

REGULATION

From the Personal Data Protection Authority:

PERSONAL DATA PROTECTION BOARD WORKING PROCEDURE AND
REGULATION ON PRINCIPLES
FIRST PART

Purpose, Scope, Basis and Definitions

Purpose and scope

ARTICLE 1 – (1) This Regulation covers the working procedures and principles, duties of the Personal Data Protection Board, prepared to define their powers and responsibilities.

Rest

ARTICLE 2 – (1) This Regulation is based on the Law on Protection of Personal Data No. 6698 dated 24/3/2016.

It has been prepared on the basis of Articles 1 and 23.

Definitions

ARTICLE 3 – (1) In this Regulation;

- a) Chairman: Chairman of the Personal Data Protection Authority,
 - b) Law: Law on Protection of Personal Data dated 24/3/2016 and numbered 6698,
 - c) Board: Personal Data Protection Board,
 - ç) Institution: Personal Data Protection Authority,
 - d) Member: Member of the Personal Data Protection Board,
- means.

SECOND PART

Personal Data Protection Board

Board

ARTICLE 4 – (1) The Board is the decision making body of the Institution. Board; a total of one President and one Vice-President.

It consists of nine members.

(2) Five members of the Board are the Turkish Grand National Assembly, two members are the President, and two members are the Council of Ministers. chosen by.

(3) The Board, under its own responsibility, independently performs the duties and authorities given by the Law and other legislation. perform and use. No organ, authority, authority or person can give orders to the Board regarding the matters falling within its scope of duty. and cannot give instructions, advice or suggestions.

President

ARTICLE 5 – (1) The President, who is the highest manager of the Institution, is responsible for the general management and representation of the Institution and the Board. Responsible for the execution of the decisions taken by

(2) The President and the Deputy Chairman are elected separately by the Board. No candidates are nominated in the election. Selection is hidden or It is decided by the Board that it will be done by open voting. The result is stated in a minute and by the members of the Board attending the meeting. is signed.

(3) In the absence of the President due to leave, illness, overseas assignment or other reasons, the Vice President shall act as the President.

members

ARTICLE 6 – (1) The term of office of the members of the Board is four years. A member whose term has expired can be re-elected. Mission time The person elected to replace the member whose term of office expires for any reason before the expiry of the term, shall serve the remaining term of the member for which he was elected completes.

(2) Board members cannot be dismissed for any reason before their term expires. Board members;

- a) It is later understood that they do not meet the requirements for being elected,
- b) The finalization of the sentence of conviction for the crimes they have committed in relation to their duties,
- c) It is definitively determined by the medical board report that they cannot fulfill their duties,
- ç) For fifteen days without permission, without excuse and without interruption, or for a total of thirty days in a year.

it is determined that they do not continue,

d) To attend a total of three Board meetings in a month without permission and excuse, and a total of ten Board meetings within a year.

it is determined that they do not participate,

In such cases, their membership ends with the decision of the Board.

Duties and powers of the board

ARTICLE 7 – (1) The duties and powers of the Board are as follows:

- a) To ensure that personal data is processed in accordance with fundamental rights and freedoms.
- b) To decide on the complaints of those who claim that their rights regarding personal data have been violated.
- c) Upon complaint or ex officio in case of learning of the alleged violation, personal

To examine whether the data is processed in accordance with the law and to take temporary measures in this regard when necessary.

- ç) To take regulatory action in order to determine the obligations regarding data security.
- d) To determine the adequate measures to be taken for the processing of sensitive personal data.
- e) To ensure that the Data Controllers Registry is kept.
- f) Procedures and principles regarding the deletion, destruction or anonymization of personal data

to determine.

- g) To carry out the necessary regulatory actions regarding the duties of the Board and the functioning of the Agency.
- ğ) To take regulatory action regarding the duties, powers and responsibilities of the data controller and its representative.
- h) To determine and announce the countries that have and do not have sufficient protection for data transfer abroad.
- ı) To determine the sectoral application principles regarding the protection, processing and security of personal data,

To determine the procedures and principles on accreditation, certification, training and guidance.

- i) To carry out domestic and international projects related to the protection of personal data.
- j) To inform institutions and organizations about the protection of personal data, to raise public awareness

carry out activities.

k) To work on fee schedules.

l) Cooperation and coordination studies with universities and other relevant domestic and foreign institutions and organizations

execute.

m) To decide on the administrative sanctions stipulated in the law.

n) Regarding legislative drafts prepared by other institutions and organizations and containing provisions regarding personal data

Reporting an idea.

o) The Institution; to decide the strategic plan, aims and objectives, service quality standards and performance

to set the criteria.

ö) To discuss and decide on the budget proposal prepared in accordance with the strategic plan and objectives and targets of the institution.

connect.

p) The report prepared on the performance, financial situation, annual activities and needed issues of the institution

approve and publish drafts.

r) To discuss and decide on the proposals on the purchase, sale and lease of immovable property.

THIRD PART

Working Procedures and Principles of the Board

agenda of the board

ARTICLE 8 – (1) Board meeting agendas; It is determined by the President.

(2) The agenda and draft resolutions on the issues on the agenda, the documents required for the decision and the opinion of the Institution and their suggestions are distributed to the members by the Investigation Department at least 3 days before the meeting date.

(3) In a meeting, if the discussion of the agenda items cannot be completed due to time; non-negotiable items are included in the next meeting agenda without the need for any action.

Meeting and decision quorum

ARTICLE 9 – (1) The Board convenes with at least six members including the Chairman.

(2) The Board convenes on the date to be determined by the President. The Chairman may call the Board to an extraordinary meeting when necessary. can call.

(3) It is essential that the members be present at all meetings.

(4) Members who will not be able to attend the meeting shall notify the Presidency in writing of their valid excuses.

(5) The Board takes decisions with the absolute majority of the total number of members. Board members cannot vote abstaining.

(6) Meetings are mainly held at the Institution's headquarters. In case of need, by the Board, the head office of the Institution

It may be decided to hold meetings in other places.

(7) Although it is essential that the meetings be held physically, if needed and approved by the Chairman.

If necessary, a meeting can be held in electronic environment by taking the necessary security measures, or it can be attended by electronic means. participation is possible.

Procedure and voting in negotiations

ARTICLE 10 – (1) Decisions are taken by negotiation. Topics are discussed according to their order on the agenda.

(2) The Chairman gives the floor to the members of the Board in order to discuss the agenda items. on the subject After the negotiations are completed, the agenda item is put to the vote.

(3) Decisions are voted with a sign by raising hands for acceptance or rejection.

(4) Board decisions are recorded at the end of the meeting.

(5) Board members; themselves, blood relatives up to the third degree and beech relatives up to the second degree,

Even if the marriage ties between them and their adopted children have been broken, meeting and voting on matters that concern their spouses. cannot attend. This situation is also stated in the decision text.

Confidentiality of conversations and those who can attend meetings

ARTICLE 11 – (1) Unless otherwise agreed, discussions at Board meetings are confidential. Board meetings,

No one other than the chairman and the members of the staff who is responsible for arranging the meeting minutes can attend. However, the President Parties, persons or representatives may be invited to the meeting of the Board, if needed. However, the Board decisions are not taken in the presence of those who attend the meeting from outside.

Decision

ARTICLE 12 – (1) Decisions taken regarding the agenda items discussed at the meeting are recorded in the minutes.

(2) The minutes of the decision shall be signed by all members attending the meeting during the meeting.

(3) Without prejudice to the periods specified in the law, the Board decision shall be taken at the latest ten years after the meeting date. Within five days, the reasons are written together with the reasons for the dissenting vote, if any.

(4) Members of the Board who do not sign the Board resolutions within due time without any excuse despite attending the meeting, shall be deemed to have voted in line with the statements in the relevant meeting minutes.

(5) The last page on which each decision taken at the Board meeting is written, the names of the members attending the meeting should be written. signed by the members, and the previous pages are signed or initialed.

(6) Meeting and decision numbers start at once every year and follow the sequence number until the end of that year.

Matters to be included in the decisions

ARTICLE 13 - (1) As a result of the examination made ex officio upon the complaint or in case of learning of the alleged violation Decisions made include the following:

- a) Names and surnames of the members of the Board who made the decision.
- b) Names and surnames of those who carried out the examination and research.
- c) Names, surnames and titles, addresses and titles of the parties.
- ç) Summary of the claims and statements of the parties.
- d) Evaluation of claims and statements.
- e) Legal basis of the decision.
- f) Result.
- g) Grounds for dissenting votes, if any.

(2) Other decisions include the following:

- a) Names and surnames of the members of the Board who made the decision.
- b) Subject and legal basis of the decision.
- c) Result.
- ç) Grounds for dissenting votes, if any.

Storage of decisions

ARTICLE 14 – (1) Decisions are filed by the Department of Investigation. Certified copies of decisions sent to the units.

(2) In the approved resolution samples to be sent to the units, there are no grounds for dissenting votes.

(3) The originality of the decision samples is approved by the Investigation Department.

Announcement and publication of decisions

ARTICLE 15 – (1) The Board announces to the public the decisions it deems necessary.

(2) Board decisions are notified to the relevant parties after the writing is completed.

(3) Only the President can be sent to the press and media about the topics discussed and the decisions taken at the meetings. explanation can be made.

Commission work

ARTICLE 16 – (1) Making a preliminary examination of the issues that need to be discussed and decided upon in the Board, Specialized commission or working groups consisting of members to present to the Board in a scope and depth. can be established by decision. In the said commissions or working groups, the personnel of the Institution, with the decision of the Board, can be assigned.

keeping a secret

ARTICLE 17 – (1) Meetings of the Board with the members of the Board, if required by the Chairman, or The participants of the preparatory studies, the secrets they learned during their studies belonging to the relevant and third parties, on this subject. They cannot disclose it to anyone other than the authorities authorized by law and cannot use it for their own benefit. This obligation continues even after their dismissal.

CHAPTER FOUR

Miscellaneous and Final Provisions

regulatory authority

ARTICLE 18 - (1) The provisions of the relevant legislation on matters that are not included or are not clear in this Regulation The Board is authorized to decide, regulate and direct the implementation within the framework of the

Force

ARTICLE 19 – (1) This Regulation enters into force on the date of its publication.

Executive

ARTICLE 20 – (1) The President executes the provisions of this Regulation.