



# **LEGISLATION ON THE RIGHT TO INFORMATION**

**ANKARA 2021**

# **LEGISLATION ON THE RIGHT TO INFORMATION**



## **Publications of the Review Board of Access to Information 6**

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**THE REVIEW BOARD OF ACCESS TO INFORMATION**  
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## **PREFACE TO THE SECOND EDITION**

The right to obtain information, which is a requirement of transparent management in a democratic rule of law and is of great importance for the establishment and strengthening of the principles of equality, impartiality and openness, has been recognized by Law No. 4982. 74th article of the Constitution was amended by the article 8 of the Law No. 5982, which took place on May 7, 2010. Thus, the right to information is constitutionally guaranteed for the first time.

In accordance with Article 14 of Law No. 4982, the The Review Board of Access to Information (RBAI) has been established to examine the decisions made by institutions and organizations and to make decisions regarding the use of the right to information for institutions and organizations.

Following the closure of the Prime Ministry and the regulation that the secretariat of our Board will be fulfilled by the Ministry of Justice, all of the members of our Board were elected with the discretion and approval of our President Recep Tayyip ERDOĞAN with the Presidential Decree, published in the Official Gazette dated 12 November 2019 and numbered 30946.

Our Board held its first meeting on December 4, 2019 and has decided on all old-new files, including 2018 and 2019 files, as of 31.12.2020. Our Board is happy to decide on all its old and new files without any transfer to 2021. Therefore, I would like to thank especially our esteemed board members, to our coordinator expert, our Justice experts, branch manager and administrative staff for their outstanding efforts.

As RBAI, we are excited to fulfill the assigned duties devotedly, depending on the awareness of justice and impartiality, solution-oriented, reliability, transparency and responsibility within the framework of the Constitution and laws.

RBAI has established a significant accumulation in its field with the decisions it has made. In this direction, we continue our work in a continuous development and citizen-oriented approach to ensure that our citizens access information.

All country reports are collected every year in February and General Report on Obtaining Information is prepared by making various operations and sent to the Grand National Assembly of Turkey Presidency. Our General Report on Obtaining Information has been regularly published by the Grand National Assembly of Turkey Presidency on its website since 2004.

As can be seen, our Board is related to the executive body in one aspect and the legislature in the other.

With this book, the first edition of which was published 7 years ago in December 2014 as the number one publication of the Review Board of Access to Information, the current legislation on the right to information is presented in Turkish and English.

I hope that the second edition of this book titled The Legislation on the Right to Information will contribute to the more effective use of the right to information, which is guaranteed by Article 74 of our Constitution.

**Prof. Dr. Hasan Tahsin FENDOĞLU**  
**The Head of the RBAI**

## **The Board of Review of Access to Information**

Law on the Right to Information published at the Official Gazette No. 25269 of 22/10/2013, came into effect on 24/04/2004. According to the Article 14 of the Law, The Board of Review of Access to Information has been established to review the administrative decisions, and to make decisions regarding institutions and agencies on the exercise of the right to information.

### **Mission**

To review the administrative decisions made according to the Law on the Right to Information No.4982 and related legislation, to make decisions upon opinion and evaluation requests regarding the exercise of right to information and to regulate the issues on the exercise of the right to information for the institutions and agencies

### **Vision**

To make contribution to the expansion and settlement of the principles of equality, impartiality and openness that are the necessities of a democratic and transparent government in public administration.



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**CONSTITUTION OF  
THE REPUBLIC OF TURKEY**

**(Article 74)**



**VII. Right of petition, right to information and appeal to the Ombudsperson**

**ARTICLE 74-** (As amended on October 3, 2001; Act No. 4709) Citizens and foreigners resident in Turkey, with the condition of observing the principle of reciprocity, have the right to apply in writing to the competent authorities and to the Grand National Assembly of Turkey with regard to the requests and complaints concerning themselves or the public.

(As amended on October 3, 2001; Act No. 4709) The result of the application concerning himself/herself shall be made known to the petitioner in writing without delay.

(Repealed on September 12, 2010; Act No. 5982)

(Paragraph added on September 12, 2010; Act No. 5982) Everyone has the right to obtain information and appeal to the Ombudsperson.

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# **TURKISH LAW ON THE RIGHT TO INFORMATION**

*(Official Gazette Date: 24.10.2003, Official Gazette Number: 25269)*

*(Effective Date: 24.04.2004)*



## **CHAPTER ONE**

### **Object, Scope and Definitions**

#### **Object**

**Article 1-** The object of this law is to regulate the procedure and the basis of the right to information according to the principles of equality, impartiality and openness that are the necessities of a democratic and transparent government.

#### **Scope**

**Article 2-** This law is applied to the activities of the public institutions and agencies and the professional organisations which qualify as public institutions.

The provisions of the Law on the Use of the Right to Petition (date:01.11.1984, No: 3071) are reserved.

Additional paragraph: 12/7/2013-6495/ Art.33; annulled by the Constitutional Court's decision of 04/12/2014, Registry No: 2013/114, Decision No: 2014/22.

#### **Definitions**

**Article 3-** The terms used in the law means following:

a) Institution and agency: All the authorities that can be included under article 2 of this law.

b) Applicant: All natural and legal persons who apply to the institutions by way of exercising the right to information.

c) Information: Every kind of data that is within the scope of this law and are included in the records of the institutions.



d) Document: Any written, printed or copied file, document, book, journal, brochure, etude, letter, software, instruction, sketch, plan, film, photograph, tape and video cassette, map of the institutions and the information, news and other data that are recorded and saved in electronic format that are within the scope of this law.

e) Access to information and document: Depending on the nature of the information and the document, providing a copy of the information or the document to the applicant; in cases where it is not possible to give a copy, permitting the applicant to examine the original information or the document and to take notes or to see the contents, or to listen to.

f) Board: The Board of Review of Access to Information

## **CHAPTER TWO**

### **Right to Information and the Obligation to Provide Information**

#### **Right to Information**

**Article 4-** Everyone has the right to information.

Foreign residents in Turkey and the foreign legal entities operating in Turkey can exercise the right in this law, on the condition that the information that they require is related to them or the field of their activities; and on the basis of the principle of reciprocity.

All rights and obligations arising from international conventions to which Turkey is a party are reserved.

### **The Obligation to Provide Information**

**Article 5-** The institutions and agencies are required to apply administrative and technical measures to provide every kind of information and document, with the exceptions set out in this law, to provide the information for applicants; and to review and decide on the applications for access to information promptly, effectively and correctly.

The other legal regulations which are incompatible with the provisions contained herein shall cease to be applicable as of the date this Act comes into force

## **CHAPTER THREE**

### **Application for Access to Information**

#### **Procedure of Application**

**Article 6-** The application for the access to information is made through a petition that includes the name, surname, residence or the work address of the applicant and the signature; where the applicant is a company, its title and the address, and the signature of the authorised person together with a certificate of authorisation, to the institution that possesses the information or the document. The application can be made also through electronic or other types of communication tools, provided that the identity and the signature of the applicant can be legally determined.

The information and the document that is requested must be clearly specified in the petition.

#### **The Quality of the Information or the Document that can be requested**

**Article 7-** The application for access to information should relate to the information or the document that the institutions and agencies which are applied possess or should possess due to their tasks and activities.

The institutions and agencies may turn down the applications for any information or document that require a separate or special work, research, examination or analysis.

Where the requested information or the document is at an institution other than the one that is applied, the petition shall be sent to the relevant institution and the applicant shall be notified accordingly.

### **The Information and Documents that are Published or Disclosed to the Public**

**Article 8-** The information and documents that are published or disclosed to the public either through publication, brochure, proclamation or other similar means, shall not be the subject of an application for access to information. However, the applicant will be informed of the date, the means and the place of the publication or disclosure of the information or the document.

### **Exempting the Classified Information**

**Article 9-** Where the requested information or document contain classified elements, such information shall be set aside if separable and the applicant shall be notified of the grounds for this exemption in writing.

### **Access to Information or Document**

**Article 10-** Institutions and agencies provide a certified copy of the requested document to the applicant.

Where the information or the document is not appropriate for copying or may cause damage to the original copy, the institution and agency shall provide the applicant with the necessary means;

a) to examine the original document and take notes for those that are published or written,

b) to listen to the material that are in the form of sound recording,

c) to watch the material that are in the form of visual recording.

Where the access to information or document require other means than those mentioned above, such information or document shall be provided as long as it does not damage the original material.

The applied institution and agency may charge the applicant for the cost of the procedure, to be added as an income to the budget.

### **The time limits for access to information or document**

**Article 11-** The institutions and agencies shall provide the requested information within 15 working days. However, where the requested information or document is to be obtained from another unit within the applied institution and agency or it is necessary to receive the opinion of another institution or if the scope of the application pertains more than one institution; the access shall be provided in 30 working days. In this case, the applicant shall be notified in writing of the extension and its reasons within 15 working days.

The 15 working days time limit shall be suspended at the time when applicant is notified of the cost for the access

to the information or the document stated in Article10. The applicant shall be considered to have withdrawn the application unless the cost is paid within the next 15 working days.

### **Response to the Application**

**Article 12-** Institutions and agencies notify the applicants in writing, or inform them in electronic format, of the result of their applications regarding access to information. If the application is rejected the applicant shall be notified of the reasons and the appeal mechanism against the decision.

### **The Procedure for Appeal**

**Article 13-** Within 15 days starting from the official notification, the applicant whose application for access to information is rejected, may appeal to the Board before appealing for judicial review. The Board shall render a decision within 30 days. The institutions and agencies are obliged to provide every kind of information and document that are required by the Board within 15 days.

Appeal to the Board suspends the time limit to refer to the administrative jurisdiction.

### **The Board of Review of Access to Information**

**Article 14-** The Board of Review of Access to Information has been established to review the administrative decisions, and make decisions regarding institutions and agencies on the exercise of the right to information.

The Board is composed of 9 members. The President appoint two members amongst the four candidates

nominated by the General Board of the Court of Appeals and the Council of State from their members; three members, each amongst the scholars of criminal, constitutional and administrative law who bear the title Professor or Associate Professors; one member among the two candidates that have the qualifications to be elected as chief of bar and are nominated by the Turkish Bar Association, two members amongst those who have been serving as general director; and a member among judges in service of the Ministry of Justice as recommended by the Minister.

Nomination is subject to the approval of the candidates.

The chairman of the Board is selected by the Board members among themselves.

The Board convenes at least once a month or anytime upon the call of the Chairman when there is need.

Board Members serve for four years. The members, who complete their term of office may be re- elected. In the event that a member leaves before four years, the new member who is elected with the same procedure to replace the leaving member, completes the period of the member that s/he has replaced. The former Board operates until the new Board starts to operate.

With reservation to the provisions of the Act No: 6245 of 10.02.1954, Board members who already bear the title of public officer are paid the amount found as 2000 multiplied by public officer payment coefficient while those who do not qualify as public officer receives the amount multiplied by 1000. Those payments are exempt from any tax but only stamp tax.

The Board can set up commissions and working groups and in addition may invite representatives from the ministries, non-governmental organisations and other institutions to participate in the meetings as it finds appropriate.

The secretarial services of the Board are executed by the Ministry of Justice.

The President prepares and puts into force the regulation concerning the procedure and the basis for the activities and duties of the Board.

## **CHAPTER FOUR**

### **The Restrictions on the Right to Information**

#### **The Transactions that are not subject to the Judicial Review**

**Article 15-** The transactions that are not subject to the judicial review, those that affect the working life and professional honour of the persons, are within the scope of this law. The right to information provided in this way, does not eliminate the restriction regarding the judicial review of the transaction.

#### **The Information and Documents Pertaining the State Secrets**

**Article 16-** The information and documents which qualify as state secrets whose disclosure clearly cause harm to the security of the state or foreign affairs or national defence and national security are out of the scope of the right to information provided herein.

### **The Information and Documents Pertaining the Economical Interests of the State**

**Article 17-** The information or documents whose disclosure cause harm to the economical interests of the state or will cause unfair competition or enrichment, are out of the scope of this law.

### **The Information and Documents Pertaining the State Intelligence**

**Article 18-** The information and documents regarding the duties and activities of the civil and military intelligence units, are out of the scope of this law.

However the information and documents, that affect the professional honour and working life of the persons, are within the scope of right to information.

### **The Information and Documents Pertaining the Administrative Investigation**

**Article 19-** The information or the document that is related to the administrative investigation held by the administrative authorities and which will;

a) clearly violate the right of privacy of the individuals,

b) endanger the security or the life of the individuals or the officials that carry out the investigation,

c) jeopardise the security of the investigation,

d) disclose the source of the information which needs to be kept secret, or endanger the procurement of similar information in connection with the investigation,

are out of the scope of this Law.



## **The Information or Documents Pertaining the Judicial Investigation and Prosecution**

**Article 20-** The information or the document whose disclosure or untimely disclosure will

- a) give rise to a criminal offence,
  - b) endanger prevention and investigation of the crime or endanger the legal procedure for the detention and the prosecution of the criminals,
  - c) obstruct the proper operation of judicial duty.
  - d) violate the right to fair trial of a defendant in a pending case
- are out of the scope of this law.

The provisions of the Code of Criminal Procedure (Date: 4/4/1929, No:1412), Code of Civil Procedure (Date:18/6/1927, No: 1086), Code of Procedure of Administrative Jurisdiction (Date: 6/1/1982, No: 2577) and the provisions contained in other specific regulations are exempted from this Law.

## **Privacy of the Individuals**

**Article 21-** With the proviso where the consent of the concerned individual has been received, the information and documents that will unjustly interfere with the health records, private and family life, honour and dignity, and the economic and professional interests of an individual, are out of the scope of the right to information.

Due to public interest considerations, personal information or documents may be disclosed by the institutions and agencies on the condition that concerned individual is notified of the disclosure at least 7 days in advance and his/her written consent is obtained.

### **The Privacy of Communication**

**Article 22-** The information and documents that will violate the privacy of communication, are out of the scope of this law.

### **Trade Secrets**

**Article 23-** The information and documents that are qualified as commercial secret in laws, and the commercial and financial information that are obtained by the institutions from the natural or legal persons with the condition of keeping secret, are out of the scope of this law.

### **Intellectual Property (Works of Art and Science)**

**Article 24-** In the event of application for access to information concerning intellectual property, the relevant provisions of the intellectual property law shall apply.

### **Internal Regulations**

**Article 25-** The information and documents of the institutions and agencies that do not concern the public and are solely in connection with their personnel and internal affairs, are out of the scope of the right to information. However, the employees of the institutions who are subject to the regulations have the right to access to such information.

### **Internal Opinions, Information Notes and Recommendations**

**Article 26-** The information and document qualified as opinion, information note, proposals and recommendations which facilitate the execution of the activities of the institutions and agencies are within the

scope of the right to information, unless the opposite is decided by that institution and agency.

The opinions of the units, individuals or institutions that are legally obliged to give reports on scientific, cultural, technical, medical, financial, statistical, legal and other similar expertise fields are within the scope of the right to information with the proviso that such opinions constitute the basis of administrative decisions taken by the institutions.

### **Requests for Recommendation and Opinions**

**Article 27-** The requests for recommendations and opinions are out of the scope of this law.

### **Declassified Information and Documents**

**Article 28-** The information and documents which cease to be classified either by a judicial or administrative decision are open to the applications for access to information, with the proviso that they fall within the scope of the other exceptions provided in this law.

## **CHAPTER FIVE**

### **Miscellaneous**

#### **Criminal Provisions**

**Article 29-** Without prejudice to any prosecution to be conducted by virtue of general provisions of criminal law, the officials and other civil servants who negligently, recklessly or deliberately obstruct the application of this law, shall be subject to disciplinary sanctions as provided in the relevant regulations of the personnel regime.

The information and documents that are obtained according to this law, cannot be copied and used for commercial interest.

### **Preparation of the Reports**

**Article 30-** The institutions and agencies shall prepare reports pertaining the previous year and which include,

a) the number of applications on the access to information received by the institutions,

b) the number of applications that the institutions and agencies have accepted and provided access to information or document,

c) the number of applications that have been rejected and statistical information about their categorisation,

d) the number of applications that are accepted and accordingly provided access to information which were previously qualified as classified.

e) the number of appeals to the decisions of rejection and their results,

and send them to the Board of Review of Access to Information until the end of February, every year. The institutions and agencies that are associated, related or connected to another public legal entity send their reports through the ministry they are associated with. The Board prepare a general report and submit it to the Turkish Grand National Assembly every year by the end of April, together with the reports received from the institutions. These reports are disclosed to the public by the Presidency of the Turkish Grand National Assembly in two months time.

### **Regulations**

**Article 31-** The Regulation concerning the principles and procedures for the application of this law shall be prepared by the President and put into force within six months after the date of publication.

### **Entry into Force**

**Article 32-** This law comes into force six months after the date of its publication.

### **Execution**

**Article 33-** The President executes the provisions of this law.

# **REGULATION FOR THE BASIS AND PROCEDURES OF THE IMPLEMENTATION OF THE RIGHT TO INFORMATION ACT**

*(Official Gazette Date: 27.04.2004, Official Gazette Number: 25445)*

*(This Regulation has been added to the Presidential Regulation  
section in accordance with the President Decision No. 864, dated  
9/4/2019, published in the Official Gazette dated 10/4/2019 and  
numbered 30741.)*



## **CHAPTER ONE**

### **Object, Scope, and Definitions**

#### **Object**

**Article 1-** The object of this Regulation is to define the basis and procedures for real persons and legal entities when exercising their right to information under the Right to Information Act No. 4982 of 9/10/2003.

#### **Scope**

**Article 2 -** This Regulation; is applied to the activities of the public administrations under the central administration and their affiliated, related or associated organizations, local authorities except villages, and their affiliated and related organizations and associations or companies, the Turkish Central Bank and universities, and all public institutions and agencies including those institutions, enterprises, and professional organizations.

#### **Legal basis**

**Article 3-** This regulation has been prepared in accordance with Article 31 of the Right to Information Act No. 4982 of 9/10/2003.

#### **Definitions**

**Article 4-**The terms used in this regulation mean the following:

**a) Institutions and organizations:** All the authorities that can be included under article 2 of this law and that can be applied for information,



**b) Applicant:** All natural and legal persons who apply to the institutions to exercise their right to information in accordance with the Law No. 4982 and this regulation,

**c) Information:** Every kind of data that is within the scope of Law No. 4982 and which is included in the records of the institutions.

**d) Document:** Any written, printed or duplicated file, document, book, journal, brochure, study, letter, program, instruction, sketch, plan, film, photograph, tape and video cassette, map, and information, news and other data that are recorded and saved in electronic format and which is within the scope of Law No. 4982.

**e) Access to information and documents:** Depending on the nature of the information and the document requested, providing a copy of the information or the document to the applicant; in cases where it is not possible for a copy to be provided, permitting the applicant to examine the original information or the document and to take notes or to see or listen to the contents,

**f) Board:** The Board of Review of the Access to Information,

**g) Law:** Right to Information Act No. 4982 of 9/10/2003.

## **CHAPTER TWO**

### **The Right to Information and the Obligation to Provide Information**

#### **Right to information**

**Article 5-** Everyone has the right to information under the Law and the basis and procedures of this Regulation. Foreign residents in Turkey and foreign legal

entities operating in Turkey can exercise their rights under the Law and this Regulation, on the condition that the information that they request is related to them or their field of activity; and on the basis of the principle of reciprocity. These applications should be made in Turkish. Countries included under the principle of reciprocity will be announced in the Official Gazette by the Ministry of Foreign Affairs.

All rights and obligations arising from international conventions to which Turkey is a party are reserved.

### **Measures to be taken under the obligation to provide information**

**Article 6-** The institutions are required to take all administrative and technical measures to enable the provision of all kinds of information and documents, with the exceptions set out in the Law and this Regulation, and to provide the information for applicants; and to review and decide on the applications for access information promptly, effectively and correctly.

Institutions and organizations, classify all information available and all information and documents which can be the subject of an application for information in a way that makes it easier to use. For this purpose, institutions take the necessary administrative and technical measures for the recording, filing and archiving of documents.

For the right to information to be used efficiently and to minimize the workload resulting from the applications to, institutions may make the following publicly available;

a) Institutional file plans detailing the information or documents within the duty and service areas and which unit they are located at,

b) Basic decisions and processes, goods and services purchases, sales, project and annual reports within the duty and service areas,

c) Law, Presidential decree, regulations, charter, decisions of Council of Ministers and other regulatory powers, what they are, which Official Gazette they were published in with date and issue, and any revisions to legislation regarding duty and service areas by way of information and communication technologies.

Finalized activity and audit reports are made available for public review by appropriate means. For the right to information to be used efficiently and the workload resulting from the applications to be minimized, institutions restructure their internet web pages in accordance with the provisions of this article. Institutions and organizations within the scope of this Regulation, offer public access through this same website, and when the need arises, through links to the internet website of the relevant unit.

Institutions prepare the institutional file plans detailing the information or documents within the duty and service areas and which unit they are located at in accordance with the provisions of the related legislation. Institutional file plans, are located in the right to information unit to be established under the press and public relations office and sufficient number of copies will be offered for the benefit of applicants. A copy of the institutional file plans is also offered to public view through the corporate web pages of the institutions. For the purpose of facilitating the right to information in the electronic

medium, the application forms located in ANNEX-1 and ANNEX-2 will be published on the institute web site along with electronic mail addresses for accepting applications. These application forms will also be always available for applicants at the information units.

Information or documents to be published voluntarily  
Article 7- For the right to information to be used efficiently and the workload resulting from the applications to be minimized, institutions can provide the following information and documents for public view through their internet web pages:

- a) Information or documents regarding organization structure, tasks, budget, income and expenses,
- b) Information on the number and status of staff,
- c) Information relating to services offered,
- d) Information regarding decision-making, policy formulation and methods of service provision,
- e) Decisions and their reasons affecting the public, policies, and that the assessments made by the administration about them and the basic information and data which is the basis of these decisions,
- f) Information related to registration, filing and archiving,
- g) Information related to complaints and applications procedures, the authorities they are made to or authorised persons
- h) Statistical data, research reports, articles and other documents.

### **Formation of information units**

**Article 8-** Information units are established in institutions' press and public relations units, for the

efficient use of the right to information and the timely access to information and documents.

Institutions that do not have press and public relations units in their organization, shall establish an information unit for the efficient use of the right to information and timely access to information and documents within a unit of their institution or directly appoint an information officer responsible directly to the institution manager.

Enough number of staff shall be appointed to the information units. It is essential that these units have the physical space and technical equipment necessary to facilitate the application for information.

The staff assigned to these units upon request from persons wishing to exercise their right to access information give information upon how the application is made, which unit the requested information or document may be located at, the processes following the application, gives explanations and performs the operations related to the right to information applications.

To be able to inform individuals who apply for information of the information and documents located at the institution, the information unit has the institution file plans to be prepared by the institution in accordance with article 6, and has a sufficient number of copies for the use of applicants.

Documents related to the organizational structure, duties and service areas of institution, brochures and publications for educational and publicity purposes, annual reports and reports related to budgets and spending can be kept at the information units. People can benefit from these kinds of publications.

## **CHAPTER THREE**

### **Application for Access to Information**

#### **Application process**

**Article 9** - The application of a real person for access to information is made through an application that includes the name, surname, residential or the work address of the applicant and their signature; to the institution that possesses the information or the document. Where the applicant is a legal entity, the application including its title and registered address, and the signature of the authorised person together with a certificate of authorisation is made to the institution that possesses the information or the document. The information and the document that is requested must be clearly specified in the application. To facilitate quick access to the requested information or document, the subject of the information or document, if applicable the date, subject and the unit of the institution the information is requested from, along with other required matters are specified in the application. Applications regarding information or documents located at provincial authorities of the central administration are made to the right to information authorities under the governor or district office, or to the relevant departments of the provincial authority. The coordination between the units in the provinces and districts and the preparation of reports relating to these processes are provided by the information units of the governor and the district offices. The information units located at the Governor's Office or district office, submit the applications made to themselves regarding issues related to the central government to the

relevant administration and inform the applicant of the status.

Applications that are not specified to have been made in accordance with another law are deemed to have been made in accordance with the Right to Information Act. It is not required for petitions or application forms to be completed by typewriter or computer printer. However, the petitions and forms must be legible and understandable.

The date of the application is deemed as the date that it is received by the institution.

Applications can also be sent to the institutions by mail. For the information or document requested to be accessed in a short period and the information applications to be processed easily, when preparing a request for information, real persons may benefit from the forms in ANNEX-1, while legal entities may benefit from the forms in ANNEX-2. However, for those making their applications by electronic mail or fax, real and legal entities should complete the forms in ANNEX-1 and ANNEX-2.

Applications made in electronic medium or through other means of communication Article 10- Application for Access to Information can be completed in electronic format or through other forms of communication on condition that the identity of the individual and their signature or the identifying information on the document is confirmed through other legal means.

Applications of real persons who will apply for access to information through electronic mail, are made by completing the form given in ANNEX-1 including the name-surname and residence or business address, TR ID no in order to confirm the identity, to the institution that possesses the information or the document and sending it to

the electronic mail address of the information unit of the institution.

Applications of legal entities who will apply for access to information through electronic mail, are made by completing the form given in ANNEX-2, including an application including the title and registered address, and the signature of the authorised person together with a certificate of authorisation and the TR ID No, to the institution that possesses the information or the document and sending it to the electronic mail address of the information unit of the institution. Appropriate authorization document is sent by electronic means having been transferred to electronic medium. Applications sent using electronic signature in accordance with Law 5720 on Electronic Signatures do not require the TR Identity number. For applications made through electronic mail, the date of receipt of the electronic mail to the electronic mail address of the institution is accepted as the date of application.

For applications made through electronic mail, information units of institutions create a institutional electronic mail address and publishes this on their internet web pages.

While institutions can reply electronically to applications made in electronic format, they may also respond in writing in accordance with the nature of the requested information or documents. In the situation that it is not possible for the information or documents to be provided by these means, the opportunity to view, examine, take note of, listen to, view or watch the related information of document on site is provided. Applications can also be sent to the institution by fax. However, for applications



made by fax, the TR ID number for real persons and the TR ID number for the authorized representative of legal entities is required. In applications made by fax, if the applicant would like the response to be sent by fax, then the fax number must be indicated in the application. While institutions can reply electronically or by fax to applications made by fax, they may also respond in writing in accordance with the nature of the requested information or documents. In the event that it is not possible for the information or documents to be provided by these means, the opportunity to view, examine, take note of, listen to, view or watch the related information of document on site is provided. For applications made by fax, the date the fax is received by the institution is accepted as the date of application.

### **Applications to be made by the disabled**

**Article 11-** In the situation that there is other information or signs provided in the application to confirm the identity of the applicant, this information or special marks are considered signatures in regards to disabled people.

### **The quality of the information or document requested**

**Article 12-** The application for access to information should relate to information or documents that the institutions which are applied possess or should have possessed due to their tasks and activities. The institutions may turn down the applications for any information or document that require a separate or special work, research, examination or analysis.

Information or documents the date of availability of which has already been announced, and the premature disclosure of which would undermine the public interest or result in personal benefit, cannot be disclosed before the date specified, and access to them cannot be provided before said date.

### **The information and Documents that are Published or Disclosed to the Public**

**Article 13-** The information and documents that are published or disclosed to the public either through publication, brochure, proclamation or other similar means, may not be made the subject of an application for access to information. However, the applicant will be informed of the date, the means and the place of the publication or disclosure of the information or the document.

### **Acceptance, evaluation and processing of the applications**

**Article 14-** The application or petition forms, are accepted by the information units of the institutions. The information units, having checked that the petitions or application forms are as specified in article 9, complete the document registration, and provided the applicant is available, give a receipt showing the date and number to the applicant.

The application or forms which are submitted to any other unit in the institution are directly forwarded to the information unit without being processed.

Applications which do not contain the elements specified in article 9 and the forms which do not contain the elements specified in article 10 and which are sent through

electronic mail are not processed and the applicant is notified.

In the situation that it is determined later that the applicant has misrepresented him/herself on the petition or forms, the application will be counted as not having been made and will not be processed. In applications for information made through electronic mail, the TR ID card number given by the real person or legal entity applicant will be confirmed when deemed necessary via the Interior Ministry Population and Citizenship Affairs General Directorate website with the name and surname provided by the applicant. Applications made with incorrect names or surnames will not be processed.

After the application petition or form has been registered, it is sent to the relevant unit of the institution within the latest two business days. In this letter, which unit will reply to the application and what date the reply is required by is stated. For this type of letter to be forwarded rapidly to the relevant units the necessary delegation of authority is done in accordance with the relevant legislation.

Applications made by electronic mail are forwarded to the relevant units in electronic format or as a computer printout. In this letter, which unit will reply to the application and what date the reply is required by is stated.

The information units of the institutions work in coordination with the other related units of the institution in accordance with the principles and procedures laid out in the law and this Regulation.

The document or information security of the applications made electronically or in writing are ensured in accordance with the general provisions of the institution.

### **Assistance to applicants**

**Article 15-** Information unit staff are obliged to help and direct applicants who are applying for information and to aid them in exercising their rights under the Law. The staff will point out any deficiencies in the petition or form to the applicant at the time of application and will provide guidance in how to rectify them.

### **Indetermination of requested information or documents**

**Article 16-** If the information or documents requested are not sufficiently clear or understandable on the application petition or form, then the reason for this can be informed to the applicant and additional information may be requested from the applicant.

In this case, the five-day period in Article 20 starts after the completion of these deficiencies.

### **Forwarding the applications to other institutions**

**Article 17-** Where the required information or document is at an institution other than the one that the application is made to, the petition will be forwarded to the relevant institution and the applicant will be notified.

Applications forwarded in this way are deemed to have been made on the date they are received by the institution after having been forwarded. The previous application is not considered at the beginning of the period.

If the institution from which the information has been applied for determines that the information or document is not available at the institution, or that it involves one or more other institutions or areas of duties, then before providing the information, they may get the opinions of the

relevant institutions. In this case, access to information or documents is provided within thirty business days. In this case, the duration will be extended and applicant will be notified of the cause, before the end of the fifteen business days period. The institution whose opinion is sought cannot be given less than five business days to give an opinion. The representatives of the institution whose opinion is sought share the same responsibility as the institution that the application was made to in giving a response. In the case that the application is related to more than one institution, the institution to which the application was made can request information from other institutions regarding the part of the information or document which it does not have and can request information and documents from the relevant institution. In this case, access to information or documents is provided within thirty business days. In this situation, the duration will be extended and applicant will be notified of the cause, before the end of the fifteen business days period.

## **CHAPTER FOUR**

### **Access to Information or Documents**

#### **Response to applications**

**Article 18-** Information applications forwarded by the units, are answered by the relevant units of the institutions.

In the situation that the requested information or document must be obtained from another unit within the applied institution or when it is necessary to receive the opinion of another institution or if the scope of the

application pertains more than one institution; the provisions of article 17 are applied.

Institutions reply to the applications for access to information in writing or in electronic format. However, the answers which will be given via electronic mail will be sent from the information units of the institution. An answer prepared in this context to an application is sent by the relevant unit to the information unit in writing or by electronic medium.

The date that the application is replied to is the date on the reply letter of the institution.

The necessary analysis and research regarding the information requests is completed by the unit which will reply to the application and is answered within the period specified in Article 20.

While all applications are responded either positively or negatively, one copy of the reply to the applicant excepting the attachments, is also sent to the information unit.

In cases where the application is rejected the applicant will be notified of the justification and the process of appeal against the decision.

The application not being answered during the period specified due to negligence or culpable conduct on the part of the public officials does not eliminate the obligation to provide a response.

Applications made again by the same person despite them having been answered previously or applications of an abstract and general nature are not processed and will be notified to the applicant.

## **Procedures for access to information or documents**

**Article 19-** In the case that documents are requested from institutions, the institutions provide a certified copy of the requested document to the applicant. Information or documents in electronic format can be sent via electronic mail, discs allowing data copying or other means.

In the case that the information or document is not suitable for copying or copying will damage the original, the institution will provide the applicant to;

- a) examine the original document and take notes from the relevant written or printed documents,
- b) to listen to the material that are in the form of sound record,
- c) to watch the material that are in the form of visual recording.

For this purpose, the applicant will be informed of how, where and when access will be provided and other necessary considerations within the time period. When access is provided in this way, the applicant is supervised by at least one officer and the necessary precautions are taken against the risk of the information or document being changed, destroyed, stolen or other risks. Where the access to the information or document require other means than those mentioned above, the information or documents shall be provided on condition that it does not damage the original.

## **Time limits for access to information or document**

**Article 20-** Institutions shall provide the required information within 15 working days. However, where the required information or document is to be obtained from

another unit within the applied institution or it is necessary to receive the opinion of another institution or if the scope of the application pertains more than one institution; the access shall be provided in 30 working days. In such case, the applicant will be notified of the extension and its reasons within 15 working days.

### **Exempting the Classified Information**

**Article 21-** Were the required information or the document contain classified elements, such information shall be set a side if separable and the applicant shall be notified of the grounds for this exemption.

### **Application fees**

**Article 22-** Institutions and organizations may charge the applicant for the information or documents that they provide access to, including those accessed via electronic mail, in proportion to the examination, research, copying, mailing and other cost elements required by access to the information or documents. Information access fee tariff to be applied by institutions and organizations is determined by the Ministry of Treasury and Finance. However, there is no charge for the copies of the first ten pages of the information or documents accessed, including postage costs.

Institutions inform the applicant about the access fee and payment location for access to the information or documents within fifteen days of the application. However, in the case that the requested information or document must be obtained from another unit within the applied institution or when it is necessary to receive the opinion of another institution or if the scope of the application pertains more



than one institution; information regarding the cost of access and where payment must be made shall be informed to the applicant within thirty days of the application date. The time limit of 15 or 30 business days will be suspended at the time the applicant is notified of the cost to access the information or document. The applicant is deemed to have waived their application in the event that they do not provide documentation proving payment within fifteen business days of the notification.

The fees collected by public institutions and agencies to allow access to information or documents requested by applicants shall be recorded as revenue in the budget and credited into the relevant accountancies or the accounts opened in the banks in the name of the accountancy or at other financial institutions or post office branches.

The fees charged by professional organizations which qualify as public institutions for information or documents to the applicants is deposited into an account opened in the name of the relevant professional organization.

### **Applications regarding information or documents regarded as exceptions to the law**

**Article 23-** Applications for information related to subjects termed as exceptions to the right to information act are rejected and the rejection is notified to the applicant along with its justification.

### **Appeal process**

**Article 24-** The applicant whose request for information was rejected may appeal to the Board within fifteen days starting from the official notification before

appealing for judicial review. Appeals should be written. The Board shall render a decision within 30 days.

In the event that the institutions are unable to give a negative or positive response within the periods set out in Article 20, at the end of sixty days in accordance with the Law 2577 Administrative Procedure Act Article 10 the application will be deemed rejected.

In accordance with article two, the applicant whose request for information was may appeal to the Board within fifteen days starting from the official notification before appealing for judicial review. The Board shall render its decision within 30 days.

Appeal to the Board suspends the time limit for the applicant to apply for administrative jurisdiction.

### **Board decisions**

**Article 25-** The Board, upon objections to information requests, reviews the administrative decisions and makes decisions regarding exercising the right to information act by institutions.

The Board is authorized to regulate issues regarding the right to information.

### **Information or documents requested by the Board**

**Article 26-** Upon the appeal to the Board of the applicant whose request for information was rejected, the Board can request all kinds of information and documents from the institution it was requested from. The institutions are obliged to provide every kind of information and document that are required by the Board within 15 days.

Upon appeal, the Board can ask for the opinions of the applicant and institution regarding the subject of the

appeal, can take expert opinions and make other necessary examinations.

For the information or documents sent to the Board and the opinion, evaluation and investigations which have a degree of confidentiality, the requirements of the confidentiality policy are applied. The Board chairman and members along with all staff who compile and evaluate the information are bound to comply with the requirements of the confidentiality policy. This obligation continues after the board chairman, members and other staff leave their positions.

## **CHAPTER FIVE**

### **Restrictions on the Right to Information**

#### **Information or documents pertaining state secrets**

**ARTICLE 27-** Information and documents which qualify as state secrets, the disclosure of which will clearly cause harm to the security of the state or foreign affairs or national defence and national security are outside the scope of the right to information.

#### **Information or documents pertaining the economic interests of the state**

**Article 28-** The information or documents of which their disclosure cause harm to the economical interests of the state or will cause unfair competition or enrichment, are out of the scope of this law.

#### **The Information and Documents Pertaining the State Intelligence**

**Article 29-** The information and documents regarding the duties and activities of the civil and military intelligence units, are out of the scope of this law.

However if this information is of the type to affect the working life or professional honour of people, then the information and documents related to the intelligence are within the scope of the right to information:

a) Information applications can be made by a representative provided that there is a power of attorney in place specifically related to the application.

b) Applications for information and documents regarding the duties and activities of the civil and military intelligence units, are only considered should the information effect the working life or professional honour of the persons or be based on a process related to the interest in the matter.

c) Applications relating to intelligence information and documents which are evaluated by the intelligence units and are provided to the institution, are made to the information unit of the institution which the information was requested from and the access is provided through this institution.

### **The Information and Documents Pertaining the Administrative Investigation**

**Article 30-** The information or the document that is related to the administrative investigation held by the administrative authorities and which will;

a) clearly violate the right of privacy of the individuals,

b) endanger the security or the life of the individuals or the officials that carry out the investigation,

- c) jeopardise the security of the investigation,
  - d) disclose the source of the information which needs to be kept secret, or endanger the procurement of similar information in connection with the investigation,
- are out of the scope of this Law.

### **Information or documents pertaining judicial investigation or prosecution**

**Article 31-** The information or the document of which its disclosure or untimely disclosure will

- a) give rise to a criminal offence,
- b) endanger prevention and investigation of the crime or endanger the legal procedure for the detention and the prosecution of the criminals,
- c) obstruct the proper operation judicial duty.
- d) violate right to fair trial of a defendant in a pending case are out of the scope of this law.

The provisions of the Criminal Procedure Code numbered 5271, the Code of Civil Procedure numbered 6100, the Code of Administrative Jurisdiction No.2577 and the provisions contained in other specific regulations are exempted from this Law.

### **Privacy of the Individuals**

**Article 32-** Barring conditions where the consent of the relevant individual has been obtained, any information or documents that will unjustly interfere with the health records, private and family life, honour and dignity, and the economical and professional interests of an individual, are out of the scope of the right to information.

In cases where it is in the public interest, personal information or documents may be disclosed by the

institutions on the condition that the relevant individual is notified of the disclosure at least 7 days in advance and his/her written consent is obtained.

### **The privacy of communication**

**Article 33-** The information and documents that will violate the privacy of communication, are out of the scope of this law.

### **Trade secrets**

**Article 34-** The information and documents that are qualified as commercial secret in laws, and the commercial and financial information that are obtained by the institutions from the private or corporate persons with the condition of keeping secret, are out of the scope of this law.

### **Intellectual property and works of art**

**Article 35-** In the event of application for access to information concerning intellectual property, the relevant provisions of the intellectual property law shall apply.

### **Institutions' internal regulations**

**Article 36-** The information and documents of the institutions that do not concern the public and are solely in connection with their personnel and the internal affairs, are out of the scope of the right to information. However, the employees of the institutions who are subject the regulations have the right to access to such information.

### **Institutions' Internal opinions, information notes and recommendations**

**Article 37-** The information and document qualified as opinion, information note, proposals and recommendations which facilitate the execution of the activities of the institutions are within the scope of the right to information, unless the opposite is decided by that institution.

The opinions of the units, individuals or institutions that are legally obliged to give reports on scientific, cultural, technical, medical, financial, statistical, legal and other similar expertise fields are within the scope of the right to information with the proviso that such opinions constitute the basis of administrative decisions taken by the institutions.

### **Requests for recommendations and opinions**

**Article 38-** The requests for recommendations and opinions are out of the scope of this law.

### **Formerly classified information or documents**

**Article 39-** The information and documents which cease to be classified either by a judicial or administrative decision are open to the applications for access to information, with the proviso that they fall within the scope of the other exceptions provided in this law.

## **CHAPTER SIX**

### **Miscellaneous**

#### **Archive material and archival materials**

**Article 40** - For the right to benefit from archived material at the Presidency of State Archives or other archives offering research services, obligations and giving of copies of archive materials, the Council of Ministers decision No. 2002/3681 of 31/1/2002 is applied, with the exception of the time period.

#### **The Transactions that are not subject to the Judicial Review**

**Article 41-** The transactions that are not subject to the judicial review, those that affect the working life and professional honour of the persons, are within the scope of this law. The right to information provided in this way, does not eliminate the restriction regarding the judicial review of the transaction.

#### **Control and penalty provisions**

**Article 42-** The practices relating applications for information are reviewed by the management within the legislation.

In the event of omissions, defects or caste carried out by civil servants or other public officials, while reserving the right to criminal prosecution should it be required, disciplinary action is applied in accordance with the regulations they are subject to.

Information and documents accessed through the Right to Information Act cannot be duplicated, used commercially or published without the consent of the



institution it was provided by. For those acting contrary to the provisions of this article and who duplicate, use or publish the information or documents for commercial gain, criminal and civil liability provisions will be applied.

### **Training**

**Article 43-** Institutions and organizations shall provide the necessary training to staff and organize training programs for the implementation of the Act and this Regulations.

### **Preparation of the Reports**

**Article 44-** The institutions shall prepare reports pertaining the previous year and that show,

- a) the number of the applications on the access to information received by the institutions,
- b) the number of the applications that the institutions accepted and provided access to information or document,
- c) the number of the applications that are rejected and statistical information about their categorisation,
- d) the number of applications that are accepted and accordingly provided access to information which previously had been qualified as classified.
- e) the number of the appeals to the decisions of rejection and the and their results,

and send them to the Board of Review of the Access to Information until the end of February, every year. The institutions that are associated, related or connected to another public legal entity send their reports through the ministry they are associated with. The Board prepare a general report and send it to the Turkish Grand National

Assembly every year until the end of April, together with the reports received from the institutions.

These reports are disclosed to the public by the Presidency of the Turkish Grand National Assembly in two months time.

**Provisional Article 1-** Within one month the institutions create information units in accordance with the provisions of Article 8.

**Provisional Article 2-** Institutions prepare the institutional file plans in accordance with article 6 of this Regulation within 3 months of the publication of this Regulation to facilitate the use of the right to information and the information is made public using information and communication technologies.

**Provisional Article 3-** Any amendment in legislation and other regulatory processes required in the document registration, filing and archive structure of the institution shall be completed within six months.

**Provisional Article 4-** Institutions without institutional internet web pages must create web pages within two months.

**Provisional Article 5-** Institutions' information units shall accept applications by electronic mail within two months and shall provide the electronic mail address for applications on their internet web site.

**Provisional Article 6-** Until the application fees specified in the first paragraph of article 22 are defined, the rates determined for the year 2004 by the institutions shall be applied. However, how the first ten pages of information or documents access is provided how, no fee is taken for the copying or postage.

### **Enforcement**

**Article 45-** This Regulation enters into force on the date of publication to be valid as of 24/4/2004.

### **Execution**

**Article 46-** The President executes the provisions of this law.

# **REGULATION ON THE WORKING PROCEDURES AND PRINCIPLES OF THE REVIEW BOARD OF ACCESS TO INFORMATION**

*(Official Gazette Date: 07.06.2006, Official Gazette Number: 26191)*

*(This Regulation has been added to the Presidential Regulation  
section in accordance with the Presidential Decree dated 9/4/2019  
and numbered 865, published in the Official Gazette dated 10/4/2019  
and numbered 30741.)*



## **CHAPTER ONE**

### **Object, Scope, Basis and Definitions**

#### **Object and Scope**

**Article 1-** The object of this regulation is to regulate the working procedure and principles of the Review Board of Access to Information.

#### **Legal basis**

**Article 2-** This regulation has been prepared in accordance with Article 14 of the Right to Information Act No. 4982 of 09/10/2003.

#### **Definitions**

**Article 3- (1)** The terms used in this regulation mean the following:

- a) Chairman: Chairman of the Review Board of Access to Information.
- b) Law: Right to Information Act No. 4982 of 09/10/2003.
- c) The Board: The Review Board of Access to Information.
- ç) Member: Member of the Review Board of Access to Information.

## **CHAPTER TWO**

### **The Board**

#### **Duties and Powers of the Board**

**Article 4-** Duties and powers of the Board are:

- a) To settle the appeals regarding the right to information applications,

b) To make decisions on applications requesting opinion and evaluation regarding exercising the Right to Information Act.

c) To regulate the issues related to exercising the right to information for the public institutions and agencies.

ç) To submit the reports prepared by institutions in accordance with Article 30 of the Law and the general report prepared by the Board to the Turkish Grand National Assembly.

d) To decide to put certain issues on the agenda when necessary.

e) To offer necessary amendments to the legislation regarding the right to information.

### **Secretarial Services**

**Article 5- (1)** The Ministry of Justice provides sufficient staff and financial means to the Board to carry out secretarial services. The expenses of the Board to carry out the secretarial services are covered from the allocation of the Board in the Ministry of Justice budget.

(2) The registry, keeping and archiving of the Board's decisions and writings are carried out by the Secretariat of the Board in accordance with the general provisions.

### **Meeting time**

**Article 6-** The Board convenes at least once a month or any time upon the call of the chairman when there is need.

### **Quorum**

**Article 7-** The quorum of meeting is six, quorum of decision is five. Abstaining vote is not valid.

### **Attendance to the meeting**

**Article 8-** (1) It is essential that the chairman and members regularly attend the meetings except excuses.

(2) Excused members may be called to the meetings in cases of emergency.

## **CHAPTER THREE**

### **The Chairman**

#### **Election of the chairman**

**Article 9-** (1) The chairman is elected by the Board members among themselves at the first meeting. The Board members may stand or be nominated as candidates.

#### **Duties and Powers of the Chairman**

**Article 10-** (1) Duties and powers of the chairman are:

- a) To represent the Board.
  - b) To appoint the reporters.
  - c) To determine the meeting agenda, to call members to the meeting, to direct the meeting.
  - ç) To notify the decisions of the Board to those concerned.
  - d) To cooperate with other institutions and agencies on issues that fall under the scope of the Board's duties.
  - e) To inform the public about the activities of the Board.
- (2) In case of the Chairman's absence, the oldest member at the meeting presides and exercises the powers of the Chairman.



## **CHAPTER FOUR**

### **Appeal**

#### **Evaluation of the Appeal**

**Article 11-** The reporter appointed by the Chairman examines the petition of appeal. If necessary, more than one reporter can be appointed for the same job. In this case, related reporters sign the reports prepared together.

The reporter, prepares and submits a report with regard to procedure and principle to the Chairman within five working days from the assignment.

#### **Procedural Examination**

**Article 12-** (1) If the Board detects a lack of necessary requirements in the petition, it asks for the remedy of the deficiencies within fifteen days, otherwise notifies the applicant in writing that the appeal will be rejected. If the deficiencies are not remedied within the prescribed period, the Board rejects the appeal.

(2) In the case of detecting an application for judicial review before the appeal or the conclusion of the appeal, the application is cancelled and the applicant is notified in written.

(3) The second appeal made by the same person on same factual and legal reasons is rejected without examination.

(4) If the parties find out any defect, forgery or similar situation or come up with new information or document that can have a substantial effect, they can apply to the Board. The Board may review its decision.

### **Substantial Examination**

**Article 13-** (1) If there is not any deficiency detected after the Board's examination made in accordance with article 12, the Board proceeds to substantial examination.

(2) The Board may make one or more members carry out an investigation, set up commissions and working groups and in addition may invite representatives from the ministries, non-governmental organisations and other institutions and agencies to participate in the meetings as it finds appropriate. Representatives from ministries and other institutions should be present at the determined place, date and time.

(3) The institutions and agencies are obliged to provide every kind of information and document that are required by the Board within 15 days.

(4) Unjustified appeals are rejected.

(5) If the appeal is found justified, the Board decides that Access to the relevant information and document should be provided.

### **Negotiation procedure**

**Article 14-** (1) Subjects are negotiated according to their place in the agenda.

(2) Chairman and members do not attend the negotiations regarding themselves, their wives, relatives by blood as effective as to third degree and relatives by marriage as effective as to second degree and adopted children.

(3) After the subjects on the agenda are negotiated, they proceed to voting. The chairman votes last.

(4) Nobody except the Board members, reporters and staff in charge and people invited by the Board cannot attend the meetings.

### **Minutes of decision**

**Article 15-** (1) Decisions are written to minute. Registration number of the appeal, applicant's name, the institution regarding the contested decision, if present the name and surname or title of the attorneys and representatives and their addresses, decision, date of decision and status of unanimity or majority status of the decision. The minute is signed by the chairman and members.

### **Properties of decisions**

**Article 16-** (1) Registration and decision number of the appeal, applicant's name, the institution and agency regarding the contested decision, if present the name and surname or title of the attorneys and representatives and their addresses, name and surname of the reporter, summary of the appeal, legal grounds of the decision, justification of the decision and decision, date of decision, names and surnames of the members who make the decision, their signatures and if present dissenting votes are included in the decision.

(2) The decision is filed and reserved by the Secretariat of the Board. A copy of the decision is sent to the applicant and the relevant institution and agency.

### **Protection of Confidentiality**

**Article 17-** (1) For the information or documents sent to the Board and the opinion, evaluation and investigations

which have a degree of confidentiality, the requirements of the confidentiality policy are applied. The Board chairman and members along with all staff who compile and evaluate the information are bound to comply with the requirements of the confidentiality policy. This obligation continues after the board chairman, members and other staff leave their positions.

(2) The Board is obliged to protect the confidentiality of the received information and documents and to deliver them protecting the confidentiality to the related places after the conclusion of the appeal.

### **Entry into Force**

**Article 18-** This Regulation comes into force at the date of its publication.

### **Execution**

**Article 19-**The President executes the provisions of this Regulation.

