

**IV. NEW AND GLOBAL + OLD APPROACH PRODUCT LEGISLATION:****A. Standard questionnaire to be filled for each sector individually:**

**Sector:** Recreational Crafts

**1. Harmonisation of laws including technical regulations****1.1. Legal basis**

- **References (and copies) of the publication of acts and decrees transposing Directive(s) ..... into the national legislation of your country:**

“Regulation on Recreational Crafts” transposing Directive 94/25/EC was published in the Official Gazette No. 24174, dated 2 April 2002. The Regulation came into force on 1 June 2005.

The Regulation has already been revised by taking into account the Directive 2003/44/EC. Draft revised version of the concerned Regulation, which is prepared to incorporate the Commission’s comments on the current Regulation as well as the provisions of the new legislation (2003/44/EC) is ready but not published in the Official Gazette yet. Translation of the draft revised Regulation into English is planned to complete within one month so that it can be sent to the European Commission. After getting the comments of the Commission, Revised Regulation will be published in the Official Gazette.

- **Date of entry into application of the national measures transposing the Directive:**

The Regulations came into force on 1 June 2005.

- **If not yet transposed, please indicate the state of play, expected timing, steps to be undertaken, difficulties encountered (if any):**

N/A.

**1.2. Responsible authority**

- **Name and contact details of the competent authority (government, ministry, department, service) and person(s) in charge of transposing the Directive into national legislation**

Republic of Turkey Prime Ministry  
Undersecretariat for Maritime Affairs  
General Directorate for Shipbuilding and Shipyards  
Ship Building and Repair Department  
Murat CEBECİ Head of Department  
GMK Bulvarı No:128 06570 Maltepe/ANKARA  
[mtcebeci@yahoo.com](mailto:mtcebeci@yahoo.com) Tel:+90 312 231 59 36

### 1.3. Notified bodies

- **Has your country the intention to notify conformity assessment bodies for the Directive? If so, could you already identify these bodies (name, and contact details) and indicate the conformity tasks (products and modules) that they will be entitled to perform**

Turkish Lloyd has been notified to the European Commission as candidate Notified Body in the scope of Recreational Crafts Regulation, upon the positive report of the Turkish Accreditation Agency. Related data has been sent to European Commission.

APPLICANT	PRODUCT/RANGE OF PRODUCT	MODULES	ADDRESS	TEL. NO FAX. NO E-MAIL
TURKISH LLOYD	Recreational Crafts	Aa, B, D, F, G, H	TÜRK LOYDU VAKFI Tersaneler Cd. No: 26 81700 Tuzla-İSTANBUL	+90 312 46810 46 +90 216 446 22 40
	Components	B, F, G, H		+90 216 446 19 14  sbakirci@turkloydu.org

## 2. Implementation

### 2.1. Participation in Standing Committee and Experts' Group

- **Name, function and contact details of the representatives (and their alternates, if any) of your country's governmental authorities designated or to be designated to represent your country in the meetings of the standing committee and experts' group established under the Directive:**

For the Standing Committee Under Directive 94/25/EC and Experts' Group Meetings, Maritime Expert Mr. Levent Şahin and Assistant Maritime Expert Mr. Ali Aşık are designated and Mr. Levent Şahin attended the meetings held on 20 December 2005.

## 2.2. Implementing structure

- *Responsible authority central/local:*

**Name and contact details of the competent authority (government ministry, department, service) and person(s) in charge of implementing the provisions of the Directive in the territory of your country:**

In the Undersecretariat in Ankara :

Republic of Turkey Prime Ministry  
Undersecretariat for Maritime Affairs  
General Directorate for Shipbuilding and Shipyards  
Ship Building and Repair Department

Murat CEBECİ GMK Bulvarı No: 128 06570 Maltepe/ANKARA  
[mtcebeci@yahoo.com](mailto:mtcebeci@yahoo.com) Tel:+90 312 231 59 36

Levent ŞAHİN GMK Bulvarı No: 128 06570 Maltepe/ANKARA  
[sahinleventtr@yahoo.com](mailto:sahinleventtr@yahoo.com) Tel:+90 312 2323850/2575

In the Regional Directorates:

Managers of Regional Directorates

Regional Directorate	Address	Telephone	Faximile	Name/Surname e-mail
ANTALYA	BÜYÜK LİMAN YOLU 07070 KONYAALTI ANTALYA	0 242 259 09 90-91	0 242 259 09 89	Caner ARSEVEN <a href="mailto:antalyabolge@denizcilik.gov.tr">antalyabolge@denizcilik.gov.tr</a>
CANAKKALE	Kayserili Ahmet Paşa Cad.No:13 ÇANAKKALE	0 286 212 98 76	0 286 212 98 79	Adnan ERDAL <a href="mailto:canakkalebolge@denizcilik.gov.tr">canakkalebolge@denizcilik.gov.tr</a>
İSTANBUL	Meclis-i Mebusan Caddesi No:151 Fındıklı BEYOĞLU/İSTANBUL	0 - 212 - 249 21 97 / 98	0 - 212 - 293 42 97	Cemalettin ŞEVLİ <a href="mailto:info@istanbuldenizcilik.gov.tr">info@istanbuldenizcilik.gov.tr</a>
İZMİR	ATATÜRK CADDESİ NO:178 PASAPORT - ALSANCAK - İZMİR	0 232 463 73 20	0 232 463 66 63	O.Yıldırım İPEKOĞLU <a href="mailto:izmirbolge@denizcilik.gov.tr">izmirbolge@denizcilik.gov.tr</a>
MERSİN	YENİ MAH. İNÖNÜ BULV. 5307 SOK. LİMAN SAHASI YOLCU SALONU KARŞISI AKDENİZ/MERSİN	0 324 231 85 33	0 324 231 85 35	Mesut ÖZTÜRK <a href="mailto:mersinbolge@denizcilik.gov.tr">mersinbolge@denizcilik.gov.tr</a>
SAMSUN	KALE MH SAHİL CAD NO:9 55030 SAMSUN	0 362 435 90 13	0 362 432 27 44	Kadir TEMİZ

					<a href="mailto:samsunbm@denizcilik.gov.tr">samsunbm@denizcilik.gov.tr</a>
TRABZON	KUNDURACILAR HALKEVİ SOK. NO:16 61100/TRABZON	CAD.	0 462 326 85 55	0 462 326 59 07	Selim SEMİZ <a href="mailto:trabzonbm@denizcilik.gov.tr">trabzonbm@denizcilik.gov.tr</a>
<b>Head of Ship Inspection Surveyors</b>					
ANTALYA	BÜYÜK LİMAN YOLU 07070 KONYAALTI ANTALYA		0 242 259 09 90-91	0 242 259 09 89	Ahmet KIRIK <a href="mailto:antalyabolge@denizcilik.gov.tr">antalyabolge@denizcilik.gov.tr</a>
CANAKKALE	Kayserili Ahmet Paşa Cad.No:13 ÇANAKKALE		0 286 212 98 76	0 286 212 98 79	Hasan YAĞMUR <a href="mailto:hasan.yagmur@denizcilik.gov.tr">hasan.yagmur@denizcilik.gov.tr</a>
İSTANBUL	Meclis-i Mebusan Caddesi No:151 Fındıklı BEYOĞLU/İSTANBUL		0 - 212 - 252 49 65	0 - 212 - 243 16 48	Hızırreis DENİZ <a href="mailto:reis_deniz@hotmail.com">reis_deniz@hotmail.com</a>
İZMİR	ATATÜRK CADDESİ NO:178 PASAPORT - ALSANCAK - İZMİR		0 232 463 73 20/222	0 232 463 66 63	Tanju KAYA <a href="mailto:izmirbolge@denizcilik.gov.tr">izmirbolge@denizcilik.gov.tr</a>
MERSİN	YENİ MAH. İNÖNÜ BULV. 5307 SOK. LİMAN SAHASI YOLCU SALONU KARŞISI AKDENİZ/MERSİN		0 324 231 85 33	0 324 231 85 35	Hikmet KALKAN <a href="mailto:mersinbolge@denizcilik.gov.tr">mersinbolge@denizcilik.gov.tr</a>
SAMSUN	KALE MH SAHİL CAD NO:9 55030 SAMSUN		0 362 435 64 92	0 362 432 27 44	Muzaffer YEŞİLOVA <a href="mailto:myesilova@denizcilik.gov.tr">myesilova@denizcilik.gov.tr</a>
TRABZON	KUNDURACILAR HALKEVİ SOK. NO:16 61100/TRABZON	CAD.	0 462 326 85 55-56	0 462 326 59 07	F.Derviş SOLAK <a href="mailto:fdsolak@hotmail.com">fdsolak@hotmail.com</a>

- **Implementation:**

- Explain how implementation of the Directive in your country will be ensured (monitoring and control tools: market surveillance and others)
- Explain how market surveillance is carried out and on which basis
- Resources available: specify the number and qualification of personnel designated for market surveillance activities (divided in office staff/field personnel)
- Cost: What budget will be provided for market surveillance activities? How will this be financed?

The market surveillance is carried out pursuant to the provisions of the Law on the Preparation and Implementation of the Technical Legislation on the Products (Law No. 4703), “Regulation No. 2001/3529 on Market Surveillance of Products” (published in the Official

Gazette No. 24643, dated 17 January 2002), the “Regulation on Procedures and Principles of Market Surveillance to be Performed by Undersecretariat for Maritime Affairs” (published in the Official Gazette No. 25729 dated, 16 February 2005) and the Regulation on Recreational Crafts.

In the “Regulation on Procedures and Principles of Market Surveillance to be Performed by Undersecretariat for Maritime Affairs”, the principles of inspection and the sanctions to be imposed are defined in detail together with the duties and responsibilities of the inspectors (Ship Inspection Surveyors).

The total number of Ship Inspection Surveyors assigned for the market surveillance is 80.

No special budget is allocated for market surveillance; expenditures on this subject are financed from the budget of the Undersecretariat, under the heading “Purchase of Service”.

- ***Methods of enforcement:***

- **What means/methods will be available in your country for enforcing compliance with the Directive(s)?**
- **Which are the reactive methods available?**
- **Rights of the authority: What are the powers of the authority?**
- **Penalties: which will be the penalties applicable to violation of the national implementing measures?**

Undersecretariat for Maritime Affairs increased the number of Ship Inspection Surveyors and trained them on the subjects; Recreational Crafts Regulations, CE marking and market surveillance.

The Undersecretariat makes use of the following resources for market surveillance activities:

- RAPEX web site,
- Notifications of Member States (CIRCA),
- Complaints of consumers, or Association of Recreational Crafts Manufacturers,
- Information obtained from the Consumer Protection Associations,
- Information obtained from the preceding inspection reports,
- Accidents ...etc

For non-conforming and unsafe products, the Undersecretariat for Maritime Affairs takes necessary measures. At the beginning period from 1 June to 31 December 2005, these measures were granting time limit for remedying the nonconformity, informing the manufacturers and sellers that non-conforming products cannot be registered in Turkey.

Since the beginning of 2006, all actions are taken and penalties applied according to the provisions of the “Regulation on Procedures and Principles of Market Surveillance to be

Performed by Undersecretariat of Maritime Affairs”, the “Regulation No. 2001/3529 on Market Surveillance of Products” and the Law No. 4703. In each case, such actions and penalties are applied considering the level of nonconformity and the principle of proportionality.

The personnel in charge of market surveillance is authorized to make examinations on the product, review the documents and/or conformity marking, make physical examination, take samples for testing.

### **3. Calibration, metrology, standards, testing, certification, conformity assessment, accreditation and market surveillance**

**Please provide information on the relevant regimes for the products in this sector:**

- **short description and**
- **further evolution.**

#### Calibration:

For the time being, controls are made mainly on the document basis.

#### Standards:

The harmonized European standards are transposed and published as national standards by Turkish Standards Institute.

All of the 56 EN standards under the Recreational Craft Regulation (94/25/EC) have been transposed and their list has been published in the Official Gazette No. 25860 and dated 29 June 2005.

#### Testing:

With the “Project on Testing Labs. For Recreational Crafts” the testing capacity of Laboratories of Istanbul Technical University-Faculty of Naval Architect and Marine Sciences is determined, needs of laboratories were also determined. In the scope of this project, needs of laboratories will be procured.

#### Market Surveillance:

Market surveillance is mainly carried out on the registry of crafts in accordance with Article 15 of the Regulation and related Communiqué. The crafts that found to be not in compliance with the Regulation are not registered. Besides, market surveillance is also carried out at showrooms, fairs, exhibitions and also upon complaint. Up to 31 December 2005 total of 195 crafts were audited. Manufacturers and importers of crafts that are not in compliance with the regulations are informed that these crafts cannot be registered.

Results in the period of 01 June 2005 and 31 December 2005 for the activities related to the market surveillance are as follows:

	Conforming Crafts	Non-Conforming Crafts	Total
Under construction (for the purpose of warning the manufacturer and giving information about the new rules)	65	97	162
In manufacturers' warehouse	5	14	19
In showrooms	2	12	14
TOTAL	72	123	195

Manufacturers of 97 non-conforming crafts under construction were warned and they got necessary measures to ensure the crafts to be in compliance with the Regulations.

For the crafts at warehouses and showrooms, which are not in compliance with the Regulations, manufacturers and sellers were informed that these crafts cannot be registered in Turkey and cannot be sold to the EU countries.

In case of non-conformities determined during market surveillance activities, the administrative fines as well as sanctions will be imposed pursuant to the Law no. 4703.

Sanctions include withdrawal from the market and disposal of product, prohibition of placing on the market, granting time limit for remedying nonconformity, some of which is accompanied by administrative fine.

The Undersecretariat attends the Standing Committee Under Directive 94/25/EC and Experts' Group Meetings as an observer. The guidelines and any amendments to the Directive are closely followed to update the Regulation in coordination with the Member States.

140 new personnel have been employed in the Undersecretariat in the preceding year, intended to perform effective market surveillance. 40 of the new personnel are employed at the headquarters and 100 personnel in Regional Directorates. 80 of these personnel are being trained about the related legislation, CE marking and market surveillance.