

REPUBLIC OF TURKEY - PRIME MINISTRY



SECRETARIAT GENERAL FOR EU AFFAIRS

EUROPEAN UNION STRATEGY for TURKEY'S ACCESSION PROCESS

2010-2011 ACTION PLAN

ANKARA

15 March 2010

TABLE OF CONTENTS

01- FREE MOVEMENT OF GOODS _____	5
02- FREE MOVEMENT OF WORKERS _____	19
03- RIGHT OF ESTABLISHMENT AND FREEDOM TO PROVIDE SERVICES _____	20
04- FREE MOVEMENT OF CAPITAL _____	23
05- PUBLIC PROCUREMENT _____	25
06- COMPANY LAW _____	30
07- INTELLECTUAL PROPERTY RIGHTS _____	36
08- COMPETITION POLICY _____	41
09- FINANCIAL SERVICES _____	45
10- INFORMATION SOCIETY AND MEDIA _____	50
11- AGRICULTURE AND RURAL DEVELOPMENT _____	56
12- FOOD SAFETY, VETERINARY AND PHYTOSANITARY POLICY _____	62
13- FISHERIES _____	71
14- TRANSPORT POLICY _____	73
15- ENERGY _____	85
16- TAXATION _____	87
17- ECONOMIC AND MONETARY POLICY _____	88
18- STATISTICS _____	89
19- SOCIAL POLICY AND EMPLOYMENT _____	90
20- ENTERPRISE AND INDUSTRIAL POLICY _____	95
21-TRANS-EUROPEAN NETWORKS _____	96
22- REGIONAL POLICY AND COORDINATION OF STRUCTURAL INSTRUMENTS _____	97
23- JUDICIARY AND FUNDAMENTAL RIGHTS _____	100
24- JUSTICE, FREEDOM AND SECURITY _____	108
26- EDUCATION AND CULTURE _____	113
27- ENVIRONMENT _____	115
28- PROTECTION OF CONSUMERS AND HEALTH _____	123
29- CUSTOMS UNION _____	129
30- EXTERNAL RELATIONS _____	131
32- FINANCIAL CONTROL _____	133

ABBREVIATIONS

PAA: Programme for Alignment with the Acquis

NPAA: National Programme for the Adoption of the Acquis

ISE : Istanbul Stock Exchange

PPPs: Public-Private Partnerships procedures

TAEA: Turkish Atomic Energy Authority

TNRA : Turkish Nuclear Regulatory Authority

01- FREE MOVEMENT OF GOODS

1- LIST OF PRIMARY LEGISLATION

Primary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Law Amending the Law No 4457 on the Establishment and Tasks of Turkish Accreditation Agency	In order to implement an administrative structure in conformity with the accreditation agencies, which are members of the European Accreditation Union in Turkish Accreditation Agency that was established in the framework of harmonization with the EU acquis, the necessity to amend certain articles of TÜRKAK Law No 4457 has been born so as to overcome the defects encountered in the 5-years implementation period.	EU New Approach Directives	Ministry of Industry and Trade Turkish Accreditation Agency	PAA/2007-2008
Law Amending the Law No 5324 on Cosmetics	In order to provide cosmetic products to the society in a safe, efficient and qualified manner, it is aimed at controlling the manufacturing places of these products by means of market.	- Directive 76/768/EEC - Directive 96/335/EC	Ministry of Health	PAA/2008
Law Amending the Law No 132 on the Establishment of the Turkish Standards Institute	Aims at meeting the administrative requirements in order to become full member of CEN and CENELEC, and satisfying the rules with which the standardization agency should comply in respect of standardization, which is a basic requirement in the implementation of EU's New Approach Directives.	EU New Approach Directives	Ministry of Industry and Trade Turkish Standards Institute	PAA/2007-2008

Primary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Law Amending the Law No 4703 on the Preparation and Implementation of Technical Legislation on Products (The Framework Law) 1	<p>EU legislation, which are the basis for the Law No 4703, were amended by the legislation issued by the EU in 2008. Similar amendments have to be made in the Law No 4703.</p> <p>Moreover, some provisions of EU's General Product Safety Directive (2001/95/EC) have to be enacted.</p> <p>For that reason, it is planned to issue the Product Safety Law by amending the Law No 4703.</p>	<p>1- Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93,</p> <p>2- Decision 768/2008/EC of the European Parliament and of the Council of 9 July 2008 on a common framework for the marketing of products, and repealing Council Decision 93/465/EEC,</p> <p>3- Directive 2001/95/EC of the European Parliament and of the Council of 3 December 2001 on general product safety.</p>	Undersecretariat for Foreign Trade	PAA/2007–2008
Law on Arms	Aims at identifying the procedures of licensing, import and carrying arms for civil use between member states, and facilitating the entrance to and use of arms for hunting purposes in the country.	Directive 91/477/EEC	Ministry of Interior (General Directorate of Security and General Command of Gendarmerie) (Institutions Concerned: Ministry of Justice, Ministry of Environment and Forestry, Undersecretariat for Foreign Trade)	PAA/2009–2013

¹ The legislation is also included in Chapter 28 –Consumer Protection and Health

2- LIST OF SECONDARY LEGISLATION

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
By- law on Type Approvals Regarding Reusability, Transformability and Recyclability (By-law will be published when harmonization with ELV Directive 2000/53/EC is ensured by the Ministry of Environment and Forestry)	Aims at ensuring the compliance of parts and components of motor vehicles to basic health and safety requirements.	Directive 2005/64/EC	Ministry of Industry and Trade	PAA/2007
By-law Amending the By-law on Type Approvals Regarding Electromagnetic Compatibility (Radio Interference) of Motor Vehicles	Aims at ensuring the compliance of parts and components of motor vehicles to basic health and safety requirements.	Directive 2009/19/EC (amending harmonized Directive 72/245/EEC)	Ministry of Industry and Trade	PAA/2007
By-law on the protection of pedestrians and other vulnerable road users	Aims at ensuring the compliance of parts and components of motor vehicles to basic health and safety requirements and maintaining full harmonisation of EU technical legislation.	Regulation (EC) No 78/2009	Ministry of Industry and Trade	New measure
By-law on type-approval of hydrogen-powered motor vehicles	Aims at ensuring the compliance of parts and components of motor vehicles to basic health and safety requirements and maintaining full harmonisation of EU technical legislation.	Regulation (EC) No 79/2009	Ministry of Industry and Trade	New measure

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
By-law on type-approval of motor vehicles and engines with respect to emissions from heavy duty vehicles (Euro VI) and on access to vehicle repair and maintenance information	Aims at ensuring the compliance of parts and components of motor vehicles to basic health and safety requirements and maintaining full harmonisation of EU technical legislation.	Regulation (EC) No 595/2009	Ministry of Industry and Trade	New measure
By-law setting emission performance standards for new passenger cars as part of the Community's integrated approach to reduce CO2 emissions from light-duty vehicles	Aims at ensuring the compliance of parts and components of motor vehicles to basic health and safety requirements and maintaining full harmonisation of EU technical legislation.	Regulation (EC) No 443/2009	Ministry of Industry and Trade	New measure
By- law on detailed rules for the type-approval of motor vehicles with regard to the protection of pedestrians and other vulnerable road users	Aims at ensuring the compliance of parts and components of motor vehicles to basic health and safety requirements and maintaining full harmonisation of EU technical legislation.	Regulation (EC) No 631/2009	Ministry of Industry and Trade	New measure
By- law on type-approval requirements for the general safety of motor vehicles, their trailers and systems, components and separate technical units intended therefore	Aims at ensuring the compliance of parts and components of motor vehicles to basic health and safety requirements and maintaining full harmonisation of EU technical legislation.	Regulation (EC) No 661/2009	Ministry of Industry and Trade	New measure
By- law on stands for two or three wheel motor vehicles	Aims at ensuring the compliance of parts and components of motor vehicles to basic health and safety requirements and maintaining full harmonisation of EU technical legislation.	Directive 2009/78/EC (repealing harmonised Directive 93/31/EEC)	Ministry of Industry and Trade	New measure

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
By- law on the installation of lighting and light-signalling devices on two or three-wheel motor vehicles	Aims at ensuring the compliance of parts and components of motor vehicles to basic health and safety requirements and maintaining full harmonisation of EU technical legislation.	Directive 2009/67/EC (repealing harmonised Directive 93/92/EEC)	Ministry of Industry and Trade	New measure
By- law on the space for mounting the rear registration plate of two or three-wheel motor vehicles	Aims at ensuring the compliance of parts and components of motor vehicles to basic health and safety requirements and maintaining full harmonisation of EU technical legislation.	Directive 2009/62/EC (repealing harmonised Directive 93/94/EEC)	Ministry of Industry and Trade	New measure
By- law on passenger hand-holds on two-wheel motor vehicles	Aims at ensuring the compliance of parts and components of motor vehicles to basic health and safety requirements and maintaining full harmonisation of EU technical legislation.	Directive 2009/79/EC (repealing harmonised Directive 93/32/EEC)	Ministry of Industry and Trade	New measure
By- law on the identification of controls, tell-tales and indicators for two or three-wheel motor vehicles	Aims at ensuring the compliance of parts and components of motor vehicles to basic health and safety requirements and maintaining full harmonisation of EU technical legislation.	Directive 2009/80/EC (repealing harmonised Directive 93/29/EEC)	Ministry of Industry and Trade	New measure
By- law on the roll-over protection structures of wheeled agricultural or forestry tractors	Aims at ensuring the compliance of parts and components of agricultural and forestry tractors to basic health and safety requirements and maintaining full harmonisation of EU technical legislation.	Directive 2009/57/EC (repealing harmonised Directive 77/536/EEC)	Ministry of Industry and Trade	New measure
By- law on roll-over protection structures of wheeled agricultural or forestry tractors	Aims at ensuring the compliance of parts and components of agricultural and forestry tractors to basic health and safety requirements and maintaining full harmonisation of EU technical legislation.	Directive 2009/75/EC (repealing harmonised Directive 79/622/EEC)	Ministry of Industry and Trade	New measure

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
By- law on the coNPAAing device and the reverse of wheeled agricultural or forestry tractors	Aims at ensuring the compliance of parts and components of agricultural and forestry tractors to basic health and safety requirements and maintaining full harmonisation of EU technical legislation.	Directive 2009/58/EC (repealing harmonised Directive 79/533/EEC)	Ministry of Industry and Trade	New measure
By- law on rear-view mirrors for wheeled agricultural or forestry tractors	Aims at ensuring the compliance of parts and components of agricultural and forestry tractors to basic health and safety requirements and maintaining full harmonisation of EU technical legislation.	Directive 2009/59/EC (repealing harmonised Directive 74/346/EEC)	Ministry of Industry and Trade	New measure
By- law on the maximum design speed of and load platforms for wheeled agricultural or forestry tractors	Aims at ensuring the compliance of parts and components of agricultural and forestry tractors to basic health and safety requirements and maintaining full harmonisation of EU technical legislation.	Directive 2009/60/EC (repealing harmonised Directive 74/152/EEC)	Ministry of Industry and Trade	New measure
By- law on the installation of lighting and light-signalling devices on wheeled agricultural and forestry tractors	Aims at ensuring the compliance of parts and components of agricultural and forestry tractors to basic health and safety requirements and maintaining full harmonisation of EU technical legislation.	Directive 2009/61/EC (repealing harmonised Directive 78/933/EEC)	Ministry of Industry and Trade	New measure
By- law on certain parts and characteristics of wheeled agricultural or forestry tractors	Aims at ensuring the compliance of parts and components of agricultural and forestry tractors to basic health and safety requirements and maintaining full harmonisation of EU technical legislation.	Directive 2009/63/EC (repealing harmonised Directive 74/151/EEC)	Ministry of Industry and Trade	New measure

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
By- law on the suppression of radio interference produced by agricultural or forestry tractors (electromagnetic compatibility)	Aims at ensuring the compliance of parts and components of agricultural and forestry tractors to basic health and safety requirements and maintaining full harmonisation of EU technical legislation.	Directive 2009/64/EC (repealing harmonised Directive 75/322/EEC)	Ministry of Industry and Trade	New measure
By- law on the steering equipment of wheeled agricultural or forestry tractors	Aims at ensuring the compliance of parts and components of agricultural and forestry tractors to basic health and safety requirements and maintaining full harmonisation of EU technical legislation.	Directive 2009/66/EC (repealing harmonised Directive 75/321/EEC)	Ministry of Industry and Trade	New measure
By- law on the component of lighting and light-signalling devices on wheeled agricultural or forestry tractors	Aims at ensuring the compliance of parts and components of agricultural and forestry tractors to basic health and safety requirements and maintaining full harmonisation of EU technical legislation.	Directive 2009/68/EC (repealing harmonised Directive 79/532/EEC)	Ministry of Industry and Trade	New measure
By- law on the driver-perceived noise level of wheeled agricultural or forestry tractors	Aims at ensuring the compliance of parts and components of agricultural and forestry tractors to basic health and safety requirements and maintaining full harmonisation of EU technical legislation.	Directive 2009/76/EC (repealing harmonised Directive 77/311/EEC)	Ministry of Industry and Trade	New measure
By- law on ecodesign requirements for energy-related products	At the design stage of the products (such as TV) covered by relevant EU directives, it is planned to apply certain criteria for environmental protection to make the legislation on the disposing conditions of these products to be implemented in a more effective way.	Directive 2009/125/EC and Regulations issued under this framework	Ministry of Industry and Trade Ministry of Environment and Forestry	New measure

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
By- law amending the By- law on aerosol dispensers	Aims at adapting current By-law on Aerosol Dispensers to technical progress.	Directive 2008/47/EC (amending harmonised Directive 75/324/EEC)	Ministry of Industry and Trade	New measure
By- law on the placing on the market of pyrotechnic articles	Aims at regulating the conditions for pyrotechnic articles to place on the market.	Directive 2007/23/EC	Ministry of Industry and Trade Ministry of Interior	New measure
By- law on simple pressure vessels	Existing By-Law on Simple Pressure Vessels will be re-arranged according to the new EU Directive.	Directive 2009/105/EC (repealing harmonized Directive 87/404/EEC)	Ministry of Industry and Trade	New measure
By- law on appliances burning gaseous fuels	Existing By-Law on appliances burning gaseous fuels will be re-arranged according to the new EU Directive.	Directive 2009/142/EC (repealing harmonized Directive 90/396/EEC)	Ministry of Industry and Trade	New measure
By- law on textile names	Aims at adapting current By- law on Textile Names to technical progress.	Directives 2009/121/EC and 2008/121/EC (repealing harmonized Directive 96/74/EEC)	Ministry of Industry and Trade	New measure
By- law amending the By- law on certain methods for quantitative analysis of binary textile fibre mixtures	By- law on certain methods for quantitative analysis of binary textile fibre mixtures will be adapted to technical progress.	Directive 2009/122/EC (amending harmonised Directive 96/73/EEC)	Ministry of Industry and Trade	New measure
Circular on the Market Surveillance of Construction Materials at the Construction Site	Aims at ensuring and controlling the use of materials at the construction site in line with their intended use and essential requirements.	Directive 89/106/EEC	Ministry of Public Works and Settlement	PAA/2007

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
<p>By- law of the Council of Ministries on Mutual Recognition in the Non-harmonized Area</p>	<p>In the interpretative communication dated 4 November 2003, the European Commission declared that, in the non-harmonized area, the Turkish products would also be subjected to the same treatment with the products of any EU Member State origin, and demanded that, in principle, products manufactured in Turkey or products subject to free movement in Turkey despite they are of third country origin should not be subject to checks at the Community customs</p> <p>The EU, in addition, defined the rules to ensure free movement of goods in non-harmonized area, by issuing a horizontal legislation in 2008. With this legislation, Council Decision No 3052/95/EC on exchange of information on national measures derogating from the principle of the free movement of goods was repealed, which was in fact to be applied by Turkey.</p> <p>With the drafted By- law, new provisions of the legislation dated 2008 and the provisions of Commission's 2003 communication will be transposed to the national legislation.</p>	<p>Communication of the European Commission 2003/C 265/02 Regulation (EC) No 764/2008 of the European Parliament and of the Council of 9 July 2008 laying down procedures relating to the application of certain national technical rules to products lawfully marketed in another Member State and repealing Decision No 3052/95/EC</p>	<p>Undersecretariat for Foreign Trade</p>	<p>PAA/2007 NPAA/2009</p>

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
By- law on Product Safety Checks in Imports from Third Countries	<p>With the Council Regulation (EC) No 765/2008, the EU has repealed Council Regulation (EEC) No 339/93 on checks for conformity with the rules on product safety in the case of products imported from third countries.</p> <p>Necessary studies will be launched in 2010 to harmonise this new legal arrangement.</p> <p>The aim of this regulation is to arrange the procedures and principles for product safety checks in imports from third countries, which is carried out in the framework set by obligations originating from the Customs Union with the EU.</p>	Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93	Undersecretariat for Foreign Trade	PAA/2007
Revision of the By- law on Inspection of Good Laboratory Practices and Control of these Activities	Harmonization with the directives on GLP of EU will enable certification of public and private laboratories by GLP, which is an international quality system, so as to ensure these laboratories to supply safe products to the market in terms of environment and human health and determine the hazardous effects of these products and preparations, and a National Monitoring Authority will be established in order to ensure applicability and sustainability.	Directive 2004/10/EC	Ministry of Environment and Forestry Ministry of Health Ministry of Agriculture and Rural Affairs	PAA/2008

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Revision of By- law on Principles of Good Laboratory Practices and Certification of Test Laboratories	Harmonization with the directives on GLP of EU will enable certification of public and private laboratories by GLP, which is an international quality system, so as to ensure these laboratories to supply safe products to the market in terms of environment and human health and determine the hazardous effects of these products and preparations, and a National Monitoring Authority will be established in order to ensure applicability and sustainability.	Directive 2004/9/EC	Ministry of Environment and Forestry Ministry of Health Ministry of Agriculture and Rural Affairs	PAA/2008
Communiqué on Detergents and surface active substances used in Detergents	Aims at adopting the necessary amendment to invoke the detergent regulation that regulates the supply of detergents and surface active substances used in detergents to the market, and procedures and principles that should be applied in order to protect the environment and human health at maximum level.	Regulation (EC) No 648/2004	Ministry of Health	PAA/2008
Communiqué on the Prohibition of Animal Tests for Cosmetic Products (In order for the communiqué to be completed and take effect, the harmonization of Hazardous Substances Regulation, which will be issued by the Ministry of Environment and Forestry, with the EU legislation should be completed and this regulation should go into effect.)	Harmonization with the EU legislation regarding the use of alternative methods rather than animal tests during the manufacture of cosmetic products.	Directive 2003/15/EC	Ministry of Health	PAA/2008

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Communiqué on the Procedure to be Applied in case Cosmetics Producer does not Want to Include One or More of the Ingredients in order to Protect Trade Secrets (In order for the communiqué to be completed and take effect, the harmonization of Hazardous Substances Regulation, which will be issued by the Ministry of Environment and Forestry, with the EU legislation should be completed and this regulation should go into effect.)	Protection of the trade secrets of cosmetics producer.	Directive 1995/17/EC	Ministry of Health	PAA/2008
By- law on the Reclassification of Hip, Knee and Shoulder Implants	Aims at making necessary arrangements for the reclassification of hip, knee and shoulder implants, protecting human health, and ensuring safety.	Directive 2005/50/EC	Ministry of Health	PAA/2008
By- law on Veterinary Biological Products	Specifies technical and hygiene criteria for laboratories producing such products; identifies necessary measures for production and sale permit by establishment and operation permits.	Directive 2001/82/EC	Ministry of Agriculture and Rural Affairs	PAA/2008
By- law on Veterinary Diagnosis and Analysis Laboratories	Identifies necessary measures for giving establishment and work permits of laboratories carrying out diagnosis and analysis of animal diseases	Directive 2001/82/EC	Ministry of Agriculture and Rural Affairs	PAA/2008

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
By- law on Imported Veterinary Biological Products	Specifies necessary criteria and measures for all operations beginning from the entrance of imported veterinary biological products to the country to their provision to end-users.	Directive 2001/82/EC	Ministry of Agriculture and Rural Affairs	PAA/2008
By-law on Veterinary Biological Products Sampling	Specifies the criteria regarding samples taken for the purpose of performing quality control of all produced or imported veterinary biological products.	Directive 2001/82/EC	Ministry of Agriculture and Rural Affairs	PAA/2008
By-law on Veterinary Drugs Pharmaceutical Warehouses	Specifies procedures and principles regarding the wholesale distribution of veterinary preparations.	Directive 2001/82/EC	Ministry of Agriculture and Rural Affairs	PAA/2008
By-law on Retail Sale of Veterinary Drugs	Specifies procedures and principles regarding the retail sale of veterinary preparations.	Directive 2001/82/EC	Ministry of Agriculture and Rural Affairs	PAA/2008
By-law Amending the By- law on of the Law No 4703 on the Preparation and Implementation of Technical Legislation on Products (Framework Law); By- law on the Affixing and Use of the CE Conformity Marking	Amendments made in EU's horizontal legislation affected By- laws of the Law No 4703 and necessity has arisen to update this legislation.	Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93	Undersecretariat for Foreign Trade	PAA/2009
By-law on Conformity Assessment Bodies and Notified Bodies		Decision No 768/2008/EC of the European Parliament and of the Council of 9 July 2008 on a common framework for the marketing of products, and repealing Council Decision 93/465/EEC	Undersecretariat for Foreign Trade	PAA/2009

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
By- law Amending the the By-law on Market Surveillance of the Goods ²		Directive 2001/95/EC of the European Parliament and of the Council of 3 December 2001 on general product safety	Undersecretariat for Foreign Trade	PAA/2009
By- law on the GMP Inspection System	Specifies procedures and principles on the establishment and operation of workshops manufacturing veterinary medicinal preparations.	- Directive 91/412/EEC - Directive 2003/94/EC	Ministry of Agriculture and Rural Affairs	PAA/2010-2013
Communiqué Amending the Communiqué No 2008/6 on products importation of which require a guarantee certificate [Progressive harmonization commenced on 1 January 2008 and it is aimed that the implementation will be lifted until 2013]	Within the framework of the Customs Union commitments, it is aimed to lift the import license application on freely circulated goods, progressively until 2013.	Article 34 of the the Treaty on the Functioning of the EU	Ministry of Industry and Trade Undersecretariat for Foreign Trade	NPAA/2009

3- OTHER WORK TO BE COMPLETED

1. An Action plan is to be drafted in order to implement the EU legislation on data exclusivity in pharmaceuticals (Ministry of Health)
2. A strategy is to be prepared to make the market surveillance actions more effective by covering the activities of the relevant public authorities (Undersecretariat for Foreign Trade)

² The legislation is also included in Chapter 28 –Consumer Protection and Health

02- FREE MOVEMENT OF WORKERS

1- LIST OF PRIMARY LEGISLATION

–

2- LIST OF SECONDARY LEGISLATION

–

3- OTHER WORK TO BE COMPLETED

The Screening Report has not been yet submitted to Turkey. The 2008 Accession Partnership Document asks Turkey to take the below stated measures in the middle-term.

1. To guarantee adequate institutional capacity to participate in the European Employment Services (EURES).
2. Strengthening administrative structures for the coordination of social security schemes.

03- RIGHT OF ESTABLISHMENT AND FREEDOM TO PROVIDE SERVICES

1- LIST OF PRIMARY LEGISLATION

Primary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Law on Regulation and Recognition of the Vocational Qualifications	<p>Identification of procedures and principles related to vocational qualifications required for the acquisition and performance of certain occupations and for performing - as self-employed or as an employee - the occupations acquired in EU Member States or in third countries.</p> <p>Harmonization with the system of mutual recognition of vocational qualifications.</p>	Directive 2005/36/EC	Vocational Qualifications Authority	<p>PAA/2008-2009</p> <p>NPAA/2010</p>

Primary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Law on the Regulation of Postal Services and the Tasks, Competency and Responsibilities of the Post and Telegraph Organization ³	<p>Aims at liberalizing the postal sector in a controlled and gradual way in order to provide countrywide postal services of good quality continuously with a fee affordable for all consumers under the framework drawn by the principles based on competition;</p> <p>Ensuring the regulation and control of a financially strong, stable and transparent sector.</p> <p>Within the scope of the law, provision of reception, collection, processing, distribution and deliverance services for mail deliveries; specification of principles regarding authorization, scale rates and conditions of service, and establishment, tasks, competency and responsibility of the Postal Regulation and Control Board will be regulated.</p> <p>Aims at regulating the procedures and principles regarding the structure, fields of activity and the provision of services of the General Directorate of Post and Telegraph Organization, which is a public corporation autonomous in its activities and whose responsibility is limited by its capital.</p>	Directives 97/67/EC, 2002/39/EC and 2008/6/EC	Ministry of Transport	PAA/2007-2008 NPAA/2009-2010

³ Although two separate legislation were foreseen in the National Programme for postal services, currently a single consolidated draft law is prepared including all related aspects.

2- LIST OF SECONDARY LEGISLATION

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
By-law on the Tasks, Competencies and Responsibilities of the Post and Telegraph Organization	Designation of the procedures and principles concerning implementation after enactment of the Law on the Regulation of Postal Services and the Tasks, Competency and Responsibilities of the Post and Telegraph Organization.	Directives 97/67/EC, 2002/39/EC and 2008/6/EC	Ministry of Transport	PAA/2009 NPAA/2010
By-law on the Arrangement of Postal Services	Designation of the procedures and principles concerning implementation after enactment of the Law on the Regulation of Postal Services and the Tasks, Competency and Responsibilities of the Post and Telegraph Organization.	Directives 97/67/EC, 2002/39/EC and 2008/6/EC	Ministry of Transport	PAA/2009 NPAA/2010
Legislation on temporary service provision	Filling the gaps in the legislation on the pursuance of temporary service provision.	Directive 2006/123/EC	Ministry of Industry and Trade	PAA/2008-2009 NA/2009

3- OTHER WORK TO BE COMPLETED

- 1- In order to provide harmonization with the related EU acquis, a detailed strategy will be prepared which will include a time-table regarding all actions necessary for institution building and legislative harmonization.
- 2- Preparation of inventory of the occupations which are regulated on national level; preparation of a working plan for non-regulated occupations and preparation of a detailed strategy for determination of vocational qualifications for non-regulated occupations in collaboration with the related institutions.
- 3- Filling the gaps in the legislation on the pursuance of temporary service provision.

04- FREE MOVEMENT OF CAPITAL

1- LIST OF PRIMARY LEGISLATION

Primary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Law Amending the Law No 3984 on the Establishment of Radio and Television Enterprises and Their Broadcasts ⁴	Improvement of legislation restricting the activities of the foreign natural or legal persons in the sector.	Articles 63-66 of the Treaty on the Functioning of the EU	Radio and Television Supreme Council	PAA/2009-2013 NPAA/2010
Law Amending the Decree-law No 91 on Stock Exchanges	Removal of restrictions to capital movements regarding the listing of securities.	Directive 88/361/EEC	Capital Markets Board	PAA/2007-2008 NPAA/2009-2010
Payment Systems Law ⁵	Providing refund guarantee in the event of non-execution of transfers by the institutions involved in the execution of a cross-border credit transfer, equalization of domestic and foreign transfer fees for cross-border euro payments and determination of the procedures and rules regarding the payment services and payment institutions.	Directive 2007/64/EC Regulation (EC) No 924/2009	Central Bank of Republic of Turkey	PAA/2010-2013 NPAA/2009-2011 ⁶

⁴ Draft Law was submitted to the Prime Ministry on 7 January 2010

⁵ The legislation is also included in the Primary Legislation List of Chapter 09 – Financial Services

⁶ Legislation will be enacted shortly before membership and implemented no sooner than membership.

2- LIST OF SECONDARY LEGISLATION

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
By-law Amending the By-law on the Establishment and Working Principles of Stock Exchanges	Removal of restrictions to capital movements regarding the listing of foreign securities.	Directive 88/361/EEC	Capital Markets Board	PAA/2009 NPAA/2010
By-law Amending the By-law on the Istanbul Stock Exchange (ISE) Quotation	Removal of restrictions to capital movements regarding the listing of foreign securities.	Directive 88/361/EEC	Capital Markets Board	PAA/2009 NPAA/2009

3- OTHER WORK TO BE COMPLETED

–

05- PUBLIC PROCUREMENT

1-LIST OF PRIMARY LEGISLATION

Primary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
New Public Procurement Law	In order to overcome the shortcomings and deficiencies on the implementation of the Law within the perspective of alignment to the EU legislation and bringing Turkish legislation in line with the acquis in terms of scope and exceptions.	Directive 2004/18 /EC	Ministry of Finance Public Procurement Authority	The measure is stated in the NPAA and PAA as separate laws
	Regulating procurement procedures within the framework of alignment with the EU acquis, for the entities and enterprises operating in the water, energy, transportation and postal sectors.	Directive 2004/17/EC	Ministry of Finance Public Procurement Authority	The measure is stated in the NPAA and PAA as separate laws
	Regulating the procurement procedures for awarding concessions, which has gradually become a common practice all around the world. Ensuring harmonization of procedures for awarding concessions according to the EU and other international rules.	Directive 2004/18/EC	Ministry of Finance Public Procurement Authority State Planning Organisation	The measure is stated in the NPAA and PAA as separate laws

Primary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Law on Realization of Certain Investments and Services within the Framework of Public-Private Partnership Models	<p>Regulating the Public-Private Partnerships procedures (PPPs), which are used widely throughout the world, for realizing infrastructure investments.</p> <p>The Law envisages regulating procedures and principles of realizing certain investments and services of the entities by the real or legal persons through public-private partnership model contracts subject to private law. The tender procedure within this framework will be subject to Public Procurement Law.</p>	<p>Directive 2004/18/EC</p> <p>Green Paper COM/2004/0327</p>	State Planning Organisation	PAA- NPAA 2009-2010

2- LIST OF SECONDARY LEGISLATION

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
By-law on Procedures and Principles of Electronic Procurement, By-laws amending existing By-laws	Implementing the amendment in the Public Procurement Law No 4734 regarding electronic procurement, and transposing other amendments to current By-laws.	Directive 2004/18/EC	Public Procurement Authority	NPAA/2009

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
By-law on the Implementation of the Law on Entities acting in the fields of Energy, Water, Transport and Postal Services ⁷	Regulating the procurement procedures of the entities operating in water, energy, transport and postal sectors.	Directive 2004/17/EC	Public Procurement Authority	NPAA/2010
By-law on Concessions Granted to Procure Some Investments and Services ⁸	Secondary Legislation on Concessions Granted for Certain Investments and Services.	Directive 2004/18/EC	Public Procurement Authority	NPAA/2010
By-law Amending the By-law on Procurement of Goods ⁹	In order to overcome the shortcomings and deficiencies on the implementation of the Law, putting into force the amendments and regulations in Law No 4734 and Law No 4735, and bringing the implementation in line with the EU practices, procedures and principles.	Directive 2004/18/EC	Public Procurement Authority	NPAA/2010
By-law Amending the By-law on Procurement of Services ¹⁰	In order to overcome the shortcomings and deficiencies on the implementation of the Law, putting into force the amendments and regulations in Law No 4734 and Law No 4735, and bringing the implementation in line with the EU practices, procedures and principles.	Directive 2004/18/EC	Public Procurement Authority	NPAA/2010

⁷ It will be issued after the enactment of the new Public Procurement Law

⁸ It will be issued after the enactment of the new Public Procurement Law

⁹ It will be issued after the enactment of the new Public Procurement Law

¹⁰ It will be issued after the enactment of the new Public Procurement Law

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
By-law Amending the By-law on Procurement of Works ¹¹	In order to overcome the shortcomings and deficiencies on the implementation of the Law, putting into force the amendments and regulations in Law No 4734 and Law No 4735, and bringing the implementation in line with the EU practices, procedures and principles.	Directive 2004/18/EC	Public Procurement Authority	NPAA/2010
By-law Amending the By-law on Procurement of Consultancy Services ¹²	In order to overcome the shortcomings and deficiencies on the implementation of the Law, putting into force the amendments and regulations in Law No 4734 and Law No 4735, and bringing the implementation in line with the EU practices, procedures and principles.	Directive 2004/18/EC	Public Procurement Authority	NPAA/2010
By-law Amending the By-law on Administrative Applications against Procurements ¹³	In order to overcome the shortcomings and deficiencies on the implementation of the Law regarding complaint procedures and bringing the implementation in line with EU practices, procedures and principles with the enforcement of the New Public Procurement Law.	Directives 2004/18/EC and 89/665/EC Directives 2004/17/EC and 92/13/EC	Public Procurement Authority	NPAA/2010
Communiqué on Administrative Applications against Procurements ¹⁴	With the enactment of the New Public Procurement Law, effectuating relevant arrangements and ensuring implementation to be in accordance with EU practices, standards and principles.	Directives 2004/18/EC and 89/665/EC Directives 2004/17/EC and 92/13/EC	Public Procurement Authority	NPAA/2010

¹¹ It will be issued after the enactment of the new Public Procurement Law

¹² It will be issued after the enactment of the new Public Procurement Law

¹³ It will be issued after the enactment of the new Public Procurement Law

¹⁴ It will be issued after the enactment of the new Public Procurement Law

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Communiqué Amending the General Communiqué of Public Procurements ¹⁵	Making necessary amendments on the General Communiqué for a better understanding and implementation of the regulations within the framework of alignment with the EU acquis by the entities.	Directives 2004/18/EC and 2004/17/EC	Public Procurement Authority	NPAA/2010
By-law on the Implementation of the Law on the Realization of Certain Investments and Services within the Framework of Public-Private Partnership Models ¹⁶	Enacting secondary legislation on public-private partnerships.	Directive 2004/18/EC Green Paper COM/2004/0327	State Planning Organisation	NPAA/2010

3- OTHER WORK TO BE COMPLETED

- 1- Submitting an explanation indicating how Ministry of Finance would operate as the coordinating institution in the Public Procurement System within the scope of the Strategy including an appropriate organisational chart.
- 2- Submitting the Strategy Document to the Commission.
- 3- Reaching an agreement on the time Schedule to eliminate exceptions that are contradictory to the EU legislation and by discussing the inventory of derogations with relevant institutions.
- 4- Setting a time Schedule for the adoption of the below stated laws:
 - New Public Procurement Law
 - Public Private Partnership Law

¹⁵ It will be issued after the enactment of the new Public Procurement Law

¹⁶ It will be issued after the enactment of the Law on Realization of Certain Investments and Services within the Framework of Public-Private Partnership Models.

06- COMPANY LAW

1- LIST OF PRIMARY LEGISLATION

Primary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Turkish Commercial Code	<p>Ensuring full harmonization with chapters on capital stock companies of the EU legislation on company law.</p> <p>Providing the legal infrastructure needed by commercial life and actors of commercial life.</p> <p>Improving the international competitiveness of our companies.</p>	<ul style="list-style-type: none"> - Directive 68/151/EEC - Directive 89/666/EEC - Directive 77/91/EEC - Directive 78/855/EEC - Directive 82/891/EEC - Directive 89/667/EEC - Directive 78/660/EEC - Directive 83/349/EEC - Directive 84/253/EEC 	Ministry of Justice	NPAA/2009
Law on Enforcement and Implementation of Turkish Commercial Code	Eliminating problems which might occur in the implementation, during the process of the replacement of the Turkish Commercial Code in force with the New Turkish Commercial Code.		Ministry of Justice	NPAA/2009
Capital Market Law	Transposing EU legislation on company law for publicly held companies by an amendment after the adoption of Turkish Commercial Code.	<ul style="list-style-type: none"> - Directive 77/91/EEC - Directive 78/855/EEC - Directive 82/891/EEC - Directive 2004/25/EC - Directive 2007/36/EC 	Capital Markets Board	PAA/2007-2008 NPAA/2009
Law on Turkish Accounting Standards Board	Draft law, strengthening administrative capacity of Turkish Accounting Standards Board.	Directives 78/660 EEC and 83/349/EEC Regulation (EC) No 1606/2002	Ministry of Finance	NPAA/2009

Primary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Law on Establishment of Turkish Auditing Standards and Public Oversight Board	Establishment of Turkish Auditing Standards and Public Oversight Board that have the authority to determine auditing standards, authorize independent audit companies and oversee the actions and audit performance of independent auditors in order to ensure the uniform implementation, necessary confidence and quality in the area of independent audit.	Directive 2006/43/EC	Ministry of Finance	NPAA/2009

2- LIST OF SECONDARY LEGISLATION

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Communiqués for implementation of provisions on trading companies of the Turkish Trade Law	Specification of the details of application of provisions on trading companies.	They shall be enacted based on the Draft TTL, which also includes amendments of legislation that need to be harmonized during the accession process to the EU.	Ministry of Industry and Trade	PAA/2008
By-law on the requirements to be sought for the establishment of trade registry office and the necessary cooperation between chambers regarding registration procedures	Establishment of registry offices and specification of the details of registry procedures.	The regulation shall be enacted based on the Draft TTL, which also includes legislation that needs to be harmonized during the accession process to the EU.	Ministry of Industry and Trade	PAA/2008

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
By-law on the content of and accession principles to the web sites, which trading companies shall be held liable to construct	Identification of the minimum properties of web pages, which shall be constructed by trading companies.	The regulation shall be enacted based on the Draft TTL, which also includes amendments of legislation that need to be harmonized during the accession process to the EU.	Ministry of Industry and Trade	PAA/2009
By-law on the rules concerning the casting of vote by actual voters in case of holding electronic board of directors and general assembly meetings and the rules of the procedure	Identification of the details of the rules of the procedure.	The regulation shall be enacted based on the Draft TTL, which also includes amendments of legislation that need to be harmonized during the accession process to the EU.	Ministry of Industry and Trade	PAA/2009
By-law on the rules, which the persons assigned as deposit representative are subject to, and the content of the document of representation	Specification of the persons who can be deposit representative and the rules, which these representatives shall be obliged to obey.	The regulation shall be enacted based on the Draft TTL, which also includes amendments of legislation that need to be harmonized during the accession process to the EU.	Ministry of Industry and Trade	PAA/2009
Communiqué laying down the procedures of opening and closure approvals of the book of accounts kept in electronic form or by filing shall be done in accordance with the Turkish Accounting Standards	Providing detailed explanations concerning the opening and closure approvals of the books of account kept in electronic form or by filing.	The regulation shall be enacted based on the Draft TTL, which also includes amendments of legislation that need to be harmonized during the accession process to the EU.	Ministry of Industry and Trade	PAA/2009
Communiqué on dividends paid in advance by the companies that are not subject to the Capital Market Law	Furnishing the procedures and principles of the distribution of dividends paid in advance by the companies that are not subject to the Capital Market Law.	The regulation shall be enacted based on the Draft TTL, which also includes amendments of legislation that need to be harmonized during the accession process to the EU.	Ministry of Industry and Trade	PAA/2009

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Communiqué Amending the Communiqué on the Principles of Registered Capital System	Harmonization of the registered capital system for publicly held companies with the EU legislation after the adoption of Turkish Commercial Code and Capital Market Law.	Directive 77/91/EEC	Capital Markets Board	PAA/2009 NPAA/2009
Communiqué Amending the Communiqué on the Principles regarding Merger Operations	Harmonization of merger operations of publicly held companies with the EU legislations after the adoption of Turkish Commercial Code and Capital Market Law.	Directive 78/855/EEC	Capital Markets Board	PAA/2009 NPAA/2009
Communiqué Amending the Communiqué on the Principles of Registering Shares at the Board and Sale of Shares	Harmonization of merger operations of publicly held companies with the EU legislations after the adoption of Turkish Commercial Code and Capital Market Law.	Directive 82/891/EEC	Capital Markets Board	PAA/2009 NPAA/2009
Communiqué Amending the Communiqué on the Principles of Voting on Commission at the General Assembly of Publicly Held Companies and Takeover	Harmonization of principles to be complied in general assemblies of publicly held companies with the EU legislations after the adoption of Turkish Commercial Code and Capital Market Law.	Directive 2007/36/EC	Capital Markets Board	PAA/2009 NPAA/2009
Communiqué Amending the Communiqué on the Principles of Voting on Commission at the General Assembly of Publicly Held Companies and Takeover	Harmonization of takeovers of publicly held companies with the EU legislation after the Amendment to Capital Market Law.	Directive 2004/25/EC	Capital Markets Board	PAA/2009 NPAA/2009
Regulation Amending the Commercial Registry Regulation	Identification of administrative structures and implementations regarding establishment of on-line companies, pursuing obligation of registry and announcement and access in electronic form.	Directives 68/151/EEC and 2003/58/EC	Ministry of Industry and Trade	NPAA/2009

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
By-law on the Establishment and Working Principles of Independent Audit Companies and Qualifications of Auditors ¹⁷	Identification of establishment and working principles of independent audit companies and qualifications of auditors.	Directive 2006/43/EC	Ministry of Industry and Trade	NPAA/2009
Communiqué to be prepared according to the SME Accounting Standards and published with the final version of the 4th and 7th directives which are being revised by the European Commission.	Issuing a new Communiqué, that is prepared according to the SME Accounting Standards and will be published with the final version of the 4th and 7th directives which are being revised by the European Commission.	Directive 78/660/EEC Directive 83/349/EEC	Turkish Accounting Standards Board	New measure
Communiqué Amending the Communiqué on the Principles and Rules concerning Financial Statements and Reports in the Capital Market	Following the legislative measures of the Turkish Accounting Standards Board (TASB), aligning annual financial statements of publicly held companies with EU regulations by Capital Markets Board in compliance with arrangements of TASB.	Directive 78/660/EEC	Capital Markets Board	PAA/2009 NPAA/2010
Communiqué Amending the Communiqué establishing the procedures and principles of Consolidated Financial Statements and Accounting of Participations in the Capital Market	Following the legislative measures of TASB, aligning consolidated financial statements of publicly held companies with EU regulations by Capital Markets Board in compliance with the arrangements of TASB.	Directive 83/349/EEC	Capital Markets Board	PAA/2009 NPAA/2010

¹⁷ This function will be performed after the adoption and under the scope of Law on Establishment of Turkish Auditing Standards and Public Oversight Board.

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Communiqué on the Implementation of Article 1527 of the New Turkish Commercial Code	Preparation of a communiqué regarding procedures for participation in general assembly in electronic form which will be obligatory for the companies trading on the stock exchange.	Directive 2007/36/EC	Ministry of Industry and Trade	NPAA/2009
Amendments on Capital Markets Board Corporate Governance Principles	Harmonisation of CMB Corporate Governance Codes with the EU Recommendations, taking into account market conditions.	Commission Recommendation on independent directors and directors' remuneration	Capital Markets Board	NPAA/2009

3- OTHER WORK TO BE COMPLETED

1. The statement in Article 88 of Draft Turkish Commercial Code concerning “Turkish Accounting Standards Board can prepare standards only in full compliance with International Accounting Standards (IFRS)” should be amended according to the EU arrangements.
2. Following the enactment of the draft legislation, enforcement of secondary legislation detailed in the Strategy Paper, establishment of registry information databank and development of the infrastructure regarding auditing to improve the administrative capacity, in particular to ensure access to the registration information by electronic means.
3. Following the enactment of Turkish Commercial Code, providing training to judges who will be in charge of the implementation and Ministry of Industry and Trade staff on the implementation of the new law and EU company law.

07- INTELLECTUAL PROPERTY RIGHTS

1-LIST OF PRIMARY LEGISLATION

Primary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Law Amending Decree- Law No 551 on Protection of Patent Rights, Decree Law 554 on the Protection of Industrial Designs, and Decree Law 555 on Protection of Geographical Indications	To ensure the alignment of penal provisions stipulated in Decrees on protection of Patent, Industrial Designs and Geographical Indications with the Law 5237 Turkish Penal Code and ensure the protection of intellectual property rights as stipulated by the Association Council Decision No 1/95 in accordance with the TRIPs Agreement.	Association Council Decision No 1/95 Directive 2004/48/EC	Turkish Grand National Assembly	New measure
Patent and Utility Model Law	<p>Further improvement of the harmonization of patent legislation with the EU, and regulating the issue of patent and utility model by a Law, which is regulated by a Decree Law.</p> <p>In this framework, legislation shall be enacted for effective protection of inventions based on biotechnological research and issuing compulsory license for the production of patented pharmaceutical products. Furthermore the provisions on civil measures and remedies will be aligned with the EU legislation.</p>	<ul style="list-style-type: none"> - Directive 98/44/EC - Regulation (EC) No 816/2006 - Directive 2004/48/EC 	Turkish Patent Institute Ministry of Justice	NPAA/2009

Primary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Trademarks Law	Further improvement of the harmonization level of trademark legislation with the EU and regulating the issue of trademarks by a Law, which is regulated by a Decree Law. Furthermore the provisions on civil measures and remedies will be aligned with the EU legislation.	- Directive 89/104/EC and 2004/48/EC - Regulation (EC) No 40/94	Turkish Patent Institute Ministry of Justice	NPAA/2009
Law on Protection of Designs	Further improvement of the harmonization level of design legislation with the EU and regulating the issue of designs, which is regulated by a Decree Law. Furthermore, the provisions on civil measures and remedies will be aligned with the EU legislation.	Directives 98/71/EC and 2004/48/EC	Turkish Patent Institute Ministry of Justice	NPAA/2009
Law Amending the Law No 5147 on the Protection of Integrated Circuit Topographies	Harmonization of the provisions on civil measures and remedies with the EU legislation.	Directive 2004/48/EC	Turkish Patent Institute Ministry of Justice	NPAA/2009
Law Amending Certain Articles of the Law No 5846 on Intellectual and Artistic Works	Enabling full harmonisation of the Law no 5846 with the EU acquis.	Directives 2001/84/EC, 93/83/ EEC, 96/9/ EC, 2006/116/ EC, 91/250 EEC, 2006/115 EC, 2004/48/ EC, 2001/29/ EC	Ministry of Culture and Tourism Ministry of Justice	NPAA/2009-2010

Primary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Law on the Establishment of the Turkish Patent Institution	Increasing the TPI's efficiency and its institutional capacity. It will also serve to establish an Industrial Property Academy with an objective of giving training to examiners, attorneys and private sector in cooperation with universities and R&D institutions.		Turkish Patent Institute	NPAA/2009

2- LIST OF SECONDARY LEGISLATION

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
By-law on the Patent and Utility Model Law	Regulating detailed provisions for the implementation of Patent and Utility Model Law.	Directive 98/44/EC Regulation (EC) No 816/2006	Turkish Patent Institute	NPAA/2009
By-law on Trademarks Law	Specifying the procedures and principles to be followed regarding the place, time, and arrangement of application documents for trademark registration application, which is identified in Trademarks Law, and concerning other applications on trademarks. It includes the principles, rules and requirements for the protection of trademarks eligible for registration.	Directive 89/104/EEC Regulation (EC) No 40/94	Turkish Patent Institute	NPAA/2009
By-law on the Law on Protection of Designs	Regulating detailed provisions for the implementation of the Law on Protection of Designs.	Directive 98/71/EC	Turkish Patent Institute	NPAA/2009

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
By-law on the Renting and Lending of Intellectual and Artistic Works	Specifying the principles and the procedures for the use of exclusive rights by the right holders concerning renting and lending.	Directive 2006/115/AT	Ministry of Culture and Tourism	Action Plan/2008
By-law on the Law Amending Certain Articles of the Law No 5846 on Intellectual and Artistic Works	Regulating the implementation of the articles amending Law No5846.	Directives 2001/84/EC, 93/83/ EEC, 96/9/ EC, 2006/116/ EC, 91/250 EEC, 2006/115 EC, 2004/48/ EC, 2001/29/ EC	Ministry of Culture and Tourism	Action Plan/2010
Regulation Amending the Regulation on the Right Owners and Related Right Owners, Collecting Societies Federations	Enabling all Professional associations to act in uniformity.		Ministry of Culture and Tourism	Action Plan /2008

3- OTHER WORK TO BE COMPLETED

1. Establishment of legal basis for agency.
2. Conclusion of legal work for establishment of Patent Assessment Agency.
3. Increasing the variety, content and capacity of online processing in order to facilitate and accelerate Turkish Patent Institute services.
4. Restructuring the General Directorate of Copyrights and Cinema of Ministry of Culture and Tourism for ensuring the effective implementation of intellectual property rights.
5. Strengthening the infrastructures of employee associations and the Ministry of Culture and Tourism, for ensuring fairly distribution of certain part of substitutes collected under the scope of Article 44, 2nd paragraph of Law No 5846 to employee associations.
6. Establishment of electronic data transfer network between Intellectual and Industrial Rights Specialized Courts and related institutions.
7. Completing the measures of the action plan on “trainings and raising awareness.
8. Conclusion of the process concerning establishment of the automation system, which has been launched in order to make electronic applications for labels, certificates and registration procedures in Ministry of Culture and Tourism, and to enable monitoring of these operations by the relevant public bodies and entities by means of electronic media.
9. Sustaining actions related to inter-institutional coordination and cooperation.

08- COMPETITION POLICY

1- LIST OF PRIMARY LEGISLATION

Primary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Law on State Aids	Establishment of the system of monitoring supervision and economic coordination of state aids practices.	Article 107-109 of the Treaty on the Functioning of the EU Regulation (EC) No 659/1999	Undersecretariat of Treasury	NPAA/2009 PAA 2007-2008
Law Amending the Law No 4054 on the Protection of Competition	Harmonization of legislation and more effective application of the competition law. (By-law on fines and By-law on application of repentance, independently from this Draft Law, have been put into force by the approval of the Competition Board after the amendments made to the Law No 4054 on the Protection of Competition, according to the Law No 5728 dated 23 January 2008.)	Commission Notice 52001XC1222(03) on agreements of minor importance which do not appreciably restrict competition under Article 101 (1) of the Treaty on the Functioning of the EU (de minimis); Council Regulation No 1/2003 on the application of articles 101 and 102 of the Treaty on the Functioning of the EU; Commission Regulation (EC) No 773/2004 on the enforcement of procedures by the Commission and the modernization package according to articles 101 and 102 of the Treaty on the Functioning of the EU; Commission Regulation (EC) No 802/2004 implementing the Council Regulation (EC) No 139/2004 on the control of concentration between undertakings	Competition Authority	PAA 2007-2008

2- LIST OF SECONDARY LEGISLATION

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Secondary Legislation regarding State Aid Monitoring ¹⁸	With a view to enabling the functioning of state aid monitoring and supervision mechanism, enacting approximately 25-30 secondary legislation concerning state aids for SMEs, environment, R&D, employment, regional aids, etc. following the entry into force of the Draft Law on State Aids.	Regulations No 659/1999, 794/2004, 1998/2006, 68/2001, 70/2001, 1407/2002 and 2204/2002. Commission Guidelines No 2001/C 37/03 and 2006/C 194/02. Commission Notices No 98/C 384/03, 98/C 39/02 and 2000/C 71/07. Commission Communications No 97/C 209/03, 97/C 281/03, 2002/C 043/04, 2001/C320/04, 2002 /C 70/05 and 2004/C244/02 Commission Directive 80/723/EEC Community Frameworks No 2003/C 317/06, 2006/C323/01 and 2005/C297/04.	State Aid Monitoring Authority	NPAA/2009-2011 PAA-2008
De Minimis Communiqué	Adoption of less significant arrangements which do not substantially restrict competition.	Commission Notice 52001XC1222(03) on agreements of minor importance which do not appreciably restrict competition under Article 101 (1) of the Treaty on the Functioning of the EU (de minimis))	Competition Authority	PAA-2008
Guideline on the implementation of Article 4 of the Law No 4054 on the Protection of Competition to horizontal cooperation agreements	Harmonisation of legislation ensuring more effective implementation of competition law (corresponding EU legislation is under review and new legislation will be defined in 2010. For that reason the process in the EU is awaited).	Commission Notice 32001Y0106(01) on the applicability of article 81of the EC Treaty to horizontal cooperation agreements	Competition Authority	PAA-2008

¹⁸ They will be issued after the enactment of Law on State Aids.

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Guideline on the implementation of article 5 of the Law No 4054 on the Protection of Competition	Harmonization of legislation and more effective implementation of the competition law.	Commission Notice 52004XC0427(07) on the application of article Article 101 (3) of the Treaty on the Functioning of the EU	Competition Authority	PAA-2008
Communiqué Amending the Communiqué No 1997/1 on Mergers and Acquisitions, in which Competition Board's Permission is Required	Harmonization of legislation and more effective implementation of the competition law.	<p>Commission Regulation (EC) No 802/2004 implementing the Council Regulation (EC) No 139/2004 on the control of concentration between undertakings</p> <p>Guidelines 52004XC0205(02) on the assessment of horizontal mergers under the Council Regulation on the control of concentrations between undertakings</p> <p>Commission Notice 52005XC0305(02) on restrictions directly related and necessary to concentrations</p> <p>Commission Notice on remedies acceptable under Council Regulation (EC) No 139/2004 and Commission Regulation (EC) No 802/2004</p>	Competition Authority	PAA-2008

3- OTHER WORK TO BE COMPLETED

1. Enactment of State Aid Law.
2. Until the enactment of the law, appointing a unit within the Undersecretariat of Treasury to revise the “inventory study” and prepare the action plan.

09- FINANCIAL SERVICES

1- LIST OF PRIMARY LEGISLATION

Primary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Law Amending the Banking Law No 5411	Providing stability and confidence in financial markets which is the general aim of the law, enabling effective functioning of credit system and protecting rights and interests of savers.	Directives 2009/14/EC, 2001/24/EC and 94/19/EC	Savings Deposit Insurance Fund	NPAA/2009-2010
Capital Markets Law	Ensuring the readiness of the capital markets for the EU membership by drawing up a law and related communiqués in line with EU legislation following the adoption of Turkish Commercial Code ¹⁹ .	Directives 85/611/EEC, 97/9/EC, 2003/6/EC, 2003/71/EC, 2004/39/EC, 2004/109/EC and 2007/36/EC	Capital Markets Board	PAA/2007-2008 NPAA/2009
Law Amending the Decree Llaw No.91 on Stock Exchanges	Alignment with the EU legislation on exchanges.	Directives 2001/34/EC and 2004/39/EC	Capital Markets Board	PAA/2007-2008/ NPAA/2009-2010
Payment Systems Law ²⁰	Specification of procedures and principles on electronic money institutions. Ensuring that netting and settlement are final and irrevocable in the payment systems.	Directives 98/26/EC and 2000/46/EC ²¹	The Central Bank of the Republic of Turkey	PAA/2010-2013 NPAA/2009-2011

¹⁹ The Draft Capital Markets Law will be submitted the Prime Ministry in 2010, if adoption of the Turkish Commercial Code is delayed.

²⁰ The legislation is also included in the Primary Legislation List of Chapter 04 – Free Movement of Capital.

²¹ The Directive 2000/46/EC will repealed by the Directive 2009/110/EC as of 30 April 2011. Therefore, studies on the Payment Systems Law will refer to the provisions of the Directive 2009/110/EC.

2- LIST OF SECONDARY LEGISLATION²²

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
By-law on Deposits subject to Insurance and the Premium to be Collected by the Savings Deposit Insurance Fund	<p>Inclusion of legal persons to the types of deposits and profit sharing funds subject to insurance.</p> <p>Re-specification of the types of deposits and profit sharing fund accounts to be excluded from the scope of insurance.</p> <p>Harmonization of the scope of deposits subject to insurance by considering the home-host relation that has been applied in the framework of the EU banking directives.</p>	Directive 94/19/EC	Savings Deposit Insurance Fund	NPAA/2010
By-law on the Procedures and Principles regarding the Payment of Insured Deposits and Profit Sharing Funds in the Banks, Official Authorization of which have been Revoked, and on the Bankruptcy and Liquidation of such Banks	Increasing the confidence in banking system by elaborating the steps taken in paying the insured deposits in a bank, the official authorization of which has been revoked, and the liquidation of such bank.	Directives 2001/24/EC, 94/19/EC and 2009/14/EC	Savings Deposit Insurance Fund	NPAA/2010
By-law Amending the By-law on the Sources of the SDIF and the Use of these Sources	Harmonizing sources of the Fund and use of these sources with the EU directives and reviewing in accordance with foreseen amendments in legislation.	Directive 94/19/EC	Savings Deposit Insurance Fund	NPAA/2010

²² The adoption of secondary legislation by the Capital Markets Board depends on Amending the Capital Markets Law.

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
By-law Amending the By-law on Banks' Internal Systems	Making the principles of proportionality and significance operative, enhancing the risk management responsibilities of boards of directors, defining risk management principles (regarding counter party risk, market risk, liquidity risk, operational risk, interest rate risks in banking accounts, and country and transfer risks) and measures to be taken by banks against such risks, establishing principles and processes regarding data collection and reporting in risk management.	Directives 2006/48/EC and 2006/49/EC	Banking Regulation and Supervision Agency	NPAA/2009
By-law on Measurement and Assessment of Capital Adequacy of Banks	Harmonization with the Capital Measurement and Capital Standards (Basel II) established by the Basel Banking Supervision Committee and adapted to the EU acquis by the mentioned directives.	Directives 2006/48/EC and 2006/49/EC	Banking Regulation and Supervision Agency	NPAA/2009
Communiqué on the Principles Concerning Presentation of Financial Recommendations and Disclosure of Conflicts of Interest	Alignment with EU legislation on the presentation of financial recommendations.	Directives 2003/6/EC and 2003/125/EC	Capital Markets Board	PAA/2007 NPAA/2009
Communiqué Amending the Communiqué on the Principles Regarding Issuers' Exemption Conditions and Deregistration from the Board	Alignment with EU legislation on prospectus requirements in public offerings.	Directive 2003/71/EC	Capital Markets Board	PAA/2009 NPAA/2010
Communiqués Amending the Communiqués on Principles Regarding Registration with the Board and Sale of Securities	Alignment with EU legislation on prospectus requirements in public offerings.	Directive 2003/71/EC and Regulation (EC) No 809/2004	Capital Markets Board	PAA/2009 NPAA/2010

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Communiqué Amending the Communiqué on Principles Regarding Public Disclosure of Material Events	Alignment with EU legislation on market abuse and transparency requirements in public disclosure by publicly held companies.	Directives 2004/109/EC, 2003/6/EC, 2003/124/EC and 2004/72/EC	Capital Markets Board	PAA/2009 NPAA/2010
Communiqué on the Principles in relation to the Identification of Manipulative Orders and Operations, and Accepted Market Practices	Alignment with EU legislation on market abuse.	Directives 2003/6/EC and 2003/124/EC	Capital Markets Board	PAA/2009 NPAA/2010
Communiqué on Exemptions for Buy-Back Programs and Maintaining the Price Stability of Financial Instruments	Alignment with EU legislation on market abuse, buy-back programs and price stability.	Directive 2003/6/EC Regulation (EC) No 2273/2003	Capital Markets Board	PAA/2009 NPAA/2010
By-laws Amending the By-laws on Exchanges	Alignment with EU legislation on investment services and exchanges.	Directives 2001/34/EC and 2004/39/EC Regulation (EC) No 1287/2006	Capital Markets Board	PAA/2009 NPAA/2010
Communiqué Amending the Communiqué on Series V.No 46 on Principles Regarding Intermediary Activities and Intermediary Institutions	Alignment with EU legislation on investment services and markets.	Directives 2004/39/EC and 2006/73/EC Regulation (EC) No 1287/2006	Capital Markets Board	PAA/2009 NPAA/2010
Communiqué Amending the Communiqué on Principles Regarding Investment Funds	Alignment with EU legislation on collective investment undertakings.	Directive 85/611/EEC	Capital Markets Board	PAA/2009 NPAA/2010
Communiqué Amending the Communiqué on Principles Regarding Portfolio Management Activity and the Institutions to Undertake this Activity	Alignment with EU legislation on portfolio management in the scope of collective investment undertakings and investment services.	Directives 85/611/EEC, 2004/39/EC and 2006/73/EC	Capital Markets Board	PAA/2009 NPAA/2010

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Communiqué Amending the Communiqué Regarding Principles on Investment Advice and Institutions Engaging in Investment Advice	Alignment with EU legislation on investment advice in the scope of investment services and markets.	Directives 2004/39/EC and 2006/73/EC	Capital Markets Board	PAA/2009 NPAA/2010

3- OTHER WORK TO BE COMPLETED

–

10- INFORMATION SOCIETY AND MEDIA

1- LIST OF PRIMARY LEGISLATION

Primary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Legislation on the establishment of the Information Society Directorate for enhancement of the coordination of transformation process towards information society	Coordination of work conducted in the field of information society with relevant EU Programs requires high-level representative authority and responsibility. As such studies involve the public sector, private sector, NGOs and universities, there is need for a unit with high representative capabilities and wider and competent staff.	EU provides no binding regulation in this area. However, the implementation of the e-Transformation Turkey Project is in close relation with the goals envisaged by the Lisbon Strategy	State Planning Organisation	PAA

Primary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Law Amending the Law No 3984 on the Establishment of Radio and Television Enterprises and Their Broadcasts	Definitions, Jurisdiction, Major events, Short reporting, Promotion of independent works, Scope (on-demand audiovisual media service), Broadcasting principles, European works, creation of legal basis for granting of licenses and digital broadcasting, regulating freedom of reception and transmission and retransmission, regulating advertising windows.	Directives 89/552/EEC and 2007/65/EC	Radio and Television Supreme Council Draft Law has been submitted to the Prime Ministry on 7 January 2010	MUP/Technical studies are continuing. UP/ 2009-2010
Law Amending the Law No 3984 on the Establishment of Radio and Television Enterprises and Their Broadcasts ²³	Improvement of regulations restricting the activities of foreign real or legal persons in the sector.	Article 18 of the Treaty on the Functioning of the EU	Radio and Television Supreme Council	NPAA/2010

²³ The legislation is also included in Chapter 04 – Free Movement of Capital

Primary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Law on Provision of Emergency Services	Aims at enabling 112 Emergency Call Number to provide services not only in the field of healthcare, but in all states of emergency such as security, fire and natural disasters.	Directive 2002/22/EC Commission Recommendation 2003/558/EC, of 25 July 2003, on the processing of caller location information in electronic communication networks for the purpose of location-enhanced emergency call services	Ministry of Interior	NPAA/2009-2010 PAA
Law on Protection of Personal Data ²⁴	Aims at protecting personal immunity, physical and moral existence and fundamental rights and freedoms of individuals.	Directive 95/46/EC Directive 2006/24/EC and Amended Directive 2002/58/EC Council of Europe Convention (ETS No 108) for the Protection of Individuals with regard to Automatic Processing of Personal Data (919999JHA10184) Decision 2001/497/EC as regards the introduction of an alternative set of standard contractual clauses for the transfer of personal data to third countries (Document No C(2001)1539)	Ministry of Justice	PAA

²⁴ The legislation is also included in Chapter 23 – Judiciary and Fundamental Rights

2- LIST OF SECONDARY LEGISLATION

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
By-law on Consumer Rights in the electronic communication sector.	Revision of the By-law on Consumer Rights in the telecommunication sector in the framework of the Electronic Communication Law and related EU legislation.	Directives 2002/21/EC and 2002/22/EC	Information and Communication Technologies Authority	New measure
By-law on processing and protection of confidence of personal data in the telecommunication sector.	Revision of By-law on processing and protection of confidence of personal data in the telecommunication sector in the framework of the Electronic Communication Law and related EU legislation.	Directives 2002/58/EC and 2006/24/EC	Information and Communication Technologies Authority	New measure
By-law on the Principles and Procedures of Broadcasting (Shall be enacted following the adoption of the Law No 3984 on the Establishment of Radio and Television Enterprises and Their Broadcasts)	Aims at harmonization with Television Without Frontiers Directive on broadcasting, in terms of definitions, jurisdiction, major events and encouragement of independent works.	Television Without Frontiers Directive 89/552/EEC on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the pursuit of television broadcasting activities as amended by Directive 97/36/EC.	Radio and Television Supreme Council	NPAA/2010
By-law Amending the By-law on Administrative and Financial Provisions of Private Radio and TV Enterprises (Shall be enacted following the adoption of the Law No 3984 on the Establishment of Radio and Television Enterprises and Their Broadcasts)	Adaptation to the amendments made in Law No 3984.	Directive No 89/552/EEC and 2007/65/EC	Radio and Television Supreme Council	NPAA/2010

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
<p>By-law Amending the By-law on Provisions for Channel and Frequency Allocation to Radio and TV Enterprises and Relevant Tender Procedures; Broadcasting License and Permit</p> <p>(Shall be enacted following the adoption of the Law No 3984 on the Establishment of Radio and Television Enterprises and Their Broadcasts)</p>	<p>Adaptation to the amendments made in Law No 3984.</p>	<p>Directive 89/552/EEC and 2007/65/EC</p>	<p>Radio and Television Supreme Council</p>	<p>NPAA/2010</p>
<p>By-law on Smart Signs</p> <p>(Shall be enacted following the adoption of the Law No 3984 on the Establishment of Radio and Television Enterprises and Their Broadcasts)</p>	<p>Aims the implementation of significant developments in the field of protection of minors.</p>	<p>Directive 89/552/EEC on coordination of certain provisions laid down in laws, regulations or administrative rules regarding Television Broadcasting in Member States, amended by Directive 97/36/EC</p>	<p>Radio and Television Supreme Council</p>	<p>NPAA/2010</p>
<p>By-law Amending the By-law on Satellite Broadcast License & Permit</p> <p>(Shall be enacted following the adoption of the Law No 3984 on the Establishment of Radio and Television Enterprises and Their Broadcasts)</p>	<p>Adaptation to the amendments made in Law No 3984.</p>	<p>Directive 89/552/EEC and 2007/65/EC</p>	<p>Radio and Television Supreme Council</p>	<p>NPAA/2010</p>

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
By-law Amending the By-law on Radio and Television Supreme Council Cable Broadcast License & Permit (Shall be enacted following the adoption of the Law No 3984 on the Establishment of Radio and Television Enterprises and Their Broadcasts)	Adaptation to the amendments made in Law No 3984.	Directive 89/552/EEC and 2007/65/EC	Radio and Television Supreme Council	NPAA/2010

3- OTHER WORK TO BE COMPLETED

–

11- AGRICULTURE AND RURAL DEVELOPMENT

1- LIST OF PRIMARY LEGISLATION

Primary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Law on the Establishment and Duties of Ministry of Agriculture and Food	Development of the agriculture sector, providing food safety and security, improving life conditions of people living in rural areas, protection of natural resources, organization of agricultural markets, establishment of administrative structures required for the implementation of the acquis within the Agriculture and Rural Development; Food Safety, Veterinary and Phytosanitary, and Fisheries Chapters as well as providing the agricultural supports and controls.		Ministry of Agriculture and Rural Affairs	NPAA/2009 PAA/2007-2008
Law Amending Certain Articles of the Sugar Law	Maintenance of stability in sugar production, updating of the legislation in order to solve the problems experienced in implementation, making the sector more competitive, assurance of the sustainability of the sector, also with the consideration of harmonization with EU Sugar Reform.	Council Regulation (EC) No 1234/2007	Turkish Sugar Authority	PAA/2007-2008

Primary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Law on the Protection of Geographical Indications and Traditional Names of Products	In order to contribute to the strengthening of the regional and rural economies by increasing the market values of products, having local or traditional character in Turkey, through product incentives and production diversification; in order to facilitate, by providing guarantees in the production method and resources, access of producers to high quality products and to assure fair trade, identification of the rules and requirements concerning the protection of geographical indications or traditional names of any product, produced in the fields of agriculture, mining, handicrafts, etc. with the contribution of natural and social factors, which is in compliance with the descriptions and conditions included in this Law.	Council Regulation (EC) No 509/2006 Council Regulation (EC) No 510/2006 European Parliament and Council Directive 2004/48/EC	Turkish Patent Institute Ministry of Justice	PAA/2007-2008
Law Amending Certain Articles of the Law No 4733	Harmonization of national legislation with the EU acquis within the scope of possible changes to be realized in 2010 in the EU Common Market Organizations in relation to Tobacco.	Council Regulation No 1234/2007	Tobacco and Alcoholic Beverages Market Regulatory Authority	PAA/2009-2013

2- LIST OF SECONDARY LEGISLATION

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
By-law on the Procedures and Principles concerning the Accreditation of the Agriculture and Rural Development Support Institution and Implementation of the Accreditation Criteria ²⁵	Identification of procedures and principles concerning accreditation and accreditation criteria and their sustainability according to extended decentralised implementation system envisaged under IPARD.	Regulations (EC) No 885/2006, 1663/95, 1085/2006 and 718/2007 IPA Framework Agreement and IPARD Sectoral Agreement.	Ministry of Agriculture and Rural Affairs Agriculture and Rural Development Support Institution	NPAA /2009 PAA/2007
By-law on Other Financial Issues within the scope of the Financial Assistance provided by the European Union ²⁶	Regulation of the issues such as interest, payout variations and clearance of accounts concerning financial assistance that Agriculture and Rural Development Support Institution will use under this component within the scope of the extended decentralised implementation system envisaged under IPARD.	Regulations (EC) No1290/2005, 1698/2005, 1085/2006 and 718/2007 IPA Framework Agreement and IPARD Sectoral Agreement.	Ministry of Agriculture and Rural Affairs Agriculture and Rural Development Support Institution	NPAA /2009 PAA/2007
By-law on Integrated Administration and Control System (IACS)	Establishment of a system covering the mechanisms formed with a view to manage and control of agricultural planning and supporting and providing the employability of the system in the supporting mechanism.	Council Regulation (EC) No 73/2009	Ministry of Agriculture and Rural Affairs	NPAA /2009 PAA/2008
By-law Amending the By-law on Technical Arrangements and Standardization in Foreign Trade	Aims at including the quality controls of agricultural products, conducted by the Undersecretariat for Foreign Trade in foreign trade, under a separate regulation, and harmonizing them with the EU practices.	Comission Regulation (EC) No 1580/2007	Undersecretariat for Foreign Trade	PAA/2007

²⁵ It will be enacted after IPARD Sectoral Agreement is signed.

²⁶ It will be enacted after IPARD Sectoral Agreement is signed.

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
By-law on the Implementation of the Law on the Protection of Geographical Indications and Traditional Names of Products	Aims at regulating the principles, rules and requirements for the protection of products considered eligible for geographical indication and traditional product name certification.	Regulations (EC) No 509/2006 and 510/2006	Turkish Patent Institute	PAA/2008
By-law Amending Certain Articles of the By-law on the Procedures and Principles of Tobacco Production, Marketing of Producers' Tobacco, Domestic and Foreign Trade Control and Tobacco Expertise	Aims at amending certain procedures and principles of tobacco production, marketing of producers' tobacco, domestic and foreign trade control and tobacco expertise within the scope of possible changes to be realized in 2010 in the EU Common Market Organizations in relation to Tobacco.	- Council Regulation (EC) No 1234/2007, Commission Regulation (EC) No 709/2008, - Commission Regulation (EC) No 1973/2004, - Commission Regulation (EC) No 2095/2005	Tobacco and Alcoholic Beverages Market Regulatory Authority	PAA/2010-2013
Communiqué on the Procedures and Principles Applicable to the Issuance of Industrial Produce Certificate	Aims at discontinuation of the conformity controls of fresh fruits and vegetables which are intended to be processed to applicable commercial quality standards at foreign trade and making shipment of those products through Industrial Product Certificates issued for batches.	Comission Regulation (EC) No 1580/2007	Undersecretariat for Foreign Trade	PAA/2007
Communiqué on the Compulsory Implementation of the Revised TS/101 Table Grape Fruit Standard in Foreign Trade	Aims at compulsory implementation in foreign trade of the compulsory standards concerning the abovementioned products following the completion of the revision studies by TSI.	Commission Regulation (EC) No 1580/2007 Commission Regulation (EC) No 2789/1999	Undersecretariat for Foreign Trade	PAA/2007

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Communiqué on the Compulsory Implementation of the Revised TS/794 Tomato Standard in Foreign Trade	Aims at compulsory implementation in foreign trade of the compulsory standards concerning the abovementioned products following the completion of the revision studies by TSI.	Commission Regulation (EC) No 1580/2007 Commission Regulation (EC) No 1221/2008	Undersecretariat for Foreign Trade	PAA/2007
By-law on Alcohol and Alcoholic Beverages Trade By-law Amending the By-law on Technical Requirements for Alcohol and Alcoholic Beverages Plants and the Procedures and Principles on the Establishment, Management and Monitoring of Those Plants.	Harmonization with the “market regulations” of the EU Wine Common Market Organizations.	Council Regulation (EC) No 491/2009	Tobacco and Alcoholic Beverages Market Regulatory Authority	PAA/2009-2013

3- OTHER WORK TO BE COMPLETED

- 1- Fulfilment of accreditation criteria of IPARD structures, accomplishment of national accreditation process and afterwards making a call for conditional proposals and obtaining project proposals, completion of Agri-Environment Local Action Groups measure fiches.
- 2- Preparation of an Operational National Rural Development Plan on the basis of National Rural Development Strategy ensuring rural development in Turkey.
- 3- The issue of “agricultural support instruments” which is also one of the opening benchmarks of this Chapter needs to be dealt at high level, carrying out of a a detailed study on the nature of agricultural support measures eligible for the period between 2010 and the accession date, development of agricultural support strategy and instruments on the basis of outputs of this study, during development of these instruments consideration of the requirements for the modernization of agricultural farms and food establishments within the scope of Chapter 12-Food Safety, Veterinary and Phytosanitary Policy.
- 4- The revision of Agricultural Strategy within the framework of Agricultural Support Strategy and National Rural Development Plan.
- 5- The completion of the Strategy on Improvement of Agricultural Statistics which is one of the opening benchmarks of the Chapter 11and the establishment of National Farm Registry which is also essential for the fulfillment of closing benchmark of Chapter 18-Statistics.
- 6- The completion of the Strategy concerning development of Land Parcel Identification System and National Farmers’ Registration System.
- 7- The consultation with the Commission about the number of paying agencies in charge of agricultural support measures and rural support measures and based on the results of this consultation process, launching a study on a new administrative structure.
- 8- Lifting of restrictions on trade in beef meat, live bovine animals and derivate products originated in the EU.

12- FOOD SAFETY, VETERINARY AND PHYTOSANITARY POLICY

1- LIST OF PRIMARY LEGISLATION

Primary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Veterinary Services, Plant Health, Food and Feed Law	Provision and protection of food and feed safety, public health, animal and plant health and animal welfare, consumers' and producers' interests, as well as protection of the environment and establishment of legal basis for alignment with the acquis under the chapter.	The acquis under this chapter	Ministry of Agriculture and Rural Affairs	NPAA/2009 PAA/2007-2008
Law on Establishment and Duties of Ministry of Agriculture and Food	Development of agriculture sector, providing food safety and security, improving the life conditions of the people living in rural areas, protection of natural resources, organization of agricultural markets, establishment of administrative structures required for the implementation of the acquis within the Agriculture and Rural Development; Food Safety, Veterinary and Phytosanitary, and Fisheries Chapters as well as providing agricultural supports and controls.		Ministry of Agriculture and Rural Affairs	NPAA/2009

2- LIST OF SECONDARY LEGISLATION

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
By-law on the Specific Provisions for the Control and Eradication of Bluetongue Disease	Identification of the rules and measures for the control and eradication of Bluetongue Disease.	Council Directive 2000/75/EC, Commission Regulation (EC) No 1266/2007	Ministry of Agriculture and Rural Affairs	PAA/2009
By-law on Control Measures to Combat with Classical Swine Fever	Identification of the measures to be implemented to combat with classical swine fever within the borders of the Turkish Republic.	Council Directive 2001/89/EC, Commission Decision 2002/106/EC	Ministry of Agriculture and Rural Affairs	PAA/2009
By-law on Control Measures to Combat with African Swine Fever	Identification of the measures to be implemented to combat with African swine fever within the borders of the Turkish Republic.	Council Directive . 2002/60/EC, Commission Decision 2003/422/EC	Ministry of Agriculture and Rural Affairs	PAA/2009
By-law on Control Measures for Foot and Mouth Disease	Laying down minimum control measures to be taken in case of an outbreak, irrespective of the type of the virus, and protective measures to increase awareness and preparedness among farmer community and the competent authorities.	Council Directive 2003/85/EC	Ministry of Agriculture and Rural Affairs	NPAA/2009 PAA/2008
By-law Introducing Minimum Measures for the Control of Certain Diseases Affecting Bivalve Molluscs and relating to the Animal Health Conditions Governing the Placing on the Market of these Aquaculture Animals and Products	Minimum measures to be taken for the control of certain diseases affecting bivalve molluscs and identification of animal health conditions governing the placing on the market of these aquaculture animals and their products.	Council Directive 2006/88/EC; Commission Decision 1999/567/EC and 2003/390/EC	Ministry of Agriculture and Rural Affairs	NPAA/2009 PAA/2009

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
By-law on Notification of Animal Diseases	Identification of the rules that should be complied with for the notification of animal diseases notification of which are compulsory.	Council Directive 82/894/EEC, 64/432/EEC, 91/68/EEC, 92/119/EEC and 95/70/EC; European Parliament and Council Regulation (EC) No 999/2001 and Commission Decision No 2005/176/EC	Ministry of Agriculture and Rural Affairs	NPAA/2009 PAA/2009
By-law on the Measures for the Control of Rinderpest, Peste des Petits Ruminants, Swine Vesicular Disease, Epizootic Haemorrhagic Disease of Deer, Sheep and Goat Pox, Vesicular Stomatitis, Lumpy Skin Disease and Rift Valley Fever	Identification of the measures to be taken in the event of an outbreak of rinderpest, peste des petits ruminants, swine vesicular disease, epizootic haemorrhagic disease of deer, sheep and goat pox, vesicular stomatitis, lumpy skin disease, and Rift valley fever.	Council Directive 92/119/EEC, Commission Decision 2000/428/EC	Ministry of Agriculture and Rural Affairs	NPAA/2009 PAA/2009
By-law on Control Rules and Measures to Combat with African Horse Sickness	Identification of control rules and measures to combat with African horse sickness.	Council Directive 92/35/EEC	Ministry of Agriculture and Rural Affairs	NPAA/2009 PAA/2009
By-law on the Protection of Animals at the time of Slaughter or Killing	Identification of the procedures and principles related to the movement, lairaging, restraint, stunning, slaughter and killing of animals bred for the production of meat, skin, fur or other animal products.	Council Directive 93/119/EC	Ministry of Agriculture and Rural Affairs	PAA/2008

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
By-law on the Welfare of Farm Animals	Determination of minimum standards for the management and husbandry conditions of farm animals kept for their products and service, taking into account their species, growth, adaptation and domesticity and physiological and ethiological needs and behaviour.	Directive 98/58, 2000/50, 1999/74, 2002/4, 91/629 and 91/630	Ministry of Agriculture and Rural Affairs	NPAA/2009 PAA/2009
By-law on animal health conditions and certification conditions for imports of bees	Determination of analysis and other conditions required and certificates to be used for the import of bees.	Commission Decisions 2003/881/EC and 2007/240/EC	Ministry of Agriculture and Rural Affairs	Draft Strategy for opening benchmark No 2
Communiqué on the Performance of Analytical Methods and the Interpretation of Results	Determination of main criteria for analytical methods to be used for the analysis of official samples taken in accordance with By-Law on the Measures with regard to the Monitoring of Substances and the Residues of these in Live Animals and Animal Products and interpretation of results.	Commission Decision 2002/657/EC	Ministry of Agriculture and Rural Affairs	Draft Strategy for opening benchmark No 2
Communiqué on Animal Health Requirements and the Veterinary Certification for the Import of Animal Casings	Establishing animal health requirements and the veterinary certificates to be used for the import of animal casings.	Commission Decision 2003/779/EC	Ministry of Agriculture and Rural Affairs	Draft Strategy for opening benchmark No 2
Communiqué on Veterinary Certificates to be used for Importing Live Animals, Semen, Embryos, Ova and Products of Animal Origin	Introduction of EU veterinary certificates for the commercial movements of cats, dogs and ferrets and veterinary certificates used for the import of animal casings.	Commission Decision 2007/240/EC	Ministry of Agriculture and Rural Affairs	Draft Strategy for opening benchmark No 2
Circular on Veterinary Certificates for Importing Pig Meat	Introduction of EU veterinary certificates for for the import of pig meat.	Commission Decision 2007/240/EC	Ministry of Agriculture and Rural Affairs	Draft Strategy for opening benchmark No 2

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Communiqué on import rules applicable to transmissible spongiform encephalopathies (TSE)	Establishment of import rules for prevention of TSE disease through imported live animals, semen, ova and embryos.	European Parliament and Council Regulation (EC) No 999/2001	Ministry of Agriculture and Rural Affairs	Draft Strategy for opening benchmark No 2
Circular on the Requirements for the Approval of Border Inspection Posts Responsible for Veterinary Checks on Products Entering the Country	Determination of the procedures to be followed and records to be kept at the customs gates authorised for import of live animals and animal products.	European Parliament and Council Regulation (EC) No854/2004 Commission Decisions no 2001/812/EC, 97/152/EC, 97/394/EC and 93/352/EEC	Ministry of Agriculture and Rural Affairs	Draft Strategy for opening benchmark No 2
Instruction on Import of Live, Fresh, Chilled and Frozen Fish and Fishery Products	Determination of import requirements for live, fresh, chilled and frozen fish and fishery products.	Council Directive 2006/88/EC	Ministry of Agriculture and Rural Affairs	Draft Strategy for opening benchmark No 2
By-law on general plan for food/feed crisis management	Establishment of rules and procedures necessary for management of a food and feed crisis.	Commission Decision 2004/478/EC	Ministry of Agriculture and Rural Affairs	Draft Strategy for opening benchmark No 2
By-law on Hygiene	Identification of hygiene standards for establishments.	European Parliament and Council Regulations (EC) No 852/2004 and 853/2004	Ministry of Agriculture and Rural Affairs	NPAA/2009 PAA/2009
By-law on Official Controls	Alignment to the EU acquis concerning the official controls carried out on live animals, animal products, food and feed.	European Parliament and Council Regulation (EC) No882/2004	Ministry of Agriculture and Rural Affairs	PAA/2009
By-law Amending the By-law on the Market Surveillance, Controls and Inspections and Workplace Responsibilities relating to Foods and Articles and Materials that Come into Contact with Foods	Revision of procedures and principles relating to the market surveillance, control and inspection services and business responsibilities in order to ensure the safety and quality of food and articles and materials that come into contact with food after entry into force of Veterinary Services, Plant Health, Food and Feed Law.	European Parliament and Council Regulations (EC) No 852/2004, 853/2004, 854/2004 and 882/2004	Ministry of Agriculture and Rural Affairs	PAA/2009

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
By-law Amending the By-law on the Controls and Inspections in Foreign Trade of Foodstuffs and Materials and Articles that Come into Contact with Food	Establishment of the implementing formalities in a more clear and comprehensible way after into force of Veterinary Services, Plant Health, Food and Feed Law.	European Parliament and Council Regulation (EC) No882/2004	Ministry of Agriculture and Rural Affairs	PAA/2009
Turkish Food Codex – Communiqué Amending the Communiqué on Purity Criteria for Sweeteners used in Foodstuffs	Revision of existing Communiqué in the light of developments in corresponding EU legislation.	Commission Directive 2008/60/EC	Ministry of Agriculture and Rural Affairs	PAA/2008
Turkish Food Codex - Communiqué on Methods for The Analysis and Testing of Heat-Treated Milk for Direct Human Consumption	Laying down the methods used for the analysis and testing of heat-treated milk for direct human consumption.	Council Decision 92/608/EEC	Ministry of Agriculture and Rural Affairs	Draft Strategy for opening benchmark No 2
Turkish Food Codex- Communiqué Amending the Communiqué on Rules for General Labelling and Nutritional Labelling of Foodstuffs	Revision of existing Communiqué in the light of developments in corresponding EU legislation.	Council Directive 90/496/EEC and European Parliament and Council Regulation (EC) No1924/2006	Ministry of Agriculture and Rural Affairs	Draft Strategy for opening benchmark No 2
Turkish Food Codex- Communiqué Amending the Communiqué on Extraction Solvents Used in the Production of Foodstuffs and Food Ingredients	Revision of existing Communiqué in the light of developments in corresponding EU legislation.	European Parliament and Council Directive .2009/32/EC	Ministry of Agriculture and Rural Affairs	Draft Strategy for opening benchmark No 2

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Turkish Food Codex- Communiqué on food supplements	Determination of products to be used in the production of food supplements placed on the market as foodstuffs and labelling requirements of food supplements.	European Parliament and Council Directive .2002/46/EC	Ministry of Agriculture and Rural Affairs	Draft Strategy for opening benchmark No 2
Communiqué on control of carnation leaf-rollers	Laying down the minimum measures to be taken for the control of harmful organism causing carnation leaf-rollers and prevention of its spreading.	Council Directive 74/647/EEC	Ministry of Agriculture and Rural Affairs	Draft Strategy for opening benchmark No 2
Communiqué on control of San José Scale	Laying down the minimum measures to be taken for the control of San José Scale, harmful to plants, and prevention of its spreading.	Council Directive 2006/91/EC	Ministry of Agriculture and Rural Affairs	Draft Strategy for opening benchmark No 2
Communiqué Amending the Communiqué on the control of Potato Ring Rot (<i>Clavibacter michiganensis susp. sepedonicus</i>)	Revision of existing Communiqué in the light of developments in corresponding EU legislation.	Council Directive 93/85/EEC	Ministry of Agriculture and Rural Affairs	Draft Strategy for opening benchmark No 2
Communiqué Amending the Communiqué on Ralstonia solanacearum control(Smith) Yabuuchi et al.	Revision of existing Communiqué in the light of developments in corresponding EU legislation.	Council Directive 98/57/EC	Ministry of Agriculture and Rural Affairs	Draft Strategy for opening benchmark No 2
Communiqué Amending the Communiqué on Potato cyst nematodes combat (<i>Globodera rostochiensis</i> Wollenweber, <i>Globodera pallida</i> Stone)	Revision of existing Communiqué in the light of developments in corresponding EU legislation.	Council Directive 2007/33/EC	Ministry of Agriculture and Rural Affairs	Draft Strategy for opening benchmark No 2

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
By-law on Plant Passport System and Registration of Operators	Establishing a structure in compliance with EU's system for plant passport and registration of operators.	Commission Directives 92/90/EEC, 92/105/EEC and 93/50/EEC	Ministry of Agriculture and Rural Affairs	NPAA/2010
Instruction on the Withdrawal of Authorisations for Certain Plant Protection Products	Withdrawal of authorisations for plant protection products not authorised in EU and thus harmonisation with the EU list of authorised plant protection products.	Council Directive 91/414/EC and several Commission Decisions	Ministry of Agriculture and Rural Affairs	Draft Strategy for opening benchmark No 2
By-law Amending the By-law on the measures with regard to the monitoring of substances and the residues of these in live animals and animal products	Laying down the procedures to be applied when the presence of residues of certain substances in imported consignments of live animals and products of animal origin are confirmed and measures to be taken.	Commission Decision 2005/34/EC	Ministry of Agriculture and Rural Affairs	Draft Strategy for opening benchmark No 2

3- OTHER WORK TO BE COMPLETED

1. Acceleration and completion, until mid-March 2010, of legislative process for Draft Law on Veterinary Services, Plant Health, Food and Feed and Draft Law on the Establishment and Tasks of Ministry of Agriculture and Food.
2. Completion of work, until mid-March 2010, towards fulfilling the opening benchmarks of the Chapter.
3. Development of the Strategy and National Plan for Modernisation of Agri-food Establishments to meet EU food safety standards and requirements of EU legislation.
4. Launching the work regarding how the establishments located in provinces not included in IPARD programme and those not having access to IPARD funds in IPARD provinces will be modernized, what kind of resources will be made available, which establishments will be requested to complete modernization by their own resources, what will be the timetable and for how many establishments a transition period will be requested during negotiations.
5. Launching the work on identification of deficiencies of the establishments in terms of animal welfare rules, investments to be made, establishments for which a transition period will requested and timetable for their modernization.
6. Obtaining technical assistance for establishing a strategy for alignment with the EU legislation in the field of animal by-products.
7. Launching information and awareness raising campaigns towards farmers and establishments that will be affected by the legislative alignment at the most as the legislation within this chapter deals with all stages from the production of animal products to their consumption.

13- FISHERIES

1- LIST OF PRIMARY LEGISLATION

Primary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Law Amending the Fisheries Law	To meet the requirements of harmonization to the EU fisheries legislation, to prevent illegal, informal and irregular fishing activities, to ensure the sustainability of the fisheries sector.	Council Regulations (EC) No 2371/2002, 1447/1999, 2930/86, 2847/93, 2406/96; Commission Regulations (EC) No 26/2004, 2244/03, 3561/85, 1381/1987, 1382/1987, 2065/2001.	Ministry of Agriculture and Rural Affairs	NPAA/2009 PAA/2007-2008
Law on Establishment and Duties of Ministry of Agriculture and Food	Development of agriculture sector, providing food safety and security, improving the life conditions of the people living in rural areas, protection of natural resources, organization of agricultural markets, establishment of administrative structures required for the implementation of the acquis within the Agriculture and Rural Development; Food Safety, Veterinary and Phytosanitary, and Fisheries Chapters as well as providing the agricultural supports and controls.		Ministry of Agriculture and Rural Affairs	NPAA/2009
Law Amending the Law No 5200 on Agricultural Producers Unions and/or Law No 1163 on the Cooperatives and/or Fishery Producers	Meeting the requirements of harmonization with the EU legislation on fisheries, increasing support to the decision making mechanisms through coordination between the fisheries organizations, preparation of the institutional and sectoral infrastructure necessary for the future EU financial support to the sector.	Council Regulation (EC) No 104/2000	Ministry of Agriculture and Rural Affairs	PAA/2008-2009

2- LIST OF SECONDARY LEGISLATION

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
By-law Amending the By-law on Fisheries	Identification of the implementing procedures and principles in subjects where harmonization with the EU legislation has been achieved.	Council Regulations (EC) No 2371/2002, 1447/1999, 2930/86, 2847/93, 2406/96; Commission Regulations (EC) No 26/2004, 2244/03, 3561/85 1381/1987, 1382/1987, 2065/2001.	Ministry of Agriculture and Rural Affairs	NPAA/2009 PAA/2008
By-law on Marketing Standards and Consumer Information	Meeting the requirements of harmonization with the EU legislation on fisheries, developing the quality standards of the fisheries, and raising the consumer awareness.	Council Regulations (EC) No 2406/96 and 104/200; Commission Regulation (EC) No 2065/2001.	Ministry of Agriculture and Rural Affairs	NPAA/2009 PAA/2008

3- OTHER WORK TO BE COMPLETED

1. Establishment of the administrative structuring for fisheries stock assessment and initiating the stock assessment studies.
2. On the basis of the results of the stock research and sectoral analysis, conducting preparatory work for the Structural Action Strategy of the Fisheries Sector which will cover the measures to be taken for the sustainable management of fisheries sector and areas as well as supports to be granted .
3. Preparation of an action plan for the harmonization with the EU Fisheries acquis.

14- TRANSPORT POLICY

1- LIST OF PRIMARY LEGISLATION

Primary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Railways Framework Law	<p>To provide continuous and safe railway transport services of high quality with reasonable fees in the framework of competitive principles.</p> <p>Establishing a strong, stable and transparent structure in the railways sector by means of controlled and gradual liberalization, and setting up an independent regulation and audit mechanism.</p>	<p>Council Regulations (EEC) No 1017/68, 1191/69, 1192/69, 1107/70, 1108/70/EEC, 1/2003/EC; Council Regulation (EEC) No 1893/91 amending the Council Regulation (EEC) No 1191/69 Regulation EC No 1370/2007 of the European Parliament and of the Council repealing Council Regulations (EEC) No 1191/69 and 1107/70 Council Directive 91/440/EEC; Directive No 2001/12/EC of the European Parliament and of the Council amending the Council Directive 91/440/EEC; Regulation No 2004/51/EC of the European Parliament and of the Council amending the Council Directive 91/440/EEC Regulation No 2007/58/EC of the European Parliament and of the Council amending the Council Directive 91/440/EEC Council Directive 95/18 /EC; Directive 2001/13/EC of the</p>	Ministry of Transport	NPAA/2009

Primary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
		<p>European Parliament and of the Council amending the Council Directive 95/18/EC Directive 2004/49/EC of the European Parliament and of the Council amending the Council Directive 95/18/EC Directive 2001/16/EC of the European Parliament and of the Council, Council Directive 96/48/EC Directive 2004/50/EC of the European Parliament and of the Council amending Council Directive 96/48/EC and Directive 2001/16/EC of the European Parliament and of the Council Directive 2007/32/EC of the European Parliament and of the Council amending Council Directive 96/48/EC and Directive 2001/16/EC of the European Parliament and of the Council Directive 2001/14/EC of the European Parliament and of the Council, Directive 2004/49/EC of the European Parliament and of the Council amending Council Directive 95/18/EC and Directive</p>		

Primary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
		2001/14/EC of the European Parliament and of the Council Directive 2007/58/EC of the European Parliament and of the Council amending Council Directive 91/440/EC and Directive 2001/14/EC of the European Parliament and of the Council Regulation (EC) No 881/2004 of the European Parliament and of the Council Regulation (EC) No 1335/2008 of the European Parliament and of the Council amending Regulation (EC) No 881/2004 of the European Parliament and of the Council Directive 2004/51/EC of the European Parliament and of the Council amending Directive 2001/12/EC of the European Parliament and of the Council		
Turkish State Railways Law (Should be considered together with the Railways Framework Law)	To regulate the procedures and principles relating to the establishment of a Turkish Railways Agency in order to manage the railways infrastructure and provide freight and passenger transportation services.	Directive 2004/51/EC of the European Parliament Council Directive 91/440/EEC	Ministry of Transport	NPAA/2009

Primary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Law Amending the Environment Law No 2872	To regulate penalties for ship-source pollution concerning the ships flying the Turkish flag and ships flying the flag of a foreign state in the Turkish seas.	- Directive 2005/35/EC of the European Parliament and of the Council - Council Framework Decision No 2005/557/JHA	Ministry of Environment and Forestry	NPAA/2009
Law Amending the Turkish Penal Code No 5237 (Shall be considered with the amendment to be made in the Law No 2872 on Environment)	To regulate penalties for ship-source pollution concerning the ships flying the Turkish flag, ships flying the flag of a foreign state in the Turkish seas.	Directive 2005/35/EC of the European Parliament and of the Council Council Framework Decision No 2005/557/JHA	Ministry of Justice	NPAA/2009
Law on the approval to become a party of Annex III of International Convention for the Prevention of Pollution from Ships (MARPOL 73-78)	To prevent pollution by harmful substances in packaged form transported by sea.	Annex III/IMO of the MARPOL (73/78) Convention of 27.09.2003	Ministry of Foreign Affairs Undersecretariat for Maritime Affairs	NPAA/2009-2010
Law on the approval to become a party of Annex IV of International Convention for the Prevention of Pollution from Ships (MARPOL 73-78)	To prevent pollution by sewage from ships flying the flag of a foreign state entering in the seaports of Turkey.	Annex IV/IMO of the MARPOL (73/78) Convention of 27.09.2003	Ministry of Foreign Affairs Undersecretariat for Maritime Affairs	NPAA/2009-2010

Primary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Law on the approval to become a party of 1988 Protocol (SOLAS Protocol 1988) on the International Convention for the Safety of Life at Sea, 1974	Since the mentioned Protocol entered into force, both ships flying the flag of a foreign state entering in seaports of Turkey and ships flying the Turkish flag on international voyages are subject to the formalities and inspections according to the provisions of this protocol. The Law aims at reflecting the rules, which have been widely applied all around the world, to Turkish internal legislation by becoming a party of the protocol.	1988 Protocol (SOLAS Protocol 1988) on the International Convention for the Safety of Life at Sea, 1974, dated 3 February 2000	Ministry of Foreign Affairs Undersecretariat for Maritime Affairs	NPAA/2009
Law Amending Certain Articles of the Law No 2918 on the Highways Traffic	Harmonization of the driving licenses in Turkey with those in the EU. Equipment of certain vehicles with speedometer.	Council Directive 91/439/ EEC; Council Directives 94/72/EC and 97/26/EC amending the Council Directive 91/439/ EEC Directive 2003/59/EC of the European Parliament and of the Council amending the Council Regulation No 3820/85/EEC and Council Directive 91/439/EEC; Council Directive 92/6/ EEC, and Directive 2002/85/EC of the European Parliament and of the Council amending it.	Directorate General of Security	NPAA/2009

2- LIST OF SECONDARY LEGISLATION

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
<p>By-law on Tachographs Used in Road Transport</p> <p>(The by-law will be published following the completion of legislative alignment efforts carried out by relevant institutions in this area: the Ministry of Transport, Ministry of Interior and Ministry of Labor and Social Security.)</p>	Legislative alignment	Council Regulation (EC) No 3821/85	Ministry of Industry and Trade	NPAA/2010
<p>Legislation on Competition Rules in Rail Transport (Shall be done according to the Railways Framework Law, and the Law on Turkish State Railways)</p>	Identification of the competition rules in railway transportation.	Council Regulation (EEC) No 1017/68, Council Regulation (EC) No 1/2003 and 169/2009	Competition Authority	NPAA/2009

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
By-law on Railway Security (Shall be done according to the Railways Framework Law)	Improvement and enhancement of the railway security.	Directive 2001/14/EC of the European Parliament and of the Council Directive 2004/49/EC of the European Parliament and of the Council amending the Directive - 2001/14/EC Directive 2008/110/EC of the European Parliament and Council amending Directive 2004/49/EC of the European Parliament and of the Council and Commission Directive 2009/149/EC	Ministry of Transport	NPAA/2009
By-law on the Licensing of Railway Undertakings (Shall be done according to the Railways Framework Law)	Assurance of railway undertakings and infrastructure administrators to fulfill the obligations in relation to the reliability, financial capacity and adequacy of railway transportation services.	Council Directive 95/18/EC Directive 2001/13/EC of the European Parliament and of the Council amending the Council Directive 95/18/EC Directive 2004/49/EC of the European Parliament and of the Council amending the Directive 95/18/EC and the Directive 2001/14/EC	Ministry of Transport	NPAA/2009
By-law on Interoperability (Shall be done according to the Railways Framework Law)	Assurance of the interoperability components and subsystems, which meet the requirements of this regulation and the issues in the annexes, to be introduced to the market, commissioned to the service and operated.	Council Directive 96/48/EC Directive 2001/16/EC of the European Parliament and of the Council Directive 2004/49/EC of the European Parliament and of the	Ministry of Transport	NPAA/2009

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
		<p>Council amending the Directive 95/18/EC and the Directive 2001/14/EC</p> <p>Directive 2004/50/EC of the European Parliament and of the Council amending the Council Directive 96/48/EC and the Directive 2001/16/EC of the European Parliament and of the Council</p> <p>Commission Directive 2007/32/EC amending the Council Directive 96/48/EC and the Directive 2001/16/EC of the European Parliament and of the Council</p> <p>Directive 2008/57/EC of the European Parliament and of the Council</p> <p>Commission Directive 2009/131/EC amending Directive 2008/57/EC of the European Parliament and of the Council</p>		
<p>By-law on Access to the Railway Infrastructure</p> <p>(Shall be done according to the Railways Framework Law)</p>	<p>Assurance of free, fair and non-discriminative access to the railway infrastructure of the national railway network.</p>	<p>Council Directive 91/440/EEC</p> <p>Directive 2001/14/EC of the European Parliament and of the Council</p> <p>Commission Decision No 2002/844 amending Directive 2001/14/EC</p>	<p>Ministry of Transport</p>	<p>NPAA/2009</p>

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
		<p>Directive 2004/51/EC of the European Parliament and of the Council amending the Council Directive 91/440/ EEC and the Directive 2001/12/EC of the European Parliament and of the Council amending it</p> <p>Directive 2007/58/EC of the European Parliament and of the Council amending the Council Directive 91/440/ EEC and the Directive 2001/14/EC of the European Parliament and of the Council amending it</p>		
Instruction on Computerized Reservation Systems	To regulate rules concerning the operation of computerized reservation systems.	<p>Council Regulation (EC) No 2299/89</p> <p>Council Regulation (EC) No 323/1999/EC</p> <p>Council Regulation (EEC) No 3089/93/EEC amending the Regulation (EEC) No 2299/89</p>	Directorate General of Civil Aviation	NPAA/2010
By-law on the Certification of Train Drivers	Identification of the conditions and procedures for the certification of train drivers with a view to enhancing railway safety and specification of the tasks of competent authority, train drivers and other stakeholders in the sector, in particular railway undertakings, infrastructure manager and training centres.	Directive 2007/59/EC	Ministry of Transport	NPAA/2009

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
By-law on the Rail Passengers' Rights	Safeguarding rights for rail passenger and improving the quality and effectiveness of rail passenger services in order to help increase the share of rail transport in relation to other modes of transport.	Regulation (EC) No 1371/2007	Ministry of Transport	NPAA/2009
By-law on Public Service Obligation	Identification of principles and procedures regarding public service obligations.	Regulation (EC) No 1370/2007	Ministry of Transport	NPAA/2009
Communiqué on the Procedures of Reporting in Turkish Seaports	Facilitation of reporting and notification procedures for ships flying the Turkish flag or flying the flag of a foreign state arriving to and departing from Turkish seaports.	Directive 2002/6/EC	Undersecretariat for Maritime Affairs	NPAA/2009
By-law on the Rights of Disabled Persons and Persons with Reduced Mobility when Travelling by Air	Regulation of the rights of disabled persons and persons with reduced mobility when travelling by air.	Regulation (EC) No 1107/2006	Directorate General of Civil Aviation	NPAA/2009
By-law on Safety Assessment of Domestic and Foreign Aerial Vehicles	Safety assessment of domestic and foreign aerial vehicles.	Directive 2004/36/EC ²⁷	Directorate General of Civil Aviation	NPAA/2009
Communiqué on the Safety Advisors in charge of the Transport of Dangerous Goods ²⁸	Identifying potential risks of transport of dangerous goods by road/rail and setting up the procedures and principles on the appointment, training and duties of the safety advisors, who shall be in charge of taking the necessary measures to prevent risks which could cause damages to human health and environment.	Directives 96/35/EC and 2000/18/EC	Ministry of Transport	NPAA/2009

²⁷Directive No 2004/36/EC was repealed by Regulation No 216/2008/EC however is being arranged within the scope of Article 69 (5) of the Regulation.

²⁸ It will be enacted in accordance with the Article 25 of the By-law on Transportation of Dangerous Goods by Rail published in the Official Gazette dated 31.03.2007 and No 26479

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
By-law on Commercial Air Operators Maintenance System SHY-M Rev.1)	Regulating the maintenance system of Commercial Air Transport Corporations according to EASA standards.	JAR-OPS, Subpart M, which is included as PART M in the EASA and consists of the annexes of the Council Regulation (EEC) No 3922/91	Directorate General of Civil Aviation	NPAA/2009
Rules on the Issuance and/or Extension of the Airworthiness Certificate (Instruction) (SHT-21.1 Rev.3)	In accordance with PART-M of EASA, introducing the technical control of civil aircrafts within Turkish registry in terms of airworthiness.	JAR-66 consisting of the annexes of the Council Regulation (EEC) No 3922/91	Directorate General of Civil Aviation	PAA/2007
Instruction on the Rights of Passengers	To make arrangements concerning the passenger grievances.	Regulation No (EC) 261/2004	Directorate General of Civil Aviation	NPAA/2009
By-law on Slot Implementing Principles	Transformation of the Instruction on Slot Implementing Principles into a By-Law.	Regulation (EEC) No 95/93	Directorate General of Civil Aviation	NPAA/2009
By-law on Transportation of Dangerous Goods by Rail	Assurance of the transport of dangerous goods safely by rail by taking security of life, goods and environment, and workers' safety into consideration. Identification of the procedures and principles regarding the transport of goods by rail within the country and between COTIF member countries.	Directive No96/49/EC	Ministry of Transport	NPAA/2009
By-law on Motor Vehicle Drivers' Courses (Shall be enacted according to the Law No 2918 Amending Certain Articles of the Highways Traffic Law)	Establishing the equivalence between the drivers' training in our country and that in the European Union.	- Commission Decision No 2000/275/EC Directive 2003/59/EC of the European Parliament and of the Council	Ministry of National Education	NPAA/2010

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
By-law Amending the By-law on Transportable Pressure Equipment (It will be enacted after the adoption of By-law on the Transport of Dangerous Substances by road and By-law on Transportation of Dangerous Goods by Rail.)	Legislative Alignment	European Council Directive 99/36/EC	Ministry of Industry and Trade	NPAA/2010

3- OTHER WORK TO BE COMPLETED

—

15- ENERGY

1- LIST OF PRIMARY LEGISLATION

Primary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Law Amending the Natural Gas Market Law	Regulation of the issues relating to the import by private sector and liberalization of the market. Identification of measures to be taken in case of emergency in the natural gas sector.	Directives No 2003/55/EC and 2004/67/EC	Ministry of Energy and Natural Resources	NPAA/2009
Nuclear Law	Establishment of nuclear and radiation safety and security principles; definition of duties, authorities and responsibilities of Turkish Nuclear Regulatory Authority (TNRA) to regulate activities re Turkish Atomic Energy Authority related to the peaceful use of nuclear energy and ionizing radiation in the country and of the Turkish Atomic Energy Authority (TAEA) to conduct research, technology development and implementation studies in relation to such activities.	Convention on Nuclear Safety	Turkish Atomic Energy Authority	NPAA/2009-2010
Turkish Petroleum Law	Identification of the procedures and principles of collection, evaluation and introduction for use of information and data required for exploration and production of oil and natural gas, and regulation, direction, promotion of oil and natural gas exploration and production activities in Turkey.	Directive No 94/22/EC	Ministry of Energy and Natural Resources	NPAA/2009
Law on the Establishment of National Oil Stock Agency and its Organization	Rights and obligations of all real and legal persons in relation to the maintenance of national oil stocks, procedures and principles regarding the establishment of the authority of a National Oil Stock Agency.	Directive No 2006/67/EC	Ministry of Energy and Natural Resources	NPAA/2009-2010

2- LIST OF SECONDARY LEGISLATION

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Legislation on the Basic Safety Standards for the Protection of the Health of Workers and the General Public Against the Dangers Arising from Ionizing Radiation	Establishment of the principles related to the protection of individuals, the society and the environment during the activities conducted for peaceful use of nuclear energy and ionizing radiation.	Council Directive 96/29/Euratom	Ministry of Energy and Natural Resources / Turkish Atomic Energy Authority	PAA/2008
By-law on Accounting and Control of Nuclear Materials	Covers issues on the safeguards of nuclear materials.	Commission Regulation (Euratom) No 302/2005/	Ministry of Energy and Natural Resources / Turkish Atomic Energy Authority	PAA/2008
By-law on the Protection of Outside Workers against Ionizing Radiation	Establishment of working conditions in order to protect outside workers exposed to the risks of ionizing radiation during the operations carried out within controlled areas related to applications of ionizing radiation sources and related activities.	Council Directive 90/641/Euratom	Ministry of Energy and Natural Resources / Turkish Atomic Energy Authority	PAA/2008

3- OTHER WORK TO BE COMPLETED

—

16- TAXATION

1- LIST OF PRIMARY LEGISLATION

-

2- LIST OF SECONDARY LEGISLATION

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Council of Ministers Decision Amending Special Consumption Tax rates	Legislative measure on the taxation criteria for cigarettes and descriptions on other tobacco products.	Directives 95/59/EEC, 2002/10/EC and 92/79/EEC	Ministry of Finance	NPAA/2009
Council of Ministers Decision	Legislative measure to undertake the commitment laid down in Action Plan dated 18 May 2009.	Directives 95/59/EEC, 2002/10/EC and 92/79/EEC	Ministry of Finance	Measure to accomplish Action Plan Commitment

3- OTHER WORK TO BE COMPLETED

-

17- ECONOMIC AND MONETARY POLICY

1- LIST OF PRIMARY LEGISLATION

Primary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Law Amending the Decree-law No 91 on Stock Exchanges	Prevention of privileged access by the public sector to financial markets.	Council Regulation (EEC) No 3604/93	Capital Markets Board	PAA/2007-2008

2- LIST OF SECONDARY LEGISLATION

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
By-laws Amending the By-laws on Stock Exchanges (These amendments depend on Amending Decree Law No 91.)	Prevention of privileged access by the public sector to financial markets.	Council Regulation (EEC) No 3604/93	Capital Markets Board	PAA/2009
By-law Amending the By-law on the Investor Protection Fund	Prevention of privileged access by the public sector to financial markets.	Council Regulation (EEC) No 3604/93	Capital Markets Board	PAA/2009

3- OTHER WORK TO BE COMPLETED

–

18- STATISTICS

1- LIST OF PRIMARY LEGISLATION

–

2- LIST OF SECONDARY LEGISLATION

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Legislation on the publication of the General Government Statistics fully compatible with ESA 95 standards	Collection of financial data regarding the general government statistics, production and publication of these statistics, and ensuring the compatibility of the general government financial statistics with ESA 95 standards.	Council Regulation (EC) No 2223/96 Commission Regulation (EC) No 264/2000	Ministry of Finance	PAA/2009

3- OTHER WORK TO BE COMPLETED

1. Revision of the “Agricultural Statistics Strategy Paper” to cover the years 2010-2016 which is one of the closing benchmark of the chapter.
2. Strengthening the infrastructure to fully comply with ESA-95

19- SOCIAL POLICY AND EMPLOYMENT

1- LIST OF PRIMARY LEGISLATION

Primary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Law Amending the Law No 2821 on Trade Unions and Law No 2822 on Collective Labour Agreement, Strike and Lock-out ²⁹	Amending the Trade Unions Law No 2821 and the Law No 2822 on Collective Labour Agreements, Strikes and Lock-outs with a view to expand trade union rights.	ILO Convention No 87 and No 98, European Social Charter	Ministry of Labour and Social Security	NPAA/2009
Law Amending the Law No 4688 on Civil Servants' Trade Unions ³⁰	Amending the Law with a view to expand trade union rights of public officials.	ILO Convention No 87, No 98 and No 151 European Social Charter	Ministry of Labour and Social Security State Personnel Presidency	NPAA/2009
Law Amending the Civil Servants' Law and the Labour Law	Granting parental leave which enables mother and father to share unpaid leave for the care of children.	Directives 96/34/EC and 92/85/EC	Directorate General on the Status of Women Ministry of Labour and Social Security State Personnel Presidency	NPAA/2009
Civil Aviation Labour Law	Regulating the working conditions of employees working in the civil aviation business by a special law.	Directive 2000/79/EC	Ministry of Labour and Social Security	NPAA/2009-2010

²⁹ The legislation is also included 23 – Judiciary and Fundamental Rights.

³⁰ The legislation is also included 23 – Judiciary and Fundamental Rights.

Primary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Occupational Health and Safety Law	Harmonization with the EU legislation on occupational health and safety.	Directives 89/391/EEC, 89/655/EEC, 89/656/EEC, 90/270/EEC, 91/383/EEC	Ministry of Labour and Social Security State Personnel Presidency	NPAA/2009
Law on Social Services	Determination of main principles, procedures, models and quality of social services provided to persons, families, groups and society who are in need of protection, care, support and assistance by the public institutions and real and legal persons; determination of principles and procedures of guidance and audit related to the social service implementations.	European Social Inclusion Strategy	Directorate General on Social Services and Child Protection	

2- LIST OF SECONDARY LEGISLATION

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
<p>Regulation on Branch of Activities</p> <p>(It will be enacted after the adoption of the Law on Amendment to Law No 2821 on Trade Unions and Law No 2822 on Collective Labour Agreement, Strike and Lock-out)</p>	<p>The amendments to be made in the Trade Unions Law No 2821 and Law No 2822 on Collective Labour Agreements, Strikes and Lock-outs necessitate these arrangements.</p>	<p>ILO Conventions No 87 and No 98 European Social Charter</p>	<p>Ministry of Labour and Social Security</p>	<p>NPAA/2009</p>
<p>Regulation on the Supervision of Workers' and Employers' Trade Unions and Confederation of Unions</p> <p>(It will be enacted after the adoption of the Law on Amendment to the Law No 2821 on Trade Unions and Law No 2822 on Collective Labour Agreement, Strike and Lock-out)</p>	<p>The amendments to be made in the Trade Unions Law No 2821 and Law No 2822 on Collective Labour Agreements, Strikes and Lock-outs necessitate these arrangements.</p>	<p>ILO Conventions No 87 and No 98 European Social Charter</p>	<p>Ministry of Labour and Social Security</p>	<p>NPAA/2009</p>

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
<p>By-law on Procedures, Principles and Identification of Competent Unions to Carry Out Collective Labour Agreements</p> <p>(It will be enacted after the adoption of the Law on Amendment to Law No 2821 on Trade Unions and Law No 2822 on Collective Labour Agreement, Strike and Lock-out)</p>	<p>The amendments to be made in the Trade Unions Law No 2821 and Law No 2822 on Collective Labour Agreements, Strikes and Lock-outs necessitate these arrangements.</p>	<p>ILO Conventions No 87 and No 98 European Social Charter</p>	<p>Ministry of Labour and Social Security</p>	<p>NPAA/2009</p>
<p>By-law on Application to a Referee or an Official Arbiter</p> <p>(It will be enacted after the adoption of the Law on Amendment to the Law No 2821 on Trade Unions and Law No 2822 on Collective Labour Agreement, Strike and Lock-out)</p>	<p>The amendments to be made in the Unions Law No 2821 and Law No 2822 on Collective Labour Agreements, Strikes and Lock-outs necessitate these arrangements.</p>	<p>ILO Conventions No 87 and No 98 European Social Charter</p>	<p>Ministry of Labour and Social Security</p>	<p>NPAA/2009</p>

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
<p>By-law on the Measures to be Taken in cases of Strike and Lock-out</p> <p>(It will be enacted after the adoption of the Law on Amendment to the Law No 2821 on Trade Unions and Law No 2822 on Collective Labour Agreement, Strike and Lock-out)</p>	<p>The amendments to be made in the Unions Law No 2821 and Law No 2822 on Collective Labour Agreements, Strikes and Lock-outs necessitate these arrangements.</p>	<p>ILO Conventions No 87 and No 98 European Social Charter</p>	<p>Ministry of Labour and Social Security</p> <p>Ministry of Interior</p>	<p>NPAA/2009</p>

3- OTHER WORK TO BE COMPLETED

Finalisation of the Action Plan, which is the requirement of the second benchmark of the Chapter.

20- ENTERPRISE AND INDUSTRIAL POLICY

1- LIST OF PRIMARY LEGISLATION

Primary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Turkish Code of Obligations	Alignment in arrangements on late payment in commercial transactions, as stated in the EU Common Position paper	Directive 2000/35/EC on combating late payment in commercial transactions	Ministry of Justice	New measure

2- LIST OF SECONDARY LEGISLATION

–

3- OTHER WORK TO BE COMPLETED

1. Adoption, implementation, monitoring and evaluation of the Turkish Industrial Policy, which is the closing benchmark of the chapter.
2. Revision of the SME Strategy and Action Plan (2007-2009) prepared in the framework of the harmonization work.

21-TRANS-EUROPEAN NETWORKS

1- LIST OF PRIMARY LEGISLATION

–

2- LIST OF SECONDARY LEGISLATION

–

3- OTHER WORK TO BE COMPLETED

There is no legislation that needs to be enacted under this chapter.

The aim of TEN-transport is to enable the free movement of persons, goods and services through the establishment of a well operating transport infrastructure and connecting the infrastructure with the Trans-European Networks.

Within this context, in line with the relevant EU acquis Transport Infrastructure Needs Assessment (TINA) Study was prepared. With this study, a core network identifying the needs of our country in 4 transport modes and 43 priority transport infrastructure projects were determined. The negotiations in this chapter continue on the basis of the TINA study aiming to identify the future TEN-T in Turkey. The full alignment with the acquis will be achieved by membership.

1. The studies continue for the preparation of the information regarding the fulfillment of the benchmarks requested by the Commission for the closing of Chapter to negotiations regarding the TEN-T. In addition studies continue for the establishment of a Transport Coordination Unit within the Ministry of Transport.
2. The details of the studies can be considered within the context of chapter-based committees-The Internal Coordination and Harmonisation Committee.

22- REGIONAL POLICY AND COORDINATION OF STRUCTURAL INSTRUMENTS

1- LIST OF PRIMARY LEGISLATION

Primary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Law Amending the Law No 4059 on the Organization and Functions of Undersecretariat of the Treasury and Undersecretariat of Foreign Trade	Amending the Article 5/b of the Law No4059 in terms of the "Audit Authority" functions specified in IPA Regulation	Regulations (EC) No 1085/2006 and 718/2007, IPA Framework Agreement	Undersecretariat of Treasury	NPAA 2009-2010
Law Amending the Law No 4856 on the Organization and Duties of the Ministry of Environment and Forestry	Strengthening the legal basis for the units established to administer and apply the Environment Operational Program, preparations of which are completed under the coordination of the Ministry of Environment and Forestry, effectively in order to benefit from the EU financial aids within the scope of IPA.	Regulations (EC) No 1085/2006 and 718/2007	Ministry of Environment and Forestry	NPAA 2009-2010, PAA,
Law Amending the Law No 3146 on the Establishment of the Ministry of Labour and Social Security	Strengthening the legal basis for the units established to administer and apply the Human Resources Development Operational Program, preparations of which are completed under the coordination of the Ministry of Labour and Social Security, effectively in order to benefit from the EU financial aids within the scope of IPA.	Regulations (EC) No 1085/2006 and 718/2007	Ministry of Labour and Social Security	NPAA 2009-2010, PAA

Primary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Law Amending the Law No 3143 on the Establishment of the Ministry of Industry and Trade	Strengthening the legal basis for the units established to administer and apply the Operational Program for Regional Competitiveness, preparations of which are completed under the coordination of the Ministry of Industry and Trade, effectively in order to benefit from the EU financial aids within the scope of IPA.	Regulations (EC) No 1085/2006 and 718/2007	Ministry of Industry and Trade	NPAA 2009-2010, PAA 2007-2008
Law Amending the Law No 3348 on the Organization and Duties of the Ministry of Transport	Strengthening the legal basis for the units established to administer and apply the Transport Operational Program, preparations of which are completed under the coordination of the Ministry of Transport, effectively in order to benefit from the EU financial aids within the scope of IPA.	Regulations No 1085/2006 and 718/2007	Ministry of Transport	NPAA 2009-2010, PAA

2- LIST OF SECONDARY LEGISLATION

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Arrangements Regarding the Use of the EU Financial Aids	Regulating the implementing procedures and principles in relation to the amendments to be made in the establishment laws of Ministries for the use of the EU financial aids.	Regulations (EC) No 1085/2006 and 718/2007	Ministry of Environment and Forestry ³¹ , Ministry of Labour and Social Security ³² , Ministry of Industry and Trade ³³ , Ministry of Transport ³⁴	NPAA 2010, PAA 2008
Secondary legislation on the Law No 3152 on the Organization and Duties of the Ministry of Interior, By-law on Planning Expert of Ministry of Interior, Regulation on Organization and Duties of Provincial Directorate of Planning and Coordination	Strengthen the capacity of planning, programming, coordination and monitoring at provincial level and ensure effective working of Provincial Coordination Committee through increasing the capacity and authority of Provincial Directorate of Planning and Coordination	Regulation (EC) No 1083/2006	Ministry of Interior	NPAA, 2009
By-law Amending the By-law on the Board of Treasury Controllers	Inclusion of the Audit Authority functions specified in the IPA regulation to the By-Law.	Regulations (EC) No 1085/2006 and 718/2007, IPA Framework Agreement	Undersecretariat of Treasury	NPAA 2009, PAA

3- OTHER WORK TO BE COMPLETED

—

³¹ It will be enacted after the adoption of Law on Amendment to the Law No 4856 on the Organization and Duties of the Ministry of Environment and Forestry.

³² It will be enacted after the adoption of Law on Amendment to Law No 3146 on the Establishment of the Ministry of Labour and Social Security

³³ It will be enacted after the adoption of Law on Amendment to Law No 3143 on the Establishment of the Ministry of Industry and Trade.

³⁴ It will be enacted after the adoption of Law on Amendment to Law No 3348 on the Organization and Duties of the Ministry of Transport.

23- JUDICIARY AND FUNDAMENTAL RIGHTS

1- LIST OF PRIMARY LEGISLATION

Primary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Trade Unions Law No:2821 and Law Amending Certain Articles of the Law on Collective Labour Agreements, Strikes and Lock-outs No:2822 ³⁵	Amendment to the Trade Unions Law and Law Amending Certain Articles of the Law on Collective Labour Agreements, Strikes and Lock-outs in order to enhance the union rights	ILO Convention No 87 and No 98 European Social Charter	Ministry of Labour and Social Security	NPAA/2009
Law Amending the Law No 4688 on Civil Servants' Trade Unions ³⁶	Revision of the Law in order to enhance the the union rights of public officials.	ILO Convention No87, No98 151 European Social Charter	Ministry of Labour and Social Security State Personnel Presidency	NPAA/2009
Law Amending the Law on Supreme Court of Appeals	Reducing the workload of the Supreme Court of Appeals by establishing courts of appeals.	Political criteria	Ministry of Justice	NPAA/2009
Law on the Union of Judges and Prosecutors of Turkey	To satisfy the common needs of judges and prosecutors, to facilitate their professional activities, and enabling the development of this profession in compliance with general interest.	Political criteria Council of Europe Committee of Ministers Decision R (94)12	Ministry of Justice	NPAA/2009
Law on Collection of Contributions	Annulment of Law No 2860 on Collection of Contributions, which has been in force for 24 years, and introducing a re-arrangement made according to the different conditions of the present day.	Political criteria	Ministry of Interior	PAA/2010

³⁵ The legislation is also included in Chapter 19 – Social Policy and Employment.

³⁶ The legislation is also included in Chapter 19 – Social Policy and Employment.

Primary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
General Administrative Procedure Law	Introducing the obligation for the administration to specify the authority which the person subject to administrative action has the right apply to or file a court case, and the deadline for such application or filing.	Political criteria	Ministry of Justice	NPAA/2009
Law Amending the Administrative Jurisdiction Law	To resolve certain technical problems in the application and shortening the trial process. Introducing new arrangements on matters regarding duty and authority.	Political criteria	Ministry of Justice	NPAA/2009
Law on Trade Secrets, Secrets of Banks and Customers	Arranging the principles and procedures on requesting, furnishing, using and protecting the trade, bank and customer secrets of public agencies and institutes, as well as business enterprises and companies, banks, insurance companies and intermediary institutions in financial markets working in the fields of production, consumption and services in economic, commercial and financial sectors.	Directive 95/46/EC on the Protection of Individuals with regard to Processing of Personal Data and On the Free Movement of such Data Directive 91/308/EEC on Prevention of the Use of the Financial System for the Purpose of Money Laundering	Ministry of Justice	NPAA/2009
Law on the Protection of Personal Data	To protect the privacy, material and moral existence as well as fundamental rights and freedoms of individuals by protecting personal data. To establish basic principles on collecting, processing and securing personal data.	Council of Europe Convention ETS No 108 (919999JHA10184) opened for signature on 28 January 1981 for the Protection of Individuals with regard to Automatic Processing of Personal Data Directive 95/46/EC on the Protection of Individual with regard to the Processing of Personal Data and on the Free Movement of such Data	Ministry of Justice	NPAA/2009

Primary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Law Amending the Law on Enforcement and Execution of Punishment Judges and of certain laws.	Conducting studies on the execution of convictions and enforcement judges.		Ministry of Justice	NPAA/2009
Civil Procedure Law	<p>Making the judicial system simpler, achieving the unity of terms; developing a logical, unsophisticated and simple system that is easy to follow and in compliance with the course of trials.</p> <p>Establishing new institutions in order to ensure trials to be carried out in a more accurate, expedient, fast and effective way.</p>	<p>Council of Europe Committee of Ministers Recommendation No R (86) 12 concerning the Measures to Reduce the Excessive Workload in the Courts</p> <p>Council of Europe Recommendation No R (81) 7 on Measures Facilitating Access to Justice</p> <p>Recommendation No R (84) 5 on the Principles of Civil Procedure Designed to Improve the Functioning of Justice</p>	Ministry of Justice	NPAA/2009
Law on Mediation in Civil Disputes ³⁷	Reduction of the workload in judiciary, resolution of disputes with minimum costs and satisfaction of the parties in a more peaceful and conciliatory manner outside the judicial system in accordance with the “restorative justice principle”.	<p>Recommendation No R (86) 12 of the Council of Europe Committee of Ministers concerning the Measures to Reduce the Excessive Workload in the Courts</p> <p>Council of Europe Recommendation No R (98) 1 on Mediation in Family Matters</p> <p>Council of Europe Recommendation No R (99) 19 on Mediation in Penal Matters</p>	Ministry of Justice	NPAA/2009

³⁷ Considered within the scope of political criteria.

Primary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Law on Judicial Data Processing	Ensuring the credibility and accuracy of judiciary to the highest degree, and accelerating functioning of it by means of cooperation with the Constitutional Court, Supreme Court of Appeals, Council of State, Court of Jurisdictional Disputes, High Council for Judges and Prosecutors, Supreme Election Board, civil/criminal and administrative judiciary organs, central and administrative units of the Ministry of Justice, offices affiliated or attached to Ministry of Justice.		Ministry of Justice	NPAA/2010
Law on Court of Audits ³⁸	Ensuring contribution of external audit to the establishment of an accountable and transparent public financial management system in accordance with the Constitution and Law No 5018.	Council Regulation (EC) No 2988/95, Council Regulation (EC) No 1267/1999, Commissions Regulations (EC) No 4253/88 and 2064/97	Court of Audits	NPAA/2009 PAA/2009
The Law on Human Rights Institution of Turkey	To carry out studies with the aim of protecting and improving human rights, in this framework to make reviews and researchs, to prepare reports, to carry out activities for informing, awareness raising and education and to establish Human Rights Institution as authorized to examine and make research about the allegations of breaches of human rights in line with Paris Principles.	Political Criteria	Prime Ministry	NPAA/2009

³⁸ The legislation is also included within the scope of political criteria in and Chapter 32 – Financial Control

Primary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Law on the Establishment of the Commission for the Oversight of Law Enforcement Bodies and amending Some Laws	With the aim of enhancing the law enforcement bodies to operate more effectively and speedily and improving transparency, increasing credibility, to realise recording in a central system and monitoring the works and operations that must be done or have been done by the administrative authorities because of actions, attitudes and behaviours requiring disciplinary punishments crimes claimed to be committed by the law enforcement services and to establish an independent monitoring commission for law enforcement bodies and to define its duties, competences, working principles and also other administrative measures, rules and principles.	Political criteria	Ministry of Interior	NPAA
Law on the Approval of the UN Optional Protocol to the Convention against Torture, and other Cruel, Inhuman or Degrading Treatment or Punishment	Setting up of a mechanism introducing regular visits of independent international and national institutions in order to prevent torture and other cruel, inhuman or degrading treatment or in punishment.	Political Criteria	Ministry of Foreign Affairs	NPAA/ 2009

Primary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Law Amending the Law No 5176 on Establishment of the Board of Ethics of the Public Officials and Amending Certain Laws	Removal of the defects stemming from the Law that came up in the implementation period of first four years (As brought up in GRECO and EU progress reports, non-ensuring of sufficient independence primarily in the issues of personnel and budget, non-examination of issues which were submitted to the judiciary etc.) Evaluation along with the Law on Ombudsman due to a parallelism in the task areas.		Board of Ethics	NPAA/2009
Law Amending the Turkish Civil Law	Modernizing the procedures of identifying the blood tie between fathers and child born out of wedlock through recognition or judge decision.	European Convention on Human Rights Decisions of European Court of Human Rights United Nations Convention on the Elimination of All Forms of Discrimination against Women	Ministry of Justice	NPAA/2010
Village Law	Re-arrangement of the villages in order to have participatory administrative structure in line with the principles in the Constitution and change in the concept of public administration.	Political Criteria	Ministry of interior	New measure included in the framework of organisational comments of the 2nd pillar of the Turkey's European Strategy
Law on Special Provincial Administration and Municipality Revenues	To enable special provincial administrations, the authorities of which have been increased, and municipalities to have sufficient financial resources to carry out their duties.	Political Criteria	Ministry of interior	PAA/2010

Primary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Law Amending the Law on Associations, Turkish Civil Law and the Law on the Organization and Duties of the Ministry of Interior	To prevent legal problems, especially disputes between the association and its members, that may arise due to the unclear articles of Law No 5253 on Associations, to carry out the services provided for associations effectively and efficiently, to prevent misuses so as to improve confidence towards non-governmental organizations, and as has been stated in the ECHR decisions, as a requirement of the active obligations of the state besides its passive obligations regarding the freedom of organization preparing the legal basis for enabling non-governmental organizations to work effectively and for preventing arbitrary interventions of the state or other persons.	Political Criteria	Ministry of Interior	PAA/2010

2- LIST OF SECONDARY LEGISLATION

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
By-law Amending the By-law on Associations	To prevent disputes especially between the association and its members that may arise, to carry out the services provided for associations effectively and efficiently, to prevent misuses so as to improve confidence towards non-governmental organizations, and as has been stated in the ECHR decisions, as a requirement of the active obligations of the state besides its passive obligations regarding the freedom of organization preparing the legal basis for enabling non-governmental organizations to work effectively and for preventing arbitrary interventions of the state or other persons.	Political Criteria	Ministry of Interior	PAA/2010
By-law on Collection of Contributions	Making up-to-date arrangements for the collection of contributions.	Political Criteria	Ministry of Interior	PAA/2010

3- OTHER WORK TO BE COMPLETED

1. Preparing a National Action Plan for Fundamental Rights
2. Establishment of an independent National Human Rights Institution in line with the international standards

24- JUSTICE, FREEDOM AND SECURITY

1- LIST OF PRIMARY LEGISLATION

Primary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Foreigners Law	Harmonization of visa descriptions and types (single and multiple entrance visas) with the EU visa types. Identification of the procedural and legislative framework of the struggle against illegal immigration and employment.	<ul style="list-style-type: none"> - Schengen Acquis SCH/Com-Ex (99) 13 - Decision of the Executive Committee of 28 April 1999 on the Definitive Versions of the Common Manual and Common Consular Instruction - Regulation (EC) No 1091/2001 - Council Recommendation for harmonizing the means of struggle against illegal immigration and illegal employment, and developing the control procedures in relation to these. - Resolutions of 20 June 1994 and 30 November 1994 on limitation of admission of third-country nationals to the territory of the Member States for employment - Articles 11, (1), (a) and 21 of the Schengen Convention - Part I, 2.1.3 of the Common Consular Instructions (CCI) 	Ministry of Interior Ministry of Foreign Affairs	NPAA/2010 PAA/2010

Primary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Asylum Law	Harmonization of the Turkish legislation on Asylum, Immigration and Foreigners with the EU legislation while maintaining the existing geographical restrictions.	<ul style="list-style-type: none"> - Directives No 2001/55/EC 2003/09/EC, 2004/83/EC and 2005/85/EC - Resolutions of 30 November and 1 December 1992 on a harmonized approach to matters with regard to host third-countries - Council Declaration No 15067/02 regarding Safe Third-Countries - Conclusions of 30 November and 1 December 1992 on Countries in Which There is Generally no Serious Risk of Persecution - Resolutions of 30 November and 1 December 1992 on Manifestly Unfounded Applications for Asylum - Council Resolution on minimum guarantees for asylum procedures - Amsterdam Treaty: Protocol on the right of asylum for citizens of the EU member states - Resolutions (EC) No 2000/596, 2001/275 2002/307 and 2002/46 - Regulation (EC) No 491/2004 	Ministry of Interior Ministry of Foreign Affairs	NPAA/2010 PAA/2010
Law on Establishment of an Asylum and Immigration Unit under the Ministry of Interior	Establishment of a new Asylum and Immigration Unit under the Ministry of Interior.	Amsterdam Treaty: Protocol on the right of asylum for citizens of the EU member states	Ministry of Interior	NPAA/2010

Primary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Law on DNA Data and National DNA Data Bank of Turkey	Setting up an equilibrium between obtaining and storing personal data - e.g. blood and tissue samples - for cases such as criminal proceedings in which such data is necessary, and the protection of the privacy of such data, which lies in the scope of the fundamental rights and freedoms of persons.	Directive No 95/46/EC Decisions No 97/C 193/02 and 2001/C 187/01.	Ministry of Justice	NPAA/2010 PAA/2010
Legislation on Establishment of Border Security Unit under the Ministry of Interior	Carrying out studies to establish a professional border security organization to work in all border gates of Turkey and in blue and green borders.	Treaty of Amsterdam and Article 8 of the Protocol annexed to that Agreement and which integrates Schengen Acquis with European Union framework, Schengen Catalogue, prepared on 8 February 2002, Article 6 of Schengen Implementation Agreement	Ministry of Interior	NPAA/2010
Law on Service	Legislation in parallel with social, economic and technological developments both in the world and in Turkey.	Regulation (EC) No 1348/2000	Ministry of Justice	NPAA/2010

2- LIST OF SECONDARY LEGISLATION

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
By-law on the Implementation of the Asylum Law	Issuing Secondary Legislation for the implementation of the Asylum Law envisaged to be enacted.	Directives 2001/55/EC 2003/09/EC, 2004/83/EC and 2005/85/EC ; Resolution of 30 November and 1 December 1992 on a harmonized approach to matters with regard to host third-countries; Council Declaration No 15067/02 regarding Safe Third-Countries; Conclusions of 30 November and 1 December 1992 on Countries in Which There is Generally no Serious Risk of Persecution; Resolution of 30 November and 1 December 1992 on Manifestly Unfounded Applications for Asylum; Council Resolution on minimum guarantees for asylum procedures; Amsterdam Treaty Protocol on the right of asylum for citizens of the EU member states ; Resolutions No 2000/596, 2001/275 2002/307/EC and 2002/46/EC Regulation No491/2004	Ministry of Interior	NPAA/2010 PAA/2010

3- OTHER WORK TO BE COMPLETED

- 1- Preparation of a roadmap complementary with the National Action Plan towards the Implementation of Turkey's Integrated Border Management Strategy.
- 2- Preparation of a roadmap complementary to the Asylum and Migration National Action Plan
- 3- Establishment of an "Appeal Evaluation Board" in asylum system for the first instance decisions in the framework of the Council Resolution of 20 June 1995 on minimum guarantees for asylum procedures
- 4- Approval of the Asylum Circular
- 5- Approval of the Illegal Migration Circular
- 6- Signing the Memorandum of Understanding in the Fight against Smuggling between the Ministry of Interior and the Ministry of State in charge of the Customs to improve the level of cooperation between the Ministry of Interior and Undersecretariat of Customs in accordance with Council Resolution of 29.11.1996 on the cooperation of police-customs cooperation in the fight against drugs
- 7- Following the enactment of Data Protection Law, signing Operational Level Co-operation Agreement with Europol to enable cooperation on operational level with Europol thus taking further steps in the fight against international crime
- 8- Approval of the Turkey's National Strategy on Combating Organised Crime and annexed Action Plan.
- 9- Approval of the Border Guard Training Strategy
- 10- Approval of the implementation plan for struggle against drugs in rural areas of Turkey and establishment of the crime analysis center and training and research law enforcement center for dealing with cross border crimes in the Gendarmerie General Command.
- 11- Preparation of the action plan for implementation of the national policy and strategy document on counteracting addictive substance and substance addiction

26- EDUCATION AND CULTURE

1- LIST OF PRIMARY LEGISLATION

Primary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Law on the Establishment and Duties of the Education and Youth Agency of Turkey.	<p>Harmonizing with the relevant legislation for the periods between 2007-2013 of education and youth programmes of the EU</p> <p>This arrangement covers how education and youth programmes of the EU shall be implemented</p>	Decisions No 1719/2006/EC and 1720/2006/EC	Centre for European Union Education and Youth Programmes	NPAA/2009
Law on ratification of the UNESCO's Convention on the Protection and Promotion of the Diversity of Cultural Expressions.	Harmonizing with the evolving principles of the UNESCO	EU Culture Policies relevant with the UNESCO.	<p>Ministry of Foreign Affairs</p> <p>Ministry of Culture and Tourism</p>	PAA 2009-2013

2- LIST OF SECONDARY LEGISLATION

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
By-law on the Working Procedures and Principles of Education and Youth Agency of Turkey	Aligning the working procedures and principles of the Agency with the criteria envisaged for 2007 – 2013 period and with its enlarged scope. This arrangement covers all matters related to the operation of the Agency.	Decisions No 1719/2006/EC and 1720/2006/EC	Centre for European Union Education and Youth Programmes	NPAA/2009
By-law on the Procedures and Principles regarding Budget and Accounting Applications of Education and Youth Agency of Turkey.	Harmonizing with amendments on budget and accounting envisaged for 2007 – 2013 period and making new arrangements in parallel with enlarged scope. This arrangement covers all matters in relation to the principles and procedures of the budget and accounting practices of the Agency.	Decisions No 1719/2006/EC and 1720/2006/EC	Centre for European Union Education and Youth Programmes	NPAA/2009
By-law on Guides of the Centre for European Union Education and Youth Programmes	Arrangement of working conditions of guides who will serve for promotion of the EU Education and Youth Programmes.	Decisions No 1719/2006/ EC and 1720/2006/ EC	Centre for European Union Education and Youth Programmes	NPAA/2009

3- OTHER WORK TO BE COMPLETED

–

27- ENVIRONMENT

1- LIST OF PRIMARY LEGISLATION

Primary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Biosafety Law ³⁹	In conformity with the UN Cartagena Protocol on Biosafety, to which Turkey is party, predetermination of risks that may arise due to GMOs and their products, that are achieved by means of modern biotechnology, and in order to enable the control of such risks, approaching them as a unity of systems and setting up, developing and applying the necessary system, and constituting a centralized management for the system, which is developed by taking the whole country into account.	<p>Council Directive 98/81/EC amending Directive 90/219/EEC on the Contained Use of Genetically Modified Micro-organisms</p> <p>Council Directive 2001/18/EC annulling Council Directive 90/220/EEC on the Deliberate Release into the environment of GMOs</p> <p>Regulation (EC) No 1830/2003 of the European Parliament and of the Council amending Council Directive 2001/18/EC concerning the traceability and labelling of GMOs and the traceability of food and feed products produced from GMOs</p> <p>Regulation (EC) No1946/2003 of the European Parliament and of the Council on transboundary movements of GMOs</p> <p>Directive 2009/41/EC</p>	Ministry of Agriculture and Rural Affairs	PAA/2008-2009 NPAA(2009-2010) Turkey's Negotiating Position Paper

³⁹ Adopted by TGNA on 18.03.2010 following the approval of this action plan by the Ministerial Council on 15.03.2010

Primary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
<p>Law Amending the Environment Law No 2872.</p>	<p>Establishment of an infrastructure for spatial information and setting up general principles for policies having direct or indirect effect on environment,</p> <p>Within the framework of exchange of environmental information and environmental information systems, a study is carried out on spatial information,</p> <p>As stated in National Strategy establishment of network increases institutional cooperation and ensures integration of environmental concerns into national policies and planning procedures.</p> <p>Data used for environmental policy is produced and kept by different institutions. Data is going to be streamlined within a single system; the legislation will facilitate exchange of information/data between institutions.</p> <p>Establishment of data and information exchange network which facilitate the integration of environment into sectoral policies and preparation of regulation which ensures sustainability and provides fast access to up-to- date and reliable information.</p>	<p>Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE)</p>	<p>Ministry of Environment and Forestry</p>	

Primary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
	<p>Definition of information to be placed in the information network and rules for use and exchange of information; defining principles of reporting between institutions and within the institutions for reporting requirements and during preparation and implementation of environmental policies informing public and ensures public access to information to take public support.</p>			

2- LIST OF SECONDARY LEGISLATION

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
National Waste Management Plan	Preparation of "National/ Regional Waste Management Plan", which is presented in the format given in "Preparing a Waste Management Plan- A Methodological Guidance Note" published in May 2003 by EC DG-Environment in accordance with the EU <i>acquis</i> is carried out by the expert(s) experienced on the waste management plans after examining waste management plans of several member states and the outputs of previous studies.	Directive No 2006/12/EC	Ministry of Environment and Forestry	NPAA/2009 Turkey's Negotiating Position Paper
By-law Amending the By-law on the International Trade of Endangered Species of Wild Fauna and Flora	Implementation of the CITES Convention Identification of the fields of responsibility of the administration and scientific authorities along with the procedures and principles regarding permits and documents in these fields. Regulating the international trade of wild animal and plant species.	Regulation (EC) No 338/97 and Regulation (EC) No 865/2006	Ministry of Environment and Forestry	NPAA/2010 PAA (2010-2013) Turkey's Negotiating Position Paper
By-law on Strategic Environmental Assessment (SEA)	Ensuring environmental assessment is carried out for the plans and programmes in order to protect the environment, which may have an affect on environment and integrate environmental issues into plans, programs during preparation and approval of plans and programmes in line with sustainable development principle	Directive 2001/42/EC on Strategic Environmental Assessment	Ministry of Environment and Forestry	NPAA/2010 PAA/2007 Turkey's Negotiating Position Paper

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
By-law on the Incineration of Wastes	Reduction or prevention of risks to human health due to negative impacts on the environment, in particular air, land, and surface and underground water pollution, caused by the incineration of wastes	Directive 2000/76/EC on the incineration of wastes	Ministry of Environment and Forestry	NPAA/2009 PAA/2007 Turkey's Negotiating Position Paper
By-law Amending the By-law on Hazardous Waste Disposal				NPAA/2009 PAA/2007
By-law Amending the By-law on Solid Waste Disposal				PAA/2007
By-law Amending the By-law on Medical Waste Disposal				PAA/2007
By-law on Landfills	To prevent or reduce the impact of landfills on human health, climate change and the quality of underground or surface water and air quality.	Directive 99/31/EC on the Landfill of Wastes Council Decision 2003/33/EC on the Criteria of Admitting the Waste to Landfills	Ministry of Environment and Forestry	NPAA/2009 PAA/2007 Turkey's Negotiating Position Paper
By-law Amending the By-law on Hazardous Waste Disposal	It covers existing landfill areas and landfill areas to be established.			NPAA/2009 PAA/2007
By-law Amending the By-law on Solid Waste Disposal				NPAA/2009 PAA/2007
By-law Amending the By-law on Medical Waste Disposal				NPAA/2009 MUP/2007
By-law on Large Combustion Plant	To limit the emissions in the form of fume, smoke, dust, gas, vapour and aerosol diffused to the atmosphere as a result of the activities of energy generation plants. Protection of human and its environment from the hazards of air pollution.	Directive 2001/80/EC on the limitation of emissions of certain pollutants into the air from large combustion plants	Ministry of Environment and Forestry	NPAA/2009 PAA/2007 Turkey's Negotiating Position Paper

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
By-law on the Control of Major Industrial Accidents	Prevention of industrial major-accidents in the facilities having dangerous substances and, in order to minimize the hazards of the potential accidents to human and environment, determination of the measures which are necessary to ensure efficient and continuous high level of protection.	Seveso II Directive 96/82/EC on the control of major-accident hazards involving dangerous substances	Ministry of Environment and Forestry Ministry of Labour and Social Security	NPAA/2009 PAA/2007 Turkey's Negotiating Position Paper
By-law on Control of Waste from Extractive Industries	Setting out the general rules, technical and administrative procedures related to prevention, minimization, collection, temporary storage, transport and disposal of the excavated soil, topsoil, waste rock, and tailings arising from extraction of the mineral resources in order to prevent or reduce any adverse effects on the environment and on human health.	Directive 2006/21/EC concerning the Management of Mineral Extraction and Processing Industry	Ministry of Environment and Forestry	NPAA/2009 PAA/2008 Turkey's Negotiating Position Paper
By-law on the Shipments of Waste	Establishing control regime and procedures for waste shipment; according to the waste destination and dispatch; the process to be applied in its destination, waste type and place of origin.	Regulation (EC) No 1013/2006 on Shipments of Waste	Ministry of Environment and Forestry	NPAA/2009 PAA/2008 Turkey's Negotiating Position Paper
By-law Amending the By-law on Hazardous Waste Disposal				NPAA/2009 PAA/2008
By-law on Control of The Waste Electric and Electronic Equipment	Ensuring recycling, recovery and disposal of the waste electric and electronic equipment.	Directive 2002/96/EC on waste electrical and electronic equipment	Ministry of Environment and Forestry	NPAA/2009 PAA/2008 Turkey's Negotiating Position Paper

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
By-law on the Quality of Fresh Waters Needing Protection and Improvement in order to Support Fish Life	The protection or improvement of the quality of the water courses and ditch fresh waters in which species necessary for water management objectives and other naturally varied local species can live in normal conditions or in case of reduction and improvement in water pollution.	Directive 78/659/EEC on the Quality of Fresh Waters Needing Protection in order to Support Fish Life	Ministry of Agriculture and Rural Affairs	NPAA/2009 PAA/2008 Turkey's Negotiating Position Paper
By-law Amending the By-law on the Control of Pollution Caused by Dangerous Substances in Water and its Environment	Amendment of new definitions, revision of given deadlines and overcoming difficulties for implementation.	Directive 76/464/EEC on water pollution caused by discharge of certain dangerous substances	Ministry of Environment and Forestry Ministry of Agriculture and Rural Affairs	NPAA/2009 PAA/2008
By-law Amending the By-law on Hazardous Waste Disposal	While waste list of new Directive is applied, management of hazardous waste and waste oil is ensured in line with the EU acquis and general principles are aligned.	Directive 2008/98/EC	Ministry of Environment and Forestry	New measure
By-law Amending the By-law on Control of waste oil				New measure
By-law Amending the By-law on General Principles of Control of waste				New measure
By-law on Application of Sewage Sludge on Soil	Laying down the required principles consistent with sustainable development objectives, for the controlled use of sludge produced after treatment of municipal and urban wastewater on soil in order not to damage soil, flora, fauna and human.	Council Directive 86/278/EEC of 12 June 1986 on the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture ENV.Eç3/LM Third Working Paper on Sludge dated 27 April 2000	Ministry of Environment and Forestry	PAA/2009

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
By-law on Development of Infrastructure for Spatial Information	Establishment of infrastructure for the spatial planning information/data.	Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE)	Ministry of Environment and Forestry	NPAA (2011-) Turkey's Negotiating Position Paper (2009)
By-law on the Classification, Packaging and Labelling of Dangerous Substances and Mixtures	It is ensured that prevention of technical barriers to trade and protection of human health and environment from negative effects of substances and mixtures placed in the market.	Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures	Ministry of Environment and Forestry	Turkey's Negotiating Position Paper (2010)
By-law on the Protection of Groundwater Against Pollution and Deterioration	Aims at preservation of existing good status of groundwater pollution resulting from human activities protection and control of groundwater against pollution and deterioration. It covers the issues given in Law on Groundwater No 167. Transitional periods are going to be defined in the By-law.	Directive 2006/118/EC of the European Parliament and of the Council of 12 December 2006 on the protection of groundwater against pollution and deterioration and articles of Directive 2000/60/EC on Water Framework Directive which are related to groundwaters.	Ministry of Environment and Forestry	NPAA (2009) Turkey's Negotiating Position Paper (2011)

28- PROTECTION OF CONSUMERS AND HEALTH

1-LIST OF PIMARY LEGISLATION

Primary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Law Amending the Law No 4077 on Protection of Consumers	Full harmonization with the EU acquis on the protection of consumers and taking additional measures to protect consumers.	Directives No 85/357/EEC, 85/374/EEC, 93/13/ EEC, 1999/44/EC, 98/6/EC, 85/577/EEC, 97/7/EC, 87/102/ EEC, 2002/65/EC, 84/450/EEC, 97/55/EC, 94/47/EC, 90/314/EEC, 98/27/EC and 2005/29/EC	Ministry of Industry and Trade	NPAA/2009

Primary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
<p>Law Amending the Law No 4703 on the Preparation and Implementation of Technical Legislation on Products (The Framework Law) ⁴⁰</p>	<p>EU legislation, which is the basis for the Law No 4703, was amended by the legislation issued by the EU in 2008. Similar amendments have to be made in the Law No 4703.</p> <p>Moreover, some provisions of EU's General Product Safety Directive (2001/95/EC) have to be enacted.</p> <p>For that reason, it is planned to issue the Product Safety Law by amending the Law No 4703.</p>	<p>Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93,</p> <p>Decision No 768/2008/EC of the European Parliament and of the Council of 9 July 2008 on a common framework for the marketing of products, and repealing Council Decision 93/465/EEC,</p> <p>Directive 2001/95/EC of the European Parliament and of the Council of 3 December 2001 on general product safety.</p>	<p>Undersecretariat for Foreign Trade</p>	<p>PAA/2007-2008 NPAA/2009</p>

⁴⁰ The legislation is also included in Chapter 1 –Free Movement of Goods

2- LIST OF SECONDARY LEGISLATION

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
By-law Amending the By-law on the Rules and Procedures for Distant Contracts	Full harmonization with the relevant EU legislation and taking new measures to protect consumers; enabling financial services via distant contracts.	Directives 2002/65/EC and 97/7/EC	Ministry of Industry and Trade	NPAA/2009
By-law on Unfair Business-to-Consumer Commercial Practices	Full harmonization with the relevant EU legislation and taking new measures to protect consumers.	Directive 2005/29/EC	Ministry of Industry and Trade	NPAA/2009
By-law Amending the By-law on Principles and Implementing Principles of Commercial Advertisements and Promotions	Full harmonization with the relevant EU legislation and taking new measures to protect consumers.	Directives 84/450/EEC and 97/55/EC	Ministry of Industry and Trade	NPAA/2009
By-law Amending the By-law on Board of Advertisement	Full harmonization with the relevant EU legislation and taking new measures to protect consumers.	Directives 84/450/EEC and 97/55/EC	Ministry of Industry and Trade	NPAA/2009
By-law Amending the By-law on the Rules and Procedures on Package Tour Contracts	Full harmonization with the relevant EU legislation and taking new measures to protect consumers.	Directive 90/314/EEC	Ministry of Industry and Trade	NPAA/2009
By-law on Application Principles and Methods of Contracts Relating to the Right to Use Immovable Properties on a Timeshare Basis	Full harmonization with the relevant EU legislation and taking new measures to protect consumers.	Directive 94/47/EC	Ministry of Industry and Trade	NPAA/2009

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
By-law Amending the By-law on Labels, Tariffs and Price Lists	Full harmonization with the relevant EU legislation and taking new measures to protect consumers.	Directive 98/6/EC	Ministry of Industry and Trade	NPAA/2009
By-law Amending the By-law on Unfair Terms in Consumer Contracts	Full harmonization with the relevant EU legislation and taking new measures to protect consumers.	Directive 93/13/EEC	Ministry of Industry and Trade	NPAA/2009
By-law on the Rules and Procedures for Consumer Credit	Full harmonization with the relevant EU legislation and taking new measures to protect consumers.	Directive 87/102/EEC	Ministry of Industry and Trade	NPAA/2009
By-law Amending the By-law on the Application Principles and Methods Regarding Doorstep - Sales ⁴¹	Full harmonization with the relevant EU legislation.	Directive 85/577/EC	Ministry of Industry and Trade	NPAA/2009
Instruction on Rights of Passengers	Transferring the existing practices to the legislation in order to redress the passenger grievances.	Regulation (EC) No 261/2004	Directorate General of Civil Aviation	NPAA/2009
By-law Amending the By-law on Market Surveillance of the Goods” of the Law No 4703 on the Preparation and Implementation of Technical Legislation on Products (Framework Law); 42	EU renewed “General Product Safety” Directive in 2001 and made amendments in horizontal legislation in 2008; these affected Implementing Regulation on Market Surveillance of the Goods of the Law No 4703 and necessity has arisen to update this legislation.	Decision No 768/2008/EC of the European Parliament and of the Council Directive 2001/95/EC of the European Parliament and of the Council of 3 December 2001 on general product safety Regulation (EC) No 765/2008 of the European Parliament and of the Council	Undersecretariat for Foreign Trade	PAA/2009

⁴¹ It will be enacted after the adoption the Law Amending the Law No 4077 on Consumer Protection.

⁴² The legislation is also included in Chapter 1 –Free Movement of Goods

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
By-law on the Operational Principles of the Microbiological Diagnosis Laboratories	The operational procedures and principles of the microbiological diagnostic laboratories will be regulated in order to strengthen the epidemiological surveillance and control system of communicable diseases.	Legislation to be enacted under the Strengthening of Epidemiological Surveillance and Control System of Communicable Diseases in Turkey Project-I, supported by the EU Financial Cooperation Program 2004.	Ministry of Health	PAA/2009
By-law on the Principles of Establishment and Operation of Public Health Laboratories	The operational procedures and principles of the microbiological diagnostic laboratories will be regulated in order to strengthen the epidemiological surveillance and control system of communicable diseases.	Legislation to be enacted under the Strengthening of Epidemiological Surveillance and Control System of Communicable Diseases in Turkey Project-I, supported by the EU Financial Cooperation Program 2004.	Ministry of Health	PAA/2009
By-law on the effects of use of tobacco and alcohol on public health	Alignment of the implementing regulation published on 30 May 2007 with the relevant directives of the EU issued after that date. The list of Obligatory Notifiable Communicable Diseases and the other relevant articles of the implementing regulation shall be amended as required by the recent decisions of the EU (2007/875/EC, 2008/351/EC, 2008/426/EC)	Commission Decisions No 2007/875/EC, 2008/351/EC and 2008/426/EC	Ministry of Health	NPAA/2009
By-law on the effects of use of tobacco and alcohol on public health			Ministry of Health	PAA/2009

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
By-law on Quality Standards of Human Tissues and Cells	Setting standards of quality and safety for the donation, procurement, testing, processing, preservation, storage and distribution of human tissues and cells and traceability requirements, notification of serious adverse reactions and events and coding of human tissues and cells.	Directives 2004/23/EC, 2006/17/EC and 2006/86/EC	Ministry of Health	NPAA/2010 PAA/2009
By-law on Effects of Electromagnetic Fields on Public Health	Identification of tasks and duties of relevant administration and institutions in order to protect public health against electromagnetic fields, to study their effects on health and to enlighten public on the issue.	Council Recommendation No 1999/519/EC	Ministry of Environment and Forestry	NPAA/2009
By-law on Sale and Presentation of Tobacco Products and Alcoholic Beverages	Making necessary arrangements for all types of activities concerning safe and legal access, sale and presentation of tobacco products and alcoholic beverages to the final consumers. Procedures and principles on ensuring market monitoring and control with surveillance of public and individual health, development of competition, protection of consumer choices, definition of rules for advertisements, improvement of consumer awareness and registration of market activities; and on maintaining stable market activities.	Directive 2003/33/EC	Tobacco, Tobacco Products and Alcoholic Beverages Market Regulation Authority	NPAA/2009

3- OTHER WORK TO BE COMPLETED

—

29- CUSTOMS UNION

1- LIST OF PRIMARY LEGISLATION

Primary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Law on the Amendment of the Decree-law No 485 on the Organization and Functions of the Undersecretariat of Customs	Strengthening the administrative capacity, and thus, improvement of the effectiveness and efficiency in customs services.	Improvement of the administrative capacity	Undersecretariat of Customs	PAA/2007-2008 NPAA/2009-2010
Law on Chambers of Customs Brokers and the Union of Chambers of Customs Brokers	Establishment of Chambers of Customs Brokers and the Union of Chambers of Customs Brokers in order to implement the high professional standards that will ensure the conduct of the profession of customs brokering in a healthy and credible way, regulation of the requirements for entry to the job and the principles of rules of professional discipline and ethics.	Community Customs Code's provisions concerning safety, security and authorized declarant	Undersecretariat of Customs	PAA/2007-2008

2- LIST OF SECONDARY LEGISLATION

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
By-law Amending the By-law on the Common Transit Convention [Shall be regulated following the accession of Turkey to the Convention]	Aims the implementation of the Common Transit Convention in Turkey.		Undersecretariat of Customs	PAA/2010-2013
Communiqués and circulars concerning the Common Transit Convention [Shall be regulated following the accession of Turkey to the Convention]	Aims the implementation of the Common Transit Convention in Turkey.		Undersecretariat of Customs	PAA/2010-2013
General Communiqué on Customs	Identification of the tariff classification together with description and classification grounds of certain goods in Combined Nomenclature.	Commission Regulations on the Classification of Certain Goods in Combined Nomenclature (approximately 200 regulations)	Undersecretariat of Customs	PAA/2010-2013

3- OTHER WORK TO BE COMPLETED

A decision should be taken by the Council of Ministers collect taxes from the goods under scope of the Customs Union and sold in duty free shops.

30- EXTERNAL RELATIONS

1- LIST OF PRIMARY LEGISLATION

Primary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Laws Approving the Ratification of the Free Trade Agreements concluded with the Third Countries ⁴³	Within the framework of undertaking the EC's preferential trade regimes, signature by Turkey of parallel agreements with the countries with which the EU concluded FTAs.	FTAs concluded by the EC with the third countries	Undersecretariat for Foreign Trade	PAA/2007-2008 NPAA/2009 - ⁴⁴
Law on Export Controls of Dual-Use Items	Ensuring the coordination between the institutions and agencies taking part in export controls of dual-use items. Fulfilment of our commitments under the international arrangements, to which our country is a party, that require dual-use items to be subject to export controls in order to prevent the proliferation of mass destruction weapons.	Regulation (EC) No 1334/2000	Undersecretariat for Foreign Trade	PAA/2007/2008 NPAA/2009-2010
Law Amending the Law No 3332	Law regulating the provisions concerning establishment, objectives and activities of Türk Eximbank.	Directives 84/568/EEC and 98/29/EC	Türk Eximbank	NPAA/2009-2010

⁴³ During the process of undertaking FTAs signed by the EU, unwillingness of some countries creates problems. For that reason, although necessary efforts are made to conclude FTAs within the framework of EC acquis and in line with the relevant Accession Partnership priority, opening and conclusion of FTAs are just depending on Turkey's efforts, but also on the positive approach from third countries. Moreover, in order to overcome this difficulty, it is required to have initiatives and strong will of the EU by third countries.

⁴⁴ It will be realized according to the course of the negotiations carried by Turkey with the relevant countries.

2- LIST OF SECONDARY LEGISLATION

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Council of Ministers Decision Approving the Additional Protocol of the Turkey-EFTA Free Trade Agreement	Prevention of trade diversion. The Protocol has been signed during Turkey-EFTA Joint Committee Meeting on 2-3 December 2009. However, internal approval procedures have not started yet. They will be put into force after the conclusion of internal approval procedures.	- European Economic Agreement, -EU-Switzerland Mutual Recognition Agreement	Undersecretariat for Foreign Trade	PAA/2007
Council of Ministers Decree related with the Amendment of the Law No 3332	Definition of the matters covered by EU Directives within the activities of the Bank.	- Council Directive 98/29/EC of 7 May 1998 on harmonisation of the main provisions concerning export credit insurance for transactions with medium and long-term cover - Council Directive 84/568/EEC of 27 November 1984 concerning joint guarantees	Türk Eximbank	New measure included in the framework of organisational comments of the 2nd pillar of the Turkey's European Strategy
Council of Ministers Decisions Approving Mutual Recognition Agreements	Prevention of the trade diversion and facilitation of transactions of exporters.	EU-Israel Mutual Recognition Agreement EU-USA Mutual Recognition Agreement EU-Canada Mutual Recognition Agreement EU-Australia Mutual Recognition Agreement EU-Japan Mutual Recognition Agreement EU-New Zealand Mutual Recognition Agreement	Undersecretariat for Foreign Trade	PAA/2008

3- OTHER WORK TO BE COMPLETED

—

32- FINANCIAL CONTROL

1- LIST OF PRIMARY LEGISLATION

Primary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Law on Court of Audits ⁴⁵	Ensuring compliance with the Constitution and the Law No 5018 in order to ensure contribution of external audit to the establishment of an accountable and transparent public financial management system.	Regulations (EC) No 4253/88, 2988/95, 2064/97 and 1267/1999	Turkish Court of Audits	NPAA/2009 PAA/2009
Law Amending the Law No 5018 on Public Financial Management and Control	The Central Harmonization Unit (CHU), which is affiliated to the Ministry of Finance, will be restructured to accomplish the functions of CHU independently and impartially in line with the Law No 5018 in order to improve and coordinate the public internal control system.	Regulation (EC) No 1605/2002	Ministry of Finance	NPAA/2009

2-LIST OF SECONDARY LEGISLATION

Secondary Legislation to be Amended or Adopted	Objective/Scope	EU Legislation to be Complied with	Institution Responsible for the Preparation of the Legislation	NPAA/PAA
Council of Ministers Decision on the Public Internal Financial Control Policy Paper	Analysis of the current situation in the area of public internal financial control and identification of the work to be conducted in the future.	Regulation (EC) No 1605/2002	Ministry of Finance	NPAA/2009

3- OTHER WORK TO BE COMPLETED

—

⁴⁵ The legislation is also included within the scope of political criteria in Chapter 23 – Judiciary and Fundamental Rights