

FRIDAY, December 10, 2010

Official Gazette Number: 27781

LAW ON ORGANISATION AND DUTIES OF THE DIRECTORATE GENERAL OF LAND AND CADASTRE

Law no. 6083 Date of Adoption: November 25, 2010

SECTION ONE

Purpose, Definitions, Duties and Powers

Purpose and definitions

ARTICLE 1 - (1) The purpose of this Act is to regulate the procedures and principles regarding establishment, duties, powers and responsibilities of the General Directorate of Land Registry and Cadastre under the Ministry of Public Works and Settlement so as to plan, execute and ensure the renewal and updating cadastral work of the immovable property, to create land register, ensuring the archiving and protection, mapping, to determine production standards and to ensure archiving

(2) In the enforcement of this Act;

a) the Minister: refers to the Minister of Public Works and Settlement,

b) Ministry: refers to the Ministry of Public Works and Settlement,

c) Director General: refers to the Director General of Land Registry and Cadastre,

d) "General Directorate" means refers to the General Directorate of Land Registry and Cadastre,

d) The Board: refers to the Board of Land Registry and Cadastre.

The duties and powers of the General Directorate

ARTICLE 2 - (1) The duties and powers of the General Directorate are as follows:

a) to ensure reliable record of land register which is under the responsibility of the state on a regular basis, to perform all kinds of contractual and non-contractual transactions related to land registry and register of immovable properties, to follow-up, and control changes on the registers, to ensure the protection of archived records and documents.

b) to conduct the country's cadastral survey, to follow the changes, to ensure renewal and updating of land plans and to carry out the related control and auditing services.

c) To carry out or have carried out services of geodetic infrastructure, aerial photography, 1/5000 and higher scale photogrammetric and geodetic map production, to control, supervise and to identify the basic principles with the aim of large-scale production of cadastral and topographic maps.

d) To create spatial information system infrastructure and map production monitoring centre, to ensure real and legal persons and public institutions and organizations benefit from the data, to do the tasks assigned in geographic information systems.

d) To carry out transactions of foreign real and legal persons related to registry and cadastre in Turkey, to protect the rights and interests of natural or legal persons of the Republic of Turkey related to real property abroad, to join the interstate real estate negotiations.

e) To plan, execute joint projects in cooperation with other countries and international organizations on issues related to the area of responsibility.

f) To license topographical and cadastral engineering offices in accordance with the provisions of the Law dated June 16, 2005, No. 5368 on the Licensed Topographical and Cadastral Engineers and Offices, to identify and control operating principles and procedures of these offices.

g) To regulate the real estate brokerage activities, to license grant, to identify principles and procedures and control these activities.

i) To determine the principles to be followed by other public institutions and organizations and professional organizations in relation to duties, services and activities of Directorate General and to ensure coordination.

h) To carry out other duties assigned by laws.

SECTION TWO

Organization of General Directorate

General Director, Deputy General Directors and delegation of authority

ARTICLE 3 - (1) The Director General shall be the highest authority of the General Directorate and shall represent the General Directorate.

(2) Director General shall carry out services and activities of Directorate General, accountable for the Minister, in accordance with corporate objectives and policies, development plans, annual programs, strategic plan, performance programs and legislation, in cooperation with other institutions and organizations.

(3) Director General shall be authorized to supervise the activities, operations, and accounts of central and local organization.

(4) Director General may assign service units similar tasks in issues within the field of activity.

(5) A maximum of three deputy general directors may be assigned to assist the General Director. Deputy general directors fulfil the duties delegated by the General Director.

(6) Director General and directors at all levels, may delegate some of their authorities to their subordinates provided that they clearly define the boundaries. Delegation of authority shall not relieve the the superior of the responsibility.

(7) Directors at all levels of the Directorate General are accountable for senior management for carrying out tasks and services for which they are responsible in accordance with legislation, strategic plans and programs, performance criteria and standards of quality of service.

Board of Land Registry and Cadastre

ARTICLE 4 - (1) the Board of Land Registry and Cadastre is established to resolve differences of practice and opinion referred to Director General on the issues related to land and cadastre. The Board consists of Head of Internal Audit, 1st Legal Counsel, Head of Department of Land Registry, Head of Department of Cadastre and four members appointed by the Director General, chaired by Director General or a Deputy Director General appointed by him depending upon the nature of the issue examined.

(2) Two members to be appointed by the Director General shall be selected among persons of technical and cadastral knowledge and experience and the other two shall be selected among persons having knowledge and experience in land registry and law.

(3) The Board is directly accountable for the Director General.

(4) The members of the Board appointed from outside by Director General shall be paid attendance fee for each meeting attended at the amount equal to the result of multiplication of the indicator (3000) by the coefficient of civil servants remuneration, for a maximum of four meetings per month.

Organization

ARTICLE 5 - (1) General Directorate consists of central and local organizations. The central organization consists of the main service, advisory and supervisory units and support service units. The central organization of the Directorate General is shown in the table number (I) attached.

(2) The main service units and tasks of the Directorate General are as follows:

a) Department of Land Registry;

1) To provide an efficient and timely delivery of land registry services, to make necessary arrangements to carry out title deed transactions in accordance with legislation,

2) Conducting activities of Directorates of Land Registry and preparing annual work programs based on work load, collect statistical data and evaluate the results of their operations,

3) Ensuring creation of land register and recording on a regular basis.

4) Examining any matter related to title deed procedures and reporting the results.

5) Examining the objections made against the decisions taken by the directorates of land registry regarding contractual and registry procedures and rejection of land registration procedures and land registry plans and preparing the opinion of the General Directorate.

6) Examining reports prepared as a result of control of land registry offices, determining and following up the necessary action.

g) To regulate the real estate brokerage activities, to grant license, to identify principles and procedures of these activities.

b) Department of Cadastre;

1) To provide an efficient and timely delivery of cadastral services, to make necessary arrangements to carry out cadastral procedures in accordance with legislation,

2) To plan activities related to the management and administration of directorates of cadastre and cadastral works of immovable property in accordance with the development plans and annual program, to approve work programs and to ensure the implementation of the plans in accordance with the Law 3402, dated June 21, 1987 and to evaluate the results of the statistical information directorates carry out.

3) To grant license to offices of the topographical and cadastral engineering in accordance with the provisions of Law No. 5368, to determine operating procedures and principles of these offices, to keep their registry and records.

4) To determine renewal and updating of land registry plans, to prepare annual work programs and keep track of works carried out,

5) Examining the objections made against the decisions taken by the directorates regarding rejection of land registry plans in technical terms and preparing the opinion of the General Directorate.

6) Examining reports prepared as a result of control of cadastral offices, determining and following up the necessary action.

7) Examining any matter related to cadastral and technical procedures and reporting the results.

8) Have part or all of the technical work of cadastral procedures made by natural or legal persons, to track and monitor results,

9) To plan, monitor and take necessary precautions for the technical procedures related to transactions on demand, land and agrarian reform, land consolidation, registration of the changes resulting from disaster and other reasons to be carried out.

c) Map Department;

1) To make planning for the production of maps and map data within the framework of development plans and annual programs, to coordinate, monitor and evaluate related work,

2) To determine large-scale map, and map data production standards and to oversee compliance with the standards of production,

c) To carry out services of geodetic infrastructure, aerial photography, 1/5000 and higher scale photogrammetric and geodetic map production, or to have them carried out, to control for the purpose of large-scale production of cadastral and topographic maps.

4) To keep maps and map data, to ensure data can be used by those concerned at cost,

5) To create map production and monitoring centre and to ensure its sustainability,

6) To examine any matter related to map procedures and to report the results.

d) The Department of Foreign Affairs;

1) To carry out the relations and activities of the Directorate General with international organizations,

2) To monitor and organize foreign real and legal persons' land registration and cadastral procedures in the country, to ensure the records to be kept up to date,

3) To watch over the rights and interests related to immovable property of natural or legal persons of the Republic of Turkey abroad, in cooperation with relevant ministries and institutions,

4) To make the necessary arrangements and to carry out procedures for the Turkish citizens and foreign foreign natural and legal persons abroad to carry out all kinds of land registry and cadastre procedures in the country in which they live,

5) To carry out work related to the European Union, which the Directorate General will perform, in coordination with other departments and agencies,

6) To follow the developments related to the area of responsibility of the Directorate General, to organize international meetings to be held in Turkey and carry out procedures related to them.

d) The Department of Archives;

1) To establish and carry out archive information system and to organize the central and provincial archiving services,

2) To make arrangements for keeping register and archive in the electronic form, to carry out operations and procedures,

3) To ensure archiving in the central or local organizations of land registry documents established at home and abroad, cadastral map sheets and land title maps and technical documents.

4) To convert land registration records and documents in Ottoman script to the new script, to evaluate recording and the documentation, to prepare land registration records and documents of historical value in Ottoman script for the scientific studies of experts and evaluate the results of studies,

5) To reproduce archive material so as to ensure the continuity, to take measures to prevent the destruction, to carry out repair and renovation work, to conduct research on modern archival procedures and methods and to identify innovations according to the results and to implement these innovations, to make use of film, microfilm, photocopy and, if necessary, other advanced techniques to reduce their volume,

6) To prepare and deliver samples of land registration records and documents at the request of the concerned,

7) To protect archival material of historical, cultural and aesthetic value and to exhibit, when necessary,

8) To carry out archive services of the Agency.

(3) The consulting and control units of the Directorate General and their duties are as follows:

a) The Board of Inspectors;

1) To conduct inspection, examination, preliminary examination and investigation in relation to all kinds of activities and transactions of the central and local organizations on behalf and upon order, or approval of the Director General,

2) To submit reports to be drafted by inspectors as a result of research, investigation, preliminary examination and audit to the Director General together with the opinion of the Department,

3) To perform other duties stipulated by special laws.

b) Legal Counsel;

1) To prepare necessary information for judicial and administrative proceedings in accordance with the provisions of Law No. 4353, dated 08.01.1943 and to represent the Directorate General in administrative cases to which the Treasury is not a party,

2) To provide opinion on draft law, statute, regulation and other legal issues sent by Director General, units of Directorate General, Prime Ministry, Ministries and other public institutions and organizations,

3) To provide opinion on legal issues and transactions which may give rise to legal, financial and penal consequences sent by other units of the Directorate General,

4) To prepare draft laws, statutes and regulations related to the duties of the Directorate General,

5) To take timely legal measures to protect the interests of the Directorate General, to prevent disputes, to assist agreements and contracts to be in compliance with these principles,

6) To prepare necessary legal proposals and submit them to Directorate General, in order to ensure the Directorate General to better achieve its purposes and to function in compliance with legislation, plans and programs.

c) Strategy Development Department;

1) To carry out tasks assigned to strategy development and financial services units by the Law No. 5018 dated 10.12.2003 on Public Financial Management and Control Law, Article 15 of Law No. 5436, dated 22.12.2005, and other legislation.

(4) The supporting service units and tasks of the Directorate General are as follows:

a) Department of Human Resources;

1) To carry out studies and make proposals on the human resources policy and planning for Directorate General,

2) To carry out procedures regarding assignment, record, discipline, retirement, transfer, promotion, wages, trade unions and similar employee rights of the staff of the Directorate General,

3) To prepare, implement and evaluate in-service training program for staff of the Directorate General, to plan training for promotion and change of title, to hold exams, or have them held,

4) To prepare, implement and evaluate training programs on issues related to the duties and activities of the Directorate General in coordination with other units, to hold exams or have them held.

b) Department of Support Services;

1) To provide tools, equipment and stationery required to carry out services of Directorate General, to ensure their distribution, to carry out repair services, to coordinate and keep records

2) To build the service building and other facilities needed for the Directorate General or have them built, to ensure the allocation, to carry out, follow-up and control the construction works,

3) To carry out the rental of movable and immovable property required for the activities of the Directorate General,

4) To carry out health and social services for the Directorate General and to conduct security, cleaning, lighting, heating, maintenance, repair, move, and similar works for the service buildings,

5) To carry out central registry,

6) To plan and to ensure execution of activities of the Directorate General regarding internal and external protocol services, promotion, publishing, media and public relations,

7) To be organized in such a way to facilitate to obtain information for those who want to enjoy the right to information under the Right to Information Act No. 4982 dated October 9, 2003, in this context, to carry out the task of coordination between the related units and users,

8) To plan and carry out civil defense and mobilization services for the Directorate General.

c) Department of Information Technology;

1) To install, operate, maintain and repair the data processing system of the Directorate General, or have them carried out, to carry out the related services with related units; to ensure coordination and cooperation between units with respect to data processing projects,

2) to conduct the e-Government applications regarding the Directorate General, to create spatial information system, to co-ordinate and execute it,

3) To set up a more efficient and effective documentation and work flow system in accordance with developments in information technology, to produce or provide the software for it,

4) To ensure on-line and off-line flow, sharing and coordination of data between the systems within national and international context in the area of responsibility of the Directorate General and to determine related procedures and principles,

5) To follow the development of information technology, to cooperate with other public institutions and organizations in using data processing equipment and software,

6) To ensure data processing system to operate effectively and efficiently in cooperation with units of the Directorate General and other relevant organizations,

7) To collect statistical data on land registry and cadastre transactions.

(5) The local organization of the Directorate General consists of regional directorates and directorates of cadastre and land registry under these directorates. Cadastral directorates are established in the provinces and land registry directorates are established in central districts and other districts.

(6) The Minister is authorized to transfer the duties and powers of a directorate of land registry to another, upon the proposal of the Director General, taking into account the social and economic development status of the district, number of population and land registry transaction volume.

(7) Being supervisors in charge of their affiliated units and the highest authorized representative of the Directorate General in the local organization, Regional Directors are responsible to senior management for the operations and procedures in their respective regions.

PART THREE

Employment

Provisions relating to personnel

ARTICLE 6 - (1) Appointment of officers not covered by the provisions of the Law No. 2451 dated April 23, 1981 on Procedures and Principles of Appointment in Ministries and Affiliated Organisations shall be made by the Director General. However, the Director General may delegate this power to lower echelons s/he deems necessary.

(2) At least four years of higher education is mandatory to be appointed to Head of Department and higher posts.

(3) Staff, recommended by the General Directorate, to carry out the land registry and cadastral transactions in Turkey of Turkish citizens living abroad and foreign natural and legal persons, shall be appointed in accordance with paragraph six of Article 10 of the Law No. 6004 dated July 07, 2010 on the Establishment and Duties of the Ministry of Foreign Affairs.

(4) Those appointed in the central organization of the Directorate General to the posts of Director General, Deputy Director General, Head of Internal Audit, 1st Legal Advisor, Head of Department, Legal Advisor, Land Registry and Cadastre Expert and Assistant Expert may be employed on a contractual basis, in consideration of corresponding posts, regardless of the provisions of the Law on Civil Servants, No 657, dated July 14, 1965 and other laws pertaining to employment of personnel on contract basis.

(5) Personnel working actively on contract corresponding to their posts shall be paid the gross monthly contract fee in the amount to be determined by the Director General, on condition of being in the range of base and top salaries set by titles in the table number (II) attached to this Law. Such personnel shall be paid a bonus in January, April, July and October equal to a monthly contract fee, in proportion to the days worked (including sickness and annual leaves). Those who have been determine to have conducted more successful work compared to their counterparts as a result of outstanding efforts shall be paid efficiency wages up to the amount of a monthly contract fee in June and December

upon proposal of the Director General, with the approval of the Minister. The principles and procedures for the implementation of this paragraph and other payments to be made to the personnel in question shall be determined by the Council of Ministers.

Land registry and cadastre experts and inspectors

ARTICLE 7 - (1) Land registry and cadastre experts and assistant experts may be employed in the main service units of the Directorate General.

(2) Following conditions in addition to the general requirements listed in article 48 of the Law No. 657 are required for the assistant land registration and cadastre experts to be appointed.

a) To be graduated from the faculties of law, political science, economics, business administration, economics and administrative sciences of the higher education institutions providing at least four years of higher education; faculties training engineers of survey, cadastral surveying, geodesy and photogrammetry; departments and programs of archives, library, information and document management; and history, Turkish language and literature departments which have the Ottoman Paleography courses in their programs or national or international higher education institutions which are recognized as equivalent by the Board of Higher Education.

b) To get the minimum score of the type specified in the announcement of the exam in each exam period by the Directorate General from the Public Personnel Selection Examination.

c) To be under the age of thirty as of the day of the competitive examination.

d) To be successful in competitive examination containing professional knowledge to be given by the Directorate General.

(3) Those who have been appointed as assistant land registry and cadastre experts in accordance with the second paragraph shall be entitled to enter a competency examination, provided they carry out at least three years of active work, receive positive record during this period and the thesis they prepare

is admitted. Those who pass the qualifying examination shall be appointed as Land Registry and Cadastre Expert.

(4) Those who are entitled to enter the qualifying examination but who did not enter the examination without a valid excuse and those who fail the exam twice in a row will lose their title and will be appointed to other vacancies suitable for their situations.

(5) Selection, thesis preparation, professional competency examinations and working procedures and principles of the land registration and cadastre experts shall be governed by regulation.

(6) The following conditions in addition to the general requirements listed in article 48 of the Law No. 657 shall be required to be appointed assistant inspector:

a) To be graduated from the faculties of law, political science, economics, business administration, economics and administrative sciences of the higher education institutions providing at least four years of education; faculties training engineers of survey, cadastral surveying, geodesy, geodesy and photogrammetry or national or international higher education institutions which are recognized as equivalent by the Board of Higher Education.

b) To certify with a health committee report that health status is suitable for all kinds of weather and travel conditions.

c) To get the minimum score, from the Public Personnel Selection Examination in any exam period, of the type specified by the Directorate General in the announcement of the exam.

d) To be under the age of thirty as of the day of the competitive examination.

d) To be successful in the competitive examination to be given by the Directorate General.

(7) Those who pass the competency exam shall be appointed Inspector provided that they have carried out at least three years of active work of Assistant Inspector and that they receive a good service record.

(8) Those who are entitled to enter the qualifying examination but who did not enter the examination without a valid excuse and those who fail the examination twice in a row shall lose their title and will be appointed to other vacancies suitable for their situations.

(9) Form and implementation principles of the competitive and proficiency examinations and training of inspectors shall be determined by regulation.

PART FOUR

Revolving Fund, Miscellaneous and Final Provisions

Revolving fund administration

ARTICLE 8 - (1) Directorate General establishes revolving funds within the central or regional offices in order to generate income from all kinds of land registration, surveying, mapping, and archival information and documentation it produces.

(2) A capital of four million Turkish Liras have been allocated for revolving funds to be met from their own resources. This amount can be increased up to five times by the Council of Ministers upon the affirmative opinion of the Ministry of Finance. Capital increased this way shall be covered by profit. After the amount of paid-in capital reaches the amount of capital allocated, the gains shall be added to the revenue of the following year to be used in revolving fund services.

(3) Vehicles, equipment, purchasing, maintenance, repair, construction, insurance, leasing, research, promotion, representation and education expenses required by the activities of the Directorate General, project costs to be carried out abroad, execution, renewal, updating costs and all kinds of expenses related to cadastral services shall be covered by revolving fund revenues.

(4) If services relating to the activities of the revolving fund are carried out as additional task by the staff of the Directorate General, they shall be paid monthly additional task remuneration, to be covered from revolving fund revenues, in the amount to be determined with the approval of Director General, according to nature and the difficulty of their service, from the amount obtained by multiplying the figures (100-300) by the coefficient applied to civil servant salaries.

(5) The principles and procedures regarding management, fields of activity, operations, capital resources, all kinds of administrative and financial transactions and revenues of the revolving funds shall be determined by regulation with the opinion of the Ministry of Finance.

Duty and power of regulation, land registration transaction by authorization

ARTICLE 9 - (1) Directorate General is in charge and authorized to regulate the services it is required to fulfil by the law by statutes, regulations, directives, circulars and other administrative texts .

(2) Working procedures and principles of the Board of Land Registry and Cadastre and the Audit Committee shall be governed by regulations.

(3) Directorates of Land Registry shall be authorized, upon the request of the right holder, to carry out land registration transactions related to immovable properties located outside their span of authority, by obtaining authority from the directory of land registry in which the title to the real estate is located and determining there is no legal obstacle. The procedures and principles related to the land registry transactions to be carried out in accordance with this paragraph shall be governed by regulation.

(4) The Directorate General shall be authorized to decide to keep registers and archives in electronic form.

Inserted, modified, repealed provisions and references

ARTICLE 10 - (1) The Law No. 657;

a) the phrase "Assistant Land Registry and Cadastre Experts" is inserted after the phrase "Assistant Foundation Experts" and the phrase "to the Land and Cadastre Expert" is inserted after the phrase "to the Foundation Expert" in sub-paragraph (11) of paragraph A of the section "Common Provisions" under Article 36,

b) the phrase "Land Registry and Cadastre Experts," is inserted after the phrase "Foundation Experts" in the sub-paragraph (i) of the section "A- Special Service Benefit" under the part "II-Benefits" of Article 152,

c) the phrase "Land Registry and Cadastre Experts," is inserted after the phrase "Foundation Specialists," in sub-paragraph (h) in section "I- General Administrative Services Class" in the Annexed (I) Additional Indicator Scale"; the phrase "Land Registry and Cadastre, Regional Director" is inserted after the phrase "Turkey Statistical Institute, Regional Director" in the section titled "2-judicial Affiliates, Subsidiaries and Related Organisations and Institutions of Higher Education" in the Scale (II).

(2) The phrase "Land Registry and Cadastre Vocational High School," is removed from the section "5 - Judicial Institutions, Affiliates and Related Organisations and Institutions of Higher Education " in the "Additional Indicator Scale " Annexed (II) to the Law No. 657; the phrase "Land Registry and Cadastre Course Director," in the section "5 - Judicial Institutions, Affiliates and Related Organisations and Institutions of Higher Education " in "the Scale " No. (II) is amended as ""Land Registry and Cadastre Training Director".

(3) the phrase " Director of Land Register," in the section "5 - Judicial Institutions, Affiliates and Related Organisations and Institutions of Higher Education" in the "Additional Indicator Scale" Annexed (II) to the Law No. 657 is amended as ""Land Registry Director"..

(4) Positions included in the Annexed (I) list are cancelled and removed from the section related to Directorate General of Land Registry and Cadastre annexed (I) to the Decree Law No. 190 dated December 13, 1983 on the General Staff and the Procedures and the positions included in the attached

lists no. (II), (III) and (IV) are created and lists no. (II) and (IV) are added to the section related to the General Directorate of Land Registry and Cadastre annexed (I) to the same Decree-Law and the list no. (III) is added to the section related to the Ministry of Public Works and Settlement.

(5) The phrase "Land Registry and Cadastre Supervisors" included in sub-paragraph (i) of section A) Special Service Pay" of the part "II-Compensation" under Article 152 of Law No. 657 and the phrase "Land Registry and Cadastre Supervisors" included in sub-paragraph (h) of the section "General Administrative Services Class" of the Additional Indicator Scale number (I) annexed to the same Law are repealed.

(6) The phrase "Land Registry and Cadastral Inspectors and the Assistant Inspectors" included in the sub-paragraph (b) under Article 33 of the Travel Expense Law No. 6245, dated Feb. 10, 1954 are repealed.

(7) The Law on Enactment of the Amendment of the Decree Law on the Establishment and Duties of the General Directorate of Land Registry and Cadastre dated Sep. 26, 1984 No. 3045 and Article 37 and 38 and sub-paragraph (G) of the first paragraph of Article 47 of the Law No. 3402 are repealed .

(8) References made in other legislation for "Director of the Registry of Deeds" or "Directorate of the Registry of Deeds" shall be deemed to have been made for "Director of Land Registry" and "Directorate of Land Registry" according to the reference.

(9) References made to Law No. 3045 in other legislation shall be deemed to have been made to this Law.

(10) Provisions of the Law on General Command of Mapping No. 657 dated April 22, 1925 are reserved in the enforcement of this Law .

Transitional provisions

PROVISIONAL ARTICLE 1 - (1) Positions existing on the date of entry into force of this Law shall continue to be applied until the organization of Directorate General is re-organized according to the principles of this Law within six months .

(2) Those who are deemed appropriate in positions of the Director General, Deputy Director General, Head of Department, Head of Inspection Board, 1st Legal Advisor and Regional Director at the date of entry into force of this Law, shall continue in office. Those who hold positions of Director General and Deputy Director General among those who are not deemed appropriate to continue in office and those whose title of position have been repealed shall be appointed to the positions of Ministerial Advisor included in the annexed (III) list created on behalf of the Ministry of Public Works and Settlement; those who hold the positions of 1st Legal Advisor and Regional Director shall be appointed to the positions of Advisor included in the annexed (IV) list created on behalf of the Directorate General. They shall continue to receive monthly wages, additional indicators, contract wages, bonuses (in the amount corresponding to one month), all raises and compensations and other financial rights until they are appointed to the positions in question. In case the total net amount of the sum of monthly salary, additional indicators, contract fees, bonuses (the amount that corresponds to one month), and all kinds of raise and compensations and other financial rights (excluding overtime), is less than that of the total net amount of the sum of monthly salary, additional indicators, contract fee, bonus (the amount that corresponds to one month), and all kinds of raise and compensations and other financial rights (excluding overtime) the difference shall be paid as compensation until the difference is resolved, as long as they stay in the appointed positions without being subject to any tax or deduction. Positions included in the attached lists number (III) and (IV) shall be deemed to have been cancelled in case of any vacancy, without any further procedure.

(3) The personnel whose positions and titles have changed or repealed pursuant to the Law shall be appointed to other positions needed in the Directorate General within six months at the latest, subject to the degree and salary per month acquired. They shall continue to receive monthly wages, additional indicators, all raises and compensations and other financial rights until they are appointed to a new position. In case the total net amount of the sum of monthly salary, additional indicators, and all kinds of raise and compensations and other financial rights (excluding overtime), is less than that of the total net amount of the sum of monthly salary, additional indicators, and all kinds of raise and compensations and other financial rights (excluding overtime) the difference shall be paid as compensation, as long as they stay in the appointed position without being subject to any tax or deduction.

(4) Office of branch managers shall continue on the date of entry into force of this Law. Positions of the branch managers in the main service units of the central organization shall be deemed to have been cancelled when they become vacant in any way, without the need for any further action.

(5) for a period of one year from the date of publication of this Law, the Council of Ministers is authorized to change title in the vacant positions; degrees in the occupied and vacant positions without limitation specified in the fourth paragraph of Article 9 of the Decree-Law No. 190.

(6) Duties assigned to changed or re-established units shall be continued to be carried out by units that previously have been performing these duties until new arrangement is made in accordance with this Law. The Directorate General shall adapt the organization and staff positions in accordance with this Law within six months at the latest.

(7) Duties and powers of regional directorates existing at the date of entry into force of this Act shall continue. The duties and services of the local offices of the Directorate General shall be continued to be carried out by the existing local organization, until the local organization is reorganized in accordance with the principles of this Law..

(8) Regulations provided to be organized in the relevant articles of this Law shall be put into effect within six months at the latest. The provisions of the existing regulations that are not contrary to this Act shall continue to be applied until these regulations are issued.

(9) The staff serving as "Land Registry and Cadastre Inspector" and "Assistant Land Registry and Cadastre Inspector" in the Directorate General at the date of entry into force of this Law shall be appointed upon request to the positions of "Land Registry and Cadastre Expert" and "Assistant Land Registry and Cadastre Expert " respectively, within a month. Periods of time spent by the said staff as the Land Registry and Cadastre Inspector and Assistant Land Registry and Cadastre Inspector shall be deemed to have been spent at appointed positions.

(10) For once only, those who served for five years at the Directorate General subject to the Law No. 657 and who are under the age of forty, as of the date of entry into force of this Law, shall be eligible to take the qualifying exam to be opened by the General Directorate provided that they bear conditions other than that of sub-paragraph (b) and (c) of the second paragraph of Article 7 of this Law and if they apply within six months from the date of entry into force of the Law. The procedures and principles of the test shall be determined by the General Directorate. Those who pass the examination shall be appointed as Land Registry and Cadastre Expert. However, the number to be appointed in this way, may not exceed twenty percent of the total land registry and cadastre expert staff.

Provisions of transfer

PROVISIONAL ARTICLE 2 - (1) Vehicles, equipment, materials, fixtures, vehicles and any and all rights and liabilities allocated to the service buildings and lodgings available in the closed units in the Directorate General on the date of entry into force of this Law shall be transferred without the need of any further action to the Regional Directorates of Land Registry and Cadastre, Directorates of Cadastre and Directorates of Land Registry within the framework of the principles and procedures to be determined by the Directorate General in accordance with the provisions of existing legislation. This transfer procedures are exempt from any taxes, duties and charges.

Entry into force

ARTICLE 11 - (1) This Law shall enter into force on the date of publication.

Enforcement

ARTICLE 12 - (1) The provisions of this Law shall be executed by the Council of Ministers.

December 9, 2010