

29 – CUSTOMS UNION

LEGISLATION CONSIDERED BENEFICIAL TO BE ENACTED (LAW)

I. LEGISLATION CONSIDERED BENEFICIAL TO BE ENACTED IN PERIOD 2007-2008 (01/10/2007 – 30/09/2008)

Reference No.	Name of the Legislation to be Amended/Enacted	Objective/Scope	Stage	EU Legislation Envisaged to Comply with	Institution Responsible for the Preparation of the Legislation
29.0007.1.01	Law on Amendment of Certain Laws and Decrees Having the Force of Law in order for Affiliation of the General Directorate of Liquidation Works and Circulating Capital Enterprises to the Undersecretariat of Customs	Improvement of the administrative capacities so as to ensure that the Undersecretariat of Customs fulfill its functions more effectively and efficiently	At the GNAT	Improvement of the administrative capacity	Ministry of Finance Undersecretariat of Customs
29.0708.1.01	Law on Amendment of Certain Articles of the Customs Law No. 4458	<p>Improvement of the effectiveness and efficiency of the customs activities</p> <p>Authorization of the customs administration for granting of permits to use effective customs regimes</p> <p>Clear identification of criminal acts</p> <p>Harmonization of security and safety measures with the legislative measures related to the “authorized declarant”</p> <p>Conduct of the customs controls principally on the basis of risk identification and measurement of the degree of the risk and by risk analysis conducted in computer data processing techniques;</p>	A draft bill, which includes certain amendments and corrections and regulations, to be added to the Bill at the GNAT is now at the stage of submission to the Prime Ministry	<p>- Council Regulation No. 2913/92 Establishing the Community Customs Code, and its Amendments</p> <p>- Regulation No. 2700/2000 of the European Parliament and of the Council</p> <p>- Regulation No. 1383/2003 of the Council</p> <p>- Regulation No. 648/2005 of the European Parliament and of the Council Amending the Council Regulation No. 2913/92 Establishing the Community Customs Code</p>	Undersecretariat of Customs

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Reference No.	Name of the Legislation to be Amended/Enacted	Objective/Scope	Stage	EU Legislation Envisaged to Comply with	Institution Responsible for the Preparation of the Legislation
		<p>establishment by the Undersecretariat of a risk management framework and identification of risk criteria and control areas of priority</p> <p>Submission of the summary declaration of goods, brought to the Turkish Customs Zone, within a certain period before their arrival</p> <p>For goods transferred from the Turkish Customs Zone, submission of summary declaration where no customs declaration or declaration is required</p> <p>Facilitation of making corrections in declarations</p> <p>Filling the gaps in the customs legislation concerning the demarcation of free zones and identification of entry- exit points</p>			
29.0708.1.02	Law on Amendment and Adoption of the Decree Having the Force of Law No. 485 on the Organization and Functions of the Undersecretariat of Customs	Strengthening of the administrative capacity, and thus, improvement of the effectiveness and efficiency in customs services	At the Prime Ministry	Improvement of the administrative capacity	Undersecretariat of Customs
29.0708.1.03	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	At the Prime Ministry	Community Customs Code's provisions concerning safety, security and authorized declarant	Undersecretariat of Customs

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II. LEGISLATION CONSIDERED BENEFICIAL TO BE ENACTED IN PERIOD 2008-2009 (01/10/2008 – 30/09/2009)

NO LEGISLATIVE MEASURE HAS BEEN ENVISAGED.

III. LEGISLATION CONSIDERED BENEFICIAL TO BE ENACTED IN YEARS 2009 (01/10/2009) – 2013

Reference No.	Name of the Legislation to be Amended/Enacted	Objective/Scope	Stage	EU Legislation Envisaged to Comply with	Institution Responsible for the Preparation of the Legislation
29.0913.1.01	<p>Law on the Illegal Import, Export and Change in the Ownership of Cultural and Natural Assets and their Return back to the Country of Origin</p> <p>(Harmonization shall be ensured with the perspective of full membership to the EU)</p> <p>Also included in the chapter on Free Circulation of Goods with Reference No. 01.0913.1.03.</p>	Prevention of illegal circulation of cultural objects		<p>Council Regulation No. 3911/92/EEC, dated 09.12.1992, on the Export of Cultural Goods</p> <p>Council Regulation No. 2469/96/EC, dated 16.12.1996, on Amendment to the Annex of Council Regulation No. 3911/92/EEC on the Export of Cultural Goods</p> <p>Council Regulation No. 974/2001/EC, dated 14.05.2001, on Amendment to the Annex of Regulation No. 3911/92/EEC</p>	Ministry of Culture and Tourism

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Reference No.	Name of the Legislation to be Amended/Enacted	Objective/Scope	Stage	EU Legislation Envisaged to Comply with	Institution Responsible for the Preparation of the Legislation
29.0913.1.02	New Customs Law	Harmonization with the Modernized Customs Code	Technical studies are in progress within the institution	Draft Resolution on the Modernized Customs Code, which was adopted by the European Commission on 30 November 2007 and which will enter into force following its approval by the European Council and the Parliament	Undersecretariat of Customs
29.0913.1.03	Legislation intended for full harmonization with the Combined Nomenclature	Harmonization with the common customs tariff with respect to the agricultural and iron and steel products shall be achieved at the time of membership.		Decision No. 87/597/ECSC of the Representatives of the Governments of the Member States, Meeting within the Council of 18 December 1987 on the nomenclature and rates of conventional duty for certain products and the general rules for interpreting and applying the said nomenclature and duties	Undersecretariat of Customs

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Reference No.	Name of the Legislation to be Amended/Enacted	Objective/Scope	Stage	EU Legislation Envisaged to Comply with	Institution Responsible for the Preparation of the Legislation
29.0913.1.04	Law on Adoption of the Convention between the EEC and the Republic of Austria, the Republic of Finland, the Republic of Island, the Kingdom of Norway, the Kingdom of Sweden and the Swiss Confederation on the Simplification of Formalities in Trade of Goods	Accession to the Convention on the Simplification of Formalities in Trade of Goods depends on the approval of the countries that are parties to such Convention.		Convention between the EEC and the Republic of Austria, the Republic of Finland, the Republic of Island, the Kingdom of Norway, the Kingdom of Sweden and the Swiss Confederation on the Simplification of Formalities in Trade of Goods	Undersecretariat of Customs
29.0913.1.05	Law on Adoption of the Common Transit Convention between the EEC and the Republic of Austria, the Republic of Finland, the Republic of Island, the Kingdom of Norway, the Kingdom of Sweden and the Swiss Confederation	Accession to the Common Transit Convention depends on the approval of the countries that are parties to such Convention.		Common Transit Convention between the EEC and the Republic of Austria, the Republic of Finland, the Republic of Island, the Kingdom of Norway, the Kingdom of Sweden and the Swiss Confederation	Undersecretariat of Customs
29.0913.1.06	Amendment of the legislation on free zones so as to ensure full harmonization at the time of membership	The abovementioned legislative measure shall be adopted a short time before membership, and shall enter into force at the time of membership.		Council Regulation No. 2913/92, dated 12 October 1992, Establishing the Community Customs Code, and its Amendments	Undersecretariat for Foreign Trade Undersecretariat of Customs

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SECONDARY LEGISLATION (REGULATIONS, IMPLEMENTING REGULATIONS, COMMUNIQUÉS, CIRCULARS, ETC) ENVISAGED TO BE ENACTED AND DOCUMENTS SUCH AS STRATEGIES, PLANS AND PROGRAMS ENVISAGED TO BE DRAFTED

I. SECONDARY LEGISLATION ENVISAGED TO BE ENACTED IN YEAR 2007

NO LEGISLATIVE MEASURE HAS BEEN ENVISAGED.

II. SECONDARY LEGISLATION ENVISAGED TO BE ENACTED IN YEAR 2008

Reference No.	Name of the Secondary Legislation to be Amended/Enacted	Objective/Scope	Stage	EU Legislation Envisaged to Comply with	Institution Responsible for the Preparation of the Legislation
29.2008.2.01	Implementing Regulation Amending Implementing Regulation on Customs (Shall enter into force following the adoption of the Customs Law with Reference No. 29.0708.1.01)	Improvement of the effectiveness and efficiency of the customs activities	Technical studies are in progress within the institution	- Commission Regulation No. 2454/93, dated 02 July 1993, which includes provisions concerning the implementation of the Council Regulation No. 2913/92, dated 12 October 1992, establishing the Community Customs Code - Council Regulation No. 1383/2003, dated 22 July 2003 concerning customs action against goods suspected of infringing certain intellectual property rights and the measures to be taken against goods found to have infringed such rights - Commission Regulation No. 1891/2004, dated 21 October 2004, concerning the implementing provisions of Council Regulation No.	Undersecretariat of Customs

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Reference No.	Name of the Secondary Legislation to be Amended/Enacted	Objective/Scope	Stage	EU Legislation Envisaged to Comply with	Institution Responsible for the Preparation of the Legislation
				1383/2003, dated 22 July 2003 concerning customs action against goods suspected of infringing certain intellectual property rights and the measures to be taken against goods found to have infringed such rights	
29.2008.2.02	Council of Ministers Decision Amending the clauses 1 to 33, 36(f) and 37(c) of the Council of Ministers Decision No. 2000/69 on the Implementation of Certain Articles of the Customs Law No. 4458	Harmonization with the Community Customs Regulation		“Temporary importation” clauses of the Commission Regulation No. 993/2001 Amending the Commission Regulation No. 2454/93	Undersecretariat of Customs
29.2008.2.03	Council of Ministers Decision on Amendment to the Council of Ministers Decision No. 2000/53 on Circumstances in which Exemption from Customs Duties shall be Granted (Shall enter into force following the adoption of the Customs Law with Reference No. 29.0708.1.01)	Identification of the circumstances in which exemption from customs duties shall be granted		The following legislation which regulates the Community system of exemption from the customs duties: - Council Regulation No. 918/83, dated 28 March 1983 - Council Regulation No. 355/94, dated 14 February 1994, Amending the Regulation No. 918/83 - Commission Regulation dated 29 July 1983, which includes the list of biological and chemical substances provided	Undersecretariat of Customs

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Reference No.	Name of the Secondary Legislation to be Amended/Enacted	Objective/Scope	Stage	EU Legislation Envisaged to Comply with	Institution Responsible for the Preparation of the Legislation
				<p>for in paragraph 1(b) of the Council Regulation No. 918/83, dated 28 March 1983</p> <ul style="list-style-type: none"> - Commission Regulation dated 29 July 1983, which includes provisions concerning the implementation of Articles from 70 to 78 of the Council Regulation No. 918/83, dated 28 March 1983 - Decision dated, 19 December 1996, of the European Parliament and of the Council on the establishment of a customs action program in the Community - Commission Regulation, dated 15 December 1988, which includes provisions on the implementation of the Article 63(c) of the Council Regulation No. 918/83, dated 28 March 1983 	

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III. SECONDARY LEGISLATION ENVISAGED TO BE ENACTED IN YEAR 2009

Reference No.	Name of the Secondary Legislation to be Amended/Enacted	Objective/Scope	Stage	EU Legislation Envisaged to Comply with	Institution Responsible for the Preparation of the Legislation
29.2009.2.01	<p>New Implementing Regulation on Customs Law</p> <p>(Shall enter into force following the adoption of the Customs Law with Reference No. 29.0708.1.01)</p>	<p>Identification of the procedures and principles concerning the New Customs Law, which will ensure the new Modernized Customs Code</p>		<p>Draft Resolution on the Modernized Customs Code, which was adopted by the European Commission on 30 November 2007 and which will enter into force following its approval by the European Council and the Parliament</p>	<p>Undersecretariat of Customs</p>

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IV. SECONDARY LEGISLATION ENVISAGED TO BE ENACTED IN YEARS 2010 – 2013

Reference No.	Name of the Secondary Legislation to be Amended/Enacted	Objective/Scope	Stage	EU Legislation Envisaged to Comply with	Institution Responsible for the Preparation of the Legislation
29.1013.2.01	Council of Ministers Decision on Adoption of the Convention between the EEC and the Republic of Austria, the Republic of Finland, the Republic of Island, the Kingdom of Norway, the Kingdom of Sweden and the Swiss Confederation on the Simplification of Formalities in Trade of Goods	Accession to the Convention on the Simplification of Formalities in Trade of Goods depends on the approval of the countries that are parties to such Convention.		Convention between the EEC and the Republic of Austria, the Republic of Finland, the Republic of Island, the Kingdom of Norway, the Kingdom of Sweden and the Swiss Confederation on the Simplification of Formalities in Trade of Goods	Undersecretariat of Customs
29.1013.2.02	Council of Ministers Decision on Adoption of the Common Transit Convention between the EEC and the Republic of Austria, the Republic of Finland, the Republic of Island, the Kingdom of Norway, the Kingdom of Sweden and the Swiss Confederation	Accession to the Common Transit Convention depends on the approval of the countries that are parties to such Convention.		Common Transit Convention between the EEC and the Republic of Austria, the Republic of Finland, the Republic of Island, the Kingdom of Norway, the Kingdom of Sweden and the Swiss Confederation	Undersecretariat of Customs
29.1013.2.03	Amendment of the Implementing Regulation on the Common Transit Convention	Aims at implementation of the Common Transit Convention in our country	Shall be regulated following the accession of our country to the Convention		Undersecretariat of Customs

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Reference No.	Name of the Secondary Legislation to be Amended/Enacted	Objective/Scope	Stage	EU Legislation Envisaged to Comply with	Institution Responsible for the Preparation of the Legislation
29.1013.2.04	Issuance of implementing communiqués and circulars concerning the Common Transit Convention	Aims at implementation of the Common Transit Convention in our country	Shall be regulated following the accession of our country to the Convention		Undersecretariat of Customs
29.1013.2.05	General Communique on Customs	Identification of the tariff classification together with description and classification grounds of certain goods		Commission Regulations on the Classification of Certain Goods in Combined Nomenclature (approximately 200 regulations)	Undersecretariat of Customs
29.1013.2.06	Amendment of the secondary legislation on free zones so as to ensure full harmonization at the time of membership (The abovementioned legislative measure shall be adopted a short time before membership, and shall enter into force at the time of membership)			- Commission Regulation No. 2454/93 of 02 July 1993 laying down provisions for the implementation of Council Regulation No. 2913/92 of 12 October 1992 establishing the Community Customs Code, and its amendments	Undersecretariat for Foreign Trade Undersecretariat of Customs
29.1013.2.07	The necessary secondary legislation which will allow for the effective implementation of the relevant legislation at the time of membership	Harmonization with the EU legislation		- Council Decision, dated 25 October 1996, on simplification and rationalization of the Community Customs legislation and procedures - Council Decision, dated 30 May 2001, on the strategy	Undersecretariat of Customs

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Reference No.	Name of the Secondary Legislation to be Amended/Enacted	Objective/Scope	Stage	EU Legislation Envisaged to Comply with	Institution Responsible for the Preparation of the Legislation
				<p>concerning the Customs Union</p> <ul style="list-style-type: none"> - Decision No. 253/2003 of the European Parliament and of the Council, dated 11 February 2003, adopting an action programme for customs in the Community (Customs 2007) - Council Decision, dated 5 December 2003, on creation of a simple and paperless environment for customs and trade - Decision of the Representatives of the Governments of the Member States, meeting within the Council, concerning the role of the customs administrations after 1992 - Council Regulation No. 515/97, dated 13 March 1997, on mutual assistance between the administrative authorities of the Member States and cooperation between the latter and the Commission to ensure the correct application of the law on customs and agricultural matters 	

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Reference No.	Name of the Secondary Legislation to be Amended/Enacted	Objective/Scope	Stage	EU Legislation Envisaged to Comply with	Institution Responsible for the Preparation of the Legislation
29.1013.2.08	The necessary secondary legislations which will allow for the harmonization of the current BILGE system with the TARIC system	Harmonization with the EU legislation		Council Regulation No. 2658/87, dated 23 July 1987, on the tariff and statistical nomenclature and on the Common Customs	Undersecretariat of Customs Undersecretariat for Foreign Trade
29.1013.2.09	Implementing Regulation of Law on the Illegal Import, Export and Change in the Ownership of Cultural and Natural Assets and their Return back to the Country of Origin (Shall be enacted following the adoption of the Law on the Illegal Import, Export and Change in the Ownership of Cultural and Natural Assets and their Return back to the Country of Origin, with Reference No. 29.0913.1.01) Also included in the chapter on Free Circulation of Goods with Reference No. 01.0913.1.05.			- Commission Regulation No. 752/93, dated 30 March 1993, laying down provisions for the implementation of Council Regulation No. 3911/92 on the export of cultural goods - 302G0205(03) 3911/92/EEC sayılı Konsey Tüzüğü ve 93/7/EEC sayılı Konsey Direktifinin Uygulanmasına Dair 21.01.2002 tarihli Konsey Ülke Kararı	Ministry of Culture and Tourism

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Reference No.	Name of the Secondary Legislation to be Amended/Enacted	Objective/Scope	Stage	EU Legislation Envisaged to Comply with	Institution Responsible for the Preparation of the Legislation
29.1013.2.10	<p>Amendment of the Implementing Regulation on the Flow of Movable Cultural and Natural Assets in need of Protection into and out of the Country</p> <p>(Shall be enacted following the adoption of the Law on the Illegal Import, Export and Change in the Ownership of Cultural and Natural Assets and their Return back to the Country of Origin, with Reference No. 29.0913.1.01)</p> <p>Also included in the chapter on Free Circulation of Goods with Reference No. 01.0913.1.05.</p>			<p>Commission Regulation No. 1526/98/EC, dated 16 July 1998, amending Commission Regulation No. 752/93 laying down provisions for the implementation of Council Regulation No. 3911/92 on the export of cultural goods</p>	<p>Ministry of Culture and Tourism</p>