced by industrial and traditional methods. The documents, processes and criteria required for natural persons and commercial companies in the license application process have been detailed. The conditions for procedural rejection and re-application in case of incomplete information or incomplete documents have been regulated, and the licensing period has been set at 210 days, but reduced to 90 days in certain cases. In addition, documents and procedures for transfer of marketing authorization have been clarified and transfer of products for which marketing authorization has not been renewed is not permitted. In exceptional cases, a limited amount of products may be allowed to be placed on the market to solve supply problems, provided that this does not harm product safety.

In the provisional articles, conditions such as CE certificate or notified body opinion requirements have been regulated and some deadlines have been extended. These amendments aim to make the regulatory processes more transparent and streamlined, to ensure supply sustainability and to align with European Union legislation.

Millî Eğitim Bakanlığına Bağlı Okul Öğrencilerinin Kılık ve Kıyafetlerine Dair Yönetmelikte Değişiklik

- *06 December 2024 dated and 32744 numbered Official Gazette*



With the new regulations, school uniforms in primary, middle and high schools will be determined by the school directorate in consultation with the PTA and the teachers' council and published on the school website. Clothes should be simple, affordable, easily available and in accordance with pedagogical principles. Clothing changes will not be made within 4 academic years, and in case of a change, current students will be able to continue wearing their old clothes until they move to the next level of education. Students with health disabilities will be able to wear clothes suitable for their special conditions, and special clothes that will impose a financial burden on parents will not be allowed on special days. Practices that violate the conditions of free competition in the sale of clothing are prohibited. For middle and high school students, the provisions of the relevant regulations (Regulation on Preschool Education and Primary Education Institutions dated 2014 and Regulation on Secondary Education Institutions dated 2013) will be applied in case of violation of the provisions of this regulation.