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**JOB SATISFACTION AND PERCEIVED LEADERSHIP BEHAVIOURS
AMONG THE TURKISH NATIONAL POLICE: A CASE STUDY ON
ESKISEHIR POLICE DEPARTMENT**

By:

Ali Bogachan YUCEL

Dissertation submitted to the Faculty of the
University of Durham in partial fulfilment
of the requirements for the degree of

Philosophy of Doctorate

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School of Government and International Affairs

2008

12 JUN 2008



Appendices

Appendix A: Approval Letter from TNP to conduct research at Eskisehir Police

Department

T. C.
İÇİŞLERİ BAKANLIĞI
Emniyet Genel Müdürlüğü

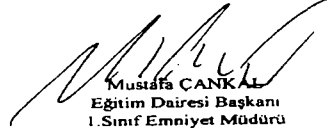
Sayı : B.05.1.EGM.0.72.04.02-
Konu : Yurtdışı Eğitim

.../11/2006

GENEL MÜDÜRLÜK MAKAMINA


"Yetiştirilmek Amacıyla Yurtdışına Gönderilecek Devlet Memurları Hakkındaki Yönetmelik" hükümleri çerçevesinde, İngiltere Durham Üniversitesi'nde doktora eğitimine devam eden 214131 sicil sayılı Başkomiser Ali Boğaçhan YÜCEL "Polis Akademisi Öğrencilerinin Transformasyonel ve Transaksiyonel Liderlik Stili" konulu çalışma ile ilgili Çok Faktörlü Liderlik Analizi Anketini (MLQ5x) anket sahibinin izni ile Polis Akademisi Başkanlığında, "Polis Memurlarının Algıladıkları Liderlik Türü ve İş Tatmini" konulu çalışma ile ilgili iş tatmin (JSS) anketini anket sahibinin izni ile Eskişehir ilinde karakollarda çalışan polis memurları üzerinde uygulama konusunda talepte bulunmaktadır.

Adı geçen personelin belirtilen anket çalışmalarını yapabilmesi hususunu onaylarınıza arz ederim.


Mustafa CANKAL
Eğitim Dairesi Başkanı
1.Sınıf Emniyet Müdürü

OLUR

.../11/2006


Dr. Necati ALTINTAŞ
Emniyet Genel Müdür V.
Emniyet Genel Müdür Yardımcısı
1.Sınıf Emniyet Müdürü

Translation of the Approval Letter

Turkish Republic
Ministry of the Interior
General Directorate of the Turkish National Police

Number: B.05.1.EGM.0.72.04.02
Subject : Education Abroad

To: The General Directorate of the TNP

Ali Bogachan YUCEL, Chief Inspector with organisation ID # 214131, is currently conducting PhD studies in the U.K. and would like to take to obtain the necessary approvals in order to administer the Multifactor Leadership Questionnaire (MLQ 5X) to Police Academy Students for his research on "Transformational and Transactional Leadership Behaviour of Police Academy Students". He also kindly requests your approval to conduct research at the Eskisehir Police Department for advanced studies on "The Perceived Leadership Styles of Police Officers and Their Job Satisfaction in the Eskisehir P.D." To this end, he would need to administer the JSS survey to police officers.

Mustafa Cankal
Head of Education Department
First Degree Super Intendent

Approved
Dr. Necati Altintas
Deputy General Director
Assistant General Director
First Degree Super Intendent

Appendix B: Cover Letter and Sample Questions From MLQ 5X

Dear Colleagues,

This is an academic research conducted to examine the Transformational and Transactional leadership behaviours of police chiefs working at Eskisehir Police Department. You are kindly requested to fill in the questionnaire which is attached to this document and score the leadership behaviours of one of your police chiefs who is closest to you. The second questionnaire is about your job satisfaction; therefore, you are expected to score your own job satisfaction.

Your sincere responses to the questions will be highly appreciated. Please **do not** write your names, last names and organizational ID numbers or any other information which will help to identify you. The findings will be used for academic and educational purposes only. You have right to withdraw from the research at any phase.

Thank you very much in advance.

Ali B. YUCEL

MLQ Multifactor Leadership Questionnaire Leader Form (5x-Short)

My Name: _____ Date: _____

Organization ID #: _____ Leader ID #: _____

This questionnaire is to describe your leadership style as you perceive it. Please answer all items on this answer sheet. If an item is irrelevant, or if you are unsure or do not know the answer, leave the answer blank.

Forty-five descriptive statements are listed on the following pages. Judge how frequently each statement fits you. The word "others" may mean your peers, clients, direct reports, supervisors, and/or all of these individuals.

Use the following rating scale:

Not at all	Once in a while	Sometimes	Fairly often	Frequently, if not always
0	1	2	3	4

- | | | | | | | |
|----|---|---|---|---|---|---|
| 1. | I provide others with assistance in exchange for their efforts..... | 0 | 1 | 2 | 3 | 4 |
| 2. | I re-examine critical assumptions to question whether they are appropriate..... | 0 | 1 | 2 | 3 | 4 |
| 3. | I fail to interfere until problems become serious..... | 0 | 1 | 2 | 3 | 4 |
| 4. | I focus attention on irregularities, mistakes, exceptions, and deviations from standards..... | 0 | 1 | 2 | 3 | 4 |
| 5. | I avoid getting involved when important issues arise..... | 0 | 1 | 2 | 3 | 4 |

Appendix C: Permission Letter to Use MLQ 5X.

MLQ Multifactor Leadership Questionnaire

Duplication Set

(Leader and Rater Forms, and scoring
for MLQ 5x-Short)

Permission to reproduce either leader or rater forms for
up to 500 copies total in one year from date of
purchase.

by **Bernard Bass and Bruce Avolio**

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www.mindgarden.com

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Appendix D: Permission Letter to Use JSS

--- "Paul Spector (PSY)" <spector@shell.cas.usf.edu> wrote:

Ali:

You have my permission to use the JSS in your research. Best of luck with it.

Paul E. Spector
Department of Psychology
University of South Florida
Tampa, FL 33620
(813) 974-0357 Voice
(813) 974-4617 Fax
spector@shell.cas.usf.edu
website <http://shell.cas.usf.edu/~spector>

On Thu, 16 Mar 2006, Ali Yucel wrote:

Dear Dr.Spector,

Greetings from Ali Yucel. I'm currently a doctoral student and I am just beginning to start work on my dissertation. I would like to use your Job Satisfaction Survey as a part of my research, which is for educational purposes. I'm most willing to share my results with you if you let me use it. Please let me know if I should take further steps to obtain your approval.

Your response will be highly appreciated.

Yours Sincerely,

Ali Bogachan YUCEL
PhD Candidate at the University of Durham
School of Government and International Affairs
Captain, Turkish National Police

Appendix E: Job Satisfaction Survey (JSS)

<p>JOB SATISFACTION SURVEY Paul E. Spector Department of Psychology</p>
--

START HERE

	PLEASE CIRCLE THE ONE NUMBER FOR EACH QUESTION THAT COMES CLOSEST TO REFLECTING YOUR OPINION ABOUT IT. <small>Copyright Paul E. Spector 1994. All rights reserved.</small>						
		Disagree	Disagree	Disagree	Agree	Agree	Agree
		very much	moderately	slightly	slightly	moderately	very much
19	I feel unappreciated by the organization when I think about what they pay me.	1	2	3	4	5	6
20	People get ahead as fast here as they do in other places.	1	2	3	4	5	6
21	My supervisor shows too little interest in the feelings of subordinates.	1	2	3	4	5	6
22	The benefit package we have is equitable.	1	2	3	4	5	6
23	There are few rewards for those who work here.	1	2	3	4	5	6
24	I have too much to do at work.	1	2	3	4	5	6
25	I enjoy my coworkers.	1	2	3	4	5	6
26	I often feel that I do not know what is going on with the organization.	1	2	3	4	5	6
27	I feel a sense of pride in doing my job.	1	2	3	4	5	6
28	I feel satisfied with my chances for salary increases.	1	2	3	4	5	6
29	There are benefits we do not have which we should have.	1	2	3	4	5	6
30	I like my supervisor.	1	2	3	4	5	6
31	I have too much paperwork.	1	2	3	4	5	6
32	I don't feel my efforts are rewarded the way they should be.	1	2	3	4	5	6
33	I am satisfied with my chances for promotion.	1	2	3	4	5	6
34	There is too much bickering and fighting at work.	1	2	3	4	5	6
35	My job is enjoyable.	1	2	3	4	5	6
36	Work assignments are not fully explained.	1	2	3	4	5	6

Thank you for your time in completing this survey.

START HERE

PLEASE CIRCLE THE ONE NUMBER FOR EACH QUESTION THAT COMES CLOSEST TO REFLECTING YOUR OPINION ABOUT IT.		Disagree very much	Disagree moderately	Disagree slightly	Agree slightly	Agree moderately	Agree very much
Copyright Paul E. Spector 1994, All rights reserved.		1	2	3	4	5	6
19	I feel unappreciated by the organization when I think about what they pay me.	1	2	3	4	5	6
20	People get ahead as fast here as they do in other places.	1	2	3	4	5	6
21	My supervisor shows too little interest in the feelings of subordinates.	1	2	3	4	5	6
22	The benefit package we have is equitable.	1	2	3	4	5	6
23	There are few rewards for those who work here.	1	2	3	4	5	6
24	I have too much to do at work.	1	2	3	4	5	6
25	I enjoy my coworkers.	1	2	3	4	5	6
26	I often feel that I do not know what is going on with the organization.	1	2	3	4	5	6
27	I feel a sense of pride in doing my job.	1	2	3	4	5	6
28	I feel satisfied with my chances for salary increases.	1	2	3	4	5	6
29	There are benefits we do not have which we should have.	1	2	3	4	5	6
30	I like my supervisor.	1	2	3	4	5	6
31	I have too much paperwork.	1	2	3	4	5	6
32	I don't feel my efforts are rewarded the way they should be.	1	2	3	4	5	6
33	I am satisfied with my chances for promotion.	1	2	3	4	5	6
34	There is too much bickering and fighting at work.	1	2	3	4	5	6
35	My job is enjoyable.	1	2	3	4	5	6
36	Work assignments are not fully explained.	1	2	3	4	5	6

Thank you for your time in completing this survey.

Appendix F: E.T.K.

THE LAW for the TURKISH NATIONAL POLICE ORGANISATION (E.T.K.)

Law Number : 3201
Date of Acceptance : 4/6/1937
Number and Date of Official Gazette: 12/6/1937 **Number:** 3629

Article 1- The Minister of Internal Affairs is responsible for ensuring public peace and security. The Minister of Internal Affairs fulfils these tasks through the Turkish National Police Organisation and gendarmerie headquarters within the framework of its laws and all other security organisations as necessary, and receives help from the army forces upon decision of the Cabinet when required.

Article 2- A security commission composed of one representative of The General Staff, Security General Director, Gendarmerie, Customs and Forests General Commanders, as well as a sufficient number of chief administrative inspectors and governors to be appointed as needed is formed under the presidency of the Minister of Internal Affairs.

This Commission convenes on a monthly basis with the attendance of its members in Ankara and at least once a year at times when regarded necessary by the Minister of Internal Affairs with attendance by inspectors and governors so as to receive information on the state of the public peace, security affairs inspections and accept advisory opinions.

The Minister of Internal Affairs may require one representative from each of the other provinces concerned if necessary.

The Commission Rapporteur is the Security General Director.

Article 3- (Amendment: 15/6/1938 - 3452/1 art.)

Security Organisation: Divided into two, general and special security organisation. General Security Organisation: Refers to an armed force such as (police) or (gendarmerie). Special Security Organisation: All Police forces, except for general police organised in order to assume certain tasks in line with particular laws. The Gendarmerie and Special Police Department are subject to their own laws and provisions herein. The operational system of the gendarmerie and special police and their mutual liaison and communication in both the headquarters and provinces are specified in the Code of Rules.

Article 4 - (Amendment: 28/12/1972 - 1649/1)

The Police is an armed disciplinary force and executive power divided into two groups, which include officers in official livery and civilian clothes.

In the TNP Organisation, tasks except for actual police services such as correspondence, calculation, equipment, wired or wireless communication, criminal laboratories, traffic physical examination, records and registry and similar services are fulfilled by members of the security services class.

Working and employment conditions for each service department, as well as provisions and health conditions to be taken into account in transfers from one service

department to another are set out in the Regulations to be drawn up by the Ministry of Internal Affairs.

Article 5- Police forces in official livery are divided into two sections, those with a vehicle and without a vehicle. Police with a vehicle are equipped with horse, bicycle, motorcycle, and other means of transportation.

Article 6- The Civilian police fulfil all types of security tasks without use of a uniform.

Security Authorities:

Article 7- (Abolished: 26/8/1988 – Decree Law -341/4 art; As accepted: 12/1/1989 - 3518/4)

Departments of Turkish National Police (1)

Article 8- (Amendment: 15/6/1938 - 3452/2)

Police: Divided into sections, such as administrative, political and judiciary. The tasks of the municipal police are fulfilled by a section divided from the administrative police section and whose subvention is supplied by municipalities as required. Such officers are also subject to the provisions herein.

Thus, the number of heads of sub-division, town sergeant, chief inspector, inspector, deputy inspector, and police officer in the cadre of Turkish National Police in the proportion of subvention to be supplied by municipalities can be increased upon decision of the Cabinet, and those employed as municipal police are appointed to these supplemented positions, parallel to the salaries they are allocated.

Salaries and expenses regarding municipal police to be appointed in the security cadre in accordance with the provisions of this article as required necessary are covered from the Turkish National Police budget upon decision of the Cabinet.

Article 9- A) The administrative police is responsible for ensuring social and general order.

B) The political police is responsible for affairs connected with general security of the state.

C) The judiciary police is a section allocated from the cadre by Turkish National Police in order to deal with judicial affairs in places with at least one general police station. Some or all of police organisations with less than a general cadre can be defined as judiciary police.

Article 10- Judiciary police staff is available in a collective or distributed way as per zones as needed.

The judiciary police is at its superiors' command except in the case of judicial investigation tasks.

Article 11- The Turkish National Police is authorised to make direct communications with the provincial police organisation, provincial police directorate and is authorised to make direct communications with the police organisation within the province, sub province and sub provincial police directorate regarding demanding information on local events and managing procedures belonging to the Technical, Accountancy, Equipment and Personnel Department.

Article 12- Investigations related with judicial affairs are carried out by judiciary police only under directives of authorised judicial authorities and in accordance with their respective laws. Tasks of the judiciary police are fulfilled by other police forces until an organisation is formed in places where the police organisation is not present. The administrative police is liable for assisting judiciary police as required or upon demand of the Republic Prosecuting Attorney. Should the administrative police encounter any incitement of judiciary police tasks, it shall on one hand exercise judiciary police tasks and on the other hand inform judiciary police, and hand over the task to judiciary police as it arrives. Crimes resulting from this task regarding municipal officers in charge of judiciary police tasks either by right or as a substitute are proceeded with in accordance with the Criminal Procedure Code.

Ranks, Professional Degrees and Titles

Article 13- (Amendment 10/3/1993 - 3870/1 art.)

Ranks, professional degrees and titles of the security services class are specified as follows.

Ranks	Professional Degrees	Titles
-----	-----	-----
Superior Rank	Superior Degree	Superintendent Security General Director
First Rank		Security Deputy Director General, Head of Supervisory Commission, President of Police Academy, Central Superintendent
Superintendent	1	(Amendment:24/12/2005-26033-5436/17.art.)
	2	Head of Department, Primary Legal Advisor, Provincial Superintendent, Chief Administrative Inspector, Superintendent Lecturer at the Police Academy, (Amendment:24/12/2005-26033-5436/17.art.) Central Superintendent, Director of the Police School, Director of the Police College, Director of the Police Guesthouse, Director of the Presidency Safeguard, Director of TGNA Safeguard, Director of Prime Ministry Safeguard, Director of the Police Guesthouse, Vice President of the Police Academy,

		Vice Dean, Director of the Police Vocational High School, (Supplement:06.05.2005-25807-5336-1.art.) Director of the Police Vocational Training High School
Second Rank Superintendent	3	Teacher at the Police School and Director of the Criminal Police Laboratory. Provincial Deputy Superintendent, Head of Department of the Police Academy, Administrative Inspector, Legal Adviser, Director of the Police Guesthouse, Deputy Director of Police Training Centre, Deputy Director of the Police College, Deputy Director of the Police School, Deputy Director of the Presidency Safeguard, Deputy Director of TGNA Safeguard, Deputy Director of Prime Ministry Safeguard, Deputy Head of Department, Secretary of the Institute, Deputy Director of the Police Vocational High School, Lecturer at the University, (Amendment: 24/12/2005-26033-5436/17.art.) Central Superintendent, (Supplement:06.05.2005-25807-5336-1.art.) Deputy Director of the Police Vocational Training Centre
Third Rank Superintendent	4	Deputy Director of the Police Guesthouse, Legal Advisor, Head of Sub-division, Sub provincial Superintendent, Lecturer at the University
Fourth Rank Superintendent	5	Head of Sub-division, Sub Provincial Deputy Superintendent, Legal Advisor, Sub-division Deputy Superintendent, Lecturer at the University
Town Sergeant	6	Sub Provincial Town Sergeant, Chief of Bureaus, Chief of Unit,

Chief of Riot Police Group, Chief of Patrols, Chief of Team, Chief of the Bureau, Chief of the Traffic Station, Chief of Classes (education), Lecturer at the University

Ranks	Professional degrees	Titles
-----	-----	-----
Chief Inspector	7	Chief of the Police Station, Chief of The Bureau, Chief of the Riot Police Group, Sub Provincial Inspector, Chief of Unit, Chief of Team, Chief of the Traffic Station, Chief of the Traffic Records and Registry Bureau, Deputy Chief of the Police Station, Chief of Classes (education), Chief of Groups, Lecturer at the University
Inspector	8	Chief of Group, Chief of Patrol, Chief of Team, Chief of Bureau, Deputy Chief of the Police Station, Deputy Chief of Classes (education), Inspector of Class (education), Deputy Chief of the Traffic Station, Lecturer at the University
Deputy Inspector	9	Chief of Group, Chief of Patrol, Chief of Team, Chief of Bureau, Deputy Chief of the Police Station, Deputy Chief of Classes (education), Inspector of Class, Lecturer at the University
Police Officer	10	Bureau Officer, Patrol Officer, Team Officer, Police Station Officer, On duty Officer, Patrol Officer, Safeguard Officer, Traffic Officer, Communication Officer, and Officer

Article 14 - (Abolished: 28/12/1972 - 1649/4)

Article 15-Those members of the security organization in the fifth, sixth, seventh and eight professional degrees who are graduates of the university are equal in rank to sub provincial governors.

Among them, those who are graduates of Political Sciences Schools or Law with studies equivalent to High School may be appointed as sub provincial governors, and sub governors with the same degree may be appointed as superintendent by way of promotion or transfer.

The Turkish National Police Organisation officers with the fourth or upper professional degrees who are graduates of higher education may be appointed as Internal Affairs officers in positions equal to Internal Affairs officers on the basis of salary they are paid by way of promotion or transfer.

Headquarters, country and foreign organisation

Article 16-(Amendment: 26/8/1988 – Decree Law 341/1 art; Accepted as amended: 12/1/1989-3518/1)

The Turkish National Police is composed of head, country and foreign police organisations.

A) The Headquarters Organisation is composed of;

- a) Head of Inspection Commission,
- b) Legal Advisory,
- c) Head of Departments.

Departments are composed of at least three sub-divisions or directorates of safeguard depending on the need, and directorates or safeguard directorates are composed of bureaus (each supervised by a separate chief).

B) The country organisation is composed of provincial police directorates in provinces, sub provincial directorates or town sergeants in sub provinces, as well as other units, with respect to security services.

Police organisation units can be established in settlement units where the Ministry of Internal Affairs deems eligible.

C) Foreign Organisation;

The Ministry of Internal Affairs is entitled to establish an foreign police organisation in accordance with provisions of the Decree Law regarding Abroad Organisation of Public Institutions and Corporations.

Tasks, authority and responsibilities of security organization as well as other issues are governed by regulations to be issued by Ministry.

Article 17- (Abolished: 26/8/1988 – Decree Law 341/4 art; As accepted: 12/1/1989-3518/4)

Article 18 - (Abolished: 28/11/1984 - 3087/38)

Article 19- (Abolished clause one: 12/7/2000-Decree Law-610/31; Abolished: clause to five: 25/4/2001-4652/32)

Police colleges with free boarding facility and obligation of official uniform requiring high school level certification are founded in order to qualify students as required by the Police Academy with knowledge, discipline and physical capability required for being a police officer, affiliated to Turkish National Police in accordance with National Education Basic Law provisions.

Article 20- The Ministry of Internal Affairs is entitled to appoint professional degrees for provincial police directors and sub provincial police chiefs in provinces, as well as officers, to posts in their departments. Officers with various professional degrees may be identified in the provincial cadre to be appointed in departments and sub-divisions affiliated to the Turkish National Police, and officers with various degrees in the head organisation cadre can be appointed similarly as well.

Article 21- First and second rank town sergeants can be appointed as Chief of Bureau affiliated to the Turkish National Police and deputy head of sub-division under first and second rank superintendents, including those in Istanbul and Ankara.

Article 22- A number of doctors as needed are employed to address the health situation of security police officers and their families exclusively in provinces where needed.

Requirements for acceptance to the profession and education in institutes and schools

Article 23 - (Abolished: 16/6/1989 – Decree Law-374/3 art.; As accepted: 17/1/1990-3600/3)

Article 24- (Abolished: 16/6/1989 - Decree Law-374/3 art.; As accepted: 17/1/1990-3600/3)

Article 25- (Abolished: 16/6/1989 - Decree Law-374/3 art.; As accepted: 17/1/1990-3600/3)

Article 26- (Amendment: 15/4/1959 - 7257/1) Officers possessing sixth or upper professional degrees have to be graduates of the Faculty of Law or Political Sciences. However, graduates of other universities who are approved by the Ministry to benefit from specialisation and those who are accepted as having completed higher education within the framework of the profession in accordance with this law can be appointed to these positions as well.

Chief inspectors who are graduates of high school or the Police College, as well as those who completed the higher education section of the Police Institute and Specialisation Course on condition of obtaining affirmative registry for promotion from second rank town sergeants are deemed to have completed higher education in security organisation cadres. They can be appointed in positions as officers possessing sixth or higher professional degrees.

Article 27- (Abolished: 28/11/1984 - 3087/38 art; Rearrangement: 26/8/1988-Decree Law 341/2; Accepted as amended: 12/1/1989 - 3518/2)

The Security Directorate General, to train staff in areas that are needed:
a) may have students trained in higher education institutions in the country. All bed and board and education-related costs as well as allowances and other amounts are to be set out by the regulations to be covered by the Government. (Students are subject to the provisions of Law number 3087 regarding Higher Education for Police and obligatory service. Activities and transactions regarding status of students are performed by the Presidency of the Police Academy.)

b) may send students to pursue masters, post-graduate or PhD in higher education in or out of the country.

Article 28-33 - (Abolished 28/11/1984 - 3087/38)

Article 34- (Abolished: 13/9/1943-4489/8)

Article 35- Police officers and inspectors can be sent to foreign countries as trainees to receive applied training on how to train police dogs and birds, as well as how to use motor vehicles.

Article 36- Provincial superintendents may allocate as civilian police in provincial and sub provincial cadres a number of officers among those who have successfully completed the first degree at the Police Institute or Police School as allowed by the cadre and in a way that will not impair fulfilment of general tasks. Officers that are allocated as civilian police are subject to a professional training period which is a minimum of six months and a maximum of one year. Within this period, those proven not to have qualifications and requisites for joining the civilian police are returned to the class with uniform. Those in the cadre who have completed secondary school or higher education are selected for this class with priority.

Article 37- Policemen who are transferred to principal class by proving competence and capability within the civilian training period are sent to a secondary educational institution of the Police Institute to pursue a course for civilian police. Those completing this period successfully are appointed as civilian deputy inspectors in order of graduation and depending on vacancy.

Article 38- On the enforcement date of this law, police officers and inspectors in civilian class are sent to pursue a secondary education civilian course with priority.

Article 39- Civilian officers who attended a secondary education section and civilian course but proved unsuccessful are transferred and returned to the class with uniform.

Article 40- On the enforcement date of this law, police officers and deputy inspectors who are employed in cadres but have not attended professional education are gradually sent to pursue education in order of seniority.

Article 41- Those officers specified in the abovementioned article who cannot complete their education successfully are returned to the profession with their degrees remaining the same.

Article 42- (Abolished: 16/6/1989-Decree Law -374/3 art; As accepted: 17/1/1990-3600/3)

Procedures regarding election and assignation

Article 43- A) Officers with first, second and third professional degrees are assigned with joint decree and President's approval upon command of the Ministry of Internal Affairs,

B) Officers with fourth, fifth, sixth, seventh and eight professional degrees are posted upon the Decision of Assignment Council of Security Directorate General, assignment of Security Director General and approval of the Minister with joint decree and the President's approval,

C) Officers with ninth, tenth and eleventh professional degrees are posted upon the Decision of Assignment Council of Security Directorate General, assignment of the Security Director General and approval of the Minister,

D) Officers and trainees with the twelfth professional degrees are posted upon assignment of the Security Directorate General or local police directors and chiefs and with approval of the Minister upon assignment of Security Directorate General.

Article 44-46- (Abolished: 16/6/1989 – Decree Law- 374/3 art.; As accepted: 17/1/1990 -3600/3)

Article 47- Any person other than members of the profession itself can be appointed as inspector and deputy inspector and civilian officers (Detective). If their sufficiency accrues as a consequence of experience for one year, they can be appointed as inspector and deputy inspector and civilian officers (detective) acting as principal with the condition of possessing a degree in law for officers.

Article 48-49- (Abolished: 16/6/1989 – Decree Law- 374/3 art; As accepted: 17/1/1990-3600/3)

Article 50- (Abolished: 28/11/1984 - 3087/38)

Article 51- In line with law number 2270; salary, equipment and uniform costs of deputy inspectors, inspectors and chief inspectors employed in sub provincial directorates are covered in the Security Directorate General Budget.

Inspection

Article 52- The Head of the Inspection Committee sets out the methods to be used by chief inspectors and inspectors, and investigates reports and motions and inquiry documents relating to them, reports the outcome to the Security Director General, and fulfils tasks to be required by the Security Director General.

Article 53- Inspectors to be appointed are selected among superintendents and deputy superintendents with the same degree and town sergeants who successfully completed the higher education and specialisation course at the Police Institute. Town sergeants who do not complete this education can be posted and transferred as administrative inspectors. However, they cannot be promoted beyond first rank inspector's office.

Article 54- Inspectors supervise security and the police organisation in professional terms only. In this respect, they possess conditions of entitlement of Internal Affairs Ministry inspectors.

Promotion and posting

Article 55- (Amendment: 12/7/2000-Decree Law- 611/1; Accepted: 6/4/2001-4638/1)

Police chiefs are as follows in ascending order of rank: Deputy Inspector, Inspector, Chief Inspector, Town Sergeant, 4th Rank Superintendent, 3rd Rank Superintendent, 2nd Rank Superintendent, 1st Rank Superintendent and Security Director General.

Promotions to these ranks are given on the basis of seniority and merit without prejudice to the condition of examination and education set out in this article. In determining the order of seniority, the date of promotion to the current rank is taken as a basis. Among those promoted on the same date, the ones with higher employment record score; and in the event of equal employment record scores, the ones with more prizes and letters of recommendation; and in the event of equal number of prizes and letters of recommendation, those with smaller employment record scores are deemed more senior than the others.

The order of seniority is announced to the whole organisation by the Security Directorate General in the month of March each year.

Promotions and posting of the staff is conducted as a whole every year in June, except for cases necessitated by the law.

(Amendment:24/12/2005-26033-5436/17.art.) A Central Assessment Committee is formed in order to identify merit requirements for promotion to the upper rank of Deputy Inspector, Inspector and Chief Inspectors who have fulfilled seniority conditions, propose their promotion in an order depending on the vacancy in the upper cadre. The Committee is chaired by the Security Deputy Director General who is in charge of Personnel Affairs, and is composed of the Head of the Personnel Department, 1st Legal Adviser, Heads of two Departments to be found eligible by Security Director General and one Vice Head of Inspection Committee.

(Amendment: 24/12/2005-26033-5436/17.art.) A Central High Assessment Committee is formed in order to identify merit requirements for promotion to the upper rank of Town Sergeants, and superintendents of the 4th, 3rd and 2nd rank who have fulfilled seniority conditions, propose their promotion in an order depending on the vacancy in the upper cadre, and make assessments and suggestions about the staff to be posted with titles in the second professional degree. The Committee is chaired by the Security Director General and composed of the Security Deputy Directors General, the Head of Inspection Committee, the President of the Police Academy and three Town Sergeants employed in the Headquarters in the first professional degree to be selected by Superintendents employed in the Headquarters.

The Committees convene at the beginning of May every year and decisions are taken by the majority.

For staff to be promoted to the upper rank at the end of the obligatory waiting periods as per rank, there must be vacancy in the upper ranks and a positive employment record must have been gained in the number of years within the waiting period. However, for promotion of Chief Inspector to a Town Sergeant and 3rd Rank Superintendent to 2nd Rank Superintendent, the written examination in accordance with the regulation to be enacted must be passed and the in-service training on management to be arranged by the Presidency of the Police Academy must be completed successfully.

Out of Police Academy

Chiefs, graduates of Police Academy, those regarded graduates of the Police Academy and graduates of at least four-year faculties and high schools under the Police Academy in the scope of the programme for training staff for the Security Director General constitute group (A); and those who complete a course for being deputy inspector constitute group (B).

If needed, out of police academy, police officers who have actually worked as a professional for 6 years are not yet 37 years old; and out of other police officers possessing other qualifications specified in the regulations, those who pass the examination held in accordance with the regulation provisions for being a deputy

Rank	Professional degree	Minimum waiting period (A)	Period: (B)
Deputy Inspector	9	4	6
Inspector	8	4	6
Chief Inspector	7	3	Age Limit
Town Sergeant	6	4	
4 th Rank Superintendent	5	3	
3 rd Rank Superintendent	4	3	
2 nd Rank Superintendent	3	3	
1 st Rank Superintendent	2	3	
1 st Rank Superintendent	1	Age Limit	
Security Director General	Over-class	Age Limit	

inspector and complete the training course that lasts not less than nine months are posted as sergeants.

Obligatory minimum periods of waiting as per ranks and professional degrees are as follows:

In the promotion of police chiefs to the upper rank, the years of actual working at this rank are taken as a foundation.

(Amendment:03.05.2005-25804-5337/1) Merits gained in accordance with legislation such as expertise, masters' degree, PhD and law apprenticeship are not taken into account in rank promotion. However, the time spent in military service performing with officers of ranks mentioned in Article 13 of this law, abroad mission safeguarding, abroad courses and other tasks as well as illness treatment and recovery periods are taken into account as to the actual working period covered by the relevant rank. Military service performed before entering the Security Organisation is taken as actual working time in the first rank the staff will be posted and after elevation to police officer level.

Except for crimes committed by imprudence, penalties of imprisonment, regardless of whether these are turned into pecuniary penalty or suspended, duration of leave without pay, penalties of suspension for short or long term and penalties of

preclusion from the profession and government employment lead delay of rank promotion. Each negative employment record delays rank promotion for one year.

Police chiefs in group (B) who are graduates of at least four-year higher education institutions can be transferred to group (A) on the basis of the following conditions:

a) Chief Inspectors must have worked for a period equal to the minimum waiting period for police chiefs in group (A).

b) For promotion as Town Sergeant, the written examination to be held specifically for this group must be passed and the in-service training must be completed successfully.

c) They must have been promoted as Town Sergeant upon decision of the Assessment Committee.

The number of police chiefs to be transferred from group (B) to group (A) cannot exceed 10 % of the number of those promoted from group (A) as Town Sergeant as of that year.

The grade gained in the examination is taken as a basis for these promotions.

Rules and procedures regarding rank promotion and examinations and in-service management training courses, date and duration of training, as well as activity of assessment committees, are regulated by the rules to be issued within three months as of publication date of this law.

Leaving, preclusion from the profession and graduation

Article 56- Those who are given two negative employment record scores by two different superiors within the class within two promotion periods, and those who are not given employment record scores by two different superiors indicating their improvement following penalisation to delay of promotion for one year within one promotion term and those who are sentenced to imprisonment for six months or longer, including absolute heavy imprisonment for any crime are selected for retirement on the basis of their employment record.

(Last clause Abolished: 8/6/1949-5434/135)

Article 57- (Abolished: 8/6/1949-5434/135)

Article 58- (Abolished: 16/6/1989-Decree Law -374/3 art.; As accepted: 17/1/1990-3600/3)

Article 59- Regardless of the reason, police officers and inspectors who do not return to the profession within three years following the date of acceptance of their resignation are not accepted into the profession. Those who return within three years cannot be re-employed in the profession if they resign again.

Article 60- Those who have been penalised due to leaving the position without resigning on or before one month elapses after the date they replied regarding acceptance of their resignation cannot be accepted again to provide security services.

Article 61- Inspectors and police officers are given leave for 24 hours a week in addition to their annual leave in accordance with general provisions. This leave cannot be reduced excepted in exceptional cases.

Article 62- If officers are seen wearing uniforms within the provincial borders where they are assigned while they are on leave are deemed on duty. Officers on leave outside of this area cannot be wearing uniforms while on leave.

Article 63- (Amendment: 26/8/1988-Decree Law 341/3 art; As accepted: 12/1/1989 - 3518/3)

General provisions apply to personnel that are on leave or sick leave. However, regardless of the reason, those who are incapable of performing their tasks in places where they are assigned due to their or a dependent's health status are posted in a position in the General Administration Services Class in the Ministry.

Article 64- Police officers who extend their duration of leave without obtaining permission from their supervisors are deemed to have resigned from the position.

Council of Election

Article 65- The Council of Election in the Headquarters consists of heads of departments, the legal affairs director and sub-division director in charge of personnel affairs and chaired by a deputy to be elected by the Security Director General. In cases where the Chairman is absent, the head of department with the highest seniority chairs the Council. The decisions of this council are subject to acceptance and approval of the Security Director General and endorsement of the Ministry.

Article 66- The tasks of the Council of Election include election affairs of officers in the fourth or lower professional degrees and letters of recommendation to be awarded to officers, as well as amount of monetary rewards to be awarded to various members of the security organisation.

Article 67- Councils of Election in provinces are formed from superintendents or deputies or heads or chiefs of sub-divisions and presided by those in their charge. These councils are responsible for investigating whether or not those who are interested in being accepted to the profession possess legal requirements on the basis of written documents.

Disciplinary commissions and disciplinary fines

Article 68- The Central Discipline Commission acts as the Ministry Discipline Commission in determining disciplinary fine for security police officers. This commission is chaired by one of the Security Deputy Director Generals and is composed of the head of the second department, heads of sub-divisions in charge of personnel and legal affairs and the head of one sub-division to be appointed by the Security Director General.

Article 69- In provinces where a head of sub-division with the degree of superintendent is available in the organisation, the Security Discipline Commission is chaired by the deputy superintendent and heads of sub-divisions in charge of personnel and judicial affairs.

Article 70- Police Councils are formed in provinces, and include the participation of the Police Institute and police schools. A council is formed of two senior superiors and chaired by the head of the judicial department in the provinces,

and by the police chief with the highest rank and seniority after the director in the schools and the Police Institute; and the council is named according to the district it is formed in. One police officer to be appointed by the superintendent on behalf of the local police organisation attends this council. This police officer also has the right to vote.

(Supplement: 15/6/1938-3452/5 art.): In the event of equal numbers of opposing votes, the party for which the chairman votes is accepted as the majority party.

Article 71- The Central Discipline Commission is authorised to impose disciplinary penalty on security police officers in degrees lower than the sixth professional degrees. The authority to impose disciplinary penalty on those with the sixth, fifth and fourth professional degrees vests on the Ministry Discipline Commission. The provisions of Law for Civil Servants apply to those with upper professional degrees.

Article 72- In provinces with a department director holding the degree of superintendent, the authority to impose disciplinary penalty on inspectors and police officers with these degrees vests on the Provincial Security Discipline Commission.

Article 73- Disciplinary penalties on police officers are imposed by police councils. Investigating documents regarding acts involving disciplinary penalties where a council is not available are submitted to the discipline commission or councils in the district to be appointed by the Security Directorate General.

Article 74- The Security Directorate General, as necessitated and required, may refer any investigating document to a near provincial security discipline commission or police council.

Article 75- (Amendment: 15/6/1938 - 3452/6)

Decisions other than exclusion from the profession made by the Central Discipline Commission reach maturity upon approval of the Security Director General and decisions of exclusion from the profession reach maturity upon approval of the Security Director General and endorsement of the Minister,

Decisions of the provincial discipline commissions other than exclusion from the profession reach maturity upon approval of governors and decisions of exclusion from the profession reach maturity only upon the approval of governors and the endorsement of the Minister,

Decisions of the provincial police councils other than exclusion from the profession reach maturity upon approval of governors and decisions of exclusion from the profession reach maturity upon the approval of governors and the endorsement of the Minister,

Decisions of the police councils in the Police Institute and police schools other than decisions of exclusion of trainees and police officers from the profession reach maturity upon approval of the Director of the Institute or schools, and decisions of exclusion from the profession are mature upon approval of the Security Director General and endorsement of the Minister.

Article 76- Delay of promotion for one year, rank reduction, and decision of exclusion from the profession to be imposed by provincial security discipline commissions and police councils can be bound to a decision after being investigated by the second rank Central Discipline Commission if an objection is filed within the legal objection period.

Article 77- (Amendment: 15/6/1938-3452/7 art.)

Officers and employees other than security police officers specified in article 13 hereof as well as procedure officers are forwarded to discipline commissions or police councils in the Headquarters or in provinces according to the type of disciplinary offences and in accordance with the degree they are salaried.

Article 78- Penalties of denunciation, admonition and salary reduction imposed by the discipline commission and police councils are absolute. The period for objection for other penalties is 15 days following the date of notification of the penalty to the offender.

Article 79- All penalties to be imposed by discipline commissions are notified in writing.

Article 80- Members of the police organisation who are excluded from the profession due to a respective act entailing such a penalty cannot be re-employed in the profession. If those who are subjected to judicial proceedings due to this act are barred or acquitted or the imposed decision is abolished by the State Council, they can be re-employed depending on their employment record.

Article 81- On one hand, an act imposed on an officer requires disciplinary penalty; on the other hand, if evidence is not regarded sufficient for making a decree in administrative terms, the administrative decree is postponed until the court decision is made regardless of the last decision made by the court provided that it is regarded obligatory.

Article 82- (Amendment: 19/2/1980-2261/2)

Disciplinary penalties to be imposed on members of Turkish National Police are as follows:

A) Warning: The government employee is notified in writing to be more diligent on duty.

B) Censure: The government employee is notified in writing that s/he is found faulty on duty and in terms of behaviours.

C) Reduction of Salary: Reduction of salary of the government employee up to 15 days.

D) Suspension for a short term: Stopping promotion of the government employee in rank for 4, 6 and 10 months.

E) Suspension for a long term: Stopping promotion of the government employee for 12, 16, 20 or 24 months.

F) Exclusion from the profession: Preclusion of a government employee from the national police organisation services irrevocably.

F) Exclusion from government employment: Preclusion of a government employee from a government position irrevocably. This penalty is applied in

accordance with the provisions of the Law for Government Employees Numbered 657 by the disciplinary committee duly authorised in this respect.

If an act or situation leading to a disciplinary penalty reoccurs within the period of removal of penalties from the employment record, a penalty with a heavier effect is imposed. In the event of a third imposition of disciplinary penalties imposed due to other acts and situations requiring the same penalty, a penalty with an even heavier effect is imposed.

For penalties to be imposed on government employees (in the TNP Organisation) whose service has been found positive and who are given good or excellent employment record grades, a less heavy penalty can be executed.

Article 83- Acts and behaviours entailing ex-officio disciplinary penalties to be imposed either by disciplinary commissions or other competent authority and respective amounts are regulated in the code of rules to be drawn up, taking into account peculiarity and significance of the profession. The penalty of exclusion from the position as a government employee is exceptional.

Article 84- The degree of authority regarding ex-direct imposition of disciplinary penalty is as follows.

1) Minister of Internal Affairs:
is authorised to impose on all superintendents and other members of the TNP Organisation, in equal degree, the penalty of denunciation, admonition and salary reduction,

2) Governors and Security Director General, without prejudice to the authority of governors vested by the Law for Administration of Provinces, are authorised to: impose the penalty of denunciation, admonition and salary reduction for up to 10 days on chief inspectors and other members of the TNP Organisation with the equal or lower degree,

3) Sub governors and superintendents and directors of police schools and the Police Institute are authorised to: impose the penalty of denunciation, admonition and salary reduction for up to 3 days on chief inspectors and other members of the TNP Organisation with equal or lower degree.

4) Town sergeants and inspectors are authorised to: impose the penalty of denunciation and admonition on police officers and other members of the TNP Organisation with the equal or lower degree, as long as this is within their jurisdiction.

These penalties are final. They are not recorded in employment records unless recurring within one year.

Employment records of government employees in the TNP Organisation
Article 85- (Amendment: 19/2/1980-2261/2)

Police chiefs authorised to draw up employment record reports for members of the TNP Organisation must take into account terms of references, hierarchical relations and disciplinary penalties by regulations to be issued by Ministry of Internal Affairs. However, governors and sub governors are authorised to draw up supplementary employment record reports for the members of the TNP Organisation that they supervise as they regard necessary. This supplementary report is taken as a basis for all assessments regarding the staff about whom an employment record report is drawn up by governors and sub-governors.

Monetary reward

Article 86- (Amendment: 19/2/1980-2261/2)

Out of members of the TNP Organisation, in the following cases with the exception of the provisions of the Law Numbered 1475 for Pecuniary Compensation:

A) those who rendered supreme services in maintaining security and well-being of the country, the interests of the State, and life, chastity and security of the people are remunerated with a monetary reward from two to five times the amount of salary they are actually paid;

B) those rendering such supreme services as risking their lives in extraordinary situations are remunerated with monetary reward from six to twenty four times the amount of salary they are actually paid.

C) (Abolished: 3/11/1980-2330/11-d)

This article applies retrospectively.

Remuneration and equipment and health treatment

Article 87- Land, naval and air service and carrying vehicles costs of the Turkish National Police Organisation, as well as various related expenses and fees of experts and employees, communication, illumination, heating, scientific instruments, furnishing, stationary costs; and remuneration and animal food expenses of police officers and inspectors and TNP Organisation members that, as is determined by Code of Rules for Livery of Policemen, must be given livery and equipment, medicine and treatment costs where necessary; costs of purchasing and treatment and boarding for police dogs and messenger birds and costs of any transportation vehicles (motor or animal) are covered by the State as a general rule.

Article 88- Those supplying animals in compliance with legal provisions from their police officers and inspectors are transferred to the class of mounted policeman in case of need. Their animal food costs are covered by the State.

Article 89- Medicine expenses for TNP Organisation members who are ill and receive treatment at home or get outpatient treatment are covered from the Security Directorate General Budget. Those who must be hospitalised are treated free of charge in state hospitals and hospitals owned by special administrations and municipalities.

Treatment expenses for those who are sent abroad for training reasons and become ill there are covered by the State.

Article 90- (Amendment: 20/1/1960-7410/1 art.)

Government employees on salary and payment basis who fall under the Security Directorate General cadre can found a (Police Care and Donation Fund) to be affiliated to the Security Directorate General and whose revenue is to be collected from shareholders in the Fund.

The Fund is a legal entity and may carry out or manage transactions regarding immovable property so as to meet the building needs of Fund Administration, student dormitories, resting camps and the Fund's shareholders during the working period or after retirement in accordance with provisions set out in the regulations.

All assets of the Fund including movable and immovable property and receivables grant rights and priority as well as pre-emption with respect to other State goods.

The Police Care and Donation Fund which was founded previously is hereby subject to the provisions of Article 90.

Miscellaneous provisions

Article 91- Among those to be recruited for the class of police patrols who will drive vehicles, those having completed their military service in such classes are preferable.

Article 92- (Abolished: 16/6/1989-Decree Law -374/3; As accepted: 17/1/1990-3600/3)

Article 93- The Codes of Rules are arranged with respect to ways of exercising this law.

Article 94- Laws number 2049, 2050 and 2352, as well as provisions regarding Security and the TNP Organisation in the Code of Rules for Policemen and Law number 2531 are abolished.

Article 95- The cadres of the TNP Organisation are specified in table number (1) under this law. If necessary, it is acceptable to employ a government employee with a lower rank in one of these positions set out in this cadre. Those employed in accordance with this requirement are paid salaries as allowed by law number 1452.

Article 96- The Security Directorate General may assign to a position in the head or provincial organizations, with respective compensation any officer or employee on the basis of salary or payment, regardless whether a vacancy in the organisation of the TNP is available or not. It may assign such person to any position it regards suitable for a task under Security Directorate General.

Supplement Article 1- (29/6/1938 –3534-1)

The position of Security Directorate General can be exchanged with the position of a governor as required.

Supplement Article 2- (28/12/1972 - 1649/3)

Lecturers and assistant professors to be employed in educational institutions under the Security Directorate General are paid an amount to be determined for professors, assistant professors and lecturers in budget laws according to the classes they teach.

Out of the number of assistant professors and lecturers whose main occupation is at universities, those employed in the abovementioned educational institutions are paid their tuition fees, and the provision of Article 3 of Law number 7244 does not apply to them.

Supplement Article 3- (28/12/1972 – 1649-6)

The regulations foreseen in paragraph (D) under article 23 of Law number 3201 for TNP, Organisation as amended herein, enter into force within three months following the publishing date hereof by the Ministry of Internal Affairs.

The provision of abovementioned paragraph (D) still applies during the period to elapse between publication date hereof and effective date of the regulation in the abovementioned paragraph.

Supplement Article 4- (19/2/1980 - 2261/2- 1)

Under the TPN Organisation, one Police Discipline Council is formed in each province, education and training institutions and the head organisation so as to fulfill tasks vested by laws in disciplinary and investigation procedures; besides, a Central High Council of Discipline is formed in the Headquarters.

A) Provincial Police Discipline Council:

Chaired by the deputy governor in charge of security affairs, and consists of:

1. Provincial Director of Legal Affairs, or one of the Sub-Division Heads of Provincial Administration to be appointed by the governor if the former is unavailable,
2. Superintendent or one of the deputy superintendents to be appointed by him/her or the police chief with the highest rank after provincial superintendent or the one with higher seniority in the event of equal ranks if the latter is not available,
3. Head or Chief of Second Police Sub-Division,
4. Head or Chief of Third Police Sub-Division,

B) Police Discipline Councils in education and training institutions:

chaired by Director of the Institution, one employee with the highest rank employed in the same institution or one staff to be selected by the Director General among three senior police chiefs and teachers in the same institution in the event of equal ranks;

C) Central High Council of Discipline:

chaired by the Security Deputy Directorate General in charge of personnel affairs; composed of:

1. Head of the Personnel Affairs Department,
2. One Advisory Police Inspector or Administrative Inspector to be appointed by the Head of Police Inspection Council
3. One Department Head to be appointed by the Security Directorate General,
4. One Sub-Division Head to be appointed by the Security Director General out of the sub-division heads affiliated to the Department of Legal Affairs;

D) Central High Council of Discipline: chaired by the Security Director General;

1. Two Security Deputy Directors General to be appointed by the Minister of Internal Affairs,
2. Head of Police Supervision Council,
3. Head of Department of Legal Affairs.

Education and training institutions where a Police Discipline Council will be formed in accordance with paragraph B and councils authorised to make decisions regarding staff of education and training institutions without a Discipline Council are set up by the Ministry of Internal Affairs.

Supplement Article 5- (19/2/1980 - 2261/2 -1)

The staff which is subject to disciplinary penalty to be imposed by discipline councils and penalties that they are authorised to enforce are as follows.

A) Provincial Discipline Councils are authorised to impose;

1. all disciplinary penalties on police officers, night watchmen, as well as staff posted by provincial authorities,
2. disciplinary penalties other than exclusion from the profession on deputy inspectors, inspectors and chief inspectors in the provincial TNP Organisation where they are formed,

B) Police discipline councils in education and training institutions are authorised to impose all disciplinary penalties on police officers employed in the institutional cadre as well as police officers and candidates that attend the institution,

C) Central Discipline Committee

Is authorised to impose, on members of the security services class;

1. disciplinary penalties other than exclusion from the profession on staff with professional degree from (8) to (5) (included) in Security Directorate General, provincial, education and training institution cadres,

2. a penalty of exclusion from the profession on deputy inspectors, inspectors and chief inspectors in provincial police organisation cadres,

3. all disciplinary penalties on deputy inspectors, inspectors and chief inspectors in Security Directorate General central institutions as well as in education and training institution cadres, and police officers employed in the Security Directorate General central institution,

D) The Central High Council of Discipline is authorised to impose, on members of security services class;

1. a penalty of exclusion from the profession on staff with professional degree from (8) to (5) (included) in the Security Directorate General, provincial, education and training institution cadres,

2. disciplinary penalties other than exclusion from the profession on staff with a 4th and 3rd professional degree in the Security Directorate General, provincial, education and training institution cadres.

The Security Directorate General is authorised to identify a disciplinary penalty for those with a 1st and 2nd professional degree in the security services class, and the Ministry of Internal Affairs High Council of Discipline is authorised to impose a penalty of exclusion from the profession on staff with a 4th and 3rd professional degree in provincial cadres, as well as education and training institution cadres.

Only the Ministry of Internal Affairs High Council of Discipline is authorised to impose the penalty of exclusion from being a government employee, within the framework of general terms and conditions, on members of the TNP Organisation regardless of class or degree.

Rules for convening, meeting and decision-making principles, and the procedures of discipline councils, which apply in the event of inability to form duly authorised discipline councils, as well as other issues regarding these are all regulated by the Ministry of Internal Affairs by means of relevant Regulations.

Supplement Article 6- (19/2/1980 - 2261/2- 3)

In the TNP Organisation, disciplinary penalties regarding staff employed in classes other than the security services class are imposed by:

A) the provincial police discipline council with respect to those employed in the provincial police organisation with professional degree (5) or lower, and the police discipline council in the respective institution with respect to those employed in education and training institutions; and the Central Council of Discipline with respect to those possessing an upper degree;

B) The Central Council of Discipline with respect to those holding professional degree (5) or lower and with respect to those employed in the central organisation of the Security Directorate General, and the Central High Council of Discipline with respect to those holding upper degrees.

Supplement Article 7- (19/2/1980-2261/2-4. Amendment: 1/4/1981-2445/1)

Out of the decisions made by the Discipline Council:

A) those other than the ones involving a penalty of exclusion from the profession on police officers, imposed by the Provincial Discipline Council, are finalised upon request of the governor; the penalty of exclusion from the profession on police officers is finalised upon request of the governor, the opinion of the Central High Council of Discipline and the approval of the Minister of Internal Affairs;

B) those other than the ones involving a penalty of exclusion from the profession imposed by the Central Council of Discipline and the Police Discipline Councils in Education and Training Institutions are finalised only upon approval of the Security Director General; and the penalty of exclusion from the profession is finalised upon opinion of the Central High Council of Discipline and approval of the Minister of Internal Affairs;

C) those imposed by the Central High Council of Discipline are finalised upon approval of the Minister of Internal Affairs.

Suits initiated in pursuance of paragraphs (A) and (B) and not deemed appropriate by Central High Council of Discipline are finalised by the Ministry High Council of Discipline.

Decisions made by the Provincial Police Discipline Council and not approved by the governor are finalised by the Central High Council of Discipline; those made by the Central Council of Discipline and the Police Discipline Councils in Education and Training Institutions but not approved by the Security Director General are finalised by the Ministry High Council of Discipline.

If the Minister does not approve the decisions submitted for approval in pursuance of paragraphs (A), (B) and (C) of the abovementioned clause 1, the issue is finalised by the Ministry High Council of Discipline.

Supplement Article 8- (19/2/1980 - 2261/2- 5)

Those that are subjected to a penalty of exclusion from the profession by discipline councils and not found eligible to remain in charge may be suspended until approval of the decision is made in accordance with general terms and conditions herein.

Precaution of suspension is released immediately from those whose penalty of exclusion from the profession is discounted to a less heavy penalty and approved.

Supplement Article 9- (19/2/1980 - 2261/2- 6)

Those who are directly authorised to impose disciplinary penalties on those in the TNP Organisation are as follows.

A) the Minister of Internal Affairs is authorised to:
impose the penalties of denunciation, admonition and salary reduction on staff of the TNP Organisation holding a 3rd (included) or lower professional degree specified in article 13 under the Law for the TNP Organisation number 3201;

B) the Security Director General and Governors, without prejudice to the powers vested by the Law for the Administration of Provinces: are authorised to impose penalties of denunciation, admonition and salary reduction for up to 10 days on chief inspectors and other members of the TNP Organisation of equal or lower rank,

C) The Provincial Superintendents, Director of Police Institute and Directors of police education and training institutions and sub-governors are authorised to: impose penalties of denunciation, admonition and salary reduction for up to 3 days on chief inspectors and other members of the TNP Organisation of equal or lower rank,

D) Town sergeants and inspectors are authorised to:

Impose the penalty of denunciation and admonition on police officers and other members of the TNP Organisation of equal or lower rank on the condition of the places where they work.

Supplement Article 10- (19/2/1980 - 2261/2- 7)

Periodicals and papers using the names “police” or “security” or other names with synonymous meaning to these terms or names derived by means of using names formed of suffixes or prefixes to these names, in places other than in publications made by associations founded by retired policemen cannot be published by other natural persons or legal entities; and the image of the badge with a star shape on the official uniform as specified in livery regulations for the security services class cannot be used in periodicals, billboards or other advertisements or all other printed materials.

Supplement Article 11- (19/2/1980 - 2261/2 -8; Amendment: 6/4/2001-4638/2)

Members of the TNP Organisation and night watchmen cannot be members or founders of associations. They can only be members of sports associations and be assigned to the management and supervision board of associations formed for sports reasons within the body of the TNP Organisation.

Members of the TNP Organization and night watchmen can be founders of foundations under the scope of the Turkish Civil Code Article Number 743 and dated 17.2.1926 and occupy positions in the managerial board of these foundations only upon permission of the Minister of Internal Affairs following the request of the Security Director General.

Those breaching the abovementioned paragraphs are subjected to disciplinary penalties specified in the regulatory statute.

Supplement Article 12- (11/8/1982 - 2696/1-9)

Riot Police Units that include special teams as well are formed within body of the TNP Organization in police directorates and the TNP organizations in provinces and sub provinces, respectively, as necessitated by the Ministry of Internal Affairs.

Supplement Article 13 - (11/8/1982 - 2696/1 -10)

Riot Police Units are employed for:

- a) ensuring order and security in legitimate meetings and marches,
- b) taking preventive precautions in places where social movements that can impair the public order may take place and carrying out patrol services in such places,
- c) preventing, destroying or invading business places during strikes and lockouts,
- d) preventing illegal street movements,
- e) preventing attacks against material and spiritual assets of the community and individuals in the event of social events strike and lockouts as well as illegal street movement,

- f) taking security precautions and ensuring order in all demonstrations or ceremonies in the event of insufficiency of other police forces,
- g) carrying out other operations requiring involvement of special teams,
- h) repressing illegal happenings and using force if required, under circumstances specified in the paragraphs above.

Supplement Article 14- (11/8/1982 - 2696/1 -11)

Riot Police Units are formed within the framework of a plan to be drawn up by the Security Directorate General with the name 'Head of Riot Police Sub-Division' or 'Riot Police Office of Group Chief' in provinces, and 'Riot Police Office of Group Chief' in sub provinces, respectively, and equipped accordingly in accordance with standard models of foundation standardized and specified in the rules dealing with materials and cadres in provinces.

Supplement Article 15- (11/8/1982 - 2696/1 -12)

The working period of staff selected for and assigned in Riot Police Units is three years. Upon requirement of the administration or staff, this period may be extended up to three years. Staff employed in the Riot Police Units is not allowed to be employed in other service units of the TNP Organisation before completing their services in this unit.

Supplement Article 16- (11/8/1982 - 2696/1 -13)

As required by security and public peace, upon request of the respective governor, riot police units may be assigned temporarily in other provinces upon request of the Security Director General and approval of the Minister of Internal Affairs. The moving of riot police units assigned this way into the place of service is undertaken by the provincial governorship where that unit is located in, and transportation and bed and board needs are covered by the governorship of the province in which they are temporarily assigned. A specific budget line is inserted into the budget of the Security Directorate General to cover these expenses. The order of payment is not obligatory for such expenses.

Supplement Article 17- (11/8/1982 - 2696/1 -14)

Staff employed in riot police units is trained in order to develop the physical and mental capabilities required for the service.

Supplement Article 18- (11/8/1982 - 2696/1 -15)

The formation of riot police units, qualifications and selection for staff to be assigned in these units, or terms of replacement for other services or removal from these units due to health reasons, rules and principles regarding the performance of their services, chain of command, principles to take into account with respect to their training as well as other provisions regarding application of the Law are regulated by the Ministry of Internal Affairs, which regulations are to enter into force on 1 January 1983.

Supplement Article 19- (Supplement: 17/6/1992 - 3814/1) (Abolished: 06.08.2003-25191 / 4970)

Supplement Article 20- (Supplement: 10/3/1993-3870/3) (Abolished: 06.08.2003-25191 / 4970 – ARTICLE 6. - Supplement articles number 19 and 20 of

the Law dated 4.6.1937 and number 3201 with respect to the Turkish National Police Organisation are abolished; additional payment for first rank superintendents are regarded valid until the date of publication hereof in accordance to supplement article 2 of the Law number 3201.)

Supplement Article 21- (Supplement: 13/7/1993-Decree Law-486/17)

The highest salary for the respective government employee specified in the Law number 657 for Government Employees (additional pay included):

a) out of those in cadres included in the Security Services Class;

1. those assigned in special operation and intelligence units are paid overtime not to exceed 35 %,

2. those actually in charge of political services, preventive services in riot police units and protecting bridge and sensitive areas, or work as panzer driver and panzer operator, not to exceed 31 %,

3. those assigned to other units, not to exceed 27 %,

b) night watchmen in cadres included in the ancillary services class, not to exceed 13 %, in accordance with rules and procedures to be set out by the Ministry of Internal Affairs. (**Supplement statement: 12/7/2000 – Decree Law- 611/2 art.;** **Acceptance: 6/4/2001-4638/3 art.**) The Minister of Internal Affairs is also hereby authorised to provide the staff involved in operations against big corruption, terrorism and similar activities at the national scale with bonuses totalling up to half of the respective rates; as well as those providing administrative, technical, logistic and other support services, and to set out the payment of such bonuses in various amounts or rates, taking into account the place and period of service, difficulty and risk level of the service, seniority and liability of the staff besides other similar factors, and to identify other rules and procedures regarding the same. No deduction or taxation other than stamp tax is imposed on the bonus amounts.

Traffic Research Centre:

Supplement Article 22- (Supplement: 17/10/1996 - 4199/45 art.)

The Traffic Research Centre is founded under the President of Traffic Services of the Security Directorate General in order to carry out all research regarding traffic security in cooperation with universities and volunteer institutions related with traffic and to propose recommendations based on the monitoring of scientific developments with an eye to prevent traffic accidents.

A sufficient number of experts is employed in the permanent cadre or contracted independently in this centre.

Working rules and procedures of the Traffic Research Centre, as well as other issues, are indicated in the Regulations to be issued by the Ministry of Internal Affairs.

Supplement Article 23- (Abolished: 28.04.2004/25446)

Supplement Article 24 – (Supplement:06.05.2005-25807/5336-2) Police vocational training centres may be opened upon recommendation of the Ministry of Internal Affairs and the decision of the Cabinet upon condition of asking for the opinions of the Ministry of Finance and Under Secretariat of the State Planning Organisation as well as the Presidency of the State Personnel in order to meet the police officer need of the Security Directorate General.

Out of males and females who are graduates of four-year higher education institutions or equivalent outside Turkey, who are not yet 27 years old as of the examination date, as well as males who completed their military service and are not yet 29 years old, those passing the entrance examination are accepted for police vocational training, which shall not be shorter than six months.

Education and training is free, boarded and uniformed in police vocational high schools; bed and board and health costs besides other allocations for the students are covered by the State. Additionally, students are paid equal allowances as those paid to students in police vocational high schools.

During the education and training period in police vocational training centres; those that are later proved not to be possessing qualifications necessary for entrance, fail in completing their training and education successfully, and are found ineligible by duly authorised boards to become police in terms of health and disciplinary requirements are removed from police vocational training centres. Paid allowances and other expenses incurred accordingly are reimbursed after adding legal interests from those who are removed from such schools due to reasons other than health or death.

Those who complete the training period successfully in these centres are posted as candidate police officers in positions under the Security Directorate General. Those who are posted this way cannot be relocated in other institutions by way of transfer within six months following the date of first appointment. Those who withdraw or are deemed to withdraw from government employment, are subjected to the penalty of exclusion from the profession or government employment and are removed from the organisation due to not being posted as officers within this period are obliged to indemnify training expenses incurred on their behalf for each year of their remaining obligatory service period.

The foundation and working rules and procedures of police vocational training centres; qualifications of students to be accepted to these institutions, requirements for graduation from previous schools, examinations to be held, issues regarding disciplinary and education-training, ceasing of studentship, compensation and liability principles, as well as uniforms and other issues fall under the Regulations to be issued by the Ministry of Internal Affairs.

Supplement Article 25 - (Supplement:06.05.2005-25807/5336-2.art.)

Positions contained in attached list number (1) are established for police vocational training centres and appended to sections for the Security Directorate General in attachment (I) of the Decree Law number 190.

Provisional Clauses

Provisional Clause 1- Positions in the table (I) rider hereto are put into effect within five years depending on the amount of allocation to be deposited in the budget every year. Government employment positions whose degree, number and salary are specified in the table (2) rider hereto are appended to sections for the Security Directorate General in table (L) of the General Balance Law of the year 1937 and services whose number and fees are specified in table (3) are appended to table (D) of the herein mentioned law.

Provisional Clause 2- On the effective date hereof, security positions in provinces are administered by the town sergeant until the police organisation is formed in that particular province.

Provisional Clause 3- The equivalent ranks of government employees in charge are as follows.

- 1- Third inspector corresponds to Deputy Inspector,
 - 2- Second inspector to Inspector,
 - 3- First inspector to Chief Inspector,
 - 4- First degree police superintendent and deputy police inspector and other officers of the same rank to First Rank Town Sergeant,
 - 5- Second rank police superintendent and deputy police inspector and other officers of the same rank to Second Rank Town Sergeant,
 - 6- First rank superintendent to Second rank superintendent,
 - 7- Second rank superintendent to Third rank superintendent,
 - 8- Third rank superintendent to Fourth rank superintendent,
 - 9- Central officer to head inspection officer,
 - 10- First and second degree officers to inspection officers.
- Officers whose title and degrees are indicated above and are employed in the cadre are paid their salaries on the basis of their new degree.

Provisional Clause 4- Within one year following the effective date hereof, for one time only, those who do not fulfil periods of service as Security Deputy Director General, chief administrative inspector and administrative inspector, head of inspection council, head of department of the Security Directorate General and Director of Police Institute as specified in Article 8 of the Law number 1452 may be appointed on the condition of graduation from higher education institutions. They are paid the respective salary as they complete respective periods within the scope of provisions of the herein mentioned law. Hence, the difference between the salaries they are allocated and the salary relative to the position they hold is paid to them as a fee, provided that it does not constitute an acquired right.

Provisional Clause 5- The Security Directorate General is entitled to identify the professional degree and salaries of officers in charge of correspondence, calculations, scientific and communication affairs in the Security Directorate General, as well as the Ankara, Istanbul Provincial Police Directorate and other provincial police directorates and sub provincial police authorities and officers to be posted for the first time on the effective date hereof and to post these officers only one time. They are paid salaries relative to their degrees.

Provisional Clause 6- (8/8/1961 - 342/1- 1)

Graduates of civilian high schools who will perform military service as policemen in livery in the Security Directorate General are selected out of those possessing qualifications and requirements indicated in the Law number 3201 for the TNP Organisation; and they are posted as candidate police officers if they complete military service training successfully.

Provisional Clause 7- (8/8/1961 - 342/1- 2)

Those accepted to service in this way are subject to provisions regarding members of the TNP Organisation.

Provisional Clause 8- (8/8/1961 - 342/1 -3)

Individuals who complete their military service period in the TNP Organisation and are interested in staying on are posted as police officers if regarded eligible. Professional military services they have performed in the TNP Organisation are taken into account in terms of seniority and promotion.

Provisional Clause 9- (28/12/1972 - 1649/5 -1)

Out of officers of all ranks included in the general administrative services class under the Security Directorate General on the effective date hereof (translator, trainer, press, statistician, research and planning experts excluded);

a) Individuals who passed into the General Administrative Services Class from the position of town sergeant, chief inspector, inspector, deputy inspector, administrative inspector or deputy administrative inspector, without prejudice to their acquired rights depending on their salary degrees, are posted in positions appropriate to their rank in the security services class and bearing the same rank title as in their former class;

b) Individuals except for those mentioned in paragraph (a) are posted as police officers according to their salary degrees as acquired rights on the basis of provisional article 2 without the requirements of age, height and health indicated in article 23 of Law number 3201 for the TNP Organisation.

Posting procedures are complete within three months following the effective date hereof.

Provisional Clause 10- (28/12/1972 - 1649/5 -2)

Out of individuals covered by provisional article 1, those above the age limit determined for the respective position in the security services class on the effective date hereof can be posted as well. The general age limit specified in clause 1 of article 40 in the Law number 5434 for the Retirement Fund applies to them.

Provisional Clause 11- (19/2/1980 - 2261/2 -1)

On the effective date hereof, out of disciplinary proceedings files forwarded to the Headquarters and not yet adjudicated after requesting comments of either duly authorised or deputy disciplinary commissions in pursuance of provisions that were previously in effect;

A) files including information on individuals who are required to be adjudicated by duly authorised police chief are completed and closed.

B) files including information on individuals regarding penalties of suspension for a short or long term (descending of rank or suspension of promotion for one year), as well as exclusion from the profession, are forwarded to relevant authorities to be adjudicated by respectively duly authorised disciplinary commissions indicated herein, taking into account place of work and rank on the offence date of the employee who is subject to the proceeding.

C) files including information on individuals regarding penalty of exclusion from government positions are sent to relative units to be addressed by the Ministry High Discipline Commission.

Provisional Clause 12- (19/2/1980 - 2261/2 -1)

Reviews in breach of Supplement Article 7 appended with article 2 hereof to Law number 3201 for the TNP Organisation have to be modified to be in compliance with the provisions herein within one month following the effective date of the law.

Provisional Clause 13- (19/2/1980-2261/2 -1)

Associations covered by Supplement Article 8 appended with article 2 hereof to Law number 3201 for the TNP Organisation are deemed to be dissolved on the date this law enters into force. Liquidation of assets owned by these associations is done in accordance with provisions in their respective Statute.

Provisional Clause 14-(19/2/1980-2261/2 -1)

The date for applying retrospectively indicated in the last clause of article 86 under Law number 3201 for the TNP Organisation as amended with article 2 hereof is 1/1/1968.

Provisional Clause 15-(1/4/1981-2445/3 -1)

The Foundation for Strengthening the Turkish National Police Organisation ,registered upon the principle of the Ankara 4th Civil Court of First Instance dated 28/8/1975 number 975/336 and decision number 975/260, and its aims and deeds as published in Official Gazette dated 10/6/1975 and number 15261, carries on its activities.

Provisional Clause 16-(Supplement: 16/6/1989-Decree Law- 374/2; As accepted: 17/1/1990-3600/2)

On the date this law enters into force, former provisions regarding candidate police officers attending vocational basic training in police schools still apply.

Provisional Clause 17- (Supplement: 17/6/1992 - 3814/2)

On the effective date hereof, regardless of whether staff working with the title “Auditor for Associations” under the Security Directorate General of Ministry of Internal Affairs possess special qualifications as specified in clause 2 under Supplement article 19, those with a service record of more than three years are appointed as “Auditor for Associations”, and those with a service record of less than three years are appointed as “Deputy Auditor for Associations” on the condition that they are both graduates of higher education institutions and pass the oral test to be held not more than twice by the examination board to be formed in reference to the provisions of regulations specified in the last clause under the same article.

Individuals who cannot be transferred as “Auditor for Associations” and “Deputy Auditor for Associations” are posted in other positions as is relevant. Individuals whose positions are terminated within this period are still paid a salary, additional pay and all other bonuses arising from their former positions.

Clause (11) of paragraph (A) under the Chapter ”Common Provisions” of article 36 under the Law number 657 with respect to Government Employees applies to individuals acquiring the title “Auditor for Associations” upon passing the oral examination.

Provisional Clause 18-(Supplement: 10/3/1993 - 3870/4)

On condition of possessing prerequisites for promotion of rank as specified in article 55:

Individuals holding the rank of Superintendent but not having completed 3 years in this rank on the effective date hereof are deemed to be appointed as 4th Rank Superintendent, individuals having completed 3 years are deemed to be appointed as

3rd Rank Superintendent, individuals having completed 6 years are deemed to be appointed as 2nd Rank Superintendent or as police chiefs with equivalent professional rank and degrees, the superintendents who had worked or are still working at the level of over-class, as well as 1st, 2nd, and 3rd degree superintendents, are considered to have been appointed to professional degrees, titles and respective ranks.

Provisional Clause 19- (Abolished Clause 1: 28.04.2004/25446)

Provisions regarding the written examination of Chief Inspectors and 3rd Rank Superintendent to be promoted to an upper rank as regulated by article 55 of the Law apply to the staff to be promoted after 1.1.2002.

Provisional Clause 20-(Supplement: 12/7/2000-Decree Law-611/4 art. Accepted: 6/4/2001-4638/5)

Prior to the effective date of this law, those graduating from four-year higher education institutions and completing courses for being a deputy inspector and police chiefs who are graduates of four-year higher education institutions while having their current rank and promotion from Group (B) to Group (A) are taken to be part of Group (A).

Provisional Clause 21 – (Supplement:06.05.2005-25807/5336-3)

(Supplement: Those having completed a training period in police vocational training centres in accordance with this law can be posted as candidate police officers in positions under the Security Directorate General without being subject to limitation on numbers (48.000) specified in clause (a) under article 25 of the Budget Law for Fiscal Year 2005 number 5277, to be applicable for year 2005 and not to exceed (2.000) in total.

Article 97- This law is valid as of 1 August 1937.

Article 98- Government officers employed in the Ministries of Foreign Affairs, Justice and Finance are authorised to enforce the provisions of this law.

Appendix G: P.V.S.K.

THE LAW for DUTIES and POWERS of POLICE (P.V.S.K.)

Law Number : 2559
Date of Acceptance : 4/7/1934
Official Gazette : Date: 14/7/1934/ Number: 2751

Article 1- The Police protect the public order, peace, security, savings and homes of individuals, as well as the life, chastity and good security of the public.

They assist those in need of help, needy children, the incapacitated and the weak. They fulfil tasks as vested on them by laws and codes of rules.

Article 2- (Amendment: 16/7/1965 - 694/2 art.)

The tasks of police with respect to general security are divided into two:

- A) To prevent acts that do not comply with laws, statutes, regulations, Government order and public order within the scope of this law,
B) To undertake tasks written in the Code of Criminal Procedure and other laws regarding an offence committed.

Responsible for ensuring public order and security, policemen do not fulfil an order directed by a supervisor if they regard it to be incompliant with laws, statutes and regulations and inform their supervisor of such incompliance. However, if the supervisor insists on the order and reiterates it in writing, it shall be fulfilled by the recipient. Thereafter, whoever fulfils the order is not regarded liable for such non-fulfilment. Under no circumstances can an order whose subject matter constitutes an offence be fulfilled. Those fulfilling such orders are not discharged from respective liability.

Under the following circumstances, verbal orders given by an authorised supervisor are fulfilled immediately:

- I- To protect life, chastity or good security,
- II- To arrest doers of crimes committed against the State or to determine proof,
- III- To arrest those who attack or resist against state forces as an individual or group or dismiss their attack or resistance,
- IV- To arrest those who practice or show violence or resist the government, to dismiss those who attack or show resistance,
- V- To dismiss individual or collective assaults that can be exercised on individuals, buildings or plants, residential or non-residential places protected by the municipal police,
- VI- To arrest individuals escaping from the municipal police forces after being arrested for a capital offence,
- VII- To prevent the committing of an offence,
- VIII- For searches to be done by municipal police for determining proof of crime in Code of Criminal Procedure and other laws,
- IX- To dispel illegitimate meetings or marches or arrest their organisers,
- X- For necessary precautions to be taken by those in charge in the venue in the event of disasters such as fire, water floods and earthquake,
- XI- To restore order in all meetings, marches or ceremonies held in public places,
- XII- For the opening of roads for traffic flow that is clogged due to any reason,

XIII- For cases that are exceptionally rendered obligatory upon verbal order of municipal police except for the abovementioned items. Requests in writing are not allowable. Liability that can arise from fulfilment of the order in such cases vests on whoever directs the order.

Article 3- The functions of municipal police are fulfilled by police in places as regarded necessary by the Government.

Article 4- Policemen cannot be assigned to perform any function other than those outlined in their duties.

Article 5- Policemen have the power to collect fingerprints and photographs of individuals indicated below.

A) (**Amendment: 10/6/1935-2770/1 art.**) Those convicted or suspected of offences entailing penal servitude in accordance with the Turkish Criminal Code as a consequence of investigation carried out by the herein mentioned authority upon submission of charge by Policemen or Gendarmerie to the Republic Prosecutor's Office, those convicted or suspected of offences against the comfort of the public and of all types of smuggling activities as indicated in the herein mentioned law and all those convicted or suspected of smuggling, as well as layabouts;

B) Those having escaped from foreign countries into Turkey, transferred from one place to another within the country and those expelled from the country;

C) Those who cannot prove their identities;

D) Those who are named (brothel owner), (owner of disorderly house) and (prostitute) according to the Code of Rules and Guidelines which deals with the fight against prostitution and diseases contracted by means of prostitution, and those who are habitually agents of prostitution, those indulging in white slavery and whorehouse patrons;

E) Those whose finger prints are required to be taken for investigation and inquiry into a specific matter by the Republic Prosecutor Offices and judiciary and military courts.

F) (**Supplement: 16/6/1985-3233/1 art.; Cancelled: with decision dated 26/11/1986 and numbered 1985/8 E., decision numbered 1986/27 of the Constitutional Court**)

Article 6- (Rearranging:01.12.2004/25657-5259 /1) With respect to recreational and entertainment places open to the public, entrepreneurs of

a) Those establishments that are opened prior to a specified date though temporarily prohibited from their activities,

b) Those establishment do not follow the rules on hours of opening and closing,

c) Those establishments in breach of prohibitions contained in article 12 hereof,

d) Those establishments in breach of legal provisions, must pay the administrative fine of five hundred million to one billion Turkish Liras.

Administrative pecuniary punishments foreseen in this article are imposed by the town council within the borders of municipality, and the town permanent committees outside borders of the municipality. Decisions regarding imposed administrative pecuniary punishments are made known to those concerned in

accordance with the provisions of the Notification Law number 7201. The authorised administrative tribunal can accept objections to these penalties within not more than seven days following the notification date. The objection does not discontinue enforcement of the penalty imposed by the authority. The decision made upon the objection is final. The objection is finalised in the shortest period by examining documents in cases where there is not any necessity. Administrative pecuniary punishments are collected in accordance with provisions of the Law number 6183 regarding Collection.

Procedures for Public Receivables.

In case of reoccurrence of the acts mentioned in this article within one year, the pecuniary punishment imposed in the prior case is doubled.

Article 7- (Amendment:01.12.2004/25657-5259 /Art 2) Any hotel, motel, boarding house, camping and similar stopping places opened for individual or collective entertainment, recreation or accommodation of people; any casino, night club, drinking house, bar, beer house, alcohol restaurant, tavern and similar places where alcohol is served; any cinema, coffee houses and cafés; electronic game places with video and television games and game tools and machines that are not used with the intent of gambling and profit, regardless of the name; internet cafés and similar places are regarded as recreational and entertainment places open to public.

In the event of performance of activities specified in the article one on land, naval, air and all kinds of transportation vehicles, such places are also regarded as recreational and entertainment locations open to public.

Licenses for recreational and entertainment places open to public are issued by the municipality and province special administration within and outside municipal borders, respectively, upon receiving opinion of relevant police or gendarmerie forces. An opinion is expressed within seven days. Applications for licenses are finalised within one month. Recreational and entertainment places opened to the public without obtaining permission are closed down.

The municipality and province special administration is authorised, respectively, to identify places where such businesses will be established or congregating recreation and entertainment places open to the public that are currently functioning in places allocated particularly to this end.

Principles and procedures that will apply to identification and licensing of places where recreational and entertainment places open to public will be established are set out in regulations by the Ministry of Internal Affairs.

One copy of the licenses for opening and operation issued to such places is sent to the authorised police or gendarmerie authority. These places are supervised by the general police or gendarmerie forces in terms of general security and public order. Articles 5 and 6 of the Law regarding Acceptance following the Amending Decree Law dated 14.6.1989 and number 3572 regarding Opening and Operating Business Places do not apply to licensing such places.

Article 8- (Amendment:01.12.2004/25657-5259 /Art 3)

If definite proof is obtained by police:

A) Locales belonging to all private and official institutions and organisations as well as general places and places where gambling is indulged in by the public,

B) Places where narcotic drugs are manufactured, sold, used and kept against the law,

C) Brothels and disorderly houses operating against the laws,
D) Places where games in violation of the indivisible integrity of the State with its country and nation, Constitutional regime, general security and general moral values are played, presentations are made, film or video is screened and places allowing publications of same through the internet,

E) Locales belonging to associations, trade unions and clubs, professional organisations with the nature of public office as well as similar institutions and bodies established for benefit of members only that are proved to have operate in contravention to domestic legislation despite written warnings upon more than one occasion,

F) (**Supplement:13.01.2007/26402-5571/1**) Out of those arranging daily tours by means of all sea vehicles or selling goods and services, those that use methods which disturb customers or the public peace while promoting their activities are temporarily prohibited from operating their business for no more than thirty days by the highest administrative chief in the settlement unit.

If a business repeats the abovementioned acts despite being temporarily prohibited from operating for more than three times due to such acts within one year, licenses for opening and operating business places are revoked by the municipality or province special administration within five days upon notification by the highest administrative chief in the settlement unit.

Article 9-(Amendment: 03.08.2002-4771/10) — The Police, upon magisterial decree duly given or upon written order to be issued by the highest administrative chief in the respective settlement unit, is involved in cases that cannot be delayed due to such reasons, for preserving the national security and public order, general health and moral values or rights and freedoms of others, preventing crimes; and the identification of all illegal weapons, explosive materials or goods as follows:

A) in or near places where meetings and marches are held as covered by the Law number 2911 for Meetings and Demonstration Marches,

B) in or near places where plenary meetings of professional organisations with the nature of the public institutions or trade unions as well as corporate bodies,

C) in places where people are or can be collective,

D) in or near the entrance or exit of universities, independent faculties or subsidiary bodies that are entered in accordance with paragraph (A) of clause two under article 20 for education and training institutions at all levels to ensure freedom of education and training,

E) in places open to public, student dormitories or outlying buildings,

F) At entrances and exits of settlement places,

G) On all mass transportation vehicles or moving vehicles, search bodies, vehicles, special documents and personal belongings for preventing crimes; and may confiscate articles of crime and deliver same to the Republic Prosecutor's Office.

Duly given magisterial decrees must be issued for police searches to be carried out in order to identify signs, remnants, marks or proof in the process of arresting offenders in accordance with Code of Criminal Proceedings and other laws; the written order of authority rendered competent must be available in cases where delay cannot be accepted in connection with these reasons.

Searches for printed materials covered under the Press Law number 5680 are subject to the herein general provisions.

Article 10- Forbidden objects such as daggers and scratching tools cannot be produced or sold.

The sale of ancient and valuable pieces does not fall under this provision.

Article 11- (Amendment: 16/6/1985 - 3233/3 art.) - (Amendment paragraph C: 03.08.2002-4771/12)

The Police, even there is no application or notice available, may inhibit, prohibit and cease the continuation of acts of:

A) Those contravening decency laws in displaying attitudes and behaviours that are dishonourable and not acceptable in society as well as those saying remarks, playing songs, music and holding demonstrations of such a nature,

B) Those harassing children, girls and women and young men in any way, promoting or encouraging bad habits and any kind of immorality,

C) Those producing and selling audio and visual materials with a message against decency, regardless of the material itself,

May also immediately deliver to the judicial court all documents concerning the offenders as well as documents related with complaints in the event that a complaint and application are submitted.

-(The last clause abolished: 03.08.2002-4771/12)

Article 12--(Amendment: 03.08.2002-4771/10) Those below 18 cannot be employed in places open to the public and are subject to issuance of a license for entertainment, game, alcohol or similar reasons, without prejudice to legal exceptions.

Police prohibit those below 18, regardless whether they are joined by a parent or a legal guardian, from entering places such as a bar, night club, casino, drinking house as well as a cafe and other similar places where games are played and/or alcohol is served.

(Amendment: 01.12.2004/25657-5259 /4 Art.) Any person or enterprise in breach of this article are prosecuted in pursuance of article 17 and 6, respectively.

Article 13- (Amendment: 16/6/1985 - 3233/4 art.) -- (Amendment: 03.08.2002-4771/10)— The Police arrest and fulfil relevant legal procedures with respect to:

A) Suspects who show a strong sign, trace, mark or proof indicating that an offence was committed or suspects caught in the act or in other cases which are not to be delayed,

B) Those that are subjected to a warrant of arrest or detention order by authorised offices,

C) Those that are so inebriated that they disturb the public peace or cause a scandal or those attacking others while inebriated, those continuing such acts despite warnings and those attempting to attack others and fight against each other,

D) Those entering the country illegally or those with respect to whom a deportation or extradition decision is made,

E) Those objecting or resisting precautions taken by the police as required by laws or those disrupting the police from fulfilling tasks,

F) Those that are mentally disordered, drug or alcohol addicts and layabouts or who contract diseases at an extent to pose a risk for the community and do not take precautions in accordance with principles specified in laws and the statute indicating the application hereof for treatment in an institution, training and rehabilitation,

G) Those who decide to be rehabilitated under supervision or taken into competent authority supervision,

Legal provisions regarding those whose arrest is conditional on specific procedures are reserved.

All precautions can be taken in a way that will not harm one's health in order to prevent the escape or attack of the arrestees.

The reason for arrest is notified in writing to those arrested in any case, and where this is not applicable, notification is immediately made verbally. In cases of collective offences, they are notified prior to being taken to court.

The arrest of the individual is immediately notified to legal relatives as requested by the arrestee.

Health status at the time of arrest of those:

A) who have used narcotic drugs and are drunk,

B) who are arrested by force,

C) suspects and defendants about whom an investigation will be carried out are reported through a doctor's certificate.

Those arrested who are under suspicion of committing crime are forwarded to judicial authorities. Those who must subject to rehabilitation or treatment are accepted by representatives of relevant institutions. Those whose reason for arrest is cancelled released without any delay.

Article 14- Those disturbing the peace and security of the residents after midnight both inside and outside residential places in provinces and towns are banned from doing so by police. Those refusing to obey police directives are prosecuted in accordance with article 546 of the Criminal Code.

Wedding parties, performances and balls arranged with permission of police are an exception under this provision.

Article 15- Police call for those whose testimony is required during the investigation and ask them relevant questions.

Last clause: (Supplement: 16/6/1985-3233/5 Art.; Cancelled: with decision dated 26/11/1986 and numbered 1985/8 E., 1986/27 K of the Constitutional Court)

Article 16- Police are authorised to use a weapon in the following cases:

A) in self-defense as required;

B) when it is needed to stop or prevent an attack on the chastity and life of others;

C) in the case of individuals who are arrested and kept in custody due to an offence requiring heavy penalty or who are a convict or detainee for any offence and about whom policemen are ordered and consigned to escape, or in case of assault to a policeman in an attempt to escape cannot be prevented by other means;

D) in cases where there is no other means of intervening in an attack against individuals;

E) in cases where there is no other way of capturing somebody who is ignoring directives to cease an action while s/he is escapes apprehension by police in a location where an offender who is guilty of offences requiring heavy penalty and flagrant offences is hiding;

F) in cases where an individual who is convicted or accused of an offence requiring heavy imprisonment and being sought by police escapes at the time of the

attempt to capture and there is no other way of capturing her/him as s/he ignores the stop order;

G) in cases where the order to relinquish tools or weapons used to attack or resist against police on duty is not obeyed immediately or when an attempt is made to take these tools or weapons back from police, using force;

H) if an individual or collective resistance or attack is made against police fulfilling their duties;

I) when an act is in contravention to the authority and actions of the state.

Article 17-

A) Those disobeying orders as directed and ignoring precautionary measures taken by police in accordance with law and procedures;

B) Those resisting police on duty or declaim against police for holding them back from duty and those who might continue to sustain illegal acts if not arrested; (**Amendment: 16/6/1985-3233/6 art**) are taken to the police station and then directed to the judicial court after the relevant appropriate documentation has been drawn up. (Supplement clauses: 19/2/1980-2261/1 art.)

Police have the right to ask individuals to show their identity in order to prevent the committing of an offence or to arrest individuals who commit offences (UPON PRODUCING THE DOCUMENT EVIDENCING THEIR POSITION AS POLICEMEN).

All parties must prove their identity by means of showing an ID card, passport or any other official document.

(**Supplement: 16/6/1985-3233/6 art.**) Those who cannot prove their identity by means of an identification document or witness by people known by police and those showing suspicious documents can be taken into custody for not more than twenty four hours by police until their identity is verified.

(**Supplement: 16/6/1985-3233/6 art.**) In the case of determination of identity or ensuring birth registry of a suspect upon fingerprinting or photographing of those whose identity is not verified or who are found not to be registered in the population records, principles and procedures indicated in the statute are applied.

Article 18- (Abolished: 20/2/1948-5188/1 art.)

Article 19- Police ensure order in the streets, squares and other places open to the public, and ban individuals driving transportation vehicles in contravention of the Traffic Regulations Book while inebriated or in a way that disturbs the order of traffic or endangers the security of others.

Article 20- (**Amendment: 26/6/1973-1775/4 art.**)

The Police may enter houses, business places and outlying buildings in order to prevent the commission or continuation of a grave offence, including in cases where help is sought or dangers such as water flooding and drowning are reported.

The Police can enter universities, independent faculties and subsidiary bodies or buildings of these institutions under the following circumstances:

A) When rectors and deans or directors of subsidiary bodies seek police help in case of occurrence of events that necessitate entry into institutional facilities within the premises of university or subsidiary buildings,

B) When investigating crimes and offenders without any requirement of reporting or permission,

In cases indicated in paragraph (A) of this article, police intervention is made without delay.

Relevant institutions are liable for providing all aid necessary for investigation by police forces.

Article 21- Individuals loitering outside safe houses without bearing certificates duly issued in accordance with the Law for the Press, which exists in order to record subscribers for a publication or to accept an item such as an article, figure, or announcement for same, and individuals undergoing legal proceedings for blackmailing or similar act are banned by police from indulging in activity to this end.

Article 22- The Minister of Internal Affairs can directly give orders granted by the highest civilian authority for fulfilling and exercising written tasks and powers in these cases.

Article 23- Provisions of tasks and powers that are vested through general and special laws affecting the police, and are not written, are permanent.

Article 24- In places where there are no officers belonging to this organisation for affairs with a particular police organisation, police have the power to carry out disciplinary procedures.

Article 25- (Amendment: 25/6/1973-1758/1 art.)

In places without a police organisation; provincial, sub provincial and sub district gendarmerie commanders, as well as commanders of gendarmerie stations, fulfil written tasks and exercise their powers herein granted.

Article 26- A code of rules on the enforcement of this law will be drawn up.

Supplement Clause 1- (Supplement: 16/6/1985-3233/7 art.) --

(Amendment: 03.08.2002-4771/10) – Natural persons or communities can perform plays and dramas or various other performances in public places as well as on transportation vehicles in such places provided that they notify the highest civilian authority at least forty eight hours prior to the performance, in writing.

A criminal complaint is submitted by the highest civilian authority in the respective district to the Republic Prosecutor's Office without delay in connection to individuals proven to be in contravention of the indivisible unity of the State with its country and nation, the Constitutional order or public morality.

The identity, residence and nations of others who are to attend the play or performance are specified in the notification to be made in accordance with clause number one.

Supplement Clause 2- (Supplement: 16/6/1985-3233/7 art.)

Clause one abolished: 18/11/1992 - 3842/31 art.)

Meal and transportation costs of individuals taken into custody are covered out of the allocation to be included in the Security Directorate General Budget.

Supplement Clause 3- (Supplement: 16/6/1985-3233/7 art.)

Police can ask in writing any persons specified below who live in residential or business addresses:

A) All witnesses will be utilised during investigations carried out involving the unity of the State, general security and Constitutional order, as well as smuggling and narcotic drugs,

B) Until national status and identity determination indicated in article 17 hereof are established.

These persons can leave their place of habitation only upon written permission from the highest civilian authority provided that they notify same of their new address.

Supplement Clause 4- (Supplement: 16/6/1985-3233/7 art.)

Police are responsible for and authorised to use all means to prevent any crime; determine, maintain and hand over to the authorised police authority, victims and offenders regardless of service branch, place and time of the offence, within borders of the district to which they are assigned.

Offences committed against police intervening in any crime in pursuance of this provision are considered to be committed against a government employee whereas offences committed by police who are intervening in the case are considered to have been committed by an officer in charge.

Supplement Clause 5- (Supplement: 16/6/1985-3233/7 art.)

For following up, intervening and investigating as required in the case of important events involving general security, smuggling and narcotic drugs:

A) Teams consisting of central personnel to be formed by the Ministry of Internal Affairs upon direct or indirect request of the governor can be appointed.

B) If the settlement of a case about which investigation is being carried out in a province in accordance with the provisions of the abovementioned paragraph requires collecting evidence, arresting offenders, and carrying out an investigation and inquiries in other provinces, teams can be appointed by relevant governorships with the cooperation of provinces.

The exercising powers of these teams consisting of police are not conditional on the borders of the police district. These teams have to inform the highest civilian authority in the district that they are appointed. They are also accountable to the highest civilian authority of the relevant district during fulfilment of the task.

General and special police or gendarmerie authorities, as well as officers, have to provide any assistance as required by these teams.

Supplement Clause 6- (Supplement: 16/6/1985-3233/7 art.)

The Police can use force for repression in case a person to be arrested or a group that must be dispelled resists, attempts to attack or attacks.

Using force means the power of using all kinds of weapons in the event of physical force, and using all physical and legal power at a gradually increasing degree so as to liquidate resistance and attack depending on the nature and severity of the situation. In cases where the police intervenes by means of collective force, the extent of the force as well as weapons and instruments to be used are determined and identified by the chief in charge of the team that is realising the intervention.

Supplement Clause 7- (Supplement: 16/6/1985-3233/7 art.)

Police carry out intelligence activities at the national scale, and they obtain, analyze, and deliver information to competent authorities so as to take prohibitive and protective actions regarding the indivisible unity of the State with its country and nation, the Constitutional order and general security, and to ensure public order and safety. The police also cooperate with other intelligence institutions of the State.

(Supplement Clause: 23.07.2005/25884-5397-1 art.) Regarding the fulfilment of tasks specified in clause one, for preventing commitment of offences set out in paragraphs (a), (b) and (c) of clause 1 under article 250 of the Code of Criminal Proceedings dated 4.12.2004, number 5271, except for the crime of espionage, communication made via telecommunication means can be determined and listened to, and signal codes can be analyzed and recorded upon magisterial decree or written order of the Security Director General or the Head of Intelligence Department in cases that cannot be delayed. Written orders issued in cases that cannot be delayed are submitted to the authorised judge in charge for approval within twenty four hours. The judge makes a decision within twenty four hours. In case the period has lapsed or an opposing decision is made by the judge, the precaution is lifted immediately. Subsequently, the audio content records are destroyed within a maximum of ten days; minutes are kept regarding the fact for presentation during supervision.

(Supplement Clause: 23.07.2005/25884-5397-1) The authorised judge in charge is a member of the High Criminal Court established in accordance with clause one under article 250 of the Law number 5271 and who is competent in the place where the requesting police unit is located.

(Supplement Clause: 23.07.2005/25884-5397-1) In the decision or written order, the identity of the person about whom precaution will be imposed, the type of the communication and telephone number used by her/him or the code number allowing the communication connection, as applicable, as well as type, scope and term of the precaution and justifications are indicated. Decisions can be made for three months; this period can be extended on the basis of identical principles for three times. However, if regarded necessary with respect to ongoing dangers by acts of a terrorist organisation, the judge can decide to extend the period further, but this is not to exceed three months.

(Supplement Clause: 23.07.2005/25884-5397-1) In the event of expiry of the imposed precaution, audio records including relevant content are destroyed within ten days. Minutes are kept regarding the fact and for presentation during supervision.

(Supplement Clause: 23.07.2005/25884-5397-1) Screening can be done by means of technical instruments upon obtaining magisterial decree in order to prevent offences specified herein within the scope of intelligence activities. Besides, a written application request can be submitted to public institutions and organisations as well as bodies rendering public service for being supported by their respective information and documents provided on justifications are presented. If these bodies reject providing necessary information and documents based on justifications such as legal reasons or trade secrets, these can be benefited only upon magisterial decree.

(Supplement Clause: 23.07.2005/25884-5397-1) Records gained within the framework of activities carried out in accordance with this article can be used for

reasons specified in clause one only. The principle of confidentiality applies in maintaining and preserving obtained information and records. Republic Prosecutors carry out direct investigation on individuals disobeying provisions hereof regardless whether these offences are committed during the course of duty.

(Supplement Clause: 23.07.2005/25884-5397-1) Magisterial decrees and written orders are fulfilled by those in charge as Head of Intelligence under the Security Directorate General. Minutes regarding the starting and finishing date and time as well as the identity of who applied the process are retained.

(Supplement Clause: 23.07.2005/25884-5397-1) Supervision of the tasks specified in this article is carried out by chiefs in hierarchic order, inspection personnel in the Security Directorate General and in the relevant Ministry and person or commission to be specifically assigned by the Prime Minister.

(Supplement Clause: 23.07.2005/25884-5397-1) Processes set out in this article and listening (technical observation) to be done under scope of article 135 of Law number 5271 are carried out by one single unit named "Presidency of Telecommunication Communication" within the body of the National Telecommunication Institute directly affiliated to the President of the Institution. This Presidency consists of a chairman and three technical, judicial and administrative experts. Additionally, this body involves one representative each from relevant units under The National Intelligence Agency, Security Directorate General and gendarmerie headquarters. Personnel are also employed in a number required to fulfil given tasks. The President of Telecommunication Communication is appointed by the Prime Minister upon request of the President of the National Telecommunication Institute. The President of the Telecommunication Communication has the same personal rights as members of the Board do. The Ministry of Communications is responsible for preparing infrastructure related with this body. Foundation expenses are covered out of the revenue of the National Telecommunication Institute. All supply and service purchases, as well as work in relation with the foundation of this body, excepting penalties and exclusions from award of contracts, are exempt from provisions of the Public Procurement Law number 4734 and Public Contract Award Law number 4735.

(Supplement Clause: 23.07.2005/25884-5397-1) Listening not in compliance with the principles and rules specified in this article is not considered valid in legal terms and those perpetuating it are prosecuted according to the provisions under the Turkish Criminal Code dated 26.9.2004, number 5237.

(Supplement Clause: 23.07.2005/25884-5397-1) Rules and procedures regarding application of this article fall under regulations to be drawn up by the Prime Ministry within three months upon the opinions of the Ministry of Justice, Internal Affairs and Communication are provided.

Supplement Article 8- (Abolished: 01.12.2004/25657-5259 /8)

Supplement Article 9- (Supplement: 16/6/1985-3233/7)

In cases as necessary in accordance with provisions of this article and other provisions of law:

A) The Law concerning Judgment of Civil Servants applies in terms of determination of criminal liability to policemen who are forced to use weapons during the exercise of tasks in preventive, deterrent, regulating and protective police services.

B) Preliminary investigations on policemen who are forced to use weapons during the exercise of tasks or activity in connection with judiciary affairs are carried out by the Republic Prosecutors or their assistants.

A defendant policeman can be exempted from trial if a file is opened against him. The fee of the advocate acting in the name of the defendant policeman regarded eligible by the Ministry of Internal Affairs depends on the nature of the case and the degree of the fault and is covered out of the allocation to be included in the Security Directorate General's budget. Rules and procedures regarding the hiring of an advocate and payment of legal services are specified in the regulations.

In case a policeman dies in the line of duty as vested by laws, the non-interest loan from Collective Housing Fund is provided for his widow or in case this is not applicable, to others in the following order: his children or parents, in order to assist in home ownership, according to the principles to be identified by the High Board of Collective Housing and Public Partnership that will apply to the amount. The provisions of this article also apply to survivors of policemen who are killed as of 1 January 1971.

According to the Law number 1481 regarding Prevention of Some Acts which are Influential on Public Peace, individuals notifying locales frequented by wanted persons or assist in such persons' arrest can be awarded a monetary reward. The amount of the reward and other issues regarding the application of this clause are indicated in the regulations to be issued by the Ministry of Internal Affairs. Expenses are covered out of the allocation to be included in the Security Directorate General budget. The identity of those given the reward is not disclosed without their approval.

Supplement Article 10- (23/7/1999-4419/2)

Rehabilitation and all instruments and systems to be provided for personnel who lost one organ or sense completely or partially during or in relation to the performance of tasks are compensated by the Security Directorate General or the respective costs are covered out of the Security Directorate General Budget.

Article 27- This law enters into force as of date of publication.

Article 28- The Cabinet is entitled to enforce provisions of this law.

Appendix H: E.O.D.T.

DISCIPLINE STATUTE for TURKISH NATIONAL POLICE (E.O.D.T.)

Date of Cabinet Decision : 23.3.1979, No: 7/17339
Date of the Basis Law : 4.6.1937, No: 3201
Date of Official Gazette : 24.4.1979, No: 16618

CHAPTER ONE

Scope and Disciplinary Penalties

Scope

Article 1- The degree and amount of penalties to be imposed on officers of all ranks employed in the TNP Organisation due to acts, transactions, attitudes and behaviours requiring disciplinary penalties are specified in this statute.

Disciplinary Penalties:

Article 2- (Amendment: 26.7.1983 - 83/6883)

Disciplinary penalties to be imposed on members of the TNP Organisation are as follows:

- A) Warning: Notifying in writing an officer to be more diligent on duty.
- B) Censure: Notifying in writing an officer as to mistakes made in the course of duty.
Reduction of Salary: Reduction of salary of the government employee up to 15 days.
- C) Suspension for a short term: Stop the promotion of the government employee in the respective rank for 4, 6 and 10 months.
- D) Suspension for a long term: Stop the promotion of the government employee in the respective rank for 12, 16, 20 or 24 months.
- E) Exclusion from the profession: Preclusion of an officer from the TNP Organisation services irrevocably.
- F) Exclusion from government employment: Preclusion of a government employee from a government position irrevocably.

CHAPTER TWO

Acts, Transactions, Attitudes and Behaviours Requiring Disciplinary Penalties

Warning:

Article 3- Attitudes and behaviours requiring warning penalty are as follows:

- 1- Possession of a weapon, instruments and aids, soiled dress and livery, not being diligent about cleanliness in the place where s/he works,
- 2- For male officers: Not shaving daily without a valid reason.

Censure:

Article 4- Acts, transactions, attitudes and behaviours requiring penalty of censure are as follows:

- 1- (**Amendment: 28/5/1988 - 88/12992**) Showing forbidden attitudes and behaviours while on duty,
- 2- (**Abolished: 16/2/1998 - 98/10653**)

- 3- Submitting application that is non-compliant with rank order without an obligation,
- 4- (**Amendment: 28/5/1988 - 88/12992**) Refraining from fulfilling the tasks of coaching, training and supervising those under his/her command.
- 5- Being late without an excuse for assumption of duties after turnover of the patrol,
- 6- Being occupied in activities other than the main task while on duty or making people wait without a justification,
- 7- Not responding or refraining from providing assistance about a place, direction or person,
- 8- Expressing an opinion or addressing questions about issues regulated by laws, statutes, regulations, decrees, circulars, directives and orders in an unneeded, prolonged and time-consuming way,
- 9- Failing to deliver notices to addresses as required within specified time,
- 10- Wearing accessories other than those allowed by the provisions in force, such as bracelet, necklace, medal, badge, etc., which are non-compliant with the seriousness of the profession,
- 11- Behaving disrespectfully towards colleagues of the same rank during or outside duty,
- 12- (**Supplement: 26.7.1983 - 83/6883**) Using a personal weapon rather than the one allocated by the organisation in the course of duty.

Reduction of salary:

Article 5- Acts, transactions, attitudes and behaviours requiring penalty of salary reduction are as follows:

A. Up to three days;

- 1- Growing hair, moustache or sideburns not in compliance with the provisions of regulations,
- 2- Showing behaviours indicating indignity, speaking loudly or playing practical jokes while on duty or outside in official livery,
- 3- (**Amendment: 16/2/1998 - 98/10653**) Disobeying Regulations for Livery for the Security Services Class, taking up duty while not entirely dressed up, not wearing the emblem on the sleeve and registration number.
- 4- Disobeying or ignoring warnings made by supervisors and chiefs regarding and the performance of tasks or attitude or behaviours,
- 5- Not replying to questions addressed by supervisors and chiefs within a specified time,
- 6- Showing indifference on duty, neglecting or not completing the duty without a justified excuse,
- 7- Saying discreditable words or showing such behaviours towards the people or public,
- 8- Asking a third person for preferential treatment regarding matters pertaining to personnel,
- 9- Failing to attend to duty for up to 24 hours without prior permission or excuse that is acceptable by the institution,
- 10- (**Amendment: 16/2/1998 - 98/10653**) Showing disrespect towards a supervisor or chief while on duty.
- 11- Conversing during patrol duty, staying seated or letting others be seated before the patrol point, showing attitudes or behaviours that are not compliant with the profession at the patrol point,

12- (**Amendment: 16/2/1998 - 98/10653**) For those in official uniforms; not wearing a hat, beret, cap or helmet required by duty outside the premises or outlying buildings or inside a vehicle.

13- Being in places such as a coffeehouse, cafe, local, club, etc. while dressed in uniform without the permission of a supervisor or against requirements of duty,

14- (**Supplement: 28/5/1988 - 88/12992**) Leaving the province where s/he is in charge without permission.

15- (**Supplement: 16/2/1998 - 98/10653**) Employing those at one's command or using equipment which is the property of the State for personal purposes.

B. 4- Up to 10 days;

1- (**Amendment: 16/2/1998 - 98/10653**) Communicating discreditably or displaying negative behaviours towards those holding the same, higher or lower rank.

2- Missing written papers and documents unintentionally,

3- Damaging state-owned equipment, weapons, bullets and supplies due to improper use,

4- (**Amendment: 16/2/1998 - 98/10653**) Causing loss of goods owned by the State through negligent actions, except for offences for which penalties are specified in this Statute.

5- (**Amendment: 28/5/1988 - 88/12992**) Playing games in a coffeehouse, local, club, etc other than those allowed for members of the TNP Organisation while in uniform on leave days or dressed in official or civilian clothes on other days when not on duty,

6- Not attending to duty for longer than 24 hours and up to two days without permission or without a reasonable excuse,

7- (**Supplement: 16/2/1998 - 98/10653**) Losing the official stamp or certificate without an acceptable excuse.

C) Up to 11 - 15 days;

1- Not attending to duty for longer than two days and up to three days without permission or an acceptable excuse.

Stopping for a short time

Article 6- (Amendment: 26.7.1983 - 83/6883)

Acts, transactions, attitudes and behaviours requiring penalty of suspension for a short time are as follows:

A) Not performing duties for 4 months:

1- Telling lies to supervisors and officers regarding one's duty,

2- Insulting individuals being transported to and from Police Premises for any reason,

3- Failing to fulfil auditing duty,

4- Leaving for the next place of duty before completing turnover procedure or before the time specified in relevant regulations despite completing turnover,

5- Failing in transferring to supervisors and chiefs required information or orders on time or not telling events and information regarding these events to supervisors or assigned and authorised institutions and persons despite being officially asked for such information,

6- (**Amendment: 16/2/1998 - 98/10653**) Losing her/his the identification book or police identity emblem without an acceptable excuse.

7- Getting married without informing the administration accordingly or before the 2-month period for investigation is over,

8- Not attending the place of duty for longer than 3 consecutive days and up to 5 days (fifth day included) without permission or reasonable excuse,

9- Making complaints about colleagues with lower, identical, or upper rank or supervisors without cause,

10- Insulting by means of words, writing or actions any colleagues with lower and identical rank or attempting to engage in violence towards them,

11- (**Supplement: 28/5/1988 - 88/12992**) Making written or verbal complaints collectively.

12- (**Supplement: 16/2/1998 - 98/10653**) Showing disrespectfulness towards supervisors or colleagues with upper rank while on duty.

B) Stopping for 6 months;

1- Not returning official documents, equipment and tools related to the performance of duty despite the request to return same by the institution,

2- Accepting an invitation for dinner or entertainment made by applicants to the police force or persons who have a relationship to policemen without the permission of supervisors,

3- Accepting gifts or money from colleagues with lower rank or applicants to the police force directly or through a third person,

4- Using wireless communication means that are allocated for duty for reasons irrelevant to the main purpose or to engage in disrespectful conversations or pranks,

5 – Showing acts and behaviours at odds with the prestige and confidence demanded by official capacity while not on duty,

6- (**Amendment: 28/5/1988 - 88/12992**) Causing damage to motorized vehicles, machinery, tools and equipment.

C) Suspension for 10 months;

1- Losing official livery and equipment due to negligence,

2- Making a habit of not paying debts,

3- Giving information or statements to the press, news agencies, radio and televisions without authorisation.

Suspension for a long term:

Article 7- (Amendment: 26.7.1983 - 83/6883)

Acts, transactions, attitudes and behaviours requiring penalty of suspension for a long time are as follows:

A) Suspending for 12 months;

1- Using violence against others, including being transported to or from Police Premises for any reason,

2- (**Amendment: 16/2/1998 - 98/10653**) Insulting supervisors or colleagues of upper rank by means of words, writing, attitude or behaviours.

3- (**Abolished: 16/2/1998 - 98/10653**)

4- (**Supplement: 28/5/1988 - 88/12992**) Failing to declare property or misrepresenting same within specified time limits or failing to declare changes in property ownership within one month,

5- (**Supplement: 28/5/1988 - 88/12992**) Behaving improperly and engaging in improper conversation with women or young men.

B) Suspension for 16 months;

1- Showing acts and behaviours at odds with the prestige and confidence demanded by official capacity while on duty,

C) Suspension for 20 months;

1- Not attending duty for longer than 5 consecutive days or up to 9 days (including the 9th day) without permission or valid excuse,

2- Losing equipment, weapons and bullets owned by the State due to negligence and selling official livery and supplies,

D) Suspension for 24 months;

1- Sleeping while on duty,

2- Causing the escape of suspects or others who are under protection due to negligence or failing to take precautions or properly conducting an arrest,

3- Speaking or writing in a way to criticize acts or behaviours of supervisors or colleagues with upper rank while on duty and not on duty,

4- Hitting colleagues of lower or equivalent rank.

5- **(Supplement: 28/5/1988 - 88/12992)** Molestation.

6- **(Supplement: 16/2/1998 - 98/10653)** Attempting to use violence against or insulting supervisors or colleagues holding an upper rank.

Exclusion from the Profession:

Article 8- Acts, transactions, attitudes and behaviours requiring penalty of exclusion from the profession are as follows:

1- **(Amendment: 16/2/1998 - 98/10653)** Discriminating on the basis of language, race, gender, political view, philosophical belief, religion and sect, showing separatist acts or acts against secularism or discriminating among members of the police organisation during fulfilment of tasks.

2- To use propaganda, provoke, force or assist in decisions against taking up duty or supporting such a decision or denying taking up duty as required,

3- **(Amendment: 26.7.1983 - 83/6883)** Objecting to acts of supervisors or colleagues with upper rank and turning such an act into a collective movement thereby impeding the course of duty or fulfilment of tasks or joining, encouraging or provoking others to join such a movement,

4- **(Abolished: 16/2/1998 - 98/10653)**

5- **(Amendment: 16/2/1998 - 98/10653)** Using violence against or threatening supervisors or colleagues of upper rank.

6- **(Amendment: 28/5/1988 - 88/12992)** Theft, usurpation, fraud, corruption, bribe, debit, defalcation, rape, carnal abuse, counterfeiting, money forging, intentional crime, or attempting to commit these crimes, abusing security, subornation of perjury, false oath, aspersion,

7- Abusing power or influence for friendship or hatred or gaining advantage for her/himself or others,

8- Giving, ordering or agreeing to give files and written documents or copies to unauthorised persons,

9- Allowing knowingly and purposely the escape of suspects or others under police custody or protection,

10- **(Amendment: 28/5/1988 - 88/12992)** Destroying or allowing, knowingly and purposely, for the disappearance of proof of offences or hiding, aiding or abetting such acts,

11- **(Amendment: 16/2/1998 - 98/10653)** Selling or acquiring equipment, weapons, bullets and ammunition owned by the State; allowing use by others of an identification book, police identity cockade, equipment, weapons, bullets and ammunition.

12- Giving false reports or keeping minutes and purposely putting a signature to same,

13- Disclosing information and documents related to the duty, which must be kept confidential, to unauthorised persons,

14- Refraining from providing help as demanded by security officers on duty without a just excuse or avoiding an attempt to follow up reports of an offence that is seen or heard or to arrest a criminal,

15- Going to brothels or disorderly houses or prostitution houses or bars, night clubs and places where a hostess is employed, such as a casino, while officially dressed on leave days or while dressed in official or civilian clothes outside duty on working days,

16- (**Amendment: 26.7.1983 - 83/6883**) Living as husband and wife or establishing a relationship with women working in places of prostitution, bars, night clubs, casinos, etc. or with women or men who are known to be unchaste,

17- Drinking alcohol in the office or while on duty,

18- Attending duty while inebriated or displaying obvious signs of having consumed alcohol,

19- Drinking alcohol or being seen as inebriated while officially dressed in uniform in public places regardless of being on leave or not,

20- Manufacturing or using narcotic drugs, being an intermediary for manufacturing, using, sending, or destroying same in the event of imminent capture, selling or buying same,

21- Playing or inducing others to gamble or establishing a relationship with individuals involved in gambling,

22- Smuggling or establishing a relationship with smugglers,

23- Using a firing weapon without any reason in residential places or buildings or places where everybody can walk and wander or sit,

24- Witnessing, being an intermediary to or leading, entering and exiting to the groups of persons whose acts are unlawful,

25- Modifying or destroying registry papers, books and files,

26- Openly indulging in lavish expenditure not compliant with her/his income level and failing to show a just reason for it,

27- Failing to fulfil requirements of screening and following up tasks without justification,

28- Performing acts covered under strike prohibition as stipulated in the Law for Government Employees,

29- Being involved in income-generating activities prohibited in the Law for Government Employees,

30- Being a member of political parties or carrying out activities for or against them or performing political acts,

31- Attending without being assigned any indoor and outdoor meetings and demonstrations held for political reasons,

32- Attending without being assigned any indoor and outdoor meetings without scientific, cultural and technical character and any demonstrations held by trade unions or associations of which they are not members, carrying a weapon to indoor meetings of legal entities of which they are members or partners or as officially dressed and armed in outdoor meetings and demonstrations held by same or arranging or attending activities, meetings and demonstrations other than those stated in the statutes of these associations,

33- (**Amendment: 26.7.1983 - 83/6883**) Founding associations or being members of associations other than sports foundations or establishing foundations

other than the Foundation for Strengthening the Turkish National Police Organisation or serving in other foundations,

34- Blocking wireless communication on purpose,

35- (**Supplement: 26/7/1983 - 83/6883; Amendment: 28/5/1988 - 88/12992**)

Distributing individually or collectively handouts that are injurious to the reputation and prestige of the profession or criticizing acts and applications of supervisors or colleagues of upper rank or providing information, articles or statements to the press, news agencies, radio and televisions,

36- (**Supplement: 26.7.1983 - 83/6883**) Having conversations that criticise supervisors or colleagues of upper rank using wireless communication means allocated for duty,

37- (**Supplement: 26.7.1983 - 83/6883**) Encouraging or provoking disobedience, resistance or attack against supervisors or colleagues of upper rank,

38- (**Supplement: 26.7.1983 - 83/6883**) Marrying without respecting the principles stipulated in paragraph 7 of Clause A under Article 6 or marrying a person who is known to be unchaste or proven by means of police investigation to be objectionable in terms of security reasons despite a warning issued by the administration,

39- (**Supplement: 26.7.1983 - 83/6883**) Torturing suspects or those being transported to and from police premises.

40- (**Supplement: 28/5/1988 - 88/12992**) Possessing or carrying illegal weapons, ammunition and similar items of unknown origin,

41- (**Supplement: 28/5/1988 - 88/12992**) Getting into excess debt or harming the reputation of the State through her/his attitude with respect to repayment of debts inside and outside the country or returning to the country without repaying debts, taking advantage of capacity of her/his profession without a valid reason.

42- (**Supplement: 16/2/1998 - 98/10653**) Providing logistic support to illegal organisations or aiding in hiding their members from security forces, or publicising, praising, carrying, or possessing symbols, signs and emblems in favour of these organisations and their members.

Exclusion from Government Employment:

Article 9- Provisions of the Law for Government Employees apply to the penalty of exclusion from government employment.

Disobeying Order of Chief:

Article 10- (Amendment: 26.7.1983 - 83/6883)

An officer disobeying an order of her/his supervisor is subjected to the highest penalty of suspension for the long term. If disobedience causes loss to the State or individuals or resulted in delay or cessation of the service or duty, the penalty of exclusion from the profession can be applied as well, depending on the extent of the loss or severity of the situation.

Leaving Place of Duty:

Article 11- (Amendment: 26.7.1983 - 83/6883)

An officer leaving a place of duty without permission of the supervisor is subjected to the highest penalty of suspension for the long term. If such action was prolonged or conducted in a way as to hinder fulfilment of the duty or resulted in loss to the State or individuals, the penalty of exclusion from the profession can be imposed as well, depending on the nature and heaviness of the case, or the degree of the loss.

Forbidden Acts on Written Papers, Documents and Records

Article 12- (Amendment: 16/2/1998 - 98/10653)

Those who purposefully destroy any written papers, documents, originals or copies of microfilm, or illegally seize, use to harm others, destroy, modify, or delete computer programmes, files and data, and/or prevent the proper functioning of the system are subjected to the highest penalty of suspension for a long term.

If the abovementioned acts resulted in loss to the State or individuals or any delay, cessation or suspension of the service or task, the penalty of exclusion from the profession can also be imposed depending on severity of the case or extent of the loss.

Intolerance or Negligence in Appreciation and Fulfilment of Duty:

Article 13- An officer showing intolerance or negligence in appreciation or fulfilment of duty by any means including acts, applications, attitude and behaviours is specified as a disciplinable offence in this Statute and is subject to the penalty of censure. If this intolerance or negligence resulted in loss to the State or delay, cessation or suspension of the service, a heavier penalty can be imposed depending on the severity of the case and extent of the loss.

Recurring Acts:

Article 14- In the event of a recurrent act, the application, attitude or behaviour resulting in imposition of a punishment for a disciplinable offence within the period regarding cancellation of offences from the registration, a heavier penalty is imposed.

In the event of imposition of a punishment for a disciplinable offence for the third time due to different acts, applications, attitude or behaviours requiring penalty with the same degree, a heavier penalty is imposed.

Imposing a Less Heavy Penalty:

Article 15- A penalty with a less heavy degree than specified in the Statute can be imposed on officers with favourable services and records up to the day of decision.

Revoked Provisions:

Article 16- The "Statute regarding Disciplinary Penalties to be imposed on Members of the TNP Organization" which entered into force upon the decision dated 9/11/1937, number 2/7621 of the Cabinet, is revoked.

Supplement Article 1 - (Supplement: 26.7.1983 - 83/6883)

For officers in the TNP Organisation, those who were subjected to a disciplinable penalty other than exclusion from government employment or from the profession; an authorised person can ask the competent supervisor to cancel imposed disciplinary penalties from registration after five years starting with the imposition of penalty of warning and censure and after ten years starting with the imposition of other penalties.

If the acts of the person concerned are regarded to be justifying this request within the abovementioned periods, a decision is made to fulfil the request and it is recorded in the employment registry book.

In the event of cancellation of suspension for a short or long term from registration, the provision of the abovementioned clause applies after receiving the

opinion of the authorised discipline committee, depending on the recent rank of the person concerned.

Supplement Article 2- (Supplement: 26.7.1983 - 83/6883)

An officer not attending patrol duty without permission of a supervisor or without an excuse that can be accepted by the administration is subjected to the highest penalty of suspension for the long term. If not attending patrol duty resulted in delay, cessation or suspension of service, the penalty of exclusion from the profession can also be imposed depending on the nature and severity of the case.

Supplement Article 3- (Supplement: 26.7.1983 - 83/6883)

In the application of provisions of articles 14 and 15, the upper or lower degrees of a certain penalty are not regarded as heavier or lighter penalty.

Supplement Article 4- (Supplement: 28/5/1988 - 88/12992)

Individuals who prolong auditing and investigation tasks, fail to deliver or send auditing reports and investigation records to relevant authorities within the specified time limit, or unjustifiably, do not complete the investigation, are imposed a penalty of salary reduction for 10 to 15 days. If this resulted in delay, cessation or suspension of service, or resulted in loss to the State or individuals, a heavier penalty can be imposed depending on the severity of the case or extent of the loss.

Supplement Article 5- (Supplement: 16/2/1998 - 98/10653)

An officer who caused injury by fault due to a traffic accident while on duty or while using a vehicle owned by the State is subjected to the highest penalty of salary reduction, whereas s/he is subjected to a penalty of a short-term suspension for 10 months in the event of causing death. However, depending on the manner of the event or degree of the fault; the penalty of salary reduction can be replaced with short-term suspension for 4 months, and the penalty of short-term suspension for 10 months can be replaced with a penalty of long-term suspension for 12 months.

Supplement Article 6- (Supplement: 16/2/1998 - 98/10653)

An officer causing injury through use of a weapon due to carelessness, imprudence or negligence, injuring her/himself, or leads others to commit these acts is subjected to a penalty of short-term suspension for 10 months; whereas an officer who causes death by use of a weapon due to carelessness, imprudence or negligence, or leads others to commit this act is subjected to a penalty of long-term suspension for 24 months. However, depending on the manner of commission of the act, severity of the case or extent of the loss; the penalty of short-term suspension for 10 months can be replaced with a penalty of long-term suspension for 24 months, and the latter can be replaced with a penalty of exclusion from the profession.

Provisional Clause 1- (Amendment: 28/5/1988 - 88/12992)

Regarding acts, applications, attitude and behaviours that disturb discipline and order and are committed before this Statute enters into force and are not yet punished or adjudicated, despite being the subject matter of an appeal or case, if there is discrepancy between provisions of the Statute entering into force upon the Cabinet decision dated 23/3/1979 and numbered 7/17339 as well as provisions of the Statute replaced with the herein mentioned Statute which entered into force upon the Cabinet

decision dated 26/7/1983 and numbered 83/6883 and this Statute in terms of foreseen penalties, provisions in favour of the officer apply.

Enforcement:

Article 17- Provisions of this Statute prepared in accordance with article 83 of the Law for the Turkish National Police Organisation dated 4/6/1937, number 3201, and reviewed by the State Council enter into force on the day of publication in the Official Gazette.

Execution:

Article 18- The provisions of this Statute are executed by the Ministries of Internal Affairs, Justice and Finance.

Appendix I: P.V.S.N.

CODE of RULES for DUTY and POWERS of POLICE (P.V.S.N.)

Date of the Cabinet Decision : 7.4.1938, No: 2/8501

Date of the Governing Law : 4.7.1934, No: 2559

Date of the Official Gazette : 25.4.1938, No: 3890

Article 1- Responsible for maintaining public peace, and individual security, as well as home safety and protection of goods and chastity of the people, a policeman is supposed to bar any attack, assault and harassment from occurring by any means necessary and to arrest perpetrators and cause them to face due legal proceedings.

Disciplinary tasks of the police with respect to public security are divided into two:

A- Preventing commission of acts that are not compliant with laws and codes of rules as well as Government order and public order,

B- Carrying out tasks specified in the code of criminal procedure as well as other legislation regarding an offence which is committed.

Article 2- Police help people in the following cases:

A) transport the ill, incapacitated or injured to their residences with suitable means of transportation vehicles, take care of those in need of emergency treatment by transporting them to medical aid and emergency centres, the hospital or nearest pharmacy, doctor's office, public treatment centres or other similar places as required, and to inform their nearest kin immediately about the accident or event, or assign an officer to accompany them if necessary.

Besides, they immediately take into account demands and needs to arise from urgent cases such as the delivery of babies, and locate a doctor, public health facilities or other necessary aids in the area.

B) Police officers accommodate individuals who are stranded, have no transportation and have no place of habitation.

C) The Police investigate those who loiter in the streets and are unable to produce and address, and identify legal guardians of children and the helpless and return minors to their guardians. They also return individuals to social assistance institutions or local municipalities in districts with such organisations if the minors do not have any legal guardians.

D) If the legal guardians of the abovementioned children and the helpless avoid taking over their responsibilities, the fact is established by means of records and legal proceedings. In such cases, these people are sheltered and boarded in places specified in clause "C" until the proceeding is complete.

E) The Police deliver and send to places as specified in clause "C" any children who are found to be orphans and the helpless who are unable to work.

F) The Police provide required information to those asking for a direction to a place and help supply same with transportation vehicle.

Article 3- In places where the tasks of municipal police are transferred to the police, the existing police organisation of the municipality is transferred to the police organisation. Salary and other expenses incurred by same are supplied in accordance with article "109" of the Law for Municipalities.

Article 4- Highest ranking administration officers or police superintendents and town sergeants, except for communiqués held responsible by laws and

arrangements, can order police to provide notification on issues deemed necessary and obligatory.

Article 5- Fingerprints and photographs are taken in the following cases upon as deemed necessary by competent officers:

A) "Offences committed to the disadvantage of the public confidence, counterfeiting and banknote fraud, imitation of stamps and seals belonging to the State, fraud involving documents, identity cards and letters of census, passports, authorisations, certificates of proof, certificates and statements; rigging a competitive bidding process, industry and auction; crimes involving property: Theft, looping and highway robbery abduction, fraud and bankruptcy, corruption of security, buying and hiding stolen property, assault in unauthorised places, and crimes of disturbance" by suspects and persons and offences committed against public confidence and those requiring a heavy imprisonment penalty in accordance with the Turkish Criminal Code on the basis of investigation carried out by the herein mentioned authority upon being receipt of investigation documents from the police or gendarmerie to the Republic Prosecutor's Office.

B) Suspects and convicts of all kinds of smuggling activities,

C) Those escaping from other countries to Turkey,

D) Foreigners residing in Turkey and those who are deported,

E) Those excluded from obtaining Turkish citizenship,

F) Those transferred from one place to another within the country upon order or decision of legally competent authorities,

G) Those who fail to prove their identity through supporting documents or statements of reliable people,

H) Those who are named (brothel owner), (owner of disorderly house) and (prostitute) according to the Code of Rules and Guidelines with respect to the fight against prostitution and diseases contracted through prostitution, and those who are overtaken by others' pleasure due to habits or deliberate interests, those who habitually act as an agent of prostitution, those engaged in white slavery and patrons of houses of prostitution,

I) Individuals whose fingerprints and photographs are required to be taken for investigation purposes and for the inquiry into a specific matter by the Republic Prosecutor Offices and judiciary and military courts.

Article 6- The criminal records of the people whose fingerprints are taken are attached to the fingerprint records and this information is shared with the authorised departments when needed.

Article 7- If individuals whose fingerprints and photographs are required and the fact is established by means of a record, proceedings are applied in accordance with clause "A" of article "17" of the law.

Article 8- Public recreational and entertainment places, such as hotels, casinos, coffeehouses, bars, theatres, cinemas, public baths and beaches can be opened only upon permission of the civilian authority in that place, following police investigations. Individuals who want to establish such places apply to the relevant authority, and then an investigation is carried out on both the applicant and their associates, if any; a record is also added to the fingerprint record book, and investigations are to be carried out by both municipal police and municipality at the

district level; if the result is found by municipal police to be devoid of disciplinary drawbacks, the procedure is carried out by the municipality as required by the Law and the license is issued by the municipality upon permission of the highest civilian authority in the district.

Such places which are established without requisite permission are closed down by the police. Any staff, such as the door keeper, watchman and waiter working in such places must also meet personal health and other requisite standards, which standards shall be enforced by municipal police.

Article 9-

A) Public places where games of chance are played,
B) Places where narcotic drugs are used,
C) Places of prostitution which are non-compliant with effective provisions,
D) Places where demonstrations harmful to the security and politics of the State or that are not compliant with public morality and general decency are held,
can be closed down upon order of the highest civilian authority in that location provided that definite proof is collected by police.

In the event that the reasons for such closure of the establishment constitute an offence, investigation documents are submitted to the municipality immediately. The establishment shall remain closed until the court adjudicates otherwise.

If the highest civilian authority does not regard the reasons for closure of the establishment valuable enough to be submitted to the court, the establishment can be made to remain closed for a maximum of three months. Necessary precautions are taken by police in order to prevent these cases from reoccurring following the reopening of the establishment.

Article 10- Females are allowed to in places where alcohol is served, such as a casino, bar, cafe, etc., as well as in a public bath, bathroom and beach only with permission from the highest civilian authority in that particular location. Women and men below twenty-one years of age cannot be employed in such establishments by any means and on any terms. Women who are at least twenty-one years of age may be employed in restaurants where alcohol is not served or only served in moderation.

Article 11- (Amendment: 6/11/1992 - 92/3718)

Females who are at least twenty-one years of age or the owner/ representative of the establishment who wants to employ them must submit a petition on their behalf requesting permission to work at the casino, bar, cafe and other places holding an alcohol license. The same applies in the case of a public bath, bathroom and beach; and the identities of potential employees, as well as the tasks which they are being employed to perform must be clearly stated in the application petition. The Police shall establish the accuracy of this information and make it known to the relevant authority. The license is then issued by the highest civilian authority. If it is established that the females in question are employed without the requisite permission, they will be immediately barred from working at the establishment and legal proceedings are initiated against the owners of such establishment.

Article 12- Individuals below eighteen years of age, regardless of being accompanied by their legal guardians or parents, are barred by police from entering bars, cafes and drinking houses. Legal proceedings are carried out against anyone who disobeys this rule; regardless of whether the legal representatives of the children are

present, on the basis of disobeying the order given by the police within the framework of laws and procedures.

Article 13- Legal proceedings as stipulated in the preceding article are carried out against individuals or entities who run/ own bars, cafes and drinking houses if such establishment allow patrons who are below 18 years of age.

Article 14- Persons arrested by police for being under the influence to such an extent that they will disturb the public peace, and persons assaulting others while under the influence and disturbing the public peace shall be searched by the police. The possession of cash, documents and valuable property, as well as illegal property, is recorded and their physical state is verified through an official doctor's report; a record is kept and such persons are prosecuted according to law.

Article 15- It is forbidden to ring a bell in such a way as to disturb the general peace in public places by way of exercising professions and crafts which involve the creation of noise in public contrary to legal rules. Those guilty of such an act as to disturb the peace and comfort of others both inside and outside their residences at a time after midnight in both provinces and towns are barred from doing so by the police. Legal proceedings are initiated against those I breach of this prohibition, and a record is retained to be submitted to the authority concerned. An exception is made for balls, weddings and performances held with permission of the relevant police authority.

Article 16- Police may call for witnesses whose statement is needed during an investigation and ask them to provide required information. These persons have an obligation to accept such a summons and answer questions as necessary. Individuals who ignore a police summons will be dealt with in accordance with article 17 of the Law for Tasks and Powers of Police.

Article 17- The police is authorised to use weapons only in cases where no other alternative is available in accordance with article sixteen under the Law for Tasks and Powers of Police and even in these cases, they must aim to wound not to kill. The use of weapons in crowded places is strongly discouraged.

Article 18- (Null and Void: 20.2.1948 - 5188 -1)

Article 19- Individuals who are suspected of a crime are taken into custody by police upon an order to be given directly by the governor or an official deputy. At the same time, the determined identity of the suspect and the nature or motivation of the crime, including the reasons for taking such suspect into custody and available evidence are included in a notification by the governor upon which he bases his own opinion with respect to the case to the Ministry of Internal Affairs, and the process continues according to the order to be given by the Ministry. Sub governors can take into custody individuals suspected of illegal behaviours and acts upon the approval of the governor. In this case, governors have to notify the Ministry of Internal Affairs of their actions without delay.

Article 20- (Null and Void: 20.2.1948 - 5188 -1)

Article 21- The Police ensure order in the streets, squares and other public places, and ban individuals who use or drive transportation vehicles in a way that is not in compliance with the Traffic Regulations Book. This includes driving while under the influences or disturbing the order and security of traffic. The Police shall also maintain records about such individuals and submit same to competent authorities for the purpose of initiating legal proceedings. However, the status of the transportation vehicle at that time is verified by means of a report, and if the person driving or administering the vehicle is under the influence, such a condition is verified through an official doctor's report, and these reports are attached to the relevant records to be maintained by Police.

Article 22- In cases where the police enter a dwelling in order to stop or prevent any criminal activity or in the event of notification of such crime or dangers such as fire, water flooding or drowning taking place, a report is drawn up detailing the purpose for entering the property and the nature and consequence of the event and the report is submitted to the competent authority.

Article 23- Since the importation, exportation and sale of narcotic drugs are forbidden as a result of the prohibition on preparation, importation, exportation and sale of hashish and opium poppy in accordance with the Law regarding the Auditing of Narcotic Drugs, individuals acting in contravention of this law, as well as those using or carrying any of these drugs are subject to arrest by police and shall be directed to the Republic Prosecutor's Office after a report on their conduct is drawn up.

Article 24- The Police shall promptly inform the nearest health institution or municipality in the event that persons are attacked and bitten by animals suffering or suspected to be suffering from rabies, and such information shall include details on whether such persons have been bitten by animals before and/or are suffering from rabies symptoms. If these individuals perpetuate an attack against the person of others during the quarantine process, the police will assist in their transfer from one location to another wherever necessary or required. The police, however, shall not be responsible for any violent behaviour of such persons.

Any animals suffering or suspected to be suffering from rabies shall be isolated and quarantined. If it is suspected that such animals can constitute a source of harm for people, the police shall duly inform the municipality and, wherever necessary, such animals will be put down.

Article 25- The provisions of the Code of Rules are prepared on the basis of Article 26 under the Law for Duties and Powers of Police dated July, 14th 1934 and No 2559 and as are discussed by the Council of State, shall enter into force on the day following the publication of these provisions in the Official Gazette.

Article 26- The provisions of the Code of Rules are executed by the Cabinet.

Appendix J:

THE LAW regarding ESTABLISHING AN ETHICAL BOARD for PUBLIC OFFICIALS and AMENDING SOME LAWS

Law Number : 5176
Date of Acceptance : 25.5.2004
Official Gazette : **Date:** 08.06.2004 **Number:** 25486

Purpose and Scope

ARTICLE 1. – The purpose of this law is to set out principles and procedures regarding establishment, tasks and operation of the Ethical Board for Public Officials that will specify principles for ethical acts such as transparency, impartiality, honesty, accountability and consideration for the public interest, which are to be obeyed by public officials, and also to supervise the application of these principles.

This law covers all staff in governmental offices included in the general budget, administrations with supplementary budget, state-owned enterprises, institutions with revolving funds and their local administrations and units, persons working in all public institutions and corporations possessing a public legal entity established with a title such as a board, supreme board, institution, institute, enterprise, organisation, fund and other types of entities; as well as other individuals, including presidents and members of the managerial and auditing board and supreme board.

The provisions of this law do not apply to the President, members of Turkish Grand National Assembly, Ministers in the Cabinet, members of the Turkish Armed Forces, judicial authorities and universities.

Establishment

ARTICLE 2. – The Ethical Board for Public Officials (The Board) was established within the body of the Prime Ministry in order to fulfil written tasks regarding the principles for ethical acts.

The Cabinet was established for adopting and implementing all decisions regarding issues covered by this Law; and it shall elect and appoint eleven members, one being the president, as follows:

- a) One member out of the persons who worked as a minister,
- b) One member out of the persons who worked as provincial mayor,
- c) Three members out of the persons who are retired as members of the Court of Appeals, State Council and Court of Accounts,
- d) Three members out of the persons who worked or retired from the position of Undersecretary, ambassador, governor, or president of an independent and regulatory board,
- e) Two members from the number of assistant professors who worked or retired as rector or dean at the university,
- f) One member out of the persons who worked as a highest ranking manager in those vocational institutions which are considered public institutions.

The provision of Clause 1 of Article 40 and Clause four of supplement Article 68 under the Law number 5434 for the Republic of Turkey Retirement Fund do not apply

to those persons to be appointed as president or member of board, and these persons shall work at the board without suffering a reduction of their pension.

The working period of members is four years. Members can be re-elected by the Cabinet after four years. Members of the Board cannot be expelled before this four year period is complete. However, if members are not capable of working or lose the prerequisites for appointment due to a serious illness or permanent incapacity, they are withdrawn from their positions on the basis of procedures applicable to their posting before this period is complete. In the event that members are convicted of misconduct in the office or of the commission of an infamous crime, they are withdrawn from their positions upon approval of the Prime Minister. The replacement staff is appointed by the Cabinet to vacant positions due to the reasons mentioned above within one month. The replacement members assigned to a position in this way shall continue in this position for the working period committed to by their predecessors.

The board convenes semi-annually upon request of the president and makes decisions on the basis of absolute majority. Decisions made at the meeting are announced to the participants. The board convenes four times a month, and the president and members of the board have to attend meetings. Members who do not attend three consecutive meetings in a year shall be deemed to have resigned. The General Directorate of the Personnel and Principles of the Prime Ministry renders secretariat services for the board.

The President and members of the board are paid, without prejudice to the provisions of the Law number 6245 with respect to Travelling Expenses, and they are also given monetary compensation to members attending meetings in the amount to be calculated by multiplying the monthly coefficient of public officers with the indicator figure for each single day that they actually worked (3000). No deduction other than stamp tax can be made on this amount.

The allowance is allocated to the budget of the Prime Ministry every year for monetary compensation and other needs of the board.

Tasks of the Board

ARTICLE 3. – The Board is authorised to set out ethical standards that public officials must obey in fulfilling their tasks by means of set regulations, to carry out investigations and studies upon direct initiative in light of applications submitted to it with respect to cases of breach of ethical standards and to inform relevant authorities of its decision accordingly, to carry out studies aiming at establishing the culture of ethics in the public sector and to support studies carried out to this end.

Application to the board or duly authorised discipline commissions

ARTICLE 4. – Applications regarding breach of ethical standards hereby specified for public institutions and organisations in the public sector by directors general or public officials of, at minimum, equivalent rank can be submitted to this board. Titles to be deemed equivalent to director general are determined by the Board taking into account the organisational structure of institutions and organisations, as well as nature of the service rendered by these bodies.

Applications regarding breach of ethical standards by other public officials are assessed at authorised discipline boards within relevant institutions in terms of compliance with the ethical standards specified in the regulations issued by the Board. The decision is communicated to all relevant parties, including the applicant.

Turkish citizens possessing the right to exercise civil rights and foreign born and naturalised persons residing in Turkey can submit applications in accordance with principles of the Law number 3071 for exercising the Right of Petition. However, applications that are submitted in order to defame public officials not based on sound justifications and submitted without sufficient information and attached documents on the subject matter are not assessed.

Applications cannot be submitted to the Board or authorised discipline boards with respect to disputes tried or adjudicated at judicial authorities. Proceedings initiated by means of applications are ceased if it is understood during the investigation that courts are applied for resolution of the conflict.

Investigation and Inquiry

ARTICLE 5. – The Board carries out investigations and inquiries upon applications within the framework of whether ethical standards are breached or not. The Board has to finalise investigations and inquiries with respect to applications submitted in the form of information or complaints within three months at latest.

The Board informs in writing the authorities concerned, as well as the Prime Ministry of the conclusion of the investigation and inquiries.

If the Board proves and finalises the investigation by showing that the public official who is the subject matter of the application has committed an unethical act or behaviour, the Prime Ministry announces it as a decision of the Board by publishing such decision in the Official Gazette. However, in the event that decisions of the Board are annulled by the judiciary, the judiciary shall enforce the decisions accordingly and shall have them published in Official Gazette. Investigations and inquiries carried out in accordance with this law do not constitute a waiver or obstacle to criminal prosecution or disciplinary proceedings according to general provisions of the law or related provisions of personnel law.

Information and document requirement

ARTICLE 6. – Ministries and all other public institutions and bodies shall provide information and documents as required by the Board with respect to the subject matter of the application.

The Board is entitled to contact relevant representatives from public and private institutions within the scope of this Law and obtain information from them.

Regulations

ARTICLE 7. – Details regarding enforcement of this Law are set out in Regulations to be drawn up by the Board. The Regulations to be drawn up by the Board shall enter into force upon approval of the Prime Minister.

ARTICLE 8. – (related to the Law dated 19.4.1990 and numbered 3628 for Declaration of Property, Fight against Bribery and Corruption)

ARTICLE 9. – (related to the Law dated 14.7.1965 and numbered 657 for Government Employees)

Enforcement

ARTICLE 10. – This law enters into force on the date of issue.






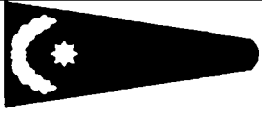

Execution




ARTICLE 11. – This Law is executed by the Cabinet.

Appendix K: Important Notice about the Legislations

Please note that the legislations that are quoted and listed in this research are translated from Turkish to English by the researcher and might not reflect the exact/official meaning that was intended by the law-makers.

Appendix L: Police Ranks and Promotion Periods in the TNP

	Police Officer	The lowest rank in TNP is the police officer. They get graduated from Police Vocational Schools which equals to two years long college education.
	Deputy Inspector	Start point of being a police chief. All police chiefs starting from this point to up are the graduates of Police Academy which provides bachelors degree. They work as Chief of Group, Chief of Patrol, Chief of Team, Chief of Bureau, Deputy Chief of Police Station
	Inspector	Chief of Group, Chief of Patrol Chief of Team, Chief of Bureau, Deputy Chief of Police Station
	Chief Inspector	Chief of Police Station, Chief of Bureau, Chief of Riot Police Group, Sub Provincial Inspector, Chief of Unit, Chief of Team, Chief of Traffic Station, Chief of Traffic Records and Registry Bureau, Deputy Chief of Police Station,
	Major	Sub Provincial Town Sergeant, Chief of Bureaus, Chief of Unit, Chief of Riot Police Group, Chief of Patrols, Chief of Team, Chief of Bureau, Chief of Traffic Station,
	4 th Degree Deputy Superintendent	Head of Sub-division, Sub provincial Deputy Superintendent, Legal Advisor, Sub-division Deputy Superintendent
	3 rd Degree Deputy Superintendent	Deputy Director of Police Guesthouse, Legal Advisor, Head of Sub-division, Sub provincial Superintendent,

	2 nd Degree Deputy Superintendent	Director of Criminal Police Laboratory. Provincial Deputy Superintendent, Head of Department of Police Academy, Administrative Inspector, Legal Adviser, Director of Police Guesthouse, Deputy Director of Police Training Center, Deputy Director of Police College, Deputy Director of Police School, Deputy Director of Presidency Safeguard, Deputy Director of Prime Ministry Safeguard, Deputy Head of Department, Secretary of the Institute, Deputy Director of Police Vocational High School
	1 st Degree Superintendent /Chief of Police	Head of Department, Primary Legal Advisor, Provincial Superintendent, Chief Administrative Inspector, Superintendent Lecturer at Police Academy, Central Superintendent, Director of Police School, Director of Police College, Director of Police Guesthouse, Director of Presidency Safeguard, Director of TGNA Safeguard, Director of Prime Ministry Safeguard, Director of Police Guesthouse, Vice President of Police Academy, Vice Dean, Director of Police Vocational High School,
	Security Director General	Head of TNP

Promotion Waiting Periods in Each Rank

Rank	Minimum waiting period
Deputy Inspector	4
Inspector	4
Chief Inspector	3
Major	4
4 th Degree Superintendent	3
3 rd Degree Superintendent	3
2 nd Degree Superintendent	3
1 st Degree Superintendent / Chief of Police	Age Limit
Security Director General	Age Limit

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