

WEEKLY NEWSLETTER

Metin & Cicek Attorney Partnership Weekly Newsletter



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Communiqué on Administrative Fines to be Imposed in 2025 Pursuant to the Turkish Commercial Code No. 6102

- *Official Gazette dated December 24, 2024 and numbered 32762*

Articles 33, 38, 51 and 562 of the Turkish Commercial Code No. 6102 impose administrative fines for violations of obligations such as commercial registry procedures, registration and announcement obligations, bookkeeping, presentation of financial statements and general assembly procedures. This Communiqué increases the administrative fines in the aforementioned articles according to the revaluation rate of 43.93% for the year 2024 and determines the new amounts to be effective between January 1, 2025 and December 31, 2025. The revised fine amounts will be applied to ensure compliance with commercial regulations and increase economic security. For example, different amounts of administrative fines are imposed in case of false registration in trade registry transactions, violation of registration and announcement obligations, or violation of the bookkeeping order.

Regulation on Candidate Teaching and Career Steps in Teaching Profession

- Official Gazette dated December 21, 2024 and numbered 32759

This regulation regulates the career progression of teachers working in public educational institutions affiliated to the Ministry of National Education and the preparation of candidate teachers for the profession. Within the scope of the Regulation, it is envisaged that candidate teachers will receive training in line with the "Training Program" under the supervision of a mentor teacher, the requirements for the titles of specialist teacher and head teacher will be determined and training programs will be organized. It is also stipulated that teachers who qualify for these titles will be awarded certificates and granted certain rights. In order to become an expert teacher and head teacher, at least 10 years of service in teaching or in the relevant title and professional qualifications must be met. Teachers who complete the candidacy process are appointed to staff positions after the relevant evaluations. Provincial evaluation commissions evaluate and decide on applications and objections during these processes. In addition, teachers working in private education institutions and public institutions can also apply for these titles under certain conditions.

Amendment to the Regulation on Principles and Rules to be Applied in Retail Trade

- Official Gazette dated December 21, 2024 and numbered 32759



With the amendments made to the Regulation on Principles and Rules to be Applied in Retail Trade, installment periods were regulated according to different price ranges for refurbished mobile phones and vehicle sales, and installments for high-priced vehicles were abolished. In addition, the authority to impose administrative fines for violations of the Regulation was delegated to the Ministry, and it was stated that this authority may be delegated to provincial directorates in the provincial organization.

Amendment to the Electricity Market Measurement Systems Regulation

- Official Gazette dated December 21, 2024 and numbered 32759

Elektrik Piyasası Ölçüm Sistemleri Yönetmeliği'nde yapılan değişikliklerle, bazı süreler 1/1/2026'ya uzatılmış, yüksek tüketimli kullanım yerlerindeki sayaçların akıllı sayaçlarla değiştirilmesi şartı getirilmiş ve arızalı sayaçların belirli şartlarla 1/1/2028'e kadar yeniden tesisine izin verilmiştir. Ayrıca, uzaktan haberleşme özelliği olmayan sayaçların değiştirilme süresi 1/1/2026'ya kadar üç ay olarak uygulanacaktır.

Licensed Trustee Warehouses Regulation Fee Schedule

- Official Gazette dated December 21, 2024 and numbered 32759

This Tariff regulates the procedures and principles regarding the calculation and collection of the fees to be paid for the storage of the goods taken under custody by the enforcement offices in licensed trustee warehouses or other warehouses and garages. Storage fees are calculated on the basis of the Annex-1 fee table, are reduced at certain rates as the storage period extends, and the total fee cannot exceed a certain percentage of the estimated value of the goods. In addition, additional fees such as towing, transportation and locksmith services for conservation operations are determined by taking into account the nature of the work and market conditions.

Amendment to the Regulation on the Qualifications of Tourism Facilities

- Official Gazette dated December 22, 2024 and numbered 32760

Within the scope of the amendments made to the Regulation on the Qualifications of Tourism Facilities, the National Electronic Notification System (UETS) address was made mandatory for applications, and documents such as a copy of the title deed/deed record, except for allocated public immovable properties, and a letter of consent or signature declaration were added for non-ownership requests.

For accommodation facilities, it is stipulated that the title deed records must be annotated that they will not be used for other than tourism purposes and that structures such as timeshare cannot be established.

Communiqué on Administrative Fines to be imposed pursuant to Environmental Law No. 2872 (2025/1)

- *Official Gazette dated December 24, 2024 and numbered 32762*

Article 20 of the Environmental Law No. 2872 stipulates that administrative fines are increased by the revaluation rate every year in accordance with Article 17 of the Misdemeanor Law No. 5326. In line with the revaluation rate determined by the Ministry of Treasury and Finance and announced as 43.93% for the year 2024, the fines under Law No. 2872 will be collected with updated amounts by applying this increase rate as of 1/1/2025.

2025 Communiqué on Determining the Principles and Procedures for the Implementation of the General Investment and Financing Program for the Year 2025

- *Official Gazette dated December 24, 2024 and*



This Communiqué regulates the procedures and principles regarding employment, service procurement, financial management and reporting processes of state-owned enterprises and their subsidiaries. Public enterprises are obliged to submit their employment and service procurement requests to the Ministry of Treasury and Finance or the Privatization Administration with the specified forms and justifications and obtain the necessary permissions. Furthermore, it is essential that financial targets such as operating budgets and service procurement ceilings remain within the limits set by the Ministry. Public enterprises are obliged to report their activities in a transparent manner and to prepare and publish their annual and sector reports for 2024 on specified dates. All financial data will be monitored and communicated to the Ministry through the KIVI system. The Communiqué also regulates the reporting and disclosure obligations of public enterprises regarding their subsidiaries and affiliates, and domestic and foreign investments. The Ministry is authorized to make the necessary arrangements in all processes within the scope of the Communiqué and to resolve any doubts that may arise.

Communiqué (No: 2024/26) on the Procedures and Principles Regarding the Placing on the Market of Ethyl Alcohol for Medical Use and Determination of the Intended Use and Amount

- *Official Gazette dated December 24, 2024 and numbered 32762*

This Communiqué regulates the procedures and principles regarding the use of ethyl alcohol for medical use by health service providers, animal health institutions and centers belonging to public institutions. The purchase of ethyl alcohol for medical use is limited to the specified quantities and can only be used by buyers and sellers registered in the ATIP system. Unauthorized use and sale outside the designated areas of use or without authorization is prohibited. Violations will be punished with administrative sanctions in accordance with the relevant legal regulations, and a transition period has been set for wholesalers who do not comply with the stock limitations.

Amendment to the Regulation on Measures to Prevent Laundering Proceeds of Crime and Financing of Terrorism

- *Official Gazette dated December 25, 2024 and numbered 32763*

With this amendment, certain definitions have been expanded and regulations have been made within the scope of the Regulation on Measures to Prevent Laundering Proceeds of Crime and Financing of Terrorism. Certain limits have been introduced for the activities of lawyers such as real estate transactions and financial transactions, and electronic commerce intermediary service providers have been included in the scope.

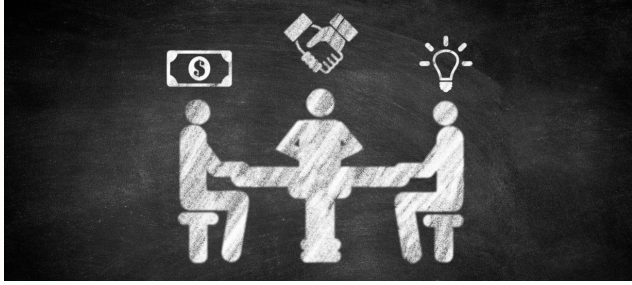
Amendment to the Regulation on Laundering Investigation

- *Official Gazette dated December 25, 2024 and numbered 32763*

With these amendments, the Regulation on Laundering Crime Investigation was harmonized with the Presidential Decree on the Organization of the Presidency. The wording of the Ministry of Finance was updated as "Ministry of Treasury and Finance" and the authority and job descriptions of the audit staff were revised. The process of forwarding investigation reports to public prosecutors' offices was subject to post-audit approval by the Presidency.

2025 Minimum Fee Tariff for Mediation

- Official Gazette dated December 25, 2024 and numbered 32763



This regulation regulates the procedures and principles regarding the determination and collection of fees to be applied in mediation activities and the resolution of disputes between the parties. The mediation fee is in return for the labor and time of the mediators for the settlement of the disputes, and is paid equally by the parties, and this fee cannot be below the lower limits set in the Tariff. While different fee tariffs are applied for disputes with or without money at stake, certain rights are protected in the event that disputes cannot be resolved. In the event that mediation activities continue with arbitration, the arbitration center will pay an additional fee to the informing mediator.

2025 Minimum Fee Tariff for Expertise

- Official Gazette dated December 25, 2024 and numbered 32763



This regulation determines the amount and payment procedures of fees and expenses to be paid to experts in the judicial and administrative jurisdictions. Expert witness fees are determined in return for the labor and time spent, and expenses such as examination, transportation and accommodation are documented and paid separately. The appointing authority may increase or decrease the fees based on criteria such as the qualifications of the expert, the subject of the dispute and the nature of the work. Fee payment for additional report requests depends on the nature of the request. Fees may be reduced for serial files and erroneous reports.

Sales Expenses Tariff

- Official Gazette dated December 25, 2024 and numbered 32763

This Tariff regulates the principles regarding the fees to be charged for the sale transactions to be carried out by the enforcement offices pursuant to the Execution and Bankruptcy Law. In case of a sale request, the expenses for the sale of immovable, movable, registered motor vehicles and other goods must be paid in advance in the amounts specified in the tariff table. In case of insufficient payment, a period of time is granted to complete the missing amount. Sale expenses shall be determined on the basis of appraisal, preservation and other expenses and the tariff applicable at the date of the sale request shall be applied.

Amendment to the Financial Crimes Investigation Board General Communiqué (Serial No: 5) (Serial No: 26)

- Official Gazette dated December 25, 2024 and numbered 32763

These regulations regulate customer identification and information verification processes with a risk-based approach, and set the deadlines for identity verification and making customer information available for non-resident banks, electronic commerce intermediary service providers, obligors providing virtual terminal services, electronic money issuers and obligors organizing games of chance/betting.

In the Financial Crimes Investigation Board General Communiqué (Serial No: 19) (Serial No: 27)

- Official Gazette dated December 25, 2024 and numbered 32763



These regulations detail remote identification processes and authentication methods for cryptoasset service providers. Remote identification of privacy-based cryptoassets is prohibited, and authentication must be done through a bank or credit card account. In addition, crypto asset service providers are required to verify first name, surname, date of birth and Turkish ID number through the Identity Sharing System of the Ministry of Interior.

Amendment to the Communiqué on the Procedures and Principles Regarding the Implementation of Article 376 of the Turkish Commercial Code No. 6102

- *Official Gazette dated December 25, 2024 and numbered 32763*

This amendment extends the duration of the temporary regulation specified in the Communiqué on the implementation of Article 376 of the Turkish Commercial Code No. 6102. Accordingly, the validity period of this temporary regulation is extended from January 1, 2025 to January 1, 2026. This regulation aims to continue the application of certain facilities for capital loss and insolvency of companies for one more year.

Amendment to the Regulation on Classification and Registration of Building Contractors

- *Official Gazette dated December 26, 2024 and numbered 32764*

With the amendments made to the Regulation on Classification and Registration of Building Contractors, the system in which contractor authorization certificates are kept electronically has been updated as "ŞANTİYE-M", document renewal periods and conditions have been regulated, evaluation criteria for work experience certificates have been expanded, electronic storage of financial qualification certificates and guarantees has been introduced, special facilities have been provided for constructions to be carried out in disaster areas with temporary regulations and additional documents have been revised.

Amendment to the Regulation on the Trade of Motor Land Vehicles

- *Official Gazette dated December 26, 2024 and numbered 32764*

With the amendment to the provisional articles of the Regulation on the Trade of Motor Land Vehicles, the effective date of certain obligations, which was envisaged as January 1, 2025, was postponed to July 1, 2025. Provisional Article 2 regulates the fulfillment of certain conditions for the trade of motor vehicles. The extension of the deadline for the fulfillment of these requirements to July 1, 2025 allows more preparation time for the relevant sector actors. Provisional Article 3 provides for the entry into force of certain registries and regulations.

Amendment to the Regulation on Tariff Implementation Principles in Compulsory Financial Liability Insurance for Motor Vehicles

- *Official Gazette dated December 26, 2024 and numbered 32764*

With the new regulation, a new practice has been introduced in the Compulsory Financial Liability Insurance for Highways Motor Vehicles for businesses engaged in the trade of second-hand motor vehicles. According to the added provision, the relevant institution under the Ministry of Treasury and Finance has the authority to reduce the insurance period up to 30 days in the traffic insurance contracts to be concluded by enterprises holding authorization certificates within the scope of the Regulation on the Trade of Motor Land Vehicles. This amendment aims to facilitate second-hand vehicle trading businesses to obtain traffic insurance in accordance with the short-term use of vehicles, thus providing flexibility in commercial activities.

7537 Law Amending the Civil Servants Law and Certain Laws and Decree Laws

- *Official Gazette dated December 27, 2024 and numbered 32765*

Recent regulations introduce various innovations in public services, social security, tax procedures and administrative processes. Amendments to Law No. 657 on Civil Servants have facilitated the ability of civil servants to work in international organizations and increased the duration of leave without salary for spouses working abroad. In addition, specialization processes have been reorganized and periods for qualification exams have been set. Amendments to Law No. 213 on Tax Procedure regulated the declaration of force majeure and time extensions, and introduced special provisions for disaster areas.

Other amendments include incentivizing domestic contribution rates in the Special Consumption Tax, waiving the collection of social security premium debts for certain periods, and updating the calculation methods of payments for work accidents and occupational diseases. Amendments to laws such as Decree Laws No. 4760 and No. 375 made significant changes to the allocation of revolving funds and the appointment of public officials. These amendments aim to increase efficiency in public administration and social policies.

Regulation Amending the Regulation on Duties, Authorities, Responsibilities and Training of Occupational Safety Experts

- *Official Gazette dated December 27, 2024 and numbered 32765*

This regulation aims to facilitate the upgrading process of occupational safety specialists. Holders of class (B) occupational safety specialist certificates will be allowed to obtain a class (A) certificate, provided that they have worked in workplaces classified as very dangerous for at least three years and have not been subject to any disciplinary sanctions. Similarly, Class (C) certificate holders will be able to obtain a Class (B) certificate if they fulfill certain conditions. The deadline for applications is March 31, 2025 and will be based on OHS- KATIP records. This change encourages career progression for experienced occupational safety specialists.

Water Efficiency Regulation

- *Official Gazette dated December 27, 2024 and numbered 32765*

This Regulation sets out the principles and procedures for the establishment, monitoring and certification of water efficiency systems and the preparation of provincial plans to ensure the efficient use and conservation of water resources. The Regulation covers issues such as issuance of water efficiency certificates, preparation of training programs, determination of strategies and actions at local level. It also imposes an obligation on water users to report data and defines the transition period for the water efficiency information system. The implementation aims to promote sustainable management of water and raise public awareness.

Minimum Wage Determination Commission Decision

- *Official Gazette dated December 27, 2024 and numbered 32765*

The Minimum Wage Determination Commission set the daily minimum wage for the period January 1, 2025 - December 31, 2025 at 866.85 TL and proposed to maintain the minimum wage support at 1000 TL per month throughout 2025.

The decision was taken unanimously, despite the absence of worker representatives, and was published in the Official Gazette to enter into force on January 1, 2025.

Regulation on Administrative Fines to be imposed in case of Agreements, Concerted Practices and Decisions Restricting Competition and Abuse of Dominant Position

- *Official Gazette dated December 27, 2024 and numbered 32765*

This regulation sets out the principles and procedures for the determination of administrative fines to be imposed on undertakings, associations of undertakings and their managers or employees who engage in anti-competitive behavior prohibited under Articles 4 and 6 of the Law No. 4054 on the Protection of Competition. The fine rates are calculated by taking into account the nature, duration and aggravating/mitigating factors of the violation and cannot exceed 10% of the annual gross revenues. In addition, managers or employees with a determining influence may be imposed an administrative fine of up to 5% of the fine imposed on the undertaking.

National Real Estate General Communiqué (Sequence No: 419)

- *Official Gazette dated December 27, 2024 and numbered 32765*



This Communiqué sets out the principles for determining the monthly rental rates of public housing for the year 2025. Rent per square meter varies between 8.15 TL and 16.71 TL depending on the type of dwelling. In addition, additional fees will be charged at certain rates for services (heater, janitor) and in cases where it is not possible to allocate meters. If the fuel is provided by the institution, a fuel fee of TRY 6.68 per square meter is charged. These fees will be calculated in accordance with the principles specified in the General Communiqué on National Real Estate.