

STATISTICS LAW OF TURKEY

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PART ONE General Provisions

Purpose

ARTICLE 1- The purpose of this law is to determine basic principles and standards concerning the production and organisation of official statistics; and to regulate the formation, duties, and authorities of the Turkish Statistical Institute which is to compile and assess data and information, produce, publish and disseminate statistics on the areas that country needs, and to ensure coordination among institutions and organizations that are involved in the statistics process prescribed in the Official Statistics Programme.

Definitions:

ARTICLE 2- In the implementation of this law, the terms used herein shall refer to the following;

- a) Institute: Turkish Statistical Institute (TURKSTAT),
- b) Council: the Statistical Council,
- c) Presidency: the Presidency of the Turkish Statistical Institute,
- d) President: President of the Turkish Statistical Institute,
- e) Institutions and organisations: The Prime Ministry and Ministries, and their relevant and related organisations; local governments and their relevant and related organisations, as well as the unions and companies thereof; and other institutions and organisations and professional organisations that have the status of a public institution which have legal entities and which have been established under names such as institute, enterprise, establishment, union, revolving fund, fund etc. including the Central Bank of Turkey; Istanbul Stock Exchange Market and Universities,
- f) Programme: The Official Statistics Programme,
- g) Official statistics: the information obtained as a result of processing data compiled by the Turkish Statistical Institute or by institutions and organisations in charge of producing data on subjects included in the Programme in order to reveal characteristics of any given population,
- h) Statistical unit: Real or legal persons and institutions and organisations on which censuses or sampling studies are conducted and about whom data will be collected,
- i) Population: The entire statistical unit or sub-units that are subject to census or sampling,
- j) Census: Compiling data from all relevant statistical units to reveal the characteristics of a given population,
- k) Sampling: The process of selecting the specific number of units among all relevant statistical units in the population to represent it,

l) National register system: The Database system where communication with the records of the other institutions and organisations is provided at the national level by means of a specified single number by the standardisation of the information which are kept to carry out administrative works of the institutions and organisations,

m) Field study: The process including the interviews with the statistical unit in order to compile all kinds of data related to the statistical studies, the transfer of obtained information into the questionnaire form and the studies carried out until these forms are submitted to the Presidency,

n) Data: Quantitative and/or qualitative statistical information obtained through surveys or administrative registers,

o) Individual data: The data which is defined together with the characteristics of the statistical units on which information are gathered,

p) Direct identification: Revelation of the identity of any statistical unit with its name, address or officially assigned and commonly known identity number,

r) Indirect identification: Revelation of the identity of any statistical unit by using other characteristics those are not included in direct identification,

s) Confidential data: Individual data or data arranged in a table format which enable identification of the statistical unit directly or indirectly together with its characteristics and therefore enable the revelation of individual information,

t) Use for statistical purposes: Use of data collected from statistical units exclusively for the purpose of making statistical tables and statistical analysis,

u) Dissemination: Submission of statistical information to users regardless of any form and instruments used.

PART TWO

Official Statistics Programme, Compilation of Information and Confidentiality

CHAPTER ONE

Official Statistics Programme, Principles, Application Principles and Application Authorities

Official Statistics Programme

ARTICLE 3- The Official Statistics Programme establishes the framework for official statistics that shall be produced on subjects required at national and international level. Censuses and surveys are carried out within the framework of this Programme.

Taking into account the existing resources, the burden on the respondents and the cost-benefit analysis, the Programme covers statistics needed to determine and monitor the situations of the country in the fields of economy, social issues, demography, culture, environment, science, technology and any other required areas.

The Programme is drafted by the Presidency for a term of five years in line with the advisory comments of the Council and submitted to the Council of Ministers. The Programme shall be put into effect upon the publication of the decision of the Council of Ministers in the Official Gazette. When needed, amendments to the Programme, proposed by the Presidency after soliciting the opinion of the related organisations, are made with the decision of the

Council of Ministers, and published in the Official Gazette. The Presidency is in charge of implementing the Programme.

In relation to the implementation of the Programme, the Presidency shall prepare annual monitoring reports to be submitted to the Council on the implementation of the Program and shall inform the public with appropriate means.

Principles

ARTICLE 4- In order to improve the quality of official statistics, statistics produced within the scope of Official Statistics Programme shall be prepared and implemented in accordance with the principles of reliability, consistency, impartiality, statistical confidentiality, timeliness and transparency.

The basic principles are as follows; ensuring the accuracy of official statistics, presenting the data to all users on the same time and on impartial base, respecting the principles of confidentiality and protecting the rights of the public to access the information.

All relevant information and methods used in producing official statistics shall be made public in order to allow the evaluation of the quality of official statistics and their compliance with the principles.

All institutions and organisations as well as their staff in charge of implementing the Programme are obliged to act in accordance with the provisions of this law or any further regulations that may be issued on the basis of it.

Implementation principles

ARTICLE 5- The Programme clearly states the objectives, coverage, methods, frequency, work plan and dissemination principles, and identifies the institutions and organisations responsible for implementation and coordination of the relevant work of all official statistics.

These institutions and organisations are obliged to perform and fulfil duties and responsibilities assigned by the Programme within specified time. These duties and responsibilities start when the programme comes into force.

Implementation Authorities

ARTICLE 6- Official statistics are produced, disseminated and published by the Presidency of the Turkish Statistical Institute and institutions and organisations specified in the Programme. The Programme shall clearly define the duties and authorities of the institutions and organisations regarding the compilation, evaluation and publication of data relating to official statistics in the context of their work areas. These institutions and organisations are obliged to submit any compiled data to the Presidency on time, upon request. The principle of confidentiality is duly observed in the maintenance and protection of data and information submitted to the Institute by determining the confidentiality principles in other legislative arrangements. The Presidency is authorised to publish and disseminate the official statistics compiled by institutions and organisations.

The work carried out by institutions and organisations in statistical areas which are not covered by the Programme and the results of censuses or surveys conducted by real persons and legal entities under special law shall not be considered official statistics.

In case the real persons or legal entities under special law who conduct surveys containing statistical outcomes and make their results public through the media, they are obliged to inform the public about the coverage, sampling method, sampling volume, data compilation method and implementation time together with the survey results.

CHAPTER TWO

Compilation, Dissemination and Confidentiality of Information

Requesting information, investigating the accuracy of information, controlling and storing

ARTICLE 7- In censuses and surveys that are related with the working areas of the Institute, the Presidency is authorised to request directly the data and information which are deemed necessary for the production of official statistics, in all mediums and from all statistical units, in the form, period and standards specified by the Presidency.

The Presidency is authorised to investigate and control the accuracy of information or data, request additional information, and depending upon the results, to determine the genuine information and data.

All activities of the Presidency including the compilation and publication of data and information may be carried out and archived in electronic environments and electronic signatures may be used.

Documents related to the information stored in electronic environments are preserved until they become definite and open to use, and destroyed by the end of this period.

Obligation to respond

ARTICLE 8- Statistical units are obliged to submit to the Presidency all information or data completely, accurately and free of charge in the form, period and standards specified by the Presidency.

Access to administrative data

ARTICLE 9- In order to be used for the production of official statistics, the institutions and organisations are obliged to submit or open to use of the Presidency the records and other data files they compile, process and store regarding their working areas, and all kinds of maps and data obtained by remote sensing within the specified period and free of charge.

National register systems

ARTICLE 10- Institutions and organisations are obliged to establish, update and open to the statistical use of the Presidency their national register systems regarding their working areas in line with the standards defined by the Presidency.

Approval of the Presidency is required in any legislative arrangement pertaining to this field.

Classifications

ARTICLE 11- Institutions and organisations are obliged to use the statistical definitions and classifications introduced by the Presidency; in cases where they use the classifications determined according to their needs, they are obliged to take measures to ensure the transition of these classifications into those determined by the Presidency.

Access to statistical results

ARTICLE 12- The Presidency and institutions and organisations taken part in the Programme shall take the measures to ensure the easy and equal access to the official statistics by all users by obeying the standards and release calendar specified in the Programme.

The statistical information compiled by the Institute cannot be given to any person or authority before this information is made open to public.

Confidential data

ARTICLE 13- Confidential data can be accessed only by the ones involved in the production of official statistics, to the extent that they need for performing their duties properly.

If the number of the statistical unit in any cell of the data table formed by aggregating the individual data is less than three or one or two of the statistical units are dominant even if the number of units is three or more, the data in the concerned cell is considered confidential.

The confidential data compiled, processed and preserved for the production of official statistics cannot be delivered to any administrative, judiciary or military authority or person, can not be used for purposes other than statistics or as an instrument of proof. Civil servants and other staff in charge of compiling and processing these data are obliged to comply with this rule. This obligation continues after the related personnel leave their duties and posts.

The rulers of the institutions and organisations producing official statistics shall take all measures to prevent any illicit access, use or revelation of the confidential data.

Data or information obtained from sources that are open to all people shall not be deemed confidential.

Data confidentiality ceases when a statistical unit gives written approval for the revelation of confidential data concerning itself.

Confidential data can be published only as combined with other data so as not to allow any direct or indirect identification.

Principles and procedures relating to data confidentiality and security shall be regulated through statutes to be issued in line with national and international principles and by soliciting the opinion of relevant institutions and organisations.

Use of individual data

ARTICLE 14- Individual data may be given with the written permission of the Presidency after obscuring those parts which may lead to direct or indirect identification and on the condition that such data is used in scientific studies without any reference to distinct statistical units. People who are entitled to use individual data cannot give these data to third parties.

Rights of the statistical units

ARTICLE 15- The statistical units which are requested to provide data or information for the production of official statistics have the right to ask for information, as envisaged by the Law no. 4982 on Right to Information, concerning the purpose and coverage of the census or survey, measures taken to ensure the confidentiality of statistical data and other rights, and to ask for compensation for all material and spiritual damages in case their confidential data is revealed without permission.

In case of the Presidency or other institutions and organisations are found faulty in the lawsuits brought against the revelation of confidential data, the personnel or other staff who is faulty, is held liable for the payment of compensation according to general rules.

PART THREE

Turkish Statistical Institute

CHAPTER ONE

Foundation, Duties and Organisational Structure

Turkish Statistical Institute

ARTICLE 16- The Turkish Statistical Institute is established to implement this law and to perform tasks assigned by it. The Institute is referred to shortly as “TURKSTAT”.

The Institute is organized under the Prime Ministry and the Prime Minister may delegate its authorities regarding the management of the Institute to a State Minister in case he sees necessary.

Scientific and technical autonomy

ARTICLE 17- In the implementation of the Programme, any outer instruction can not be given to the staff of the institute and other implementing units in any case in regard to data sources, selection of statistical methods and procedures; form, content and time of dissemination; and observance of statistical confidentiality.

Duties and authorities of the Turkish Statistical Institute

ARTICLE 18- Duties and authorities of the Institute are as follows:

- a) to prepare the Official Statistics Programme,
- b) to organise the statistical activities specified in the Programme and ensure their realisation,
- c) to determine the statistical methods, definitions, classifications and standards to be used in the production of official statistics in line with national and international norms,
- d) to compile, evaluate, analyse and publish statistics in the field of economy, social issues, demography, culture, environment, science and technology, and in the other required areas,
- e) to provide scientific and technical explanations to the results of official statistics,
- f) to follow up the developments in scientific research techniques, and methods and information technologies in the field of statistics and to take relevant measures for the adoption of these developments,
- g) to determine the areas where statistical data is needed as well as data compilation methods in cooperation with the related institutions and organisations, by taking into account the national and international priorities,
- h) to follow the performance of tasks assigned by the Programme to the institutions and organisations in relation to official statistics, to examine statistics produced by these institutions and organisations in terms of their conformity to international standards, to

perform quality control and to provide technical support and ensure coordination in these issues,

i) to develop medium and long-term strategies and policies of the Institute within the framework of development plans, programmes, relevant legislation and principles adopted; to take measures to continually improve the organisational structure, service quality standards, and managerial services and processes in line with the strategic plans and annual objectives and targets of the Institute,

j) to prepare Annual Monitoring Reports regarding the implementation of the Programme,

k) to coordinate the establishment of a national and international information network and information flow system to ensure the storing of statistical information, its submission to users and development of systems pertaining to these areas,

l) to identify the standards for the establishment of the national register systems, implement these standards, and to ensure their observance through inter-agency coordination,

m) to follow, evaluate and publish, when needed, the indicators relating to other countries or country groups in order to make international comparisons,

n) to draft, develop and implement research and technical assistance projects in cooperation with the national and international organisations and institutions for the production of data in the required areas and for the enhancement of existing technical capacity,

o) to cooperate with other countries and international organisations, and to organise international meetings in the field of statistics,

p) to perform other duties assigned by the Law.

The Presidency may establish national and international training and research centres regarding its working areas in cooperation with universities and other training institutions where the duties of the higher education institutions are reserved.

Organisation

ARTICLE 19- The Turkish Statistical Institute consists of the Statistical Council and the Presidency of the Turkish Statistical Institute.

CHAPTER TWO

Statistical Council

Statistical Council

ARTICLE 20- The Statistical Council shall be established to advise on the preparation and implementation of the Programme and on the development and functions of the official statistics; to determine and assess the areas in which official statistics are needed and to provide opinions and suggestions for future works to be carried out.

The Council is composed of: Undersecretaries of Ministries; Undersecretary of the State Planning Organisation; Undersecretary of Treasury; Undersecretary of Foreign Trade; Undersecretary of Customs; Undersecretary of Maritime Affairs; President of the State Personnel Office; Governor of the Central Bank of Turkey; an academician to be designated by the Board of Higher Education from among those engaged in works related to the duties of the Institute; Head of Executive Board of the Union of Chambers and Stock Exchanges;

Chairman of the non-governmental organization engaged in the field of statistics and having the highest number of academic staff in its membership and Chairman of the non-governmental organization having the highest number of real persons or legal entities that are engaged in surveys and researches with statistical outcomes. These full members of the Council shall authorise their representatives to attend the Council meetings in case they can not.

The President and Vice-Presidents of the Turkish Statistical Institute are natural members of the Council. The Council meets at least once a year.

In case the agenda of the Council requires so, representatives from other institutions and organisations, non-governmental organisations as well as the authorities from the Presidency may be invited to Council meetings without having right to vote.

The President of the Institute is also the chair of the Council. The secretarial services of the Council are carried out by the Presidency.

All expenses for the activities of the Council are covered with the appropriations to be made available in the Institute's budget.

Working procedures and rules of the Council are laid down in the regulation to be issued by the Council of Ministers.

CHAPTER THREE

Presidency

Organization of the Presidency

ARTICLE 21- The Presidency of the Turkish Statistical Institute consists of headquarters and regional offices. The central organisation of the Presidency comprises of main service units, advisory units and supporting units. The central organisation of the Presidency is shown in Annex (I). Within the departments and regional offices of the Presidency, provisional or permanent groups or teams may be set up depending on the nature of works to be carried out. Reserving for their original staff positions, the President may appoint responsible persons to these positions.

President

ARTICLE 22- As the highest level of authority at the Institute, the President is mandated and authorised to deliver and oversee the Presidency services in line with the relevant legislative provisions, official statistics programme, overall objectives and policies and strategic plan of the Institute, relevant performance indicators and service quality standards. The President reports to the Prime Minister.

Terms and procedures relating to the appointment of President

ARTICLE 23- In addition to general requirements specified in the Civil Servants' Law no. 657 the followings are also required to be appointed as the President of the Institute:

a) to graduate from the higher education institutions which provide at least four years education in statistics, mathematics and sociology or departments of economics, management, administrative and economic sciences, political sciences, engineering and law or from higher

education institutions abroad whose academic equivalency to the aforementioned is approved by the Higher Education Board (YÖK),

b) to serve for at least two years in a position such as the Head of Department, equivalent or higher in the Presidency or in other public organisations and institutes in the duties similar to the working area of the Institute, or to serve as an academic staff in universities for at least five years.

The President is appointed by the decision of the Council of Ministers for a term of five years. After the completion of this term, the President may be re-appointed to the same position only for another term. Before the expiry of the official term, the President cannot be removed from his post. The removal of the President before the expiration of official duty term is possible only in case of adversary health condition testified by an official report or upon the loss of any qualification required for this post.

Vice-Presidents

ARTICLE 24- Three Vice-Presidents may be appointed to assist the President in the Institute. It is required that at least one of these Vice-Presidents should have the title of expert of the Turkish Statistical Institute. Vice-Presidents report to the President.

Other than general qualifications cited in the Civil Servants' Law no. 657, persons to be appointed as Vice-Presidents should also be graduates of higher education institutions specified in Article 23 of the same law and should have attained at least grade (C) in the Foreign Language Proficiency Examination for State Employees in one of the languages of English, French and German.

CHAPTER FOUR

Main Service Units

Main Service Units

ARTICLE 25- Main service units of the Presidency are as follows:

- a) National Accounts and Economic Indicators Department
- b) Agriculture and Environment Statistics Department
- c) Industry and Business Statistics Department
- d) Social Statistics Department
- e) Methodology Department
- f) Foreign Relations Department
- g) Publication and Data Dissemination Department
- h) Information and Communication Technologies Department

National Accounts and Economic Indicators Department

ARTICLE 26- The duties of the National Accounts and Economic Indicators Department are as follows:

- a) to carry out national product accounts and analyses,
- b) to conduct calculations relating to inter-industrial transactions and prepare national input-output tables,

- c) to conduct satellite accounts and other calculations envisaged by the system of national accounts,
- d) to compile data needed to follow price movements at consumer and producer level and to calculate consumer and producer price indices and indicators of purchasing power parity,
- e) to compile and evaluate information relating to external trade statistics,
- f) to follow the standards and methodological developments in the field of activity and carry out national and international projects,
- g) to perform similar duties assigned by the President.

Agriculture and Environment Statistics Department

ARTICLE 27- The duties of the Agriculture and Environment Statistics Department are as follows:

- a) to compile and evaluate statistical information relating to the agriculture sector,
- b) to carry out statistical researches on land use, agricultural production, agricultural structures and sub-sectors in agriculture, to evaluate the results and calculate the related indicators,
- c) to conduct studies on agricultural balance and economic accounts of agricultural sector, and to calculate the related indicators,
- d) to conduct surveys and researches in the field of environment including water, air, land, wastewater, solid wastes, pollution and polluting emissions, biodiversity, expenditures on environmental protection, water, air, land, noise and visual pollution, and to evaluate data collected by the related institutions and organisations on the basis of measurements and observations,
- e) to compile the data needed for natural resources accounting,
- f) to follow the standards and methodological developments in the field of activity and carry out national and international projects,
- g) to perform similar duties assigned by the President.

Industry and Business Statistics Department

ARTICLE 28- The duties of the Industry and Business Statistics Department are as follows:

- a) to compile and evaluate statistical information needed in the fields of mining and quarrying, manufacturing industry, electricity, gas, water, energy, construction and other similar fields,
- b) to compile and evaluate statistical information on transportation, communication, storage, activities of financial intermediaries, business and personal services, activities of non-profit organisations, wholesale and retail trade, hotels, restaurants and other similar subjects,
- c) to follow the standards and methodological developments in the field of activity and carry out national and international projects,
- d) to perform similar duties assigned by the President.

Social Statistics Department

ARTICLE 29- The duties of the Social Statistics Department are as follows:

- a) to compile and evaluate statistical information and develop indicators on population, housing, education, culture, tourism, health, sports, justice, media, politics and other issues of social nature,
- b) to compile and evaluate statistical information needed in the field of demography,
- c) to compile and evaluate statistical information needed in the fields of social security, social protection and protection of consumers,
- d) to conduct surveys on labour market, income distribution, consumption expenditures and living conditions and evaluate the results of the surveys,
- e) to follow the standards and methodological developments in the field of activity and carry out national and international projects,
- f) to perform similar duties assigned by the President.

Methodology Department

ARTICLE 30- The duties of the Methodology Department are as follows:

- a) to conduct methodological studies and analyses relating to all censuses and surveys carried out by the Institute,
- b) to provide support to the related units in implementation by carrying out studies on data quality and data analysis methods,
- c) to follow and adopt the developments regarding the sampling methods within the framework of official statistics,
- d) to carry out the studies on the basic definitions, concepts and classifications in the context of official statistics, and to ensure coordination in this area both within and outside the Institute,
- e) to set standards for the national registry systems for statistical purposes, and to ensure necessary cooperation and coordination for the adoption of these standards at national level,
- f) to ensure the management of address registers together with the numerical maps,
- g) to follow the standards and methodological developments in the field of activity and carry out national and international projects,
- h) to perform similar duties assigned by the President.

Foreign Relations Department

ARTICLE 31- The duties of the Foreign Relations Department are as follows:

- a) to coordinate the relations and cooperation of the Presidency with the international organisations and national statistical offices in the field of statistics,
- b) to coordinate the studies on compliance with the international statistical standards,
- c) to prepare and ensure the implementation of the statistical cooperation projects, technical assistance programmes and protocols designed for the countries or country groups,
- d) to manage statistical projects financed by the international organisations in line with the framework agreements,
- e) to coordinate the compliance studies with the European Union (EU) legislation and the EU projects in the context of the working area of the Institute,
- f) to follow meetings, trainings and scholarship programmes in the field of statistics organised by the international organizations and national statistical offices of other countries, to coordinate and make necessary arrangements for participation in these activities,
- g) to organise international meetings, training programmes and consultancy services,

h) to perform similar duties assigned by the President.

Publication and Data Dissemination Department

ARTICLE 32- The duties of the Publication and Data Dissemination Department are as follows:

- a) to respond to the requests of statistical publications, data/information of the national or international institutions, organisations and persons,
- b) to carry out procedures relating to subscription to publications and data/information,
- c) to conduct surveys on user satisfaction and make analyses on supply and demand for the statistical data/information,
- d) to publish and disseminate data/information and indicators approved by the Presidency,
- e) to deliver library services,
- f) to keep the archive of the publications of the Institute in printed and electronic environments,
- g) to follow the standards and methodological developments in the field of activity and carry out national and international projects,
- h) to perform similar duties assigned by the President.

Information and Communication Technologies Department

ARTICLE 33- The duties of the Information and Communication Technologies Department are as follows:

- a) to develop and follow the implementation of the informatics strategy of the Presidency, and to coordinate and manage the work relating to hardware and software infrastructure of the Institute,
- b) to carry out the system analysis and design studies and services in the context of informatics in censuses, surveys and automation projects in coordination with the related units,
- c) to take relevant measures for the use of electronic signatures and for ensuring the electronic safety and confidentiality of data and information,
- d) to carry out the studies to prepare the informational architecture of the Institute, and to establish, update and archive the databases,
- e) to design, develop and manage practices to ensure the electronic communication and exchange of information of the Presidency at national and international level,
- f) to ensure technical coordination needed for inter institutional data exchange,
- g) to follow the standards and methodological developments in the field of activity and carry out national and international projects,
- h) to perform similar duties assigned by the President.

CHAPTER FIVE

Advisory Units

Advisory Units

ARTICLE 34- Advisory units of the Presidency are as follows:

- a) Strategy Development Department
- b) Legal Advisers
- c) Media and Public Relations Adviser

In addition, at most 10 statistical advisors may be appointed to assist the Presidency in issues of special importance and priority which fall into the working area of the Institute, and to take part in the work conducted by advisory boards, special expertise commissions, research and analysis groups, data quality control board, and publication and dissemination board.

In appointments to the post of statistical advisor, persons concerned should satisfy general qualifications cited in the Civil Servants Law no. 657, have graduated from any of the higher education institutions specified in Article 23 of the aforementioned law and should have attained at least grade (C) in the Foreign Language Proficiency Examination for State Employees in one of the languages of English, French and German or to have served in the position of head of department or higher in the Presidency for at least two years.

Strategy Development Department

ARTICLE 35- The duties of the Strategy Development Department are as follows:

- a) to develop medium and long-term strategies and policies of the Institute within the framework of development plans, programmes, relevant legislations and principles adopted.
- b) to prepare the Programme and Annual Monitoring Reports in cooperation with the related and responsible institutions and organisations,
- c) to set the principles and procedures of work necessary for the Institute to fulfil its duties in the context of the Programme, and to coordinate the development of the main service policy and plans of the Institute in line with these principles and procedures,
- d) to develop performance and quality criteria in issues within the working area of the Presidency,
- e) to prepare the budget of the Institute in line with the strategic plan and annual targets, to monitor and evaluate the compliance of the activities of the Institute with the plan and targets,
- f) to compile, analyse and interpret the information and data relating to the management of the Presidency, development of the services and performance, and to prepare annual work plans,
- g) to make necessary preparations to enhance the effectiveness and efficiency of the internal supervision function of the top management,
- h) to carry out regulatory impact analyses regarding the new arrangements and units to be newly established within the Institute,
- i) to examine the external factors that may affect the services of the Institute, to carry out capacity researches within the Institute, to analyse the quality of services and the satisfaction level, and to conduct general researches,

- j) to carry out the secretarial works of the Council,
- k) to perform similar duties assigned by the President.

Legal Advisers

ARTICLE 36- The duties of the **Legal Advisers** are as follows:

- a) to give opinion on drafts of legislations, regulations and other legal matters forwarded by the President, the units of the Presidency and Ministries,
- b) to take legal measures in time so as to protect the interests of the Presidency and avoid any legal disputes, and to assist in acting agreements and contracts in line with these principles,
- c) to supply necessary information in judiciary and administrative cases under the provisions of the law no. 4353 dated 8 January 1943, to represent the Presidency as a party in administrative lawsuits or to follow and coordinate other lawsuits which has been contracted out by the Presidency through procurement of services.
- d) to perform similar duties assigned by the President.

Media and Public Relations Adviser

ARTICLE 37- The duties of the Media and Public Relations Adviser are as follows:

- a) to plan and execute the activities in the field of media and public relations,
- b) to take relevant measures to ensure that requests of information made according to the Law no. 4982 on Right to Information are responded effectively, rapidly and accurately,
- c) to perform similar duties assigned by the President.

CHAPTER SIX

Supporting Units

Supporting units

ARTICLE 38- The supporting units of the Presidency are as follows:

- a) Human Resources Department
- b) Supporting Services Department

Human Resources Department

ARTICLE 39- The duties of the Human Resources Department are as follows:

- a) to carry out work and make suggestions relating to the human resources policies and plans of the Presidency,
- b) to carry out work relating to the appointment, transfer, appraisal records, promotion, remuneration and retirement of the Presidency personnel,
- c) to design, implement and evaluate the on-the-job training programme of the Presidency,
- d) to develop and implement training programmes for the institutions and organisations covered by the Programme,
- e) to perform similar duties assigned by the President.

The training programmes and services, conditions of attending, duration, certification and other details are determined by a regulation.

Supporting Services Department

ARTICLE 40- The duties of the Supporting Services Department are as follows:

- a) to deliver administrative and financial services relating to the specific needs of the Presidency including all kinds of construction, procurement, rental, repair and maintenance, archiving, healthcare and other similar services,
- b) to keep the records of moveable and immoveable properties of the Institute,
- c) to plan and deliver civil defence and mobilisation services of the Presidency,
- d) to deliver services relating to the internal and external security of the service buildings of the Institute within the framework of the law no. 5188, dated 10 June 2004 on Private Security Services,
- e) to perform similar duties assigned by the President.

CHAPTER SEVEN

Boards, Commissions and Groups

Data Quality Control Board

ARTICLE 41- The Data Quality Control Board shall be established at the Presidency to examine and evaluate the statistical work carried out by the headquarters and regional offices, works carried out for the production of statistics included in the Programme including whole process starting from the registers up to publication of data in terms of their scientific quality and compliance with the international standards, and also to perform quality control studies if needed.

The board shall be composed of Head of Methodology Department, at least two heads of departments from main service units and at least one statistical advisor under the chair of one of the Vice-Presidents to be appointed by the President. The Presidency may establish permanent or temporary working groups to assist the work of the Board. Staff from other public institutions and organisations may also be nominated to these working groups. In such cases, regular pays, promotional procedures and social benefits of such staff shall be taken on by their own institutions. The secretarial work of the Board shall be under the responsibility of the Methodology Department.

The establishment and working procedures and rules of the Board are determined by a regulation.

Publication and Dissemination Board

ARTICLE 42- The Publication and Dissemination Board is established within the Institute to set principles, standards and policies relating to the publication and dissemination of statistics produced under the Programme, and to control the appropriateness of these publications. The board shall be composed of Head of Publication and Data Dissemination Department, at least two heads of departments from main service units and at least one

statistical advisor under the chair of one of the Vice-Presidents to be appointed by the President. The secretarial work of the board shall be undertaken by the Publication and Data Dissemination Department.

Advisory boards, special expertise commissions and research-analysis groups

ARTICLE 43- Advisory boards may be set up to solicit the views, experience and expertise of real and legal persons in censuses, surveys and projects when needed, and to ensure the adoption of the latest scientific techniques and methods.

Furthermore, permanent or temporary special expertise commissions and research-analysis groups may be set up, when needed, within the service units of the Institute.

Those persons who will be nominated from other public organisations and institutions or recruited from non-governmental organisations to join advisory boards, special expertise commissions and research-analysis groups are paid allowance for every meeting day they attend, provided that such payment is made no more than twice in a month. The amount of allowance to be paid for the staff of public institutions is calculated by multiplying the coefficient applied to civil servant salaries with the indicator figure of one thousand (1000), and for those who are not under public service a meeting allowance calculated in the same manner but with an indicator figure of two thousand (2000).

No allowance is applicable to the personnel of the Presidency who are attending the advisory boards, special expertise commissions and research-analysis groups.

CHAPTER EIGHT

Regional Offices

Regional Organisation

ARTICLE 44- The regional offices of the Presidency are shown in the Annex II. The regional offices shall be in charge of compiling, evaluating, quality checking, analysing and transferring to the headquarters the data relating to the geographical area of which they are responsible from in the censuses and surveys at national level given to the Institute by this law, and of establishing the infrastructure of the regional statistics and producing them. Regional Directors are responsible directly to the President for the implementation of all statistical works at regional level and for the provision of coordination with the local units.

CHAPTER NINE

Personnel Regime

Personnel regime and overtime work

ARTICLE 45- At the Presidency; contracted personnel may be employed regardless of the provisions related to the employment of contracted personnel as stipulated in 657 Law of Civil Servants and other laws, for the following positions: President, Vice-president, 1st Legal Adviser, Head of Department, Statistical Adviser, Legal Adviser, Regional Director, Turkish Statistical Institute Expert, Turkish Statistical Institute Assistant Expert, Statistician,

Mathematician, Engineer, and Programmer provided that he/she has graduated from a 4-year higher education institution.

(Rearrangement of the cancelled second paragraph by the decision of the Constitutional Court dated 12/19/2005 and numbered E.:2005/143, K.:2005/99 17/5/2006-5503/2 item) The contracted personnel working actively in the Presidency shall be paid monthly gross contract wage in the amount which is determined by the President in between the minimum and maximum wages included by the titles in the annexed tabulation No. III. Contracted personnel working in the Presidency shall benefit from the wage increases which are provided to their counterparts employed on a contractual basis at the Headquarters of the Prime Ministry, according to the same procedures and principles. Those personnel shall be interrelated with the Pension Fund for Civil Servants of the Republic of Turkey. The mentioned personnel shall be paid a bonus, which is proportional to their working days (including the sickness and annual leaves) in the amount of monthly contract wage in the months of January, April, July and October. The ones who perform more successful studies compared to their counterparts, may be given an inciting payment with the approval of the Prime Minister upon the proposal of the President in agreement with the Minister, to the extent of the monthly contract wage in the months of June and December. The contractual terms and procedures regarding the persons to be employed by this way and their remuneration are determined by the Council of Ministers.

Foreign experts may be employed on a contractual basis for the services requiring special expertise. The contractual terms and procedures regarding the foreign experts to be employed by this way and their remuneration are determined by the Council of Ministers.

The civil servants working in the headquarters and regional offices of the Presidency (including those employed on a contractual basis while holding their original staff positions) are entitled to the same overtime pay as foreseen for civil servants by Article 31 of the law no. 3056 dated 10 October 1984.

Appointment as the Turkish Statistical Institute Assistant Expert and Expert

ARTICLE 46- To be appointed as the “Turkish Statistical Institute Assistant Expert” the followings are required in addition to overall qualifications specified in Article 48 of the Civil Servants Law no. 657:

a) to graduate from the higher education institutions which provide at least four years education in statistics, mathematics, physics, sociology, psychology or departments of economics, management, administrative and economic sciences, political sciences, engineering, communication and law or from higher education institutions abroad whose academic equivalency to the aforementioned is approved by the Higher Education Board,

b) to have performed satisfactorily in proficiency tests taken in relevant branches and foreign language,

c) to be under age 35 in January of the year when the exam is taken.

Those who are entitled to the status of assistant expert according to the first clause must have been working for at least three years, have a good service record and have their thesis accepted in order to be entitled to take the proficiency test for the expert status. The people who are successful in this test, are assigned as the “Turkish Statistical Institute Expert” provided that they have attained at least grade (C) in the Foreign Language Proficiency Examination for State Employees in one of the languages of English, French and German.

The ones whose theses have been rejected or who have failed in proficiency tests or failed to document their proficiency in foreign language are appointed to positions commensurate with their present level. Reserving for military service and period in unpaid leave, the status of assistant expert can be held at most for five years.

The selection procedures, preparation of thesis and proficiency tests regarding the assistant experts, procedures relating to their training in the country and training abroad in line with the provisions of Articles 78 and 79 in the Law no. 657, and other issues are determined by a regulation.

CHAPTER TEN

Appointments and Remuneration

Appointment of personnel from other public organisations and institutions

ARTICLE 47- Civil servants and other governmental personnel employed by other governmental organisations and institutions may be temporarily appointed at the Presidency to take over duties in the context of the Official Statistics Programme, provided that the consent of their institutions is obtained, and the monthly salaries, additional indicators, appropriations, any kinds of wage raises and compensations and other financial and social rights and benefits are paid by their own institutions.

Census committees and appointment

ARTICLE 48- Central Census Committees shall be established under the President or another person appointed by the President to carry out and coordinate work relating to the preparation, implementation and evaluation of censuses. If needed, representatives from universities, relevant ministries and other governmental organisations and institutions are invited to participate in these committees.

Censuses are carried out by the Census Committees chaired by the highest government authority in local areas and the Census Bureaus attached to these committees in line with the principles and procedures identified by the Presidency. The highest government authority shall be responsible for the activities of the local committees and bureaus and for providing necessary instruments, vehicles and personnel for these committees and bureaus. The highest government authority in any given locality may assign personnel from the provincial branches of governmental organisations and institutions to take part in censuses.

Remuneration

ARTICLE 49- Persons, either from the Presidency or from other organisations, who have been assigned temporary duties in censuses, surveys, data quality control, and supervision or in other similar works under the present law shall be paid a daily allowance which is one and a half times over what is specified as daily allowance in the Law on Allowances no. 6245.

The principles and procedures relating to the remuneration of temporary personnel to be employed on a contractual basis according to the paragraph (c) of Article 4 in the Law no. 657, allowances to be paid to those from other organisations for the necessary expenditures, and payments to be made on the basis of questionnaires completed are laid down by the decision of the Council of Ministers.

Payment for overtime work to be made to the temporarily employed persons on a contractual basis according to paragraph (c) of Article 4 in the Law no. 657 as foreseen in Article 45, in the context of the paragraph of this law will be equivalent to what is assessed for government employees entitled to salaries over levels 11 to 15.

Travel and boarding expenses of persons temporarily employed under the present law and per diems of others holding permanent duties shall be covered in line with the provisions of the Law on Allowances no. 6245.

The people who are appointed to fieldwork in censuses, surveys, investigation, data quality control, supervision, etc. are entitled to benefit free from local public transportation means and to use accommodation and social facilities of governmental organisations and institutions in same terms as the original employees of these organisations and institutions do.

PART FOUR

Responsibilities, Authorities and Penal Clauses

CHAPTER ONE

Responsibilities and Authorities

Responsibilities of managers

ARTICLE 50- Managers at each level of the Presidency are responsible to their superiors in performing their duties in line with the corresponding legislation, strategic plans and programmes, performance criteria and service quality standards.

International Cooperation

ARTICLE 51- Within the framework of the general provisions, the Presidency may establish contacts and enter into cooperation with the similar organisations in other countries and relevant units in the international or supranational organisations to ensure the production of statistics through best possible methods, exchange of data and publications, training, joint project development and implementation.

Delegation of Authority

ARTICLE 52- Managers at any level of the Presidency may delegate some of their authorities to lower levels given that such delegation is made in written form and the limits of authority delegated are explicitly stated.

CHAPTER TWO

Penal Clauses

Penalties

ARTICLE 53- Civil servants violating bans and limitations specified in Article 13 of the present Law shall be punished according to Article 258 of the Turkish Penal Code no. 5237.

Judiciary fines are imposed on real persons and organs and representatives of private law legal entities who fail to fulfil obligations specified in Article 6, paragraph 3 and Article 14 of this law.

Administrative fines

ARTICLE 54- An administrative fine of 500 YTL is imposed on those who abstain from performing their duties in censuses without any valid excuse. Managers and senior level officers of public organisations and institutions who fail, without any acceptable excuse, to send their personnel to trainings and meetings for which they are requested to attend or to issue permission for their participation to the performance of assigned duties are subject to an administrative fine of 500 YTL per each person that they did not give permission to go for such training or meeting, and this situation is reported to their respective organisations. Furthermore, those persons taking part in training courses to be assigned duties afterwards can be asked to refund the training costs in case they abstain from performing any duty, without reasonable excuse, that is related to training given earlier.

Those who fail to submit the information requested by the Presidency or other institutions and organisations in specified form and time or submit incomplete or incorrect information, are first given a warning to submit information requested or cover gaps or correct mistakes within a period of one week. In case no information is submitted or no correction/supplement is made in spite of this warning, real persons or organs and representatives of private law legal entities concerned are imposed administrative fines of:

- a) 500 YTL in case non-compliance takes place during surveys conducted with households or individuals,
- b) 1,000 YTL in case non-compliance takes place during surveys conducted with the statistical units other than those mentioned in paragraph (a) above,
- c) 2,000 YTL in case non-compliance takes place during censuses.

Imposition of administrative fines or other punitive measures do not remove of the statistical units' obligation to provide information.

Notifications made in line with any of the procedures set forth in the Law of Notifications No. 7201 or the minutes arranged in accordance with the procedures determined by the Presidency, indicating that the statistical unit in question has been visited for the purpose of requesting the information or indicating that the information or the relevant documents are given to the officials of the statistical unit by the personnel assigned to the survey or research shall serve as instruments of proof that the information has been requested from the statistical units.

The provisions of the present Article are also applicable in surveys contracted out to third parties.

Decisions to impose administrative fines are taken by committee chair in case local committees are established for any census; by the highest management body of institutions and organisations in case censuses are assigned to these institutions and organisations as duly specified in the Programme and, in other cases, by the highest ranking official in the headquarters or regional office of the Presidency.

PART FIVE

Miscellaneous

Revolving Fund Management

ARTICLE 55- A Revolving Fund Management has been established within the Institute to sell publications, information and documents produced by the Institute to domestic or foreign persons, organisations and institutions, and to perform services relating to data processing, typesetting, printing, technical consultancy, training, project development and research.

A capital of 500,000 YTL is reserved from the general budget for the revolving fund management. This original capital may be increased up to five times upon the decision of the Council of Ministers. The increased capital is met by the revenues of the fund.

The revolving fund consists of budget allowances, in kind assistance given by the Treasury, profit from revolving fund activities, grants and other contributions. Net profit is added to capital stock until paid-up capital becomes equal to the original capital allocated. At the end of each year, any unused revenue is kept for the procurement of goods and services in coming years as found appropriate by the executive board within the framework of relevant legislative provisions. Donations and other contributions are added to the existing capital stock without being subject to the limits specified in the present Article.

The revolving fund is used to cover the expenses associated with its management; costs of rental, procurement, tools and equipments, research, training and publicity activities and per diems payable to personnel to be employed in various services as foreseen in Article 49. The revolving fund may also be used to pay for services that the Institute procures from others and to meet the needs of units engaged in services relating to the revolving fund management. The revolving fund cannot be used for any purpose other than those mentioned in this article.

Given that it assigns priority to services directly related to the Institute and performs these services fully as required, the Revolving Fund Management is authorised to respond to the orders of other public institutions and organisations, real persons or legal entities whether domestic or foreign, to make orders to be met by these persons and organisations, to take initiative in all kinds of technical issues and to conduct joint work with others if needed.

Details relating to the fields of activity of the Revolving Fund Management, its working principles and procedures, expenditures, execution, accounting procedures and procurement and offer of goods and services are laid down by a regulation to be issued by taking the opinion of the Ministry of Finance.

Appointment

ARTICLE 56- (Rearrangement of the cancelled first paragraph by the decision of the Constitutional Court dated 12/19/2005 and numbered E.:2005/143, K.:2005/99 17/5/2006-5503/2 item) At the Presidency, appointments of the Vice Presidents, First Legal Adviser, Heads of Departments and Regional Directors shall be made by a decree signed by the President of the Turkish Republic, Prime Minister and the related Ministry upon the proposal of the President, appointments of other personnel shall be made by the President .

In the appointment of Head of Departments and Regional Directors in the Presidency, a diploma from one of the higher education institutions mentioned in Article 23 of the present

law is also required in addition to general qualifications specified in the Civil Servant Law no. 657.

Furthermore, attainment of at least grade (C) in the Foreign Language Proficiency Examination for State Employees in one of the languages of English, French and German is required for posts of Head of Department in main services unit, Regional Director and Head of Strategy Development Department.

The principles and procedures regarding the promotions and appointment of the personnel by the means of rotation, in the headquarters and regional offices of the Institute are determined by regulations.

Provisions amended

ARTICLE 57- The followings are added to the original text of the Law no. 657:

a) The phrase "Turkish Statistical Institute Assistant Experts" is added to come after the phrase "Foreign Trade Assistant Experts" in indent 11 of paragraph (A) of "Common Provisions" in Article 36 and the phrase "to Turkish Statistical Institute Experts" is added to come after the phrase "to Foreign Trade Experts" in the same place,

b) The phrase "to Turkish Statistical Institute, Media and Public Relations Adviser" is added to come after the phrase "to Prime Ministry Press Adviser" in the first paragraph of Article 59,

c) The phrase "Turkish Statistical Institute Experts" is added to come after the phrase "Foreign Trade Experts" which appears in paragraph (h) of "A-Special Service Reimbursement" of "II-Reimbursements" of Article 152 headed "Pay Increases and Reimbursements",

d) The phrase "SIS President" that appears in paragraph (d) under the heading "I- General Administrative Services" in Additional Indicators List I" is deleted and transferred to paragraph (c) as "President of the Turkish Statistical Institute"; the phrase "Vice-President of the State Institute of Statistics" that appears in "2-Judiciary Organs, Associated and Attached Units and Higher Education Institutions" in tabulation II is deleted and transferred to paragraph (e) of the Additional Indicators List I as "Vice-Presidents of the Turkish Statistical Institute"; the phrase "Turkish Statistical Institute" is added to paragraph (g) of "I-General Administrative Services" in Additional Indicators List; the phrase "Head of Department of the Turkish Statistical Institute" is added to follow the phrase "Head of Department in the Undersecretary of Treasury and Undersecretary of Foreign Trade (General and Auxiliary Service Unit)" in "2-Judiciary Organs, Associated and Attached Units and Higher Education Institutions" in tabulation II ; the phrase "Regional Director of the Turkish Statistical Institute" is added to come after the phrase "Free Zone Director" in the same place; the phrase "Director in the Turkish Statistical Institute" and the phrase "Statistics Adviser" is added to come after phrases "Provincial Director" and "Legal Adviser", respectively, in "2-Judiciary Organs, Associated and Attached Units and Higher Education Institutions" in tabulation II,

The phrase "President of the State Institute of Statistics" that appears in tabulated annex 2 of the Law no. 2451 dated 23 April 1981 on the Procedures of Posting in Ministries and Their Attached Units, is deleted and the phrase "President of the Turkish Statistical Institute" is added to the tabulated annex 1 of the same law.

The phrase "Presidency of the State Institute of Statistics" that appears in tabulated annex 1 of the Law no. 5018 dated 10 December 2003 on Public Finance and Fiscal Control is replaced by the phrase "Presidency of the Turkish Statistical Institute."

Provisions abolished and nullified

ARTICLE 58- The legislation which is repealed upon the enactment of the present law is as follows: The Law no. 53 dated 13 June 1962 on the Establishment, Duties and Authorities of the State Institute of Statistics; Decree Law no. 219 dated 8 June 1984 on the Establishment, Duties and Authorities of the State Institute of Statistics ; Decree Law no. 357 dated 27 November 1989 on Amendments to be made on the Decree Law no. 219 on the Establishment, Duties and Authorities of the State Institute of Statistics; Decree Law no. 403 dated 5 February 1990 on Amendment to Article 2 Paragraph (d) of the Decree Law no. 219 on the Establishment, Duties and Authorities of the State Institute of Statistics; and Article 12 of the Decree Law no. 367 dated 14 April 1989 on the Establishment of Units within Ministries and Attached Organisations in Relation to the European Community and Amendments to the Annexed Tabulations of the Decree Law no. 190.

The phrase “Presidency of the State Institute of Statistics” which appears in provisional Article 1 of the Decree Law no 547 dated 23 February 1995 is deleted from the text.

Provisions in other laws which are related to statistical data collection, compilation, processing and dissemination are declared inapplicable in case they run counter to the provisions of the present law. Any amendments and annexations in legislation relating to the official statistics can be effected only through legislation to be enacted as annex to the present law.

PROVISIONAL ARTICLE 1- On the date this Law becomes effective, movable properties, materials, equipment, inventory stocks, vehicles, all rights, liabilities and personnel of the headquarters and regional offices of the State Institute of Statistics are deemed to have been transferred to the Turkish Statistical Institute without any further procedure. All real estates used by the State Institute of Statistics or allocated to it by the Treasury are deemed to have been transferred to the Turkish Statistical Institute without any further procedure.

The expenditures of the Turkish Statistical Institute pertaining to 2005 Fiscal Year are covered from appropriations in the 2005 budget of the State Institute of Statistics until necessary arrangements are made in indent (8) of paragraph (a) of Article 15 in the 2005 Budget Law.

Movable and immovable assets, vehicles, equipment, materials, inventory stocks, vehicles, all rights and obligations and personnel belonging to the Revolving Fund Management established on the basis of Annexed Article 1 of the Decree Law no. 219 on the Establishment, Duties and Authorities of the State Institute of Statistics are deemed to have been transferred to the Revolving Fund Management of the Turkish Statistical Institute.

PROVISIONAL ARTICLE 2- Until relevant reorganisations and arrangements are made in the Presidency in accordance with the provisions of the present law, the existing positions applicable at the effective date of this Law shall prevail.

Until new arrangements and appointments are made under the present law, duties assigned to modified or re-established units of the Presidency are carried out by units that used to perform these duties earlier. The Presidency brings its organisation and staff positions in line with the present law within a period of six months at most. Changes in staff positions in this

context are made according to the provisions of the Decree Law mentioned without observing the last paragraph of Article 9 in the Decree Law no. 190.

PROVISIONAL ARTICLE 3- Staff positions assigned to the State Institute of Statistics are terminated and deleted from the annexed tabulations of the Decree Law no. 190 on General Staffing and Relevant Procedures; positions specified in the annex list (1) are established and these positions are added to the annexed tabulation (I) of the Decree Law no. 190 under the heading “Turkish Statistical Institute.”

Personnel serving in the positions assigned to the State Institute of Statistics under Article 25 of the Law no. 4046 dated 24 November 1994 are transferred to the Presidency of the Turkish Statistical Institute together with their associated positions.

Those employed by the State Institute of Statistics as wage workers in permanent status are transferred to the Turkish Statistical Institute with their present positions.

PROVISIONAL ARTICLE 4- The staff whose positions and titles remain unchanged after the introduction of new arrangements shall be considered as appointed to their new positions given that they satisfy the qualifications specified in the present law.

The duties of those holding staff positions as Deputy Regional Director in the State Institute of Statistics are terminated upon the official publication of the present law and these personnel are deemed to have been transferred to the staff position of “researcher” as established by the annex list (1). In case vacated for any reason, staff positions of “Researcher” (regional offices), Chief of Division (headquarters) and “Bureau Chief” are deemed to have been cancelled without any additional procedure.

Personnel whose positions and titles are either altered or cancelled by the present law or who do not meet the qualifications introduced herein are appointed, within a period of six months at most, to staff positions compatible with their staff degrees and levels, and they are appointed to duties where there is need until their formal appointment procedures are completed. Until this new appointment, such personnel are entitled to all benefits including salaries, additional indicators, pay increases, additional payments, compensations, etc. associated with their earlier staff positions.

In case the net sum of monthly salary, additional indicator, all raises and compensations and other financial rights (excluding the overtime payment) of such personnel is less than the net sum of monthly salary, additional indicator, all raises and compensations and other financial rights (excluding the overtime payment) latest received in connection with their former positions, the difference between such amounts shall be paid as a compensation, without any deductions, until such difference is eliminated, as long as they remain in their appointed positions. Those who are employed under contract shall remain as such until the expiration of their contracts.

PROVISIONAL ARTICLE 5- The staff who were appointed as “SIS Expert” in the General Administrative and Technical Services category and others who were appointed as “SIS Assistant Expert” prior to the taking effect of the present law are entitled, respectively, to titles of “Turkish Statistical Institute Expert” and “Turkish Statistical Institute Assistant Expert” upon the official publication of the law without any additional procedure. Past service of these staff as “SIS Assistant Expert” are considered as service under the title and staff position of “Turkish Statistical Institute Assistant Expert.”

Furthermore, the staff who were appointed as “European Union Expert” in the Presidency and others holding the title of “European Union Assistant Expert” prior to the taking effect of the present law are entitled, respectively, to titles of “Turkish Statistical Institute Expert” and “Turkish Statistical Institute Assistant Expert” upon the official publication of the law without any additional procedure. Past service of these staff as “European Union Assistant Expert” are considered as service under the title and position of “Turkish Statistical Institute Assistant Expert”.

PROVISIONAL ARTICLE 6- Upon coming into effect of the present law, the staff in the position of SIS Vice-President and others of SIS Regional Director are considered as having been appointed, respectively, to the positions of TURKSTAT Vice-President and TURKSTAT Regional Director without any other procedure.

In case staff serving as the Head of Department in the service units of the Institute at the time this law takes effect are appointed again to the same position in the service units of the Turkish Statistical Institute, qualifications stipulated in the present law shall not be considered mandatory.

PROVISIONAL ARTICLE 7- The duty of the President of the State Institute of Statistics terminates when the present law comes into force. The President of the Turkish Statistical Institute shall be appointed for a duty term of five years within one month following the taking effect of the present law from among those having relevant qualifications. The President of the State Institute of Statistics continues to work until this appointment is made.

PROVISIONAL ARTICLE 8- The regulations envisaged by this law are developed and put into effect by the Presidency within at most six months. Until new regulations take effect, the provisions of the existing regulations are applicable given that they do not run counter to provisions laid down herein.

Any references made in other legislation to the State Institute of Statistics are considered as made to the Turkish Statistical Institute, and any references made to the Law no. 53 on the Establishment, Duties and Authorities of the State Institute of Statistics and to the Decree Law no 219 on the Establishment, Duties and Authorities of the State Institute of Statistics are considered as made to the present law, excluding those provisions running counter to the provisions of the present law.

PROVISIONAL ARTICLE 9- The presidency appoints at most 200 assistant experts to the vacant Turkish Statistical Institute positions added into the Decree Law no. 190 with the present law, in the regional offices of the Institute for the year 2005, without being subject to the limitation (48,000) specified in paragraph (a) of Article 25 of the Budget Law no. 5277. For the selection of personnel to be appointed to these positions, the Presidency conducts a test in which the candidates numbering four times the number of vacant positions are invited. Invitees are those who have received at least 70 points in the Public Employees Group (A) Selection Test and at least 50 points in foreign language test and they are listed according to their success. The Presidency appoints the successful ones in the regional offices.

PROVISIONAL ARTICLE 10- The studies of identification of population in the settlements as envisaged by paragraph (3) of Article 12 of the Law no. 5272 on Municipalities dated 7 December 2004, and the time limitation specified in provisional Article 4 are suspended until the establishment of residence based population registry system which is to be

introduced jointly by the Presidency and Ministry of Internal Affairs. However, the results of the 2000 General Population Census are taken into account in case the transactions are made according to the Article 8 of the same law.

Enforcement

ARTICLE 59- This law comes into effect on the date of its publication in the Official Gazette.

Execution

ARTICLE 60- The provisions of this law are executed by the Council of Ministers.