

12301

LAW OF PROTECTION OF PERSONAL DATA

Law Number : 6698
Acceptance Date : 24/3/2016
Published in the Newspaper: Date: 7/4/2016 **Issue:** 29677
Code of Publication Series: 5 **Volume:** 57

FIRST PART**Purpose, Scope and Definitions****Goal**

ARTICLE 1- (1) The purpose of this Law is the processing of personal data, especially the privacy of individuals, to protect their fundamental rights and freedoms, and the obligations and procedures and procedures of real and legal persons who process personal data, to regulate the essentials.

Scope

ARTICLE 2- (1) The provisions of this Law, the real persons whose personal data are processed and these data in whole or in part real and functioning in automated or non-automated ways, provided that they are part of any data recording system Applied about legal persons.

Definitions

ARTICLE 3- (1) In the implementation of this Law;

- a) Open consent: Consent on a specific subject, based on information and announced with free will,
 - b) Anonymizing: Personal data, by matching with other data, is not identified by any means or to be unrelated to an identifiable natural person,
 - c) President: The President of the Personal Data Protection Authority,
 - ç) Relevant person: The real person whose personal data is processed,
 - d) Personal data: All kinds of information related to an identified or identifiable natural person,
 - e) Processing of personal data: Personal data is fully or partially automated or any data recording obtaining, recording, storing, preserving in non-automatic ways provided that it is part of the system, modification, reorganization, disclosure, transfer, acquisition, making available, classification or any action taken on the data, such as the prevention of its use,
 - f) Board: The Personal Data Protection Board,
 - g) Authority: The Personal Data Protection Authority,
 - ğ) Data processor: the real or legal entity that processes personal data on its behalf, based on the authority granted by the data controller.
- people,

12302

- h) Data recording system: The recording system in which personal data is processed according to certain criteria,
- i) Data controller: Establishing the data recording system, which determines the purposes and means of processing personal data. real or legal person who is responsible for its management and management, express.

SECOND PART
Processing of Personal Data

General principles

ARTICLE 4- (1) Personal data only in accordance with the procedures and principles stipulated in this Law and other laws. processed.

(2) The following principles are mandatory when processing personal data:

- a) Being in compliance with the law and honesty rules.
- b) Being accurate and up-to-date when necessary.
- c) Processing for specific, clear and legitimate purposes.
- ç) Being connected, limited and restrained for the purpose for which they are processed.
- d) Preservation for the period required by the relevant legislation or for the purpose for which they are processed.

Processing conditions of personal data

ARTICLE 5- (1) Personal data cannot be processed without the express consent of the person concerned.

(2) In the presence of one of the following conditions, processing of personal data without seeking explicit consent of the person concerned possible:

- a) Clearly prescribed by law.
- b) who is unable to explain his consent due to actual impossibility or whose consent is not given legal validity it is compulsory to protect one's own life or someone else's life or bodily integrity.
- c) provided that it is directly related to the establishment or performance of a contract, data processing is required.
- ç) It is mandatory for the data controller to fulfill its legal obligation.
- d) The person concerned has been made public by himself.
- e) Data processing is mandatory for the establishment, use or protection of a right.
- f) Data for the legitimate interests of the data controller, without prejudice to the fundamental rights and freedoms of the person concerned. must be processed.

Processing conditions of special quality personal data

ARTICLE 6- (1) People's race, ethnicity, political thought, philosophical belief, religion, sect or other beliefs, disguise and outfit, association, foundation or union membership, health, sexual life, criminal conviction and security measures data, biometric and genetic data are special personal data.

(2) It is forbidden to process special personal data without explicit consent of the person concerned.

12303

(3) Personal data other than health and sexual life listed in the first paragraph, in cases provided for by law, the person concerned can be processed without seeking explicit consent. Personal data on health and sexual life can only be protected from public health, preventive medicine, medical diagnosis, treatment and care services, health care and financing planning for the purpose of management and management, by persons under the obligation to keep secrets or by authorized institutions and organizations can be processed without seeking explicit consent.

(4) In the processing of special quality personal data, also adequate measures determined by the Board are essential.

Deleting, destroying or anonymizing personal data

ARTICLE 7- (1) Although it has been processed in accordance with the provisions of this Law and other relevant laws, in case the necessary reasons are eliminated, personal data ex officio or by the data officer at the request of the person concerned, it is deleted, destroyed or anonymized.

(2) In other laws relating to the deletion, destruction or anonymization of personal data provisions are reserved.

(3) Procedures and principles regarding deletion, destruction or anonymization of personal data by regulation Regulated.

Transfer of personal data

ARTICLE 8- (1) Personal data cannot be transferred without the express consent of the person concerned.

(2) Personal data;

a) In the second paragraph of Article 5,

b) In the third paragraph of Article 6, provided that adequate measures are taken,

If one of the specified conditions is found, it can be transferred without the explicit consent of the person concerned.

(3) Provisions of other laws relating to the transfer of personal data are reserved.

Transfer of personal data abroad

ARTICLE 9- (1) Personal data cannot be transferred abroad without the express consent of the person concerned.

(2) Personal data is one of the conditions specified in the second paragraph of the article 5 and the third paragraph of the article 6. in a foreign country where the presence and personal data will be transferred;

a) Adequate protection is available,

b) In the absence of adequate protection of those responsible for the data in the relevant foreign country and an adequate Turkey undertake the protection in writing and have the permission of the Board,

can be transferred abroad without seeking the express consent of the person concerned.

(3) Countries with sufficient protection are determined and announced by the Board.

12304

(4) The Board has been granted whether there is sufficient protection in the foreign country and in accordance with subparagraph (b) of the second paragraph. not be released;

a) international conventions to which Turkey is a party,

- b) the reciprocity condition for the data transfer personal data between the requesting country and Turkey,
- c) Regarding each concrete transfer of personal data, the nature of the personal data and its purpose and duration,
- ç) The legislation and practice of the country to which the personal data will be transferred,
- d) The measures committed by the data officer in the country where the personal data will be transferred, If it is evaluated and needs, it decides by taking the opinions of the relevant institutions and organizations.
- (5) Personal data, without prejudice to the provisions of international conventions, Turkey or the interests of the person concerned

In cases where it will be seriously damaged, only by obtaining the opinion of the relevant public institution or institution, can be exported.

- (6) Provisions of other laws relating to the transfer of personal data abroad are reserved.

THIRD PART

Rights and Obligations

Lighting responsibility of the data controller

ARTICLE 10- (1) During the acquisition of personal data, the data controller or the person authorized by the person concerned;

- a) The identity of the data controller and its representative, if any,
- b) For what purpose the personal data will be processed,
- c) To whom and for what purpose the processed personal data can be transferred,
- ç) Method and legal reason of collecting personal data,
- d) Other rights listed in Article 11,

is obliged to provide information about.

Rights of the person concerned

ARTICLE 11- (1) Everyone is concerned with himself by applying to the data controller;

- a) Learning whether personal data is processed,
- b) If the personal data is processed, requesting information about it,
- c) Learning the purpose of processing personal data and whether it is used in accordance with its purpose,
- ç) To know the third parties to whom personal data are transferred domestically or abroad,
- d) Requesting correction of personal data if it is incomplete or incorrectly processed,

- e) Requesting the deletion or destruction of personal data within the framework of the conditions stipulated in Article 7,
 - f) To request notification of transactions made in accordance with subparagraphs (d) and (e) to third parties to whom personal data are transferred,
 - g) By analyzing the processed data exclusively through automated systems, a
- to object to the emergence of the result,
- ğ) Requesting the removal of the damage in case the personal data is damaged due to the illegal processing of the data, has the rights.

Data security obligations

ARTICLE 12- (1) Data controller;

- a) To prevent personal data from being processed unlawfully,
- b) To prevent personal data from being illegally accessed,

c) To ensure the preservation of personal data,

In order to ensure the appropriate level of security, it must take all necessary technical and administrative measures.

(2) If the data controller is processed by another natural or legal person on his behalf, the first

It is jointly responsible with these people for taking the measures specified in the paragraph.

(3) The data controller is responsible for ensuring that the provisions of this Law are implemented in his or her institution or organization. must make or have the necessary inspections.

(4) Data officials and persons who process the data may not give personal data they have learned to anyone else in violation of the provisions of this Law. they cannot explain and use them for purposes other than processing. This obligation continues after leaving office.

(5) In the event that the processed personal data are obtained by others in illegal ways, this data officer notifies the situation to the concerned and the Board as soon as possible. The Board, if necessary, can state this situation on its website or can declare it in another way.

SECTION FOUR

Application, Complaint and Data Officers Registry

Application to the data controller

ARTICLE 13- (1) The person concerned shall submit his requests regarding the implementation of this Law in writing or to be determined by the Board. transmits to the data controller by other methods.

(2) The data controller requests in the application, as soon as possible according to the nature of the request and within thirty days at the latest. results free of charge. However, if the transaction requires a separate cost, the fee in the tariff determined by the Board receivable.

(3) The data controller accepts the request or rejects it by explaining the reason and the reply to the person in writing or reports electronically. In case of acceptance of the request in the application, the data is carried out by the responsible person. In case the application is caused by the error of the data controller, the fee collected is returned to the concerned person.

Complaints to the Board

ARTICLE 14- (1) Refusal of the application, inadequate response given or response to the application in due time In case of not giving; thirty and anyway applications from the date when the person concerned learned the answer of the data officer He can complain to the Board within sixty days from.

(2) According to Article 13, the applicant cannot apply to the complaint before the application is exhausted.

(3) The right of compensation for those whose personal rights are violated is reserved according to the general provisions.

Procedures and principles of review upon complaint or ex officio

ARTICLE 15- (1) If the Board finds out about the complaint or the alleged violation, ex officio, it enters the field of duty Makes the necessary examination on the issues.

(2) As stated in Article 6 of the Law on Exercise of the Petition Right number 3071 dated 1/11/1984 Notices or complaints that do not meet the conditions are not taken into consideration.

(3) Except for information and documents that are state secrets; data officer asked the Board to review to send the information and documents within fifteen days and to provide an on-site inspection when necessary. It is difficult.

(4) Upon complaint, the Board reviews the request and gives a response to the concerned. Within sixty days from the date of complaint If no answer is given, the request is deemed rejected.

(5) In the event that the existence of the violation is understood upon complaint or ex officio examination, the Board determined that

Decides to eliminate the unlawfulness by the data officer and notifies the concerned. This decision has been
It is carried out without delay and within thirty days at the latest.

(6) In case the violation is found to be widespread upon complaint or ex officio examination, the Board,
takes a decision on this matter and publishes this decision. If the Board needs it before making a decision, the relevant institution and
can also take the opinions of organizations.

(7) In the event that the Board is born with irreparable or impossible damages and it is clearly illegal, the data processing
or to stop the transfer of data abroad.

Data Officers Registry

ARTICLE 16- (1) Data Supervisors Registry is kept open to the public by the Presidency under the supervision of the Board.

(2) Real and legal persons who process personal data, before starting data processing,
must register. However, the nature of the personal data processed, the number, the origin of the data processing, or the third
Considering the objective criteria to be determined by the Board, such as the status of transfer to persons,
The exemption may be exempted from the registration requirement.

(3) Application for registration to the Data Controllers Registry is made with a notification including:

- a) Identity and address information of the data controller and his representative, if any.
- b) For what purpose the personal data will be processed.

12307

- c) Explanations about the data subject group and groups and data categories belonging to these people.
 - ç) Recipients or groups of recipients to whom personal data can be transferred.
 - d) Personal data foreseen to be transferred to foreign countries.
 - e) Measures taken regarding personal data security.
 - f) The maximum time required for the purpose for which the personal data are processed.
- (4) Changes in the information provided in accordance with the third paragraph are immediately notified to the Presidency.
- (5) Other procedures and principles regarding the Data Controllers Registry are regulated by a regulation.

CHAPTER FIVE

Crimes and Misdemeanors

Crimes

ARTICLE 17- (1) Turkish Criminal Code No. 5237 of 26/9/2004 in terms of crimes related to personal data
The provisions of Articles 135 to 140 apply.

(2) In violation of the provisions of article 7 of this Law; Those who do not delete or anonymize personal data 5237
It is punished according to Article 138 of the Law.

Misdemeanors

ARTICLE 18- (1) This Law;

a) For those who do not fulfill the lighting obligation stipulated in Article 10, from 5,000 Turkish lira
Up to 100,000 Turkish lira,

b) 15,000 Turks who do not fulfill their obligations regarding data security stipulated in Article 12
lira to 1.000.000 Turkish lira,

c) 25.000 Turkish lira for those who do not fulfill the decisions made by the Board pursuant to Article 15.

Up to 1.000.000 Turkish lira,

ç) Those who violate the obligation to register and report to the Registry of Data Officers stipulated in Article 16.

from about 20,000 Turkish lira to 1,000,000 Turkish lira,

administrative fines are imposed.

(2) About the real persons and private legal entities who are responsible for the administrative fines prescribed in this article.

It applied.

(3) The public institutions and organizations of the actions listed in the first paragraph and the professional institutions that are public institutions

In case it is processed within the body of the company, upon the notification to be made by the Board, officials working in the relevant public institution and organization and other public officials and those working in public institutions that are public institutions.

and the result is reported to the Board.

12308

CHAPTER SIX

Personal Data Protection Authority and Organization

Personal Data Protection Authority

ARTICLE 19- (1) It has administrative and financial autonomy and public legal entity to fulfill the duties given by this Law. Personal Data Protection Authority with a personality has been established.

(2) The institution is associated with the Prime Ministry.

(3) The headquarters of the institution is in Ankara.

(4) The institution consists of the Board and the Presidency. The decision body of the institution is the Board.

Duties of the institution

ARTICLE 20- (1) The duties of the institution are as follows:

- a) To follow the practices and developments in the legislation, in evaluation and suggestions by task area to be present, to conduct research or investigations.
- b) In case of need, public institutions and organizations, non-governmental organizations, Cooperation with professional organizations or universities.
- c) To monitor and evaluate international developments regarding personal data, on matters falling within its field of duty To cooperate with international organizations, to attend meetings.
- d) The annual report of the Presidency, the Grand National Assembly of Turkey Human Rights Investigation To present to the Commission and the Prime Ministry.
- d) To fulfill other duties assigned by law.

Personal Data Protection Board

ARTICLE 21- (1) The Board, under its own responsibility, assumes the duties and powers given by this Law and other legislation, performs and uses independently. No organ, authority, authority or person regarding matters falling within the scope of his / her duty,

It cannot give orders and instructions, advice or suggestions to the Board.

(2) The board consists of nine members. five members of the Grand National Assembly of Turkey Board, two members of the President, two members Elected by the Council of Ministers.

(3) In order to become a member of the Board, the following conditions are sought:

- a) To have knowledge and experience in the fields of duty of the institution.
- b) Sub-paragraph (A) of the first paragraph of Article 48 of the Civil Servants Law No. 657 dated 14/7/1965 To carry the qualifications mentioned in sub-clauses (1), (4), (5), (6) and (7).
- c) Not being a member of any political party.

- c) Having at least four years of higher education at the undergraduate level.
 - d) Public institutions and organizations, international organizations, non-governmental organizations or public institutions
- Having worked for at least ten years in total in professional organizations or private sector.

12309

(4) Consent of those who will be elected as Board members is sought. Information on matters that fall within the Authority's mandate in the selection of members and attention is paid to the pluralistic representation of those with experience.

(5) Grand National Assembly of Turkey, the election of members of the Board makes the following method:

a) For the election, two times more than the number of members to be determined in proportion to the number of members of the political party groups, Board members with the basis the number of members falling into this group of candidates from all political parties Turkey Grand National Assembly is elected by the General Assembly. However, the group of political parties, the elections will be held in the Grand National Assembly of Turkey There is no discussion and decision cannot be taken on whom to vote.

b) Election of the board members is made within ten days after the candidates are determined and announced. Political party groups A combined ballot paper is issued in the form of separate lists for candidates nominated by. Across candidates' names voting is made by marking a special place. To the Board from the quotas of the political party groups determined according to the second paragraph. Votes over the number of members to be elected are deemed invalid.

c) Provided that the decision is quorum, the number of candidates who have the highest number of votes in the election is elected.

ç) Two months before the term of office of the members; In case of any discharge in memberships,

On the date of discharge or discharge vacation in the Grand National Assembly of Turkey within one month from the end of the holiday Selection is made in the same way. In these elections, the distribution of vacant memberships to political party groups, political party groups in the first election This is done by considering the number of members elected from their quota and the current ratio of political party groups.

(6) Forty-five after the expiration of one of the members elected by the President or the Council of Ministers If the task expires on the day before or for any reason, the situation shall be submitted by the Authority within fifteen days, It is notified to the Prime Ministry to be presented to the Presidency or the Council of Ministers. Members' mandate to expire New members are elected months before. In these memberships, in case of discharge for any reason before the term of office expires elections are made within fifteen days from the notification.

(7) The Board elects the President and the Second President from among its members. The President of the Board is also the President of the Institution.

(8) The term of office of the board members is four years. The member whose term has expired may be re-elected. Any task before its term expires For the reason, the person who has been elected in place of the member whose duty has expired completes the remaining period of the member he has been elected.

(9) The elected members before the Supreme Court First Presidium said, "In accordance with the Constitution and the laws, I swear on my honor and dignity that I will fulfill it in a sense of complete impartiality, honesty, fairness and justice. I would. " They swear by. The application made to the Supreme Court for oath is counted as a rush.

12310

(10) Unless the members of the Board are based on a special law, except for the performance of their official duties, cannot assume any duties, do not manage in associations, foundations, cooperatives and similar places, do not engage in trade, self-employment they cannot engage in activities, referee or expert. However, Board members should not publish scientific purposes, give lectures and conferences, and copyrights and lectures and conferences they can get their fees.

(11) Investigations concerning the crimes allegedly committed by the members due to their duties, dated 2/12/1999 and numbered 4483. It is carried out according to the Law on the Prosecution of Civil Servants and Other Public Officials and permission to investigate them It is given by the Prime Minister.

(12) Provisions of Law No. 657 for disciplinary investigation and prosecution of the members of the Board
It applied.

(13) Members of the Board cannot be dismissed for any reason before their expiration. Board members;

- a) It is understood later that they do not meet the conditions to be selected,
- b) Finalization of the conviction decision given for their crimes in relation to their duties,
- c) Determination of the inability to fulfill their duties with the medical board report,
- c) To continue their duties without permission, excuse and uninterrupted for fifteen days or for a total of thirty days in a year.

determining that they did not,

d) They did not attend a total of three Board meetings within a month without permission and excuse, and a total of ten Board meetings within one year.
to be determined,

If they do, their membership ends with the decision of the Board.

(14) Those who are elected as members of the Board are dismissed from their previous duties as long as they serve in the Board. Public those who are elected as members while they are their officers, the term of office expires, authorized to appoint if they request to leave office and apply to their old institution within thirty days he is appointed by the authority to a staff in accordance with his acquis within one month. Until the assignment takes place, all kinds of payments are continued to be paid by the Authority. From those who do not work in a public institution, to membership to those who are selected and terminated as stated above, until they start any task or job, all kinds of payments will continue to be paid by the Authority and will be made by the Authority to those whose membership ends. payment cannot exceed three months. In terms of their time spent in the Institution, their personal and other rights, It is considered as spent in its organizations.

Duties and powers of the Board

ARTICLE 22- (1) The duties and powers of the Board are as follows:

- a) To ensure that personal data are processed in accordance with fundamental rights and freedoms.
- b) To conclude the complaints of those who claim that their rights regarding personal data have been violated.

12311

- c) Personal data on complaints or matters that fall into the field of duty ex officio if he finds out about the alleged violation
To examine whether it is processed in accordance with the laws and take temporary measures in this regard if necessary.
- c) To determine the adequate measures sought for the processing of special quality personal data.
- d) To ensure that the Data Controllers Registry is kept.
- e) To carry out the necessary regulatory actions regarding the duties of the Board and the functioning of the Agency.
- f) To take regulatory action to determine the obligations regarding data security.
- g) To carry out regulatory action regarding the duties, authorities and responsibilities of the data controller and its representative.
- g) To decide on the administrative sanctions stipulated in this Law.
- h) Opinion on draft legislation prepared by other institutions and organizations and containing provisions on personal data report.
- i) The institution; to decide on its strategic plan, aims and objectives, service quality standards and performance determine the criteria.
- i) To discuss and decide on the budget proposal prepared in line with the institution's strategic plan and goals and objectives. connect.
- j) The report prepared on the performance, financial status, annual activities and issues needed of the institution approve and publish drafts.
- k) To discuss and decide on the suggestions regarding the purchase, sale and rental of the real estate.
- l) To fulfill other duties assigned by law.
- Working principles of the Board**
- ARTICLE 23-** (1) The President determines the meeting days and agenda of the Board. If the Chairman is required, the Board may call for an extraordinary meeting.
- (2) The Board convenes with at least six members, including the chairman, and takes decisions with the absolute majority of the total number of members. Board members abstaining votes cannot vote.
- (3) Board members; themselves, blood to the third degree and beeches to the second degree, their adoption and Even if the marriage bond between them has been lifted, they cannot participate in meetings and voting on matters concerning their spouses.
- (4) The members of the Board and the secrets learned by the parties and third parties during their studies are legally authorized in this regard. they cannot explain it to anyone else and they cannot use it for their own benefit. This obligation leaves then it continues.
- (5) The works discussed in the Board are attached to the minutes. Decisions and the reasons for counter vote, if any, are latest It is written in fifteen days. The Board announces the decisions it deems necessary to the public.
- (6) Unless otherwise agreed, the meetings in the Board meetings are confidential.
- (7) Working procedures and principles of the Board, writing the decisions and other issues are regulated by a regulation.

12312

President

ARTICLE 24- (1) The President is the highest supervisor of the Institution as the chairman of the Board and the Authority, and in accordance with the legislation, the institution's goals and policies, strategic plan, performance criteria and service quality standards organizes, executes and provides coordination between service units.

(2) The President is responsible for the overall management and representation of the Authority. This responsibility is the work of the Agency. its duties and powers to regulate, execute, supervise, evaluate and announce to the public when necessary covers.

(3) The duties of the President are:

- a) To manage board meetings.
 - b) To ensure that the decisions of the Board are notified and that those deemed necessary by the Board are announced to the public, and monitor their implementation.
 - c) To appoint the Vice President, the heads of the department and the staff of the Authority.
 - ç) To finalize the suggestions coming from service units to the Board.
 - d) To ensure the implementation of the strategic plan, human resources and work in line with service quality standards establishing policies.
 - e) In accordance with the determined strategies, annual goals and targets, the annual budget and financial statements of the Authority prepare.
 - f) Coordination of Boards and Service Units to work in a harmonious, efficient, disciplined and orderly manner provide.
 - g) To carry out the relations of the institution with other organizations.
 - ğ) To determine the duties and powers of the personnel authorized to sign on behalf of the President of the Authority.
 - h) To fulfill other duties related to the management and operation of the institution.
- (4) In the absence of the President of the Institution, the Second President shall act as the Deputy Chairman.

Formation and duties of the Presidency

ARTICLE 25- (1) Presidency; It consists of the Vice President and service units. Presidency, listed in the fourth paragraph it performs its duties through the service units organized as departments. Number of departments cannot exceed seven.

(2) A Vice President is appointed by the President to assist with the duties of the Agency.

(3) Vice President and heads of departments; graduate of at least four years higher education institution, public for ten years Appointed by the President from among those who serve.

(4) The duties of the Presidency are:

- a) Keeping the Data Controllers Registry.
- b) To carry out the office and secretariat procedures of the Authority and the Board.
- c) Representing the Institution through lawyers in cases where the institution is a party and enforcement proceedings, following the cases to have or to have legal services carried out.

12313

- c) To carry out the personal procedures of the members of the Board and those working in the Institution.
 - d) To perform duties assigned to financial service and strategy development units by law.
 - e) To ensure that the information system is set up and used in order to carry out the business and operations of the institution.
 - f) To prepare report drafts on the annual activities of the Board or on the issues needed and to the Board offer.
 - g) To prepare the strategic plan of the institution.
 - ğ) To determine the personnel policy of the institution, to prepare and implement the career and training plans of the personnel.
 - h) To carry out the appointment, transfer, discipline, performance, promotion, retirement and similar procedures of the personnel.
 - ı) To determine the ethical rules to be followed by the personnel and to provide the necessary training.
 - i) Every need of the Agency within the framework of the Public Financial Management and Control Law No. 5018 dated 10/12/2003. to carry out all kinds of purchasing, leasing, maintenance, repair, construction, archive, health, social and similar services.
 - j) Keeping records of movables and immovables belonging to the institution.
 - k) To perform other duties assigned by the Board or the President.
 - (5) Service units and the working procedures and principles of these units, the field of activity, duties and powers specified in this Law.
- In accordance with the proposal of the Authority, it is determined by the regulation put into force by the decision of the Council of Ministers.

Personal Data Protection Specialist and assistant specialists

ARTICLE 26- (1) Employment of Personal Data Protection Specialist and Assistant Personal Data Protection Specialist in the Institution It may be. Of these, within the framework of the additional article 41 of the Law No. 657, Those who are appointed are promoted one degree for one time only.

Provisions regarding personnel and personal rights

ARTICLE 27- (1) The personnel of the Authority is subject to the Law No. 657 except for the issues regulated by this Law.
 (2) To the President and members of the Board and the personnel of the Authority of the Decree Law No. 375 dated 27/6/1989
 The payments made to the peer personnel determined in accordance with the additional article 11 within the scope of financial and social rights are paid in accordance with the principles. Those who are not subject to tax and other legal deductions from payments made to peer personnel According to the law, it is not subject to tax and other deductions.
 (3) Chairman and members of the Board and the staff of the Institution Social Insurance and General Health, No. 5510 dated 31/5/2006 Subject to paragraph (c) of the first paragraph of Article 4 of the Insurance Law. Board Chairman and members and the Authority personnel are considered equivalent to the personnel who are determined as peers in terms of their pension rights. 4th of the Law No. 5510 of material

12314

Those who are appointed to the Chairperson and members of the Board while they are insured within the scope of subparagraph (c) of the first paragraph, and those whose duties are terminated or the service periods of those who wish to leave these positions, the period of service earned in these duties is

It is taken into consideration in the determination of its stages. Temporary Article 4 of Law No. 5510 during these duties

The time spent in these duties within the scope of these duties as the time to pay the authority compensation and representation compensation

Evaluated. Paragraph (a) of the first paragraph of Article 4 of Law No. 5510 in public institutions and organizations

Dismissal of those appointed to the Chairman and memberships of the Board while they are insured within the scope of their affairs with the previous institutions and organizations

they do not require severance pay or after-work compensation. In this case, severance pay or work

the terms of service whose end-of-payment is to be paid are combined with the terms of service referred to as the Board Member and the Board member.

and retirement bonus is considered as time to be paid.

(4) In public administrations within the scope of central government, social security institutions, local administrations, local Public administrations in administrations affiliated to administrations, local administration associations, revolving funds, funds established by laws, in state-owned enterprises, more than fifty percent of its capital is in state-owned organizations, economic state enterprises and civil servants and other public officials in public economic institutions and affiliated partnerships and institutions

with the consent of the institutions, monthly, appropriations, all kinds of raise and compensation and other financial and social rights and benefits

may be temporarily assigned at the Authority provided that it is paid by the institutions. The demands of the institution in this regard are

It is primarily concluded by the organizations. Personnel assigned in this way are deemed to have monthly leave from their institutions. Of this staff

As long as they are on leave, their employment and personal rights continue, as well as during their periods of increase and retirement.

It is taken into account and its elevations are made on time without any further processing. Under this article

The time spent by those appointed in the Institution is considered to have been spent in their own institutions. Those who are assigned in this way

Personal Data Protection Specialist and Personal Data Protection Assistant Specialist

cannot exceed and the duration of assignment cannot exceed two years. However, if needed, this period can be extended in one-year periods.

(5) The titles and numbers of the personnel to be employed in the institution are shown in the attached table (I). Total

Not to exceed the number of cadres, in the Provision of Law on General Staff and Procedure No. 190 of 13/12/1983

Making title and degree changes, provided that they are limited to the titles in the schedule attached to the decree,

Adding titles and canceling vacant positions is done by the Board's decision.

CHAPTER SEVEN

Various Provisions

exceptions

ARTICLE 28- (1) The provisions of this Law are not applied in the following cases:

a) Personal data, provided that it is not given to third parties and the obligations regarding data security are complied with.

Processing by persons within the scope of activities related to him or his family members living in the same residence.

12315

b) For purposes such as research, planning and statistics by making the personal data anonymous with official statistics. processing.

c) Personal data, national defense, national security, public security, public order, economic security, private

Art, history, literature or scientific, provided that it does not violate the privacy or personal rights of life or constitute a crime.

processing for purposes or within the scope of freedom of expression.

c) Personal data, national defense, national security, public security, public order or economic security preventive, protective carried out by public institutions and organizations authorized by law in order to provide and processing it within the scope of intelligence activities.

d) Judicial authorities regarding the investigation, prosecution, trial or execution of personal data, or Processing by execution authorities.

(2) The lighting of the data officer, in accordance with the purpose and basic principles of this Law. 10th regulator of liability, 11th regulator of the rights of the person concerned, with the exception of the right to claim the loss and Article 16 regulating the obligation to register to the Data Controllers Registry shall not apply in the following cases:

a) Personal data processing is necessary for the prevention of crime or for criminal investigation.

b) Processing of personal data publicized by the person concerned.

c) On the basis of the authority granted by the law of personal data processing, authorized and authorized public institutions and organizations and the public Disciplinary investigation or be required for prosecution.

c) Economic and financial interests of the State in relation to budget, tax and financial issues of personal data processing be necessary for the preservation.

The budget and revenues of the institution

ARTICLE 29- (1) The budget of the institution is prepared and accepted according to the procedures and principles set forth in Law No. 5018.

(2) The revenues of the institution are:

a) Treasury aids to be made from the general budget.

b) Income from movable and immovable properties of the institution.

c) Donations and aids received.

c) Income from the evaluation of their income.

d) Other income.

Amended and added provisions

ARTICLE 30- (1) (It is related to the Law No. 5018 dated 10/12/2003 and has been processed in its place.)

(2) to (5) - (It is related to the Law No. 5237 dated 26/9/2004 and has been processed in its place.)

(6) (It is related to Health Services Basic Law No. 3359 dated 7/5/1987 and has been processed.)

(7) (About the Organization and Duties of the Ministry of Health and Affiliated Institutions No. 663 dated 11/10/2011

It is related to the Decree Law and has been processed.)

regulation

ARTICLE 31- (1) Regulations regarding the implementation of this Law are put into effect by the Authority.

Transition provisions

PROVISIONAL ARTICLE 1- (1) According to the procedure stipulated in article 21 within six months from the date of publication of this Law Board members are elected and the Presidential Agency is established.

(2) Data supervisors to register with the Data Supervisors Registry within the time period determined and announced by the Board.

It is difficult.

(3) Personal data processed before the date of publication of this Law, within two years from the date of publication, this

It is made compatible with the provisions of the law. Personal data found to be in violation of the provisions of this Law will be deleted immediately.

or anonymized. However, prior to the publication date of this Law, consent to the law, one year
In the absence of a declaration of will, contrary to this, it is deemed to comply with this Law.

(4) Regulations envisaged in this Law are put into effect within one year from the date of publication of this Law.

(5) Within one year from the publication of this Law, with the implementation of this Law in public institutions and organizations.

A senior manager is determined and reported to the Presidency in order to ensure the relevant coordination.

(6) The first elected President, the Second President and two members determined by drawing lots for six years; the other five members serve for four years.

(7) Until the institution is allocated a budget;

a) The expenses of the institution are covered by the Prime Ministry budget.

b) All necessary support such as buildings, tools, equipment, furnishings and equipment in order to perform the services of the Authority.

services are provided by the Prime Ministry.

(8) Secretariat services are carried out by the Prime Ministry until the service units of the institution are operational.

Force

ARTICLE 32- (1) This Law;

a) Six months from the date of publication of 8th, 9th, 11th, 13th, 14th, 15th, 16th, 17th and 18th articles.

Then,

b) Other articles on the date of publication,

comes into force.

Executive

ARTICLE 33- (1) The Council of Ministers executes the provisions of this Law.

12317

SCHEDULE (I)

PERSONAL DATA PROTECTION AGENCY SQUAD LIST

CLASS	TITLE	DEGREE	TOTAL
GPP	vice president	one	one
GPP	Head of Department	one	7
GPP	Legal advisers	one	one
GPP	Legal advisers	3	3
AH	Lawyer	6	4
GPP	Personal Data Protection Specialist	5	10
GPP	Personal Data Protection Specialist	7	20
GPP	Personal Data Protection Assistant Specialist	9	60
GPP	Financial Services Specialist	6	2nd
GPP	Financial Services Assistant Specialist	9	2nd
GPP	Officer	5	5
GPP	Officer	7	5
GPP	Officer	9	5
GPP	Officer	11th	5
GPP			

GPP	Computer operator	17	5
GPP	Data Preparation and Control Operator	6	5
GPP	Data Preparation and Control Operator	7	5
GPP	Data Preparation and Control Operator	8	5
GPP	Data Preparation and Control Operator	9	5
GPP	Data Preparation and Control Operator	10	5
GPP	Secretary	5	3
GPP	Secretary	8	7
GPP	Power Plant Officer	9	one
GPP	Chauffeur	11th	4
THE	Technician	6	3
YHA	Technician Assistant	9	2nd
YHA	Servant	11th	10
	TOTAL		195