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ATTORNEYSHIP LAW REGULATIONS¹ OF THE UNION OF BAR ASSOCIATIONS OF TURKEY

PART ONE

Purpose, Scope, And Basis

Purpose

Article 1 – These Regulations have been prepared for the implementation of the Attorneyship Law, number 1136, dated 19 March 1969.

Scope

Article 2 – The Regulations cover topics not addressed in the Board of Arbitration Regulations of the Union of Bar Associations of Turkey, the Prohibition of Publicity Regulations of the Union of Bar Associations of Turkey, the Legal aid Regulations of the Union of Bar Associations of Turkey published in the Official Gazette issue 24583 dated 4 November 2001; the Attorney Partnership Regulations of the Union of Bar Associations of Turkey published in the Official Gazette issue 24594 dated 25 November 2001; the Attorneyship Examination Regulations of the Union of Bar Associations of Turkey published in the Official Gazette issue 24599 dated 30 November 2001; and the Apprenticeship Credit Regulations of the Union of Bar Associations of Turkey and the Attorney Apprenticeship Regulations of the Union of Bar Associations of Turkey published in the Official Gazette issue 24615 dated 19 December 2001 the arrangements for which have been left to regulations.

Legal basis

Article 3 – These Regulations have been published in accordance with Article 182 of the Attorneyship Law.

¹ The present Regulations have been published in the Official Gazette issue 24790 dated 19 June 2002.

PART TWO

Admission Into The Profession Of Attorneyship

Application and documents to be submitted

Article 4 – Those who pass the attorneyship examination or possess the qualifications stated in Article 4 of the Attorneyship Law may apply to any bar association they wish for entry in its directory.

The application will be made with a letter to which two copies of each of the following documents will be appended:

a) A certified facsimile of the identification card.

b) The original or a certified facsimile of a certificate or undergraduate diploma attesting to graduation from a Turkish or foreign faculty of law.

Those who have graduated from a foreign faculty of law must also document their satisfactory performance in properly administered examinations in the extra courses in the curriculum of any faculty of law in Turkey.

c) Apprenticeship completion certificate.

d) A document certifying satisfactory performance in the attorneyship examination for those not covered by Article 4 of the Attorneyship Law.

e) A document certifying residence in the district of the bar association applied to.

f) A written statement signed by the applicant that he/she does not have any of the impediments to admission into attorneyship stated in Article 5 of the Attorneyship Law.

g) A record of convictions with archival reference to be obtained from the source indicated in Article 6 of the present Regulations indicating that the applicant has not been convicted of any of the offenses stated in Subparagraph a of Article 5 of the Attorneyship Law.

h) A written testimonial on the moral character of the applicant, prepared separately by two attorneys enrolled with the bar association applied to.

i) A written report to be obtained from a physician with an official capacity to the effect that the applicant does not have a bodily or mental handicap hindering him/her from practicing attorneyship permanently in an appropriate manner.

The board of directors of the bar association may require the physical examination to be conducted by the medical board of an official hospital within the district of the bar association.

Exceptions

Article 5 –

a) Of the documents listed in Article 4 of the present Regulations, those that are already available in the apprenticeship file will not be required to be appended to the letter of application.

b) Those requesting enrollment as per Article 4 of the Attorneyship Law will be required to furnish the documents indicated in Subparagraphs a, b, e, and f of the second paragraph of Article 4 of these Regulations. The synopsis of their

employment records will be requested by the president of the bar association from the agencies concerned.

c) Foreign attorneys who have graduated from foreign faculties of law and have been naturalized as Turkish citizens will not be required to furnish the documents indicated in Subparagraphs c and d of the second paragraph of Article 4. However, they will be required to append the following documents to their letters of application:

(1) A document issued by the bar association the applicant was enrolled with or a similar agency in the foreign country certifying the applicant's services as an attorney for five years at courts of every level.

(2) A document certifying that the applicant has performed satisfactorily in an examination administered by the board of directors of the bar association applied to for the purpose of determining whether the applicant's proficiency in the Turkish language is adequate for practicing the profession of attorneyship. This examination will be given in two parts, one written and one verbal.

(3) An official document certifying satisfactory performance in properly administered examinations in the extra courses in the curriculum of any faculty of law in Turkey.

Inquiry for record of convictions

Article 6 – The president of the bar association to which the attorney has applied will initiate an inquiry for the attorney's record of convictions with the directorate of records of conviction through the agency of the public prosecutor.

Review of the apprenticeship file

Article 7 – When an applicant's request is for enrollment with a bar association other than the one from which he/she received an apprenticeship completion certificate, his/her apprenticeship file will be summoned from the bar association concerned and reviewed. Any missing items as per Article 4 of these Regulations will be completed by the applicant.

Registering the letter of application

Article 8 – If there are no discrepancies in the documents required to be appended to the letter of application in accordance with Articles 4, 5, and 7 of these Regulations, and the results of the inquiry for record of convictions and the physical examination have been received, the letter of application will be accepted by the president of the bar association and entered in the register.

A document in two copies will be drawn up indicating the date and the serial number of registration of the letter of application. One copy will be given to the candidate and the other will be appended to the letter of application. The one-month period prescribed in Article 7 of the Attorneyship Law commences as of this date.

In the event of discrepancies being found in the documents, the letter of application will not be accepted until they are corrected.

Acceptance of the request

Article 9 – Having accepted the application, the board of directors of the bar association will make its reasoned decision regarding the applicant's admission into the profession of attorneyship and entry in the directory of a bar association not later than one month as of the date of acceptance of the application. The decision and the file on which the decision is based will be sent to the Union of Bar Associations of Turkey not later than fifteen days as of the date of the decision. Documents that have already been submitted to the Union of Bar Associations of Turkey in accordance with Article 4 of the Attorney Apprenticeship Regulations of the Union of Bar Associations of Turkey published in the Official Gazette issue 24615 dated 19 December 2001 will not be required to be included in the file to be sent to the Union. The documents to be drawn up by the Union of Bar Associations of Turkey verifying the payment of the fee for the attorneyship license and the license charge will be appended to the file to be sent to the Union of Bar Associations of Turkey together with two photographs of size 6 by 9 centimeters taken without headgear, with a gown, and, for male attorneys, with a necktie.

The Union of Bar Associations of Turkey will make a decision as to the appropriateness of the bar associations' decisions within one month and; and will submit its own decisions to the Ministry of Justice for approval together with the file. The decisions of the Union of Bar Associations of Turkey will become final if no decision is made by the Ministry of Justice within two months as of the date of their receipt by the Ministry of Justice or if the decisions are approved. The Ministry of Justice will return the decisions it does not deem appropriate to the Union of Bar Associations of Turkey for reconsideration together with the reasons for return. The decisions thus returned will be considered as approved if passed unchanged by a two thirds majority vote of the Board of Directors of the Union of Bar Associations of Turkey; otherwise they will be considered as not approved. The result will be communicated by the Union of Bar Associations of Turkey to the Ministry of Justice and the bar association concerned.

Suits may be filed with administrative tribunals by the Union of Bar Associations of Turkey, the candidate, and the bar association concerned against the decisions made by the Ministry of Justice in accordance with the second paragraph; and by the Ministry of Justice, the candidate, and the bar association concerned against the decisions made by the Union of Bar Associations of Turkey after reconsideration of the decisions found inappropriate and returned by the Ministry of Justice.

The bar associations are under the obligation to implement immediately the decisions that have become final.

Rejection of the request and objection

Article 10 – Should the board of directors of the bar association deny the request for admission into attorneyship or decide to wait until the completion of the prosecution, the candidate may object to this decision within fifteen days as of the date of notification by petitioning the Union of Bar Associations of Turkey through the bar association that made the decision. The bar association concerned will give the candidate a document certifying the fact that an objection was made.

The mailing costs will be received from the objector.

Review of the objection

Article 11 – The Union of Bar Associations of Turkey will review the file and make a decision to accept or reject the objection not later than one month from the date of receipt of the file. The objection shall be considered as having been rejected if a decision is not made by the Union of Bar Associations of Turkey within this period. Should the board of directors of the Union of Bar Associations of Turkey discover irregularities in the documents in the course of its review of the file decide to have them corrected or to return the file for correction, this one-month period will commence from the date the irregularities in the documents have been corrected or the corrected file has been re-submitted to the Union of Bar Associations of Turkey.

The decision of the Union of Bar Associations of Turkey regarding the sustenance or overruling of the objection will be forwarded for approval to the Ministry of Justice within one month as of the date of decision. These decisions will become final if no decision is made by the Ministry of Justice within two months as of the date of their receipt by the Ministry of Justice or if the decisions are approved. Should the Ministry of Justice discover irregularities in the documents in the course of its review of the file decide to have them corrected or to return the file for correction, this two-month period will commence from the date the irregularities in the documents have been corrected or the corrected file has been re-submitted to the Ministry of Justice.

The Ministry of Justice will return the decisions it does not deem appropriate to the Union of Bar Associations of Turkey for reconsideration together with the reasons for return. The decisions thus returned will be considered as approved if passed unchanged by a two thirds majority vote of the Board of Directors of the Union of Bar Associations of Turkey; otherwise they will be considered as not approved. The result will be communicated by the Union of Bar Associations of Turkey to the Ministry of Justice and the bar association concerned.

Suits may be filed with administrative tribunals by the Union of Bar Associations of Turkey, the candidate, and the bar association concerned against the decisions made by the Ministry of Justice in accordance with this Article; and by the Ministry of Justice, the candidate, and the bar association concerned against the decisions made by the Union of Bar Associations of Turkey after reconsideration of the decisions found inappropriate and returned by the Ministry of Justice.

Consequences of the objection

Article 12 – In the event that the decision of sustenance of the objection becomes final by being approved or by being considered as approved by the Ministry of Justice, the candidate will be entered in the directory of the bar association and issued a license as a result of the actions being conducted as per Articles 9, 10, and 13 of these Regulations.

In the event that the decision of sustenance of the objection becomes final by being approved or by being considered as approved by the Ministry of Justice, the identification of the candidate will be disseminated by the Union of Bar Associations of Turkey to all bar associations in Turkey for action.

The identification of the candidate will be recorded in a special book kept for this purpose by the Union of Bar Associations of Turkey.

No bar association may enter a candidate in its directory pending the removal of the reasons for rejection or waiting.

Attorneyship license, oath, and attorney identification card

Article 13 – The attorneyship license and the attorney identification card will be printed and drawn up in a standard format by the Union of Bar Associations of Turkey.

Upon a candidate's admission into the profession, The Union of Bar Associations of Turkey will prepare his/her license on the basis of the data in his/her file, put an embossed stamp across his/her photograph, and record the license in the license book. After being signed by the president of the Union of Bar Associations of Turkey, the license will be sent to the bar association concerned for signature by its president; and will be given to the candidate after the signatures have been completed. The identification card of the candidate admitted into the profession will also be prepared by the Union of Bar Associations of Turkey and sent to the bar association concerned for delivery to the candidate.

A memorandum will be drawn up in attestation of the fact that the candidate has taken an oath in accordance with Article 9 of the Attorneyship Law that reads, "I swear on my honor and conscience to abide by the law, the principles of morality, and the rules of this profession; and to uphold its respectability," and that he/she has been issued a license. The memorandum will be signed by the members of the board of directors of the bar association and the attorney taking the oath.

A candidate will not be issued a license until the oath has been taken.

The candidate will be granted the title of attorney after receiving his/her license.

A letter reporting this state of affairs and the receipt of the license by the candidate will be sent to the Union of Bar Associations of Turkey. The archive card of the Union of Bar Associations of Turkey will be appended to this letter.

Identification cards printed by the Union of Bar Associations of Turkey in a standard format and completed with the personal data received from bar associations will be sent to the respective bar associations for delivery to the holders.

The attorney identification card bears the nature of an official document.

PART THREE

Work Exclusive To Attorneys And Attire

Work exclusive to attorneys

Article 14 – Every person with the capacity to sue may prepare the documents for his/her own lawsuit, file suit in person, and conduct his/her own business in courts.

Providing opinion in legal matters; litigating and defending the rights of real persons and legal entities before courts, arbitrators, and other bodies invested with jurisdictional powers; and managing all documentation associated therewith are the sole prerogative of attorneys enrolled with bar associations.

No person other than an attorney may prepare documents and conduct business in the above-mentioned matters.

Cooperative and joint stock companies

Article 15 – Joint stock companies with an original capital five times the amount of original capital stipulated in Article 272 of the Turkish Commercial Code, Number 6762 dated 29 June 1956, or more; and building cooperatives with one hundred or more members are required to retain a lawyer under contract.

When it is reported to the highest ranking government officer in the area that organizations defined in the first paragraph are acting in contradiction of the obligation to retain an attorney under contract, the highest ranking government officer will investigate, by means of correspondence with the organizations concerned and observation in place by an assigned official, whether the reported organizations retained an attorney under contract during the reported period; and the organizations determined not to have retained a lawyer under contract will be penalized by the highest ranking local government officer with a fine in the gross amount of one month's minimum wage, effective for workers in the industrial sector older than sixteen years of age on the date of the crime, for each month spent without a lawyer under contract. The fine penalties will be communicated to those concerned in accordance with the provisions of the Service of Process Law, number 7201, dated 1 February 1959.

The organization concerned may object to the fines levied by the highest ranking local government officer upon complaint with the criminal court of peace having jurisdiction within a maximum of seven days as of the date of notification. The decision made by the criminal court of peace on the objection will be final.

The fines will be collected as per Law number 6183 dated 21 July 1953 on the Procedure of Collecting Money Owed to the State and marked as revenue to the treasury of the Republic of Turkey.

Conciliatory negotiations

Article 16 – In accordance with Article 35/A of the Attorneyship Law, attorneys will direct the negotiations for conciliation in the event of the acceptance of the offer of conciliation they and their client have made to the opposite party and its attorney in

actions and cases that have been entrusted to them before a suit has been filed or before hearings have commenced for an already filed suit, provided that such conciliation pertains exclusively to matters that the parties may elicit of their own will.

During conciliatory negotiations, the attorneys will brief the parties on their respective status, offer solutions, and encourage the parties to come to an agreement.

During conciliatory negotiations, the attorneys will take care to act in an unbiased manner between the parties and to reconcile them without allowing themselves to be influenced by either party.

In the event an offer for conciliation is accepted, the attorney offering conciliation will communicate the time and place for the conciliatory negotiations to the opposite party.

The conciliatory negotiations will be conducted with the exclusive participation of the parties and their attorneys unless otherwise agreed.

The statements and acknowledgements made by the parties or their attorneys in the course of the conciliatory negotiations will not be valid in the event of failure to reach conciliation, and may not be used as evidence against either party in lawsuits already under litigation or to be filed in the future. The points stated during the conciliatory negotiations regarding the dispute may not be disclosed by the parties or their attorneys by any means.

Form of the protocol of conciliation

Article 17 – Upon an agreement being reached as a result of the conciliatory negotiations, the issue under conciliation and the details of the agreement reached will be recorded in a protocol to be prepared in two copies and signed by the parties to the dispute and their attorneys.

This protocol must include the following points:

- a) The names, last names, addresses and the bar association registration numbers of the attorneys participating in the negotiations.
- b) The place and date the protocol was drawn up.
- c) The identities and places of residence of the parties and of their legal proxies, interpreters, witnesses, and expert witnesses, if any; the place of residence in Turkey to be indicated by the creditor party if the latter resides in a foreign country.
- d) A brief and to-the-point summary of the dispute between the parties and the issue in dispute.
- e) The agreement reached as a result of the negotiations.
- f) The signatures of the parties and the attorneys participating in the conciliatory negotiations.

The section on the result of the conciliation must include in clear and unambiguous terms, and with each item addressed individually with a serial number if possible, an account of how the dispute was settled; the manner of division of the expenditures and, if the conciliation was effected after the filing of suit, of the jurisdictional charges; the decisions made on the consequences of each of the demands of either party; and the obligations imposed on and the rights granted to the parties.

The original protocol drawn up in this manner will be kept by the attorney or attorneys who prepared it, and facsimiles will be given to the parties.

Power of attorney and certificate of authorization

Article 18 – A power of attorney to be drawn up by an attorney must include the name of the preparing authority; the registration number, the date of preparation; the name, last name, tax number, and signature of the attorney; and the name, last name, and address of the empowering party, and the extent of the power granted.

Attorneys or attorney partnerships may delegate another attorney or attorney partnership on behalf of their clients by issuing a comprehensive certificate of authorization covering all the powers of attorney authorizing them to delegate agents, or by issuing a specific certificate of authorization for each individual case. Such certificates of authorization bear the strength of a power of attorney; and will legally serve the same functions and induce the same effect as a power of attorney with all judicial authorities, public offices and organizations, and private and legal entities. The power of attorney must include the names, last names, bar association, registration and tax numbers of the empowering and the empowered parties as well as the points mentioned in the first paragraph of this Article.

A power of attorney stamp must be affixed to the originals and the facsimiles of the power of attorney and the certificate of authorization before they are presented.

An attorney appointed by a bar association in accordance with the Code of Criminal Procedure, number 1412, dated 1 April 1929, and for the purposes of legal aid, may not delegate such an assignment to another attorney; this power is vested in the bar association concerned.

The right to authenticate documents and to serve notice

Article 19 – The manner of authenticating the facsimiles of powers of attorney will also be applied to the other documents that attorneys are authorized to authenticate the facsimiles of in accordance with Article 56 of the Attorneyship Law.

An attorney may produce a facsimile of a power of attorney issued in his/her name as per proper procedure and use it by certifying its authenticity with his/her signature. Where an original document is not expressly required by law, attorneys may use copies of all manner of papers and documents in the actions they conduct by authenticating the copies themselves. Such facsimiles of documents and of powers of attorney authenticated by attorneys bear the nature of an official copy for all judicial authorities, public offices and organizations, and private and legal entities.

An attorney authenticating copies of powers of attorney or of other papers and documents lacking an original, or presenting a copy not reflecting the original will be punished in accordance with the third paragraph or Article 56 of the Attorneyship Law.

Attorneys may deliver judicial papers and documents to the opposite party on behalf of their clients through the judicial authority concerned and in the absence of any decision by this judicial authority regarding service of process. One copy each of the documents thus delivered will be inserted in the files of the judicial authority concerned provided that the required charges, taxes, and duties have been paid.

Attire

Article 20 – Attorneys are under the obligation to be dressed in the official attire designated by the Union of Bar Associations of Turkey when they appear in court, when they are on duty on the disciplinary boards of bar associations and the Union of Bar Associations of Turkey, and when attending a ceremony for an attorneyship oath.

The official attire designated by the Union of Bar Associations of Turkey may also be worn in the general assemblies of the Union of Bar Associations of Turkey or bar associations, and the official ceremonies where the members of judicial organizations appear in their official attire.

Attorneys may not wear official attire in courts except in lawsuits in which they specifically serve as attorneys.

Attorneys are under the obligation to comport themselves in compliance with Article 20 of the Professional Rules during their professional and jurisdictional activities.

PART FOUR

Transfer To Another Bar Association

Application

Article 21 – Application for transfer will be made in writing to the board of directors of the bar association which the attorney wishes to be enrolled with.

The letter of application must include the name of the bar association the applicant is currently enrolled with; his/her registration number with the bar association, the date and number of his/her attorneyship license; his/her social security status; and his/her address in the district of the receiving bar association to which notices will be served.

A certificate of residence, and two photographs taken without headgear and with a necktie in the case of male attorneys will also be appended to the letter of application.

Review

Article 22 – The board of directors of the bar association applied to will do the following upon receipt of the application for transfer:

a) Inform the bar association that the attorney is currently enrolled with of the application for transfer; and inquire whether the attorney owes any membership dues and old age insurance premium to his/her current bar association, whether he/she is under disciplinary prosecution, and any other matters deemed relevant.

b) Inform the Union of Bar Associations of Turkey of the attorney's wish to be entered in its directory by transfer, and confirm the attorney's declared wish by citing his/her date and number of registration.

c) Conduct any other examination deemed necessary.

Decision

Article 23 – If the board of directors of the receiving bar association determines that the attorney owes membership dues to his/her current bar association, and old age insurance premium to the Social Security Association, or is under disciplinary prosecution at the time of application, it will decide to take no action until such impediments are removed; and will inform the attorney that his/her debts must be cleared and/or disciplinary prosecution concluded before a decision can be made as to his/her request for transfer.

If the attorney is not in debt of the aforementioned type to the bar association he/she is currently enrolled with, or if the clearance of the debt upon notification has been evidenced by a document drawn up by the bar association to which the attorney was in debt; if the attorney is not under disciplinary prosecution, or if the conclusion of the disciplinary prosecution has been evidenced by a letter drawn up by the prosecuting bar association, the board of directors of the bar association to which transfer is requested will review the request for transfer and make a decision to accept or reject the application.

Acceptance and rejection of the request

Article 24 – The enrollment of the attorney with the receiving bar association will take effect upon the decision of acceptance of the request. The date of enrollment will be communicated immediately to the Union of Bar Associations of Turkey and the bar association the attorney was formerly enrolled with. Upon receipt of this information, the bar association with which the attorney was enrolled prior to the transfer will delete the attorney's name from its directory as of the date of enrollment with the receiving bar association. The attorney's registration with the former bar association and his/her social security file will be sent to the receiving bar association. The name of the bar association to which the attorney transferred will be communicated to the Union of Bar Associations of Turkey and the Ministry of Justice.

Admission dues will be received from the attorney during registration with the bar association to which he/she has transferred.

The provisions of Article 8 of the Attorneyship Law and Article 11 of the present Regulations will be applied in the event of the rejection of the application.

PART FIVE

Deletion From and Re-Entry in The Directory And The Register Of The Attorney Partnership

Deletion from the directory and the register of the attorney partnership

Article 25 – In the event of an attorney's persistence in non-payment of his/her dues to a bar association and the Union of Bar Associations of Turkey, or default in the payment of collective insurance premiums, or the discovery of one of the reasons mentioned in Article 72 of the Attorneyship Law requiring deletion from the directory, or upon the written request of the attorney, the board of directors of the bar association with which the attorney is enrolled will decide to have the attorney's name deleted from the directory.

Before making the decision on deletion from the directory, the board of directors of the bar association will serve an official notice to the attorney asking him/her to respond within ten days as of the date of notice. The notice will also instruct the lawyer to make himself/herself present before the board of directors on a specified date and time for a hearing.

Once the attorney's written response has been received, verbal explanation heard, or his/her failure to respond in writing or comply with the written invitation within the specified period recorded in a written memorandum, the board of directors of the bar association will make a decision for deletion from the directory. The decision will be reasoned, and communicated to the attorney. Action in accordance with the provision of the third paragraph of Article 71 of the Attorneyship Law may be taken against such a decision.

Re-entry in the directory

Article 26 – An attorney may request re-entry in the directory by proving the discontinuation of the circumstances that required his/her deletion provided that such deletion was not in accordance with Article 74 of the Attorneyship Law and Article 27 of the present Regulations.

Upon receiving an application for re-entry, the board of directors of the bar association will first decide which documents listed in Article 4 of the present Regulations must be re-submitted to the bar association by the attorney. The attorney requesting re-entry must append the following to his/her letter of application:

a) A document proving the discontinuance of the circumstances that required his/her deletion.

b) If more than one year has lapsed between the date the decision of deletion became final and the date of application for re-entry, a document evidencing the work activity the attorney has been engaged in during this period and a document attesting to his/her residence within the district of the bar association of which re-entry is requested. The bar association will also conduct an inquiry on record of convictions for applicants in this status.

Permanent deletion from the directory

Article 27 – The board of directors of the bar association will decide to have the attorney permanently deleted from the directory in the presence of the following circumstances:

- a) Disbarment upon convictions adjudged by jurisdictional entities.
- b) Disbarment in accordance with Subparagraph 5 of Article 135 of the Attorneyship Law.
- c) Conviction of the offenses mentioned in Subparagraph a of Article 5 of the Attorneyship Law.

Attorneys whose names are deleted from the directory may object to this decision as prescribed in Article 71 of the Attorneyship Law.

The provision of the sixth and seventh paragraphs of Article 8 of the Attorneyship Law and Article 11 of the present Regulations will be applied by analogy here, as well.

The identities of those whose names have been deleted from the directories of bar associations in accordance with Article 74 of the Attorneyship Law will be reported to the Union of Bar Associations of Turkey and the Ministry of Justice with a note on whether their licenses have been forfeited.

The matter will be published in the Official Gazette by the Union of Bar Associations of Turkey, and will be communicated to the chief public prosecutors in the centers of high criminal jurisdiction for dissemination to juridical entities and the organization at large of the Ministry of Justice; and to the provincial governors for dissemination to administrative authorities.

PART SIX

Establishment And General Assemblies Of Bar Associations

Establishment

Article 28 – In the event that a bar association established in accordance with Article 77 of the Attorneyship Law subsequently loses its capacity to form its legal entities, the Union of Bar Associations of Turkey will decide to have the attorneys enrolled with this bar association attached to the nearest bar association.

Bar associations stand next to the chief public prosecutor for the province in state protocol.

Establishment of a new bar association

Article 29 – The knowledge that thirty attorneys are in permanent practice within the boundaries of a province where no bar association exists requires the establishment of a bar association in that province.

The Union of Bar Associations of Turkey will request the neighboring bar association hosting as members the attorneys in such status to furnish a list showing the names and addresses of the attorneys wishing to establish a new bar association, their durations of residence in that area, and their seniorities in the profession.

Once the legal conditions required for the establishment of a new bar association have been determined, the Union of Bar Associations of Turkey will assign the senior attorney residing in the provincial capital where the bar association will be founded with the task of establishment.

A constituent board of four, to be appointed and chaired by the assigned attorney, will complete the establishment of the new bar association within a maximum of six months and report the situation to the Union of Bar Associations of Turkey, upon which the new bar association will assume a legal personality. The establishment of the new bar association will be reported to the Ministry of Justice by the Union of Bar Associations of Turkey.

The provision of this Article will also be applied in cases where the presence of the circumstances necessitating the establishment of a new bar association in accordance with the second paragraph of Article 77 of the Attorneyship Law have been determined by the Union of Bar Associations of Turkey.

Composition of the general assembly of the bar association

Article 30 – The general assembly is the highest ranking entity in a bar association.

The general assembly is composed of all the attorneys enrolled with a bar association. The following persons may not participate in the general assembly:

a) Those who have not yet taken a professional oath although a decision has already been made for their entry in the directory.

b) Those disbarred in accordance with the last paragraph of Article 71 of the Attorneyship Law.

c) Those owing dues to the bar association or the Union of Bar Associations of Turkey.

Meetings

Article 31 – The general assembly of a bar association convenes in two ways, regular and extraordinary.

Attorneys who are entered in the directory of the bar association are under the obligation to participate and vote in both the regular and the extraordinary meetings of the general assembly. Attorneys who fail to participate or vote in these meetings without a rightful excuse will be fined by the chairperson of the county election board with an amount equal to one third of the annual dues of the attorneys enrolled with the respective bar association. The fines will be collected by the president of the bar association and marked as revenue to the budget of the bar association.

Those who leave or do not attend a meeting must submit their excuses to the president of the bar association or the presidential council before the termination of the general assembly meeting.

Regular meetings

Article 32 – The regular meetings of bar associations will be held in the first week of the month of October every other year. The agenda of these meetings will be prepared by the board of directors of the bar association.

The following items must appear in the agenda as a requirement:

a) Opening of the meeting and election of the chairing panel of the general assembly.

b) Reading, discussion and decision on the report of the board of directors on activities conducted during the past term and the report of the board auditors.

c) Reading, discussion and adoption of next year's budget.

d) Election of the president of the bar association, and the regular and alternate members of the board of directors, the disciplinary board, and the board auditors whose terms of office have expired; and of the delegates to the Union of Bar Associations of Turkey.

The general assembly may not decide the addition of a new item on the agenda upon request. This provision will not apply to a decision to hold a new meeting.

Extraordinary meetings

Article 33 – The general assembly of the bar association may be called to an extraordinary meeting by the following:

a) The Union of Bar Associations of Turkey.

b) The president of the bar association.

c) The board of directors of the bar association, or the board auditors.

The president of the bar association is under the obligation to call an extraordinary meeting of the general assembly within fifteen days at the latest upon the written request of one fifth of the attorneys entered in the directory.

In order for a request for an extraordinary meeting made by attorneys to be accepted and put into action, the items to be discussed must be indicated in writing. Requests for an extraordinary meeting with no reason will not be taken into consideration.

The provision in the first paragraph of Article 34 of the present Regulations will be applied by analogy to extraordinary meetings, as well.

Call for a meeting and the agenda

Article 34 – The place, time, and agenda of the regular meeting of the general assembly; and the place and time of the second meeting if the required majority is not reached in the first, will be posted where suitable in the bar association and the judicial offices in its professional circles until the date of the general assembly meeting starting at least thirty days before the meeting. Such announcement will effectively serve as an official notice.

Adequate number of copies of the minutes of the meetings and the activity report of the board of directors, and the report on final accounts and the auditors report must be placed at the disposal of attorneys for review at the bar association concurrently with the call for a regular meeting.

Roll call roster

Article 35 – A roll call roster indicating the names of the attorneys enrolled with the bar association in order of their bar association registration numbers will be prepared for the meetings of the general assembly.

Attorneys may participate in the meeting by putting their signatures against their names in the roll call roster. The chairperson will open the meeting of the general assembly if quorum for the meeting is present as prescribed in Article 87 of the Attorneyship Law.

In the event of an objection, a roll call will be conducted by reading names from the roster. The result will be final.

Chairing panel of the general assembly

Article 36 – A chairing panel composed of a chairperson, a deputy chairperson, and two members will be elected as the first thing in both the regular and the extraordinary meetings of the general assembly. The election will be held by separately voting for each position. The voting will be done openly unless otherwise decided by the general assembly and those who get the largest number of votes will be elected.

The president of the bar association, the members of the board of directors of the bar association and the board auditors may not be elected to the chairing panel.

Order of speaking and duration of speeches

Article 37 – Those who wish to speak will be invited to take the floor successively by the chairperson. However, the president and the members of the board of directors of the bar association and, in matters concerning the Union of Bar Associations of Turkey, delegates elected to the general assembly of the Union of Bar Associations of Turkey will be given priority.

The chairing panel may decide to give priority to speeches on procedure.

Discussion on motions

Article 38 – During the discussion of the motions regarding the agenda items, at least one speaker each for and against the motion will be invited to speak in addition to the remarks of the person who has moved the resolution.

Voting after discussion

Article 39 – The discussion of an agenda item will be terminated upon the completion of the speeches of those who wished to speak or the adoption of a motion for termination.

Once discussion is terminated on an agenda item, the chairperson will summarize the topic and the views presented, and will submit the topic to the general assembly for a vote. The decisions will be made by open voting and simple majority of those present unless otherwise prescribed in the Attorneyship Law and these Regulations.

The general assembly may not decide matters that are not indicated in the agenda as items to be discussed. This provision will not apply to a decision to hold a new meeting.

Order of the meeting

Article 40 – The chairing panel of the general assembly is charged with maintaining the order of the meeting and the discussions. An attorney who disturbs the order of the meeting may be given a warning or, his/her right to vote being reserved, decided to be invited to leave the meeting until the completion of the current discussion.

Intermission and adjournment of the meeting

Article 41 – The meeting may be postponed under the following circumstances:

- a) Disturbance of order to the extent that the meeting cannot be continued.
- b) Determination, by a roll call, of the fact that at least one third of the members who participated in the meeting are currently absent from the meeting room for bar associations with up to and including sixty members, one fifth for bar

associations with up to and including four hundred members, and one tenth for bar associations with more than four hundred members.

The chairing panel will give an intermission of not more than two hours in the presence of the circumstances in Subparagraph a of this Article, and adjourn the meeting to a future date not later than fifteen days in the presence of the circumstances in Subparagraph b. The new meeting will be the continuation of the adjourned first meeting and the duties of administration will be performed by the same persons in both meetings.

PART SEVEN

Boards Of Directors Of Bar Associations And The Activities Of Bar Associations

Meeting of the board of directors

Article 42 – The board of directors convenes with the simple majority of its members.

The vice-president will chair the meeting in the absence of the president; and the senior member in the absence of the vice-president.

Manner of voting and decisions

Article 43 – Voting will be open unless otherwise decided by the board of directors. A topic on which discussion has been completed will be put to the vote starting with the least senior member in order of registration number, and he/she will vote last.

The decisions will be made with the simple majority of the enrolled membership regardless of the number present. In case of a tie, the side taken by the president will carry the vote. The president and the members of the board of directors of the bar association may not participate in the discussions and may not vote on matters in which they are involved.

Minutes

Article 44 – The minutes of the board of directors will be kept by the secretary general. The decisions made by the board will be recorded in the minutes. The recording of the discussions made before a decision was made is at the discretion of the board of directors. The minutes will be signed by those present at the meeting. Opponents of the decision will sign the minutes by annotating the reasons for their nays.

Conduct of administrative actions

Article 45 – The administrative actions of the bar association will be conducted by the president, the presidential council, and the personnel assigned.

The president of the bar association is also the chief of the administrative organization of the bar association.

The president is the point of application for attorneys and other persons.

The treasurer of the bar association will countersign the papers drawn up in receiving and dispensing money with the president or, in the latter's absence, with the vice-president or the secretary general of the bar association.

The president or the board of directors of the bar association may assign administrative tasks to attorneys entered in the directory and attorneyship apprentices on a temporary basis.

These services will be performed gratuitously.

Responsibility

Article 46 – The president of the bar association, the presidential council and its members are responsible primarily to the board of directors in respect of the conduct of the administrative activities of the bar association .

Responsibility to the general assembly rests with the board of directors.

Representatives to the judicial centers in the district of the bar association

Article 47 – The board of directors of the bar association will appoint a representative to serve for two years in the judicial centers in its district.

The attorney assuming the duty of representation will select a maximum of two assistants at his/her discretion and submit their names to the board of directors for approval.

The representative will serve as directed by the decisions and under the supervision of the board of directors of the bar association; arranging for and coordinating activities pertaining to the board of directors, apprenticeship, and other duties and activities concerning the bar association; keeping the relevant books and records, and helping with the coordination between the members, organizations, public agencies, and the bar association. Representations for legal aid and the actions pertaining to the Code of Criminal Procedure (*CMUK*) may be combined with representation for bar association in the same person.

In the event of the representative's post being vacated due to expiry of term of service, resignation, removal from duty, or other reasons, a new representative will be appointed by the board of directors of the bar association. The new representative will serve out the term of the former.

Application

Article 48 – Applications for any administrative action will be made in writing to the bar association.

Applications will not be registered in the book and processed unless first seen by the president of the bar association or a member of the presidential council designated by the president, and routed to the appropriate channel for action. The same rule will be applied to documents pertaining to official applications.

Authorized signatures

Article 49 – Letters not signed by the president of the bar association, the vice-president or the senior member, or a member of the board of directors designated by the president may not be drawn up in the name of the bar association.

Assignments

Article 50 – The president of the bar association may assign a member of the presidential council, if available, or a member of the board of directors, if the latter is not available, for the performance of an administrative task.

Books to be kept

Article 51 – The presidential council and the board of directors of the bar association will take the necessary measures to manage the affairs of the bar

association in the most effective manner, and will identify the books and files to be kept.

It is mandatory that books be kept in the following areas:

- a) Minutes and decisions of the general assembly.
- b) Decisions of the board of directors.
- c) Incoming and outgoing documents.
- d) Disciplinary decisions merits.
- e) Investigations merits.
- f) Revenues and expenditures of the bar association.
- g) Legal aid.
- h) Code of Criminal Procedure (*CMUK*)
- i) Attorney partnership register.
- j) Attorneyship stamps.
- k) Board of arbitration merits and decisions.

The books must be authenticated by the board of directors with a stamp and signature by numbering the pages and recording the total number of pages in the first and last pages of the book. All or some of these books may be in the form of files where necessary.

The president will take the necessary measures for the orderly safekeeping of the book records and the documents they refer to.

Bar associations may keep their records also in a digital environment in addition to the books they are obligated to keep.

PART EIGHT

Election

Conduct of election procedures

Article 52 – In bar associations with more than 400 members, discussions will be terminated on Saturday. The voting will begin at 09:00 hours on Sunday and cut off at 17:00 hours.

In bar associations with fewer than 400 (included) members, discussions and elections may take place on the same day. The beginning and ending times of the elections after the conclusion of discussions on the agenda items will be determined by the ballot box board.

Candidates

Article 53 – The names of the candidates for the various entities will be submitted to the ballot box board by election time individually or collectively.

Attorneys prohibited from participating in the general assembly because they owe dues to the bar association or the Union of Bar Associations of Turkey may not exercise the right to elect and be elected, may not be candidates, and may not be nominated.

Ballots

Article 54 – The envelopes for the ballots must be stamped. The ballots themselves need not be stamped. Ballots may be handwritten or printed and reproduced. The names written in the ballots may be crossed out and replaced with others.

Voting

Article 55 – Voting will be closed. The ballot box board appointed by the county election board will be responsible for ensuring that the voting is conducted with due regard for privacy and in an orderly manner free of any influence.

Termination of voting and counting of votes

Article 56 – Voting will be terminated when all the attorneys participating in the general assembly have cast their votes or when the designated voting period is completed. The votes will be counted openly after the circumstances under which the voting was terminated have been recorded in a memorandum.

- a) The envelopes emptied from the ballot box will be counted.
- b) If the number of envelopes is greater than the number of votes cast, the number of envelopes in excess will be picked at random and destroyed without opening.
- c) The envelopes will be opened one by one and the emptied envelopes which contained a ballot and the ballots extracted from them will be piled separately. Envelopes containing more than one ballot will not be included in the count.
- d) Ballots not including at least one name more than half the number of members to be elected will be void.

e) In ballots including more names than the number of members to be elected, the redundant names will be disregarded starting from the last.

f) The votes will be counted and the results, ordered from the largest number of votes received down to the smallest, will be recorded in a memorandum and made public.

In case of a tie in the number of votes received, the candidate with professional seniority will lead. If there is no difference in professional seniority, the oldest member will lead.

A copy of the memorandum indicating the election results will be sent to the Union of Bar Associations of Turkey.

These rules will be applied in the election of all entities.

The provisions on elections included in this PART of the Regulations and the provisions on the meetings of the general assembly included in PART SIX of the Regulations will be applied by analogy to the Union of Bar Associations of Turkey, as well.

PART NINE
Board Auditors

Duties

Article 57 – The duty of the board auditors is to audit the financial affairs of the bar association.

The board auditors will perform their duty at least every other month, employing formalities and methods at their discretion. However, it is mandatory that the following points be accomplished during audits.

- a) Examining the accounts for the revenues and expenditures of the bar association and the papers referred to in the records.
- b) Determining whether the records have been kept properly.
- c) Examining the compliance of expenditure records with the budget, the decisions of the general assembly and the board of directors, and relevant statutes.
- d) Auditing the Code of Criminal Procedure (*CMUK*) accounts.

The board auditors will prepare a report in three copies upon completion of their inspection. One of these copies will be placed in the decisions and reports file of the board auditors, one will be given to the board of directors, and the other will be appended to the annual report to be prepared as per Article 58 of the present Regulations.

The board of directors of the bar association is under the obligation to facilitate the work of the board auditors and to place the requested documents and records at their disposal for inspection.

The term of duty of the board auditors is equal to the term between two general assemblies of the bar association.

Preparation of a report

Article 58 – The board auditors will prepare a report on the financial affairs of the bar association for two years to be submitted to the general assembly at the end of the term.

Call to extraordinary meeting

Article 59 – Should the board auditors discover in the course of their inspections irregularities and deficits in the financial affairs of the bar association and the keeping of its records and reach the conclusion that such irregularities persist, or consider the existing irregularities serious, they will prepare a report to that effect and decide to call the general assembly of the bar association to an extraordinary meeting. The general assembly will convene and make decisions in accordance with Articles 84, 85, and 87 of the Attorneyship Law.

PART TEN

Actions Of The Union Of Bar Associations Of Turkey

Administrative actions

Article 60 – Objections raised against the decisions of bar associations in accordance with the Attorneyship Law and the present Regulations will be submitted to the Union of Bar Associations of Turkey directly or through the bar association which made the decision.

The Union of Bar Associations of Turkey stands next to the Chief Public Prosecutor of the Supreme Court of Appeals in state protocol.

Board auditors

Article 61 – The formalities and methods of operation of the board auditors of bar associations mentioned in the present Regulations will also be applied to the board auditors of the Union of Bar Associations of Turkey.

Deficiencies in files prepared for objections

Article 62 – Should the board of directors and the disciplinary board of the Union of Bar Associations of Turkey find deficiencies in a file they review in connection with an objection, they may return the file for completion to the board that made the decision objected to. In such a case, no review will be conducted until the deficiencies are remedied and the decision making period of the Union of Bar Associations of Turkey will not start.

PART ELEVEN
Disciplinary Actions

General rule

Article 63 – In disciplinary prosecutions, the allegations must be communicated to the person concerned clearly and in writing, the person's defense requested, and a minimum of ten days granted for the defense. Disciplinary actions consist of two parts, investigation and disciplinary prosecution. In order that a decision can be made to initiate or not to initiate disciplinary prosecution, an investigation must be conducted first.

Conduct in contradiction of the Attorneyship Law and the Professional Rules will require disciplinary prosecution.

Investigation

Article 64 – Investigation on an attorney will be conducted,

- a) Upon a report or a complaint by whom it may concern,
- b) Upon the request of the public prosecutor,
- c) When deemed necessary by the board of directors of the bar association.

Report or complaint

Article 65 – A report or a complaint may be verbal or in writing.

a) A verbal report or complaint will be considered as having been made when an individual contacts the bar association, identifies the attorney he/she will report or complain against, and disclose his/her allegations.

b) A verbal report or complaint will be made by delivering a letter to the bar association.

In either case, the identity and address of the complainant, the identity of the attorney reported or complained against, the grievance at hand, the material circumstances, and the date of the report must be indicated. In the case of verbal reports or complaints, these points will be recorded in a memorandum to be signed by the the president of the bar association or a member of the presidential council, the individual submitting the report or complaint, and the clerk.

The president of the bar association may ask the complainant to advance a sum for expenditures considering the nature and scope of the complaint. Action may be withheld until the requested advance payment and the amount requested to be completed have been paid by the party concerned.

Initial review

Article 66 – Pressing cases notwithstanding, the board of directors of the bar association will review the report or the complaint in its first meeting to be held after the report or complaint has been submitted.

Complaints not including the identity, address, and signature of the individual submitting the report or the complaint will not be processed. However, the board of directors may conduct an investigation of its own motion on the grievance reported or complained against in cases it deems necessary.

Investigation process

Article 67 – The grievance reported or the matter that is the subject of a complaint or a request will be reviewed by one of the members of the board of directors to be designated by the board for this purpose. This member will collect the evidence; and may hear the party submitting the report or the complaint, and may take the sworn depositions of persons he/she considers relevant. The lawsuit and enforcement files serving as a basis, or those that are considered relevant, will be submitted to the board of directors together with an investigation report after they have been reviewed by the designated member, and the attorney reported or complained against has been heard or the period granted for a hearing has expired.

Should the board of directors consider the investigation report incomplete, it may task the originally designated member or another member with completing the report.

The board of directors is under the obligation to make a decision on disciplinary prosecution with precedence and, at any rate, within a maximum of one year from the date of the report, complaint, or request.

Decision not to initiate disciplinary prosecution

Article 68 – The board of directors will decide not to initiate disciplinary prosecution if it determines as a result of its review of the file and the report that the grounds do not exist for a disciplinary prosecution to be initiated on the attorney against whom a report or a complaint has been received.

This decision will indicate the name and address of the complainant, the identity of the attorney complained against, the allegation, the review conducted, and the evidence, together with a reason.

The decision will be reported to the public prosecutor by an official letter to which the relevant file will be appended. It will also be communicated to the attorney investigated on and, if available, the complainant.

The communication to the complainant will be made in accordance with the provisions of the Service of Process Law. However, communication is also possible by hand-delivery of a copy of the decision. In this case, the date the communication was effected, and the name and last name of the complainant receiving the communication will be recorded in a memorandum and signed by the complainant, the chief clerk on behalf of the bar association, and the delivering official. A copy of the official letter sent to the public prosecutor will be signed by the receptor indicating the date of receipt. The stubs of receipt or non-receipt of the official letter of communication or the memorandum, and the public prosecutor's receipt will be placed in the file.

Objections

Article 69 – Objections may be raised by the public prosecutor or the complainant with the board of directors of the Union of Bar Associations of Turkey against the decisions of the board of directors of the bar association not to initiate prosecution within fifteen days from the date of notification of the decision. The bar association will send the letter of objection to the Union of Bar Associations of Turkey by appending the file. The mailing cost of the file to and from the Union of Bar

Associations of Turkey will be received from the objector. If the objection is raised with the public prosecutor, the mailing costs will be paid by the bar association concerned.

The decisions made by the Union of Bar Associations of Turkey overruling the objections will be sent to the Ministry of Justice for approval within one month as of the date of decision. These decisions will become final if no decision is made by the Ministry of Justice within two months as of the date of their receipt by the Ministry or if they are approved.

The Ministry of Justice will return to the Union of Bar Associations of Turkey for reconsideration the decisions it does not find appropriate together with the reasons for returning. The decisions thus returned will be considered as approved if passed unchanged by a two thirds majority vote of the board of directors of the Union of Bar Associations of Turkey; otherwise they will be considered as not approved. The result will be communicated to the Ministry of Justice and the bar association concerned by the Union of Bar Associations of Turkey.

Suits may be filed with administrative tribunals by the Union of Bar Associations of Turkey, the complainant, and the bar association concerned against the decisions made by the Ministry of Justice in accordance with this Article; and by the Ministry of Justice, the complainant, and the bar association concerned against the decisions made by the Union of Bar Associations of Turkey after reconsideration of the decisions found inappropriate and returned by the Ministry of Justice.

Initiation of disciplinary prosecution

Article 70 – If the board of directors of the bar association decides to initiate disciplinary prosecution, the file will be forwarded immediately to the disciplinary board and action will be taken as prescribed in Article 144 and the subsequent Articles of the Attorneyship Law.

The decision of the disciplinary board will be communicated to the parties concerned and the public prosecutor in accordance with Article 68 of the present Regulations.

Objection to the decisions of the disciplinary board

Article 71 – Objections may be raised by the public prosecutor or the parties concerned with the disciplinary board of the Union of Bar Associations of Turkey within thirty days from the date of notification of the decision.

The letter of objection will be submitted to the bar association concerned. The bar association will send the letter of objection to the chairperson of the disciplinary board of the Union of Bar Associations of Turkey by appending the file. The mailing cost of the file to and from the disciplinary board of the Union of Bar Associations of Turkey will be received from the objector. If the objection is raised with the public prosecutor, the mailing costs will be paid by the bar association concerned.

Permission to investigate by public and private entities

Article 72 – Public and private organizations, jurisdictional authorities, legal and private entities will permit the review of files and documents pertaining to the

subject of the investigation, prosecution, or objection when requested by bar associations, members designated by the boards of directors, the disciplinary boards of bar associations, and the board of directors and the disciplinary board of the Union of Bar Associations of Turkey.

The provisions of this Article will also be applied in cases when the examination is requested to be conducted in the district of another bar association by a letter rogatory.

PART TWELVE
Inspection and auditing

Inspection and auditing of bar associations and the Union of Bar Associations of Turkey

Article 73 – The administrative inspection and financial auditing of bar associations and the Union of Bar Associations of Turkey will be effected by the inspectors and auditors of the Ministry of Justice.

The administrative inspection is for the purpose of determining whether the entities of bar associations and the Union of Bar Associations of Turkey discharge their duties in accordance with statutory provisions; and will be conducted by examining all records, actions, books, and all kinds of papers and documents.

The financial auditing covers the following points:

- a) Examination of the revenues and expenditures of bar associations and the Union of Bar Associations of Turkey.
- b) Whether the expenditures have been made for the intended purpose.
- c) Whether the revenues are from legal sources, and have been recorded in full and in a timely manner.
- d) Whether membership dues have been collected.
- e) Whether the dues of the Union of Bar Associations of Turkey have been paid in a timely manner.
- f) Whether the death benefit deductions have been transferred to the Union of Bar Associations of Turkey in a timely manner for payment to the beneficiaries.
- g) Whether bar associations and the Union of Bar Associations of Turkey have paid in a timely manner the Social Security premiums and the withholding taxes and the salaries of their payroll staff; and whether bar associations have paid in a timely manner the insurance premiums of attorneys owed to the Social Security Association.
- h) Whether there are any irregularities in the accounts of bar associations.
- i) Auditing of the Code of Criminal Procedure (*CMUK*) accounts.

Authorities will help the inspectors and auditors throughout the inspection or audit in order to ensure that the inspection or audit is conducted in a sound manner conducive to the intended purpose. The information and documents requested will be furnished without delay.

Any points found to be worthy of recommendation as a result of the inspection or audit, other than what can be corrected on the spot, will be reported to the bar association concerned and the Union of Bar Associations of Turkey. The next inspection or audit will include a check on whether the recommendations have been implemented.

The documents, including a record of investigations, to be drawn up at the conclusion of investigations on the irregularities and improper procedures of the entities noted in administrative and financial affairs during the inspections and audits will be forwarded to the Chairperson of the Board of Inspection of the Ministry of Justice.

PART THIRTEEN
Miscellaneous Provisions

Attorneys without a law degree

Article 74 – Those authorized to practice attorneyship without a law degree in accordance with the first paragraph of Provisional Article 13 of the Attorneyship Law are under the obligation to have themselves entered in the list prepared by bar associations.

The list of attorneys without a law degree will indicate their names and last names, the date of their license to practice attorneyship without a law degree, the Ministry of Justice registration number, and the registration serial number in the list prepared by the bar association. A list showing the names of the attorneys without a law degree listed by the bar association until 31 December will be appended to the list of attorneys and sent in the beginning of every judicial year to the Ministry of Justice, the Union of Bar Associations of Turkey; and the public prosecutors, the highest ranking administrative official, the jurisdictional authorities, the enforcement and bankruptcy offices, and the notaries public in places where attorneys without a law degree are authorized to practice.

The provisions prescribed for attorneys will be applied by analogy to the applications for entry in the list made by attorneys without a law degree, their deletion from the list, and their objections to decisions of rejection of their request for entry in the list.

Overseers of legal affairs

Article 75 – The provisions in Article 74 of the present Regulations and other provisions herein pertaining to admission into the profession of attorneyship, work exclusive to attorneys, transfer to another bar association, and disciplinary actions will be applied by analogy to overseers of legal affairs, as well, the provisions of Provisional Article 17 of the Attorneyship Law being reserved.

Overseers of legal affairs may not be transferred to another place in the district of the bar association they are listed with or of another bar association unless the number of attorneys and attorneys without a law degree in their location reaches three in accordance with the fourth paragraph of Article 17 of the Attorneyship Law.

The certificate of authorization to be issued to overseers of legal affairs will be prepared according to a standard certificate to be designed by the Union of Bar Associations of Turkey.

Rescinded provisions

Article 76 – The Attorneyship Law Regulations published in the Official Gazette, issue 14454, dated 20 February 1973, have been rescinded.

Provisional Article 1 – Attorney identification cards other than those prepared by the Union of Bar Associations of Turkey in accordance with Article 13 of the present Regulations may not be used as attorney identification cards after 1 January 2003.

Entry into effect

Article 77 – The present Regulations enter into effect on the date of their publication.

Enforcement

Article 78 – The provisions of the present Regulations will be enforced by the board of directors of the Union of Bar Associations of Turkey.