

CIVIL REGISTRATION SERVICES LAW

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PART ONE General Provisions

CHAPTER ONE Aim, Scope, and Definitions

Aim

ARTICLE 1- (1) The aim of this law is to identify and establish the natural and legal matters related to a person's personal and civil status, nationality, and the changes that may occur from birth to death and to ensure their entry into the civil registers prepared for this purpose, the establishment of a national address database in electronic format, and to establish a link between civil registration and address information.

Scope

ARTICLE 2- (1) This Law contains provisions related to the principles and procedures of regulation, execution and development of civil registration services for Turkish nationals, for persons who acquire Turkish citizenship by means of birth and lose it by obtaining permission to leave and their descendants, and for aliens residing in Turkey.

Definitions

ARTICLE 3- (1) In this Law:

- a) Address: refers to the identification of any part of a land or a building from a geographic location or a functional point of view,
- b) Address declaration form: refers to a form used for declaration of address, the format and the content of which shall be established by the Ministry,
- c) (**Amended: 19/10 / 2017-7039 / Art. 1**) Address components: refer to the verbal and spatial data required to reach address information such as city, district, village and hamlets, neighborhood, boulevard, avenue, street, building, outer door number, and inner door number,
- ç) (**Repealed: 19/10/2017-7039/Art. 1**)
- d) Family: refers to people who are registered under the same family register number and their spouses and children,
- e) Family Register: refers to the log where the records related to civil status events are kept in paper or electronic format,
- f) Family register number: refers to a number issued according to the order of entry during the registration of families into the family register,
- g) Ministry: refers to the Ministry of Interior,
- ğ) Breeder document: refers to official documents and their copies such as forms, official reports, court orders, notary bills, birth or death reports, recorded in the family register that constitute the basis for civil status events,
- h) (**Amended: 14/1/2016-6661/Art. 8**) Valuable papers: refer to identity cards, international family wallets and blue cards,
 - 1) Other address: refers to places other than the domicile address,
 - i) Directorate General: refers to the Directorate General of Civil Registration and Nationality,
 - j) Provincial offices: refers to the provincial offices of civil registration and nationality,

k) **(Amended: 19/10/2017-7039/Art. 1)** Identity Sharing System: refers to the system in which records kept in the central database are shared with corporations and legal entities that provide public services,

l) Institution: refers to any public institutions and agencies other than the Directorate General,

m) **(Addendum: 9/5/2012-6304/Art. 11)** Blue Card: refers to an official document that is given to persons who acquire Turkish citizenship by means of birth and lose it by obtaining permission to leave and their descendants as stated in Article 28 of the Turkish Citizenship Law no. 5901 dated 29/5/2009, and shows that said persons can benefit from the rights stated in the aforementioned article.

n) **(Addendum: 9/5/2012-6304/Art. 11)** Blue Card Holders Register: refers to the records of persons who acquire Turkish citizenship by means of birth and lose it by obtaining permission to leave and their descendants, which are kept electronically,

o) **(Amended: 19/10/2017-7039/Art. 1)** Central database: refers to the data stored electronically at the Directorate General,

ö) **(Amended: 19/10/2017-7039/Art. 1)** MERNIS: refers to the Central Civil Registration System,

p) "Numbering" refers to the process of giving names or numbers to address components such as neighborhoods, districts, squares, boulevards, avenues, streets and buildings,

r) **(Amended: 14/1/2016-6661/Art. 8)** Identity card: refers to the Republic of Turkey identity card, which indicates that the person is a Turkish citizen and registered in the family register,

s) Civil registration services: refer to acts and processes related to civil registration matters, the collection of information related to civil status events and address information of persons, the registration of said information into the register, the protection of this information and, if necessary, the evaluation of this information after it is sorted,

ş) Civil record: refers to personal information recorded to the family register,

t) Copy of civil record: refers to documents showing extracts from the family register,

u) Civil register: refers to all records consisting of the family register, special register and their back-ups,

ü) Civil registration office: refers to the district civil registration offices,

v) Head of civil registration office: refers to the Head of the district civil registration office,

y) Civil status event: refers to an event that constitutes a change in personal status such as birth, death, marriage, divorce, adoption, acknowledgement of paternity, rectification of the record, rectification of the lineage, and events such as disappearance that bring about change to a person's civil status,

z) Special register: refers to a file where breeder documents for birth, marriage, divorce, death, rectification of a record and other events are kept and classified separately,

aa) National address database: refers to the central database where the address information are kept,

bb) International family booklet: refers to an official multi-lingual document covering the identity of spouses and children constituting a family and proving their nationality,

cc) **(Amended: 19/10/2017-7039/Art. 1)** Power of attorney: refers to a document approved by the notary public which includes representative authority.

çç) **(Amended: 19/10/2017-7039/Art. 1)** Aliens register: refers to a register in which the records of aliens who were given an identification number are stored electronically,

dd) Construction documents: refer to Construction License Forms, Construction Usage Permits, forms of burned and demolished constructions and building charts,

ee) Domicile address: refers to a person's permanent place of residence,

ff) **(Addendum: 14/1/2016-6661/Art. 8)** Biometric data: refers to person-specific data obtained from fingerprints, palm and vein scans received in order to enable identification and authentication by means of electronic systems.

gg) **(Addendum: 19/10/2017-7039/Art. 1)** Data Sharing Board: refers to the board established to evaluate requests for sharing information contained in the central database,

ğğ) **(Addendum: 19/10/2017-7039/Art. 1)** Competent Authority: refers to administrations which have the authority and responsibility to set address numbers or issue construction documents.

hh) **(Addendum: 23/07/2020-7552/Art. 8)** Electronic ID Verification System: A system that enables the Republic of Turkey identity card to be used in electronic identity verification procedures.

PART TWO
Execution of Civil Registration Services

CHAPTER ONE
Authorities and Civil Registers

Civil registration authorities

ARTICLE 4- (1) Civil registration services shall be carried out by the central and provincial organs of the Ministry and by the diplomatic representations abroad.

Legal nature

ARTICLE 5- (1) Civil registers are official documents which are required to be kept permanently and where the civil status events are recorded according to the district and family principle with the aim to establish the identities of persons, their domicile address, family links, nationality and civil status.

(2) Records and their backups that are kept in family and special registers and copies taken from these are with equal legal value. In case of discrepancies between the records, unless otherwise proven, the breeder document taken as a basis for the record shall be valid.

(3) (**Addendum: 19/10/2017-7039/Art. 2**) The ministry is authorized to keep a single record of a person in the family register, which are kept electronically, and to associate personal and civil event records with the Republic of Turkey identity number. Thus, provisions of other laws that are contrary to this article shall not apply.

Keeping of civil register records

ARTICLE 6- (1) Civil status events shall be entered in the family registers in the civil registration offices and in the central database using a communication network.

(2) In order to ensure uninterrupted services in cases of a natural disaster and state of emergency, the Ministry shall ensure that the back-up of the central database is kept in a different location.

(3) Volume and page numbers shall be added to all pages of the family register kept in paper format. On the end of the register the total number of pages shall be written. The binding places of pages shall be sealed and the end of the register shall be approved by a civil court of first instance.

(4) The Ministry is authorized to establish the principles and procedures related to the maintenance of civil registers, to modify them according to the developments in legislation and the system, and to abolish the practice of maintaining the family register in paper format.

Personal information that shall be included in family registers

ARTICLE 7- (1) For each neighborhood or village, separate family registers shall be kept. The following information shall be included in the family register:

- a) The Republic of Turkey identity number,
- b) The name of the province, district, village or neighborhood, the volume, family and person sequence number,
- c) The name, surname, and gender of the person, the names and surnames of the father and the mother, and the maiden surname of married women,
- ç) The place of birth and the date of birth in day, month and year and the date of entry to the register,
- d) Changes in civil status such as marriage, divorce, establishment or denial of filiation, death, acquisition or loss of nationality or rectifications made by competent authorities,
- e) Religion,
- f) Marital status,
- g) Domicile address,
- ğ) Photograph,
- h) (**Addendum: 14/1/2016-6661/Art. 9**) Biometric data,
- ı) (**Addendum: 19/10/2017-7039/Art. 3**) Information regarding custody and tutelage.

(**Amendment to last sentence: 19/10/2017-7039/Art. 3**) The records mentioned in paragraphs (a), (g), (ğ), (h), and (ı) shall only be kept in electronic format.

(2) Nationals who do not have a family register in Turkey and reside in foreign countries shall be entered in the family register established in a civil registration office determined by the Ministry.

Recording of aliens

ARTICLE 8- (Amended with title: 18/10/2018-7148/Art. 32)

(1) The Ministry is authorized, under Law No. 6458 on Foreigners and International Protection dated 04/04/2011, to assign identity numbers to aliens, to register them in the aliens' registry, and to issue alien identification numbers (YKN) to those who apply to a public institution in Turkey or to our foreign representations for any proceedings, upon their request. Members of diplomatic missions are excluded from the scope of this provision.

(2) The validity period of the alien identification number, the documents to be requested during and after the application and other issues shall be determined by a regulation to be issued by the Ministry of Interior.

Records of Blue Card Holders

ARTICLE 8/A- (Addendum: 9/5/2012-6304/Art. 12)

(1) Persons who acquire Turkish citizenship by means of birth and lose it by obtaining permission to leave and their descendants, as stated in Article 28 of Law no. 5901, shall be entered into the Blue Card Register, which is kept electronically by the Directorate General. Those who are registered in this Register are obliged to declare all kinds of civil registration events to the civil registration offices in the country or to the foreign representatives abroad.

CHAPTER TWO

Features of Civil Status Records

Confidentiality

ARTICLE 9- (1) Civil records and breeder documents used for the registration are confidential. These cannot be viewed and examined by anyone except for the competent and responsible civil servants and those who have the competence to inspect and control. Courts are exempted from this provision.

(2) Civil servants entering information into the civil registers and the other employees, making use of civil status records in the scope of the Identity Sharing System, shall also be under obligation to comply with this confidentiality. This liability continues after the public servants have left their duty.

Basis for official acts

ARTICLE 10- (1) Civil records shall be taken as a basis when conducting acts related to persons. In cases of discrepancies between the records, instead of correcting the civil records, the other records shall be corrected.

CHAPTER THREE

Procedures Related to the Maintenance of Civil Registers

Registration requirement

ARTICLE 11- (1) Every person who is a national of the Republic of Turkey is required to get himself/herself registered in the civil register and to obtain an identity card by applying to the civil registration offices or to the diplomatic representations abroad. Parents, guardians or curators, or in case of absence of these, persons who take care of minors and officials who are authorized by the Social Services and Child Preservation Institution Law No 2828 dated 24/5/1983 have the duty of getting registered civil status events of minors and obtaining identity cards for them.

(2) Beginning from the date of acquisition, persons, who have acquired Turkish nationality subsequently, shall also be entered in the civil register.

Breeder document requirement for registration

ARTICLE 12- (1) Every record and annotation related to the personal status that is entered in the civil register must be made by officials authorized by this Law and based on breeder documents issued in accordance with the procedures and the samples.

(2) After having been entered in the family register, the breeder documents shall be signed by the civil registrars recording the civil status events and a copy of these shall be placed in the special register that is being sent for archiving in the Directorate General.

Registration

ARTICLE 13- (1) Documents and official reports related to civil status events reported by competent officials and institutions shall be registered in accordance with the provisions of this Law. The Ministry shall be authorized to decide on the use of electronic signature for any kind of civil status processes.

Closure and re-opening of a record

ARTICLE 14- (1) Closure of a civil status record is the becoming of the record non-maintainable due to events such as death, absence, loss of Turkish nationality, marriage, divorce, adoption, rectification or denial of filiation.

(2) The record shall be reopened when the cause related to the closure of a record ceases to exist or when a new cause for the reopening of the record emerges. The personal status events that have happened after the opening of the record shall be entered into the record of the person.

PART THREE Civil Status Events

CHAPTER ONE Birth

Declaration obligation and period

ARTICLE 15- (Amended: 19/10/2017-7039/Art. 5)

(1) Every child born alive shall be notified to the civil registration office within thirty days in Turkey and to the foreign representative office within sixty days abroad. Birth notifications can also be made to the health institutions where the birth took place.

(2) Births that occur in health institutions or under the supervision of health personnel outside such institutions shall be reported by the relevant health unit to the local civil registration office within five working days. The notification shall include a report or official document verifying that the birth took place in a health institution or under the supervision of health personnel, along with a form petition requesting the birth registration.

(3) Notification of a birth that did not occur under the supervision of healthcare personnel shall be made with a report or document issued by the physician or healthcare professional who attended to the mother during pregnancy.

(4) The birth notification of children born outside the supervision of health personnel is made through verbal declaration to the civil registration offices. In every verbal declaration, family physicians are required to investigate the accuracy of the statements by the order of the local administrative authority.

(5) Birth notification shall be made by the parent, guardian, trustee, or, in their absence, by the child's grandparents, adult siblings, or those who have the child in their care. The name of the child shall not exceed three names and must be written without abbreviation. The procedures and principles regarding the birth and pregnancy report, notification of birth, and issuance of the birth report shall be determined by the Ministry in consultation with the Ministry of Health.

(6) Birth notifications abroad shall be made by submitting the official document or report obtained from foreign authorities to the foreign representative office. If the birth notification cannot be made in person to the foreign representation, it may be made by sending the official document or report obtained

from foreign authorities and a petition stating the child's name to the foreign representation, along with documents showing the identity information of the mother and father.

(7) Stillborn children shall not be entered in the family register. If more than one child is born in a single birth, they shall be recorded in the order of birth.

Births not declared within the specified period

ARTICLE 16- (1) When making a declaration after the period specified in Article 15 of the present Law, the declaration shall be taken as basis for the establishment of the date of birth of children who are under six years of age. If the child has completed the age of six, the child shall be taken to the civil registration office and shall be ensured that the age of the child is determined by an official health agency. If an official document related to the birth of the child is presented, the determination of age is not necessary.

Competence of civil registration offices

ARTICLE 17- (1) Upon learning about the existence of unregistered children or persons in the age of majority, the civil registration offices shall be authorized to invite the persons concerned in the age of majority, the parents, or guardians or curators, or in case of absence of these, the grand parents or siblings or persons who take care of children or the mukhtars to make a declaration. The persons concerned shall be under the obligation to apply to the civil registration offices and make a declaration within 30 days of the receipt of such an invitation.

(2) In case of not making a declaration within the specified period, in order to ensure the registration of the child in the family register, if deemed necessary by the Governor, the necessary acts shall be carried out to forcibly bring the responsible people by the police forces.

Other officials under declaration obligation

ARTICLE 18- (1) The officials of institutions, and the curators of protectorates, old people's homes and alike, and persons authorized by the Law No 2828 shall be under the obligation to check the identity cards of children or persons in the age of majority whom they employ or house, and of declaring to civil registration offices and conducting the necessary procedures in order to ensure the registration of those who are not entered in the family register.

(2) Police officials shall be under the obligation to hand over to the local civil registration office the document they issue after conducting the necessary acts about persons who cannot prove their identity and those whom they found not entered in the civil register.

(3) Directors of schools shall be under the obligation to report to the local civil registration office, from the children applying for school registration, the declaration based identity information of children that do not have civil registration and the identity information, and the addresses of the father, mother, guardians or the curators.

(4) The public or private institutions shall be under the obligation to request from the persons they are about to employ their identity cards and to report to the civil registration offices the declaration based identity and address of persons found to be without civil registration.

Foundlings and mentally impaired persons

ARTICLE 19- (1) The civil registration of foundlings who are unable to express themselves shall be carried out by the civil registration office of the place they had been found by the police officials or the institutions concerned by taking as a reference the report stating the condition of the foundlings or the declaration of the persons concerned.

(2) The appointed by the court curators of mentally impaired foundlings older than eighteen years of age shall be under notification obligation. The notification shall be made to the civil registration office after obtaining a health council report from a fully equipped state hospital.

(3) When preparing reports related to these persons, in cases where the date of birth, the name and surname of the person and the names of the mother and the father are not stated, the name and the surname of the person, and the names of the mother and the father shall be given by the civil registration office. If the birth date was not determined, it shall be ensured that the birth date is determined by a public health institution.

Persons who have acquired Turkish nationality

ARTICLE 20- (1) Persons who have acquired Turkish nationality in accordance with the Law shall be registered in the family register in line with the issued forms upon the decision of competent authorities or councils.

Civil status events of aliens

ARTICLE 22- (Repealed: 19/10/2017-7039/Art. 27)

CHAPTER TWO

Marriage

Competence to conduct marriages

ARTICLE 22- (1) The ministry shall take and implement all the necessary measures for carrying out the marriage procedures within the completeness of civil registration and nationality services.

(2) Where applicable, the mayor of the municipality or the civil servants empowered by the mayor, or mukhtars in the villages, shall act as marriage registrars. The Ministry may commission and empower the provincial offices, civil registration offices and diplomatic representations, and provincial and district mufti offices to act as marriage registrars. In case one of the spouses is an alien, (...) the province and district marriage registrars and the heads of the civil registration offices shall have the competence to conduct marriages.

Notification and registration of marriage

ARTICLE 23- (1) Persons conducting marriage by virtue of Article 22 shall be, within ten days of the date of marriage, under the obligation to send the issued marriage notification to the civil registration office, and the civil registration office shall be under the obligation to register the marriage.

(2) The record of the married woman shall be transferred to the section of her husband. Unless remarried, the register of a woman whose husband has died shall remain in the family register of the dead husband. However, if requested, the register of the woman concerned may be returned to the register of her father.

(3) Marriages performed by the diplomatic representations abroad shall be notified to the civil registration offices within 30 days of the date of marriage.

(4) Marriages that had not been entered in the civil registers and were conducted according to the old provisions prior the entry into force on 4/10/1926 of the abrogated Turkish Civil Law No 743, shall be entered in the family register after obtaining court order by the persons concerned.

Marriages conducted abroad

ARTICLE 24- (1) Marriages of Turkish nationals performed before foreign competent officials abroad shall be valid provided that they conform to the provisions of the Turkish Civil Law No 4721 dated 22/11/2001 and do not possess a condition that necessitates their annulment and invalidity. The declaration of these marriages shall be made by presenting or sending by the husband, or in the case of an alien husband, by the wife, the document issued by the foreign officials conducting the marriage to the diplomatic representations at the place of marriage. The diplomatic representation receiving the declaration shall be under obligation to send the notification, prepared according to the procedures of marriage, to civil registration offices.

(2) In cases where there is not a diplomatic representation at that place or it is not possible to make a notification, the marriage notification may also be made to the civil registration office in Turkey provided that the approved certificate of marriage obtained from the foreign officials is translated into Turkish according to the procedures and is legalized by the Ministry of Foreign Affairs. The entry in the register shall be made using the notification of marriage prepared based on this document.

Registration of persons who acquire Turkish nationality by virtue of marriage

ARTICLE 25- (1) A woman who acquires Turkish nationality shall be registered under the section of her husband. In the case where the marriage ceases to exist, except in case of a death, the entry of the woman registered in this way in the family register shall be transferred to the end of that register.

(2) A man who acquires Turkish nationality by virtue of marriage shall be registered under the section of his wife that has been transferred after marriage. In the case where the marriage ceases to exist, except in the case of a death, the register of the woman shall be transferred to the section prior to marriage, whereas the register of the man shall remain under the section where he is registered.

CHAPTER THREE

Divorce and Annulment of Marriage

Beginning of the waiting period for the woman

ARTICLE 26- (1) The waiting period for the woman shall be effective from the date of the final judgement (res judicata).

Particulars that must be included in divorce or marriage annulment decisions

ARTICLE 27- (1) Decisions related to divorce or marriage annulment must contain the following information:

(a) The Turkish Republic identification number, name, surname, place and date of birth, father's and mother's name of the parties, and the surname prior to marriage and place of registration in the family register of the woman.

(b) Children born inside the marriage and their identity information.

(c) Provisions related to other principles and procedures set out in the procedural legislation for the decision.

Registration of divorce decrees issued by foreign judicial or administrative authorities in the civil registry

ARTICLE 27/A- (Addendum: 17/4/2017-Decree-Law-690/Art. 4; Adopted as is: 1/2/2018-7077/Art. 3)

(1) Decisions rendered by the judicial or administrative authorities of foreign countries regarding divorce, nullity, annulment of marriage, or determination of whether a marriage exists or not shall be registered in the civil registry, provided that the parties apply in person or through their attorneys, or if one of the parties is deceased or a foreigner, the other party, who is a Turkish citizen, or their attorney applies alone, the decision is rendered by the competent judicial or administrative authority in accordance with the laws of the state where it was rendered, is duly finalized, and does not clearly contradict Turkish public order.

(2) The registration to be made to the civil registry shall be carried out abroad by the foreign representative offices in the country where the decision is issued, and domestically by the civil registration offices designated by the Ministry.

(3) The recognition in Turkey of decisions whose registration request is rejected on the grounds that the conditions set forth in this Article are not fulfilled shall be made in accordance with Law No. 5718 on Private International Law and Procedural Law dated 27/11/2007.

(4) The procedures and principles regarding the implementation of this Article shall be determined by the Ministry through a regulation.

CHAPTER FOUR

Acknowledgement of Paternity and Adoption

The act of acknowledgement of paternity

ARTICLE 28- (1) If the acknowledgement was made in a court upon the written application of the father, the acknowledgement of paternity shall be notified to the civil registration office by the court within 10 days of the date of acknowledgement, or by the notary public if the acknowledgement was made by issuing a notary bill upon the application of the father to the notary public.

(2) If the acknowledgement of paternity was made by a declaration included in the will of the father, the notification of acknowledgement to the civil registration shall be made by the judge preparing the will.

(3) Declaration of acknowledgement of paternity made to the registrar shall be entered directly in the family register.

(4) **(Amended: 19/10/2017-7039/Art. 7)** Children whose paternity is recognized or established by a judgment of paternity shall be registered under the section of their father by indicating the father's name and surname and the mother's identity and place of registration information.

(5) Notifications of acts of acknowledgement made abroad shall be made to the diplomatic representations abroad or, provided that they are translated into Turkish and legalized, to the civil registration offices in Turkey.

Act of adoption

ARTICLE 29- (1) The adoption decision shall be notified to the local civil registration office by the court within ten days of the date of decision. The adoption event shall be entered in the family register and the register of the adoptee shall be transferred to the family register of the adopting family.

Acts of adoption conducted abroad

ARTICLE 30- (1) Acts of adoption conducted before the foreign competent officials shall also be valid in Turkey provided they conform in principal requirements to the Turkish legislation.

(2) The enforcement in Turkey of decisions and documents related to adoption events issued by foreign judicial or administrative authorities which, according to the law of the country concerned, were finalized, or have effects as such, shall be subject to the award of order for execution or approval by a competent Turkish court.

CHAPTER FIVE Death and Absence

Notification period and persons under notification obligation

MADDE 31- (1) The death event shall be notified to the Directorate General or to the civil registration office within 10 days of the occurrence of the event:

a) In the cities and towns, by officials who by virtue of the Public Health Law No 1593 dated 24/04/1930 are authorized to issue burial certificates,

b) In the villages, where available, by the state doctors or officials of health agencies, otherwise by the mukhtars.

c) In health establishments, such as hospitals and hospices, by the administrations,

ç) In the armed forces, by the doctors or by the military officials commissioned by the commandships according to their internal regulations and by the military drafting offices.

d) In cases of natural disasters, by civil servants commissioned by the local governors,

e) In legal events and incidents, by the relevant public prosecutor's offices,

Whereas the diplomatic representations abroad shall notify the event to the Directorate General or the civil registration office within 10 days of being informed of the event.

(2) Death reports delivered to the civil registration offices subsequent to the expiry of the legal period shall be accepted and processed by the civil registration office if they were prepared based on the records of official health institutions or other official documents.

(3) In cases of deaths occurring within the country, deaths shall be registered in the civil registration office of the place of the occurrence of the death; if the place of death could not be determined, the death shall be registered in the civil registration office of the place where the corpse was found; if the death occurred on a vehicle, the death shall be registered in the civil registration office of the place where the corpse was removed from the vehicle.

(3) Where the deceased person is unregistered, if following the investigation his/her Turkish nationality and family are established, firstly the birth of the person concerned shall be entered in the family register by preparing a birth report, subsequent to which the death event shall be processed.

Presumption of death

ARTICLE 32- (1) If a person disappears in circumstances which necessitate the presumption of that person's death, even if the corpse of that person is not recovered, the death event shall be processed upon the order of the local governor of the place of application by issuing a death report.

(2) In order to act according to this Article, the event shall be documented by applying to the civil registration office by one of the descendants or ascendants or siblings, in the absence of these, by the heirs, or by a written notification to the civil registration office by the competent authorities.

(3) If the documents attached to the application, and where necessary the investigation initiated by the civil registration office, are deemed sufficient to prove that at the time of the event the person presumed dead was there, the death event shall be registered upon the order of the local governor.

Deceased individuals who according to the family register appear to be alive

ARTICLE 33- (1) The death reports of deceased persons who appear to be alive in the family register shall be prepared by the civil registration offices provided that it is applied to the civil registration office with documents showing the death event. Where it is not possible to present any documents, the death report prepared by the civil registration office shall be processed upon the order of the local governor following the verification of the truthfulness of the declaration of death by the civil registration office.

(2) (**Addendum: 19/10/2017-7039/Art. 8**) According to the records in the central database, individuals whose records have not been processed for a long time and who are likely to be deceased due to their age shall be identified by the Directorate General. The investigation of the identified records shall be carried out by law enforcement officers upon the order of the chief of the local administrative authority. The deaths of those determined to be deceased as a result of the investigation shall be registered.

Processing absence

ARTICLE 34- (1) Court orders given for absence shall be notified to the civil registration offices within 10 days of the date of decision and shall be entered by the registrars in the family register.

PART FOUR

Rectifications of records

CHAPTER ONE

Principles Related to Rectification of Civil Status Records

Rectification of a record

ARTICLE 35- (1) Unless there is a finalized court order, civil status records cannot be rectified and notes that change the meaning of and the information contained in the record cannot be made. However, material errors made during the entry of events to the family register shall be corrected by the civil registration office according to the breeder documents.

(2) The information on religion in the family register shall be recorded, changed, left blank or removed according to the written statement of the person concerned.

Civil status cases

ARTICLE 36- (1) When rectifying records based on court orders the following procedures shall apply:

a) Rectification cases related to civil status records shall be filed by the persons applying for rectification and, if deemed necessary by the relevant official authority, by the public prosecutors in the civil courts of first instance at the place of domicile of the person concerned. Rectification cases shall be heard and decided in the presence of the public prosecutor and the head of the civil registration office or the commissioned by him/her registrar.

b) (**Amended: 19/10/2017-7039/Art. 9**) If there are justified reasons, a correction regarding the same subject may be requested from the judge. In case of a change of name, the civil registration office shall

rectify the father's and mother's names of the children and in case of change of a surname, the surnames of the spouse and minor children shall also be rectified.

c) Declaratory actions shall constitute prima face evidence for the actions for cancellation or rectification of a record.

(2) Applications related to persons that use records of other people shall be investigated and brought to a conclusion by the Ministry.

Competence of civil registration offices

ARTICLE 37- (1) The Directorate General and the civil registration offices shall have the competence to pursue any kind of legal remedy against court orders.

(2) The Directorate General and the civil registration offices shall be exempted from legal duties and any court expenses.

CHAPTER TWO

Material Errors and Cancellation of a Civil Status Record

Material Errors

ARTICLE 38- (1) From the information that must be entered in the family register, listed in Article 7 of this Law, the information that is included in the breeder document but is incorrectly or incompletely entered in the civil registers or not registered at all, or the double entries, shall be interpreted in the scope of material errors. Such material errors shall be corrected or completed by the Directorate General or the civil registration offices.

Competence for correcting or completing dates

ARTICLE 39- (1) The Directorate General shall be empowered to register in the family register the civil status events of nationals whose events were written according to the Hegira or Julian calendar by converting these dates according to the Gregorian calendar, and also to complete the month and day of the birth dates of those who do not have one.

(2) In cases of calculating the age of persons whose month and day of birth was not stated, the first day of July of the year of birth, where the month of birth is known but the day of birth is unknown, the first day of that month shall be taken as a starting date for the calculation.

Cancellation of a civil status record

ARTICLE 40- (1) If deemed necessary by the Directorate General or the civil registration offices, breeder documents based civil status records which are not duly prepared shall be cancelled upon a court order. Cancellations of notes and explanations added to the civil registers shall be subject to the same procedure.

PART FIVE

Identity Card, International Family Booklet, and Blue Card

Preparation and distribution

ARTICLE 41- (Amended: 16/1/2016-6661/Art. 12)

(1) The Ministry shall be authorized to determine the information to be included in the identity card, the design, procurement, printing, distribution and delivery method, the system to be used in the production and personalization of the card, and the electronic identity verification system.

(2) The type, quality, and age of the biometric data to be included in the identity card shall be determined by the Ministry.

(3) Individuals whose biometric data will be collected shall apply in person. The application for the identity card of children whose biometric data will not be collected shall be made by their parents or guardians, and by individuals who have notification obligations under Articles 15 and 17.

(4) Biometric data stored in the central database cannot be used for purposes other than identity verification.

(5) The person may designate someone to receive the identity card with his/her written consent during the application.

(6) In case of any doubt regarding whether the person requesting an identity card is the same as the person registered in the civil registry, an investigation shall be conducted by law enforcement officers upon the order of the chief administrative officer.

(7) In applications made due to the loss or replacement of an identity card, a temporary document, the procedures and principles of which are determined by the Ministry, may be issued and be valid until a new one is issued.

(8) No records or marks other than those provided for in this Law shall be placed on the identity card. The identity card shall not be withheld by any person or institution.

(9) After the marriage is completed, couples shall be issued an international family booklet.

(10) International family booklets and blue cards shall be issued by the Ministry of Finance in a design and number determined by the Ministry. Family booklets and blue cards shall be sent by the Ministry of Finance to the finance authorities to be given to civil registration offices and marriage registrars in Turkey, and to the Ministry of Foreign Affairs to be distributed to foreign missions abroad. A maximum of three thousand copies of international family booklets and blue cards shall be delivered to the civil registration offices in batches of three thousand copies in cash, to be paid later.

(11) The cost of the identity card, international family booklet, and blue card is collected at the time of application. In the event that the birth notification is made within the legal period and the identity cards are issued under the scope of Law No. 2828, no valuable paper fee shall be charged.

(12) International family wallets and blue cards returned due to misspelling shall have the valuable paper value deducted. In case of replacement of ID cards due to faulty production or writing, the ID card fee shall not be charged.

(13) The Directorate General, civil registration offices, and foreign representative offices are not subject to the provisions of the Surety Law No. 2489 dated 2/6/1934 in terms of the cost of identity cards, international family booklets, and blue cards.

(14) The procedures and principles regarding the payment of ID card fees to the Treasury cashiers shall be jointly determined by the Ministry and the Ministry of Finance.

(15) (**Addendum: 23/7/2020-7252/8 Art.**) In the implementation of the Electronic Identity Verification System, transactions shall be carried out in accordance with the provisions of Law No. 6698 on the Protection of Personal Data dated 24/3/2016, and by obtaining the explicit consent of the person.

Request form

ARTICLE 42- (Amended: 14/1/2016-6661/Art. 13)

(1) When issuing identity cards and international family booklets, identity card request forms shall be used, the form and content of which shall be determined and produced by the Ministry. When issuing identity cards based on birth reports, request forms shall not be required.

(2) The Ministry shall be empowered to put into or abolish the practice of identity card request forms and to determine their safekeeping periods.

PART SIX

Giving Information from Civil Status Records

Issuing a civil registry extract

ARTICLE 43- (1) Copies of the civil status record issued from the family register of the person and verified by the civil registration offices that they are true with their originals shall be valid until otherwise proven. The copy of the civil status record shall not be issued unless there is a written request stating the reason for its request and for what purpose it is going to be used. However, if the application is made in person by presenting an official document proving the identity of the person concerned, written application is not required. If the request made by competent persons is not explicit and reasoned, in the copies of

civil status, personal information other than the identity information shall not be included. Erasure and defacement on these documents is not permitted.

(2) Civil registry extract that have not been used within 180 days of their issuance shall lose their validity. The Ministry shall be authorized to shorten this period to 30 days according to the purpose the copy is going to be used.

People and institutions authorized to receive a civil registry extract

ARTICLE 44- (1) The following persons and institutions shall be authorized to receive civil registry extract directly from the civil registration offices:

- a) The Ministry,
- b) Diplomatic representations abroad,
- c) For military recruitment purposes, the Ministry of Defense,
- ç) Judicial authorities,
- d) Being limited to legal acts, the police forces,
- e) For acts of marriages, persons empowered to perform marriages,
- f) For acts of death, the official health agencies,
- g) The owners of the records or the spouses, parents, guardians, ascendants and descendants, or those who present a curatorship document to this effect,

(2) Institutions and legal persons other than those mentioned in paragraph 1, upon the order of the Ministry or the local governor, may obtain a civil registry extract by applying in writing and stating clearly the reason for the request. The Ministry shall establish the Identity Sharing System for the enforcement of the provisions of this Article.

(3) Giving information related to domicile address and addresses of other residences shall be subject to the will of the person.

(4) Third persons other than those mentioned in sub-section (g) of paragraph 1 shall not receive a copy of civil status record of a person other than information related to his/her marital status.

(5) **(Addendum: 19/10/2017-7039/Art. 10)** Persons may obtain civil registry samples of themselves, their descendants, and their children, as well as the place of residence certificates of themselves and their minor children, through the e-Government portal using secure identity verification tools, and submit the results to the relevant authority either physically or electronically. Documents obtained through the e-Government portal have the same legal value as those obtained from civil registration offices.

Use of the Identity Sharing Systems

ARTICLE 45- (Amended: 19/10/2017-7039/Art. 11)

(1) The Ministry may share data stored in the central database with institutions in accordance with the procedures and principles outlined in this Law; identity data may be shared with legal entities providing public services, insurance and pension companies operating within the framework of the Insurance Law No. 5684 dated 3/6/2007, banks operating within the framework of the Banking Law No. 5411 dated 19/10/2005, the Risk Center and companies established for the purpose of information sharing pursuant to the last paragraph of Article 73 of Law No. 5411, financial leasing companies, financing companies and savings finance companies within the scope of Law No. 6361 on Financial Leasing, Factoring and Financing Companies dated 21/11/2012, intermediary institutions and portfolio management companies within the scope of the Capital Markets Law No. 6362 dated 6/12/2012, payment service providers within the scope of Law No. 6493 on Payment and Securities Settlement Systems, Payment Services and Electronic Money Institutions dated 20/6/2013 and numbered 6493; residential and other address information may be shared with institutions providing address-based public services determined by the Ministry, insurance and pension companies operating within the framework of Law No. 5684, banks operating within the framework of Law No. 5411, Risk Center and companies established for the purpose of information sharing pursuant to the last paragraph of Article 73 of Law No. 5411, financial leasing companies, financing companies and savings finance companies within the scope of the Financial Leasing, Factoring and Financing Companies Law No. 6361, brokerage houses and portfolio management companies within the scope of Law No. 6362, payment service providers within the scope of Law No. 6493.

(2) A Data Sharing Board shall be established within the Directorate General in order to determine the beneficiaries of data sharing and to decide on the scope and method of sharing. The working procedures and principles of the Data Sharing Board shall be determined by a regulation issued by the Ministry.

(3) The persons mentioned in the first paragraph may only receive the information of the relevant persons as a basis for their own business and transactions, and may not use the information they receive for any purpose other than the fulfillment of the defined services, and may not give it to anyone other than the person concerned or those specified in Article 44. Officials at all stages of the system are also obliged to comply with these rules. **(Additional sentence: 18/6/2020-7247/Art. 8)** Those mentioned in the first paragraph are obliged to take all necessary administrative and technical measures to ensure that the users of the Identity Sharing System use the system in accordance with the provisions of this Article, to monitor usage, and to submit reports on these measures to the Ministry upon request. Those who violate the provisions of this paragraph shall be dealt with in accordance with the provisions of Law No. 6698 on the Protection of Personal Data dated 24/3/2016.

(4) The persons referred to in the first paragraph may not request the data they can receive from the Identity Sharing System offline. However, if a compelling need arises in the planning and execution of public services, and if the purpose and legal basis are specified, offline data requests may be fulfilled at a minimum level proportional to the need.

(5) The Directorate General shall implement appropriate security measures to prevent the unlawful processing, access, or storage of personal data and monitor institutions and legal entities providing public services to ensure compliance with these measures.

(6) The legal consequences of using the information received from the Directorate General in business and transactions shall be the responsibility of the institution and legal entity receiving the information.

(7) Institutions and legal entities with access to civil registry extracts, certificates of place of residence, and identity card samples through the Identity Sharing System shall obtain these documents directly from the system, without requesting them from the person concerned or the civil registration office.

(8) The use of the databases established by this Law for statistical purposes shall be subject to the provisions of Turkish Statistics Law No. 5429 dated 10/11/2005.

PART SEVEN

The Turkish Republic Identity Number

Identity number

ARTICLE 46- (1) The identity number is a numbering system which establishes a link between the nationals of the Republic of Turkey and their civil status records, enables access to the records of persons and provides a link between the records kept in public institutions. The Turkish Republic identity number shall be allocated only once and shall not be changed.

(2) **(Repealed: 19/10/2017-7039/Art. 27)**

Usage

ARTICLE 47- (1) The Turkish Republic identity number shall be included in all kinds of forms and declarations, and identification documents such as identity cards, driving licenses and passports issued to persons.

(2) The Turkish Republic identity number shall be taken as a basis for all kinds of acts and records of institutions and other real and legal personalities.

(3) For problems occurring during the application of identity number and in case of hesitation the opinion of the Directorate General shall be requested.

PART EIGHT

Address Registration System

Maintenance of address information and the standard of address

ARTICLE 48- (1) The establishment, development, and widening of the policy related to the information of the domicile address and other addresses, the determination of the dates for transition to overall implementation by the administrative units, and the acts related to linking the national address database with MERNIS database and sharing the address information shall be carried out by the Ministry. Co-operation requests made by the Ministry with the aim to complete the address records in the civil registers shall be met by the institutions.

(2) The standard of address shall be jointly determined by the Directorate General, Turkish Statistical Institute, the Institute of Turkish Standards and other agencies, under the supervision and responsibility of the Directorate General of Local Administrations. The Directorate General of Local Administrations shall be responsible for notifying the specified standard to the authorized administration. Institutions and real and legal personalities shall comply with the address standard in their practices and actions.

(3) The Ministry shall be empowered to request from the institutions any address related information. Institutions shall be under obligation to reply to the request in question within 20 days.

(4) (**Amended: 19/10/2017-7039/Art. 12**) Other addresses shall have the same legal value as the residential address in business and transactions carried out based on address, limited to the public services benefited. Institutions shall also take other address information such as residential address as basis in the works and transactions they will carry out.

(5) (**Addendum: 19/10/2017-7039/Art. 12**) The provisions of the Notification Law No. 7201 dated 11/2/1959 shall be reserved.

Address information and update

ARTICLE 49- (1) Provincial administrations and municipalities shall specify in accordance with the address standard the address components in their area of responsibility and shall be under the obligation to establish the address information as to include all addresses in their areas by allocating unchangeable permanent identification numbers to address components. Any changes made to address components, except the permanent identification number, shall also be monitored and entered in the national address database by the provincial administrations and municipalities.

(2) The national address database shall be kept in the Directorate General. The Directorate General shall keep updated in electronic format, together with the backup systems, the domicile address information by linking this information with the civil status records.

(3) (**Repealed: 9/5/2012-6304/Art. 13; Revised: 2/1/2017 - Decree-Law-680/Art. 80; Adopted as is: 1/2/2018-7072/Art. 78**) The address records of Turkish citizens residing abroad shall be maintained based on the address data used in the country of residence or information pertaining to that country and its representative office.

Declaration obligation and duration

ARTICLE 50- (Amended: 19/10/2017-7039/Art. 13)

(1) Address notifications shall be based on the written declaration of the person. The notification shall be made in person or by secure electronic signature.

(2) Address notifications shall be made to the civil registration offices or foreign representative offices. During the application for service procurement, a declaration regarding the change of address may also be made to the organizations providing address-based services determined by the Ministry.

(3) Address notifications shall be made within twenty business days.

(4) Adult members of the family with the same place of residence and other addresses may make an address declaration on behalf of each other. Those who submit a power of attorney may also make notifications regarding the addresses of persons.

(5) The addresses of children and restricted persons shall be notified by their parents, guardians, trustees, and in their absence, by the child's grandparents, adult siblings or those who have the child in their care.

(6) The address notifications of those staying in places such as nursing homes, orphanages, prisons, student dormitories, etc. shall be made by the authorities of the relevant institution, and for orphans who are unable to make a notification, by the mukhtars.

(7) In case of doubt in the declaration, information and documents confirming the declaration of the person may be requested.

(8) Authorized administrations shall be obliged to enter the building documents that constitute the basis for address formation into the national address database simultaneously with the creation of the documents.

Obligations of organizations providing address-based services

ARTICLE 51- (Amended: 19/10/2017-7039/Art. 14)

(1) Organizations shall send the change of address declaration forms electronically to the Directorate General or in paper form to the civil registration office where the organization is located within ten business days at the latest.

Use of address information

ARTICLE 52- (1) If requested by the institutions, the Ministry may, within the framework of the Identity Sharing System, provide institutions with address information in electronic format, the principles and procedures of which shall be determined by the Ministry.

(2) Mukhtars' offices with completed technical infrastructure may access the Identity Sharing System with the purpose of monitoring the update of domicile addresses in their area of responsibility.

(3) The institutions shall take as a basis in their practices and acts the address information kept in the Directorate General.

(4) Information and documents related to the address can be obtained from civil registration offices and mukhtars' offices that can connect to the Identity Sharing System and produce documents in accordance with the records in this system. The security of the documents produced in this way shall be ensured according to the procedures and principles determined by the Ministry.

(5) For population census purposes the MERNIS civil status information shall be used when establishing family and vital statistics and when enforcing laws that use as a basis this kind of information.

Coordination and cooperation

ARTICLE 53- (1) The Directorate General shall be responsible for the inter-institutional cooperation for the provision of efficient, fast and up to date establishment and maintenance of the national address database. The institutions shall be under obligation to share with the Directorate General and relevant institutions the information they possess related to address and address components.

PART NINE Common Provisions

Registration duty and period

ARTICLE 54- (1) Civil servants commissioned to register civil status events shall be under obligation to enter in the family register, at the time of processing, the breeder documents issued by the civil registration offices that must be entered in the family register, and to enter in the family register within seven days of the date of their receipt the breeder documents issued by other authorities and to send a copy of them to the Directorate General.

Duties of head court clerk

ARTICLE 55- (1) The head court clerks shall be under obligation to notify the local civil registration office within 10 days of finalization or issue of all decisions and acts that necessitate entering in the family register.

Duties of health agencies

ARTICLE 56- (Repealed: 19/10/2017-7039/Art. 27)

Representatives

ARTICLE 57- (Amended: 19/10/2017-7039/Art. 27)

(1) Third parties may make a declaration as a basis for procedures at civil registration offices only by submitting a power of attorney.

Unregistered persons

ARTICLE 58- (1) Persons who were left out during entering of civil status records in the registers shall apply at home to the local civil registration office and abroad to the nearest diplomatic representation with official documents showing that they are Turkish nationals. If following the scrutiny there is no obstacle for their registration, they shall be entered by the civil registration offices in the registers of families.

(2) (**Addendum: 19/10/2017-7039/Art. 18**) Persons who pass away before the population census shall not be registered in the family registers. However, if the identity of the deceased and the document related to the death are submitted, a notation shall be added to the record of the person's legal heirs.

Signing documents

ARTICLE 59- (1) Breeder documents issued upon a notification to the civil registration office shall be approved by the civil registration office. The breeder documents shall be signed by the persons concerned or by their parents, guardians or persons presenting a power of attorney. Fingerprints of illiterate persons shall be taken.

Suspicious declaration

ARTICLE 60- (1) In case of dubious declarations regarding civil status events or address, upon the order of the local governor, the police authorities shall conduct inquiries and examinations and inform the civil registration office.

Calculation of periods

ARTICLE 61- (1) When calculating the periods mentioned in this Law, the day subsequent to the date of the event shall be taken as a starting date. If the last day of the period coincides with an official holiday, the period shall end on the day subsequent to the holiday.

Aged and old registers

ARTICLE 62- (1) No action shall be taken or record shall be made on the aged or old family registers that have been removed from the process.

(2) (**Amended: 19/10/2017-7039/Art. 21**) No corrections can be made by the administration based on records in obsolete registers. Records removed from these registers shall be annotated with the statement: "Cannot be taken as a basis for any legal transaction except for the purpose of determining the identity and family ties of the person by the courts."

(3) (**Amended: 19/10/2017-7039/Art. 21**) If the underlying documents of civil registry events cannot be located, the correction of material errors or the completion of deficiencies regarding a person's name, surname, father's name, mother's name, date of birth, or place of birth shall be made based on the old family registers that have been removed from active use. Records removed from these registers are annotated with the statement: "These records cannot be used as a substitute for the current records."

List of Persons of Military Service Age

ARTICLE 63- (Amended: 19/10/2017-7039/Art. 22)

(1) The list of the male population of military age registered in the family registers shall be obtained by the Ministry of National Defense through the Identity Sharing System.

Preparation of forms

ARTICLE 64- (1) The Ministry shall be authorized to prepare the forms and documents and to make the necessary regulations for the enforcement of this Law. The forms related to declaration of domicile address to be kept in electronic format shall be destroyed after scanning and converting into electronic format.

PART TEN Miscellaneous Provisions

Remuneration

ARTICLE 65- (Amended: 25/6/2009-5917/Art. 39)

(1) **(Amended: 19/10/2017-7039/Art. 23)** Remunerations shall be charged per query or response for sharing the information contained in the Identity Sharing System with public institutions and organizations, and legal entities other than public administrations within the scope of general administration. The amount of the remunerations shall be determined jointly by the Ministry and the Ministry of Finance separately for spatial and textual data, taking into account the nature of the service provided through the Identity Sharing System, and shall not be less than 3 kurus. These amounts shall be increased annually by the revaluation rate determined and announced in accordance with the provisions of the repeated Article 298 of the Tax Procedure Law No. 213 dated 4/1/1961 for the previous year. Ministry records shall be used to determine the number of queries and responses.

(2) Remuneration shall be calculated based on inquiries made during each quarter of the calendar year. The calculated fees shall be notified to the inquiring institutions by the evening of the 15th day of the month following the period and must be paid to the Ministry's central accounting unit by the end of the same month.

(3) Institutions that fail to pay on time shall be disconnected from the system. Remunerations not paid on time shall be followed up and collected by the tax offices in accordance with the provisions of the Law No. 6183 on the Procedure for Collection of Public Receivables. Such fees shall be recorded as revenue to the general budget.

(4) Village and neighborhood mukhtars are exempt from remunerations.

(5) The procedures and principles regarding the implementation of this article shall be jointly determined by the Ministry and the Ministry of Finance.

Overtime pay

ARTICLE 66- (Repealed: 11/10/2011-Decree-Law-666/Art. 1)

PART ELEVEN

Penalty Provisions

False declaration

ARTICLE 67- (1) Mukhtars of villages or quarters who issue false domicile address or identity card request forms and persons who make a false declaration to the civil registration office in relation to whatever act and persons who testify to them shall be punished by imprisonment for six months to four years.

(2) Public officials who do not fulfil the obligations related to the address and acting against the prohibitions shall be punished according to the provisions on the reliability and the functioning of the public administration contained in the Turkish Penal Code No 5237 dated 26/9/2004.

Administrative fines

ARTICLE 68- (1) According to this Law:

a) Public officials who are commissioned to report civil status events and who do not fulfil their duties within the periods specified in this Law, with the decision of the head of the local civil registration office and upon the proposal of the registrar, shall be incurred with a 25 YTL administrative fine, even if the action constitutes another crime.

b) **(Repealed: 19/10/2017-7039/Art. 24)**

c) **(Amended: 14/1/2016-6661/Art. 14)** An administrative fine of 50 Turkish Liras shall be imposed on those who fail to fulfill their obligation to notify the change of address within the time limit, and an administrative fine of 1000 Turkish Liras shall be imposed on those who make false declarations by the local administrative authorities in Turkey and by the foreign representative offices abroad.

(2) Administrative fines incurred abroad shall be collected at the time of action in local currency of the country where the consulate takings are collected.

(3) According to this Law the administrative fines set out in this Article shall not apply:

a) **(Repealed: 14/1/2016-6661/Art. 14)**

b) **(Repealed: 14/1/2016-6661/Art. 14)**

c) **(Repealed: 14/1/2016-6661/Art. 14)**

d) (**Amended: 19/10/2017-7039/Art. 24**) to the health personnel specified in Article 15 and the public prosecutor's offices specified in Article 31 of this Law.

PART TWELVE

Miscellaneous Provisions

Regulation

ARTICLE 69- (1) Regulations for the implementation of this Law shall be issued by the President of the Republic.

(2) The regulation related to address and numbering shall be prepared jointly by the Ministry, the Turkish Statistical Institute and the Institute of Turkish Standards and put into effect within 90 days.

Posts

ARTICLE 70- (1) The posts contained in the List 1 of the Annex to this Law were included under the Ministry of Interior's section of Table 1 of the Annex to the Decree-Law on General Posts and Procedures.

Repealed provisions

ARTICLE 71- (1) The Civil Law No 1587 dated 5/5/1972, the General Population Registration Law No 1543 dated 24/2/1972 and the Law on Marriage Papers and Their Registration in the Civil Registers No 3686 dated 5/7/1939, the Article 5, paragraph (a) and (d) of Article 6, and the expression “8” in Article 8, Article 16 and Article 17 of the Declaration of Identity Law No 1774 dated 26/6/1973, and the Law on Numbering Buildings and Naming Streets No 1003 dated 10/4/1927 were repealed.

Amended provisions of other laws

ARTICLE 72- (1) Subsequent to paragraph (c) of Article 6 of Law No 1774, the expression “identity card shall be issued in accordance with the record by the ... and must be handed out to the police forces within three days” was added and the expression “those who are and those resident in places mentioned in paragraph (d)” in the second paragraph of the same Article was amended as “of those”.

Provisions added to other laws

ARTICLE 73- (1) (**Related to Law No. 3152 on the Organization and Duties of the Ministry of Interior dated 14/2/1985 and incorporated therein.**)

References

ADDITIONAL ARTICLE 1- (Addendum: 14/1/2016-6661/Art. 15)

(1) References in other legislation to “identity proof”, “identification card”, “identity book”, “identity certificate”, “identity document”, and “identity paper” shall be deemed to be references to “Republic of Turkey identity card”.

Registration power and authorization

ADDITIONAL ARTICLE 2- (Addendum: 19/10/2017-7039/Art. 25)

(1) The Ministry may authorize the institutions or foreign representative offices that issue breeder documents regarding civil registry events and address to send or register these documents electronically. The Ministry is authorized to decide on the preservation of breeder documents in the institutions authorized for registration.

(2) Upon the request of the Ministry of Foreign Affairs, civil registry personnel may be assigned to consular branches of embassies and consulates general in order to perform civil registration and citizenship services. The duties and responsibilities of such officers abroad and the duration of their duty shall be determined jointly by the Ministry and the Ministry of Foreign Affairs.

Surname change

ADDITIONAL ARTICLE 3- (Addendum: 19/10/2017-7039/Art. 25)

(1) Provided that a written request is made;

- a) In case a woman who is allowed to use the surname of her divorced husband wants to use her surname before marriage,
- b) In case a woman who bears her husband's surname and her previous surname wants to use only her husband's surname,
- necessary action shall be taken by the civil registration office.

Determination of the death event

ADDITIONAL ARTICLE 4- (Addendum: 19/10/2017-7039/Art. 25)

(1) Deaths shall not be notified to institutions and notaries in paper form by the civil registration office. Institutions and notaries shall make the determination of death events electronically. In cases where the information on death events cannot be sent electronically due to force majeure, it may be sent in paper form.

(2) The provisions of Article 69 of the Notary Public Law No. 1512 dated 18/1/1972 and Article 150 of Law No. 213 contrary to this Law shall not apply.

PART THIRTEEN
Transitional Provisions

TRANSITIONAL ARTICLE 1- (1) Institutions and legal personalities must use the identity number in their operations by aligning their regulations with the provisions of this Law within two years of its publication.

TRANSITIONAL ARTICLE 2- (1) Subsequent to the publication of this Law, the following acts and procedures related to the preparation for the implementation of entering the address information shall be carried out:

a) The database shall be established by carrying out the infrastructure works for the national address database within the Turkish Statistical Institute, and subsequent to the completion of the acts and procedures set out in this Article the database shall be handed over to the Directorate General.

b) The Directorate General of Local Administrations shall monitor the numbering and signing works of the provincial administrations and municipalities according to the regulation on address and numbering.

c) Simultaneously with the address works, provincial administrations, municipalities and the Directorate General shall establish the technical infrastructure for the national address database. A network infrastructure operating on-line between the provincial administrations, municipalities and the national address database shall be established countrywide by the Ministry of Transport. Central computer software enabling access to the national address database from every settlement shall be developed by the Turkish Statistical Institute. The database shall be opened to the use of provincial administrations and municipalities after completing the necessary encoding and the user training.

ç) The numbering operation shall be completed following the alignment of the address components of settlement areas by the provincial administrations and municipalities with the standards, and shall be entered in the central national address database using the software mentioned in subsection (c) no later than 360 days subsequent to the determination of the address standard.

d) With the aim of establishing the appropriateness of the numbering and signing works to be carried out by the provincial administrations and municipalities, a field control shall be conducted by the Turkish Statistical Institute and the Directorate General of Local Administrations within 90 days subsequent to completion of the works. Results of the control shall be entered in the national address database.

e) In order to link the domicile address kept in the national address database with the civil registration information and to keep records of the personal domicile address information linked to the Turkish Republic identity number, beginning from settlements with completed numbering and within 630 days subsequent to the entry into force of this Law, field application shall be carried out by the Turkish Statistical Institute. Based on the national address database, the domicile address information determined during the application shall be electronically matched with MERNIS records according to the Turkish Republic identity number

principle. In relation to domicile address in Turkey of aliens encountered during the field scan, a different database shall be established.

f) The obtained records shall be published on the mukhtars' offices in the quarters and villages for 60 days. During the publication period the necessary rectifications of records shall be carried out according to the records obtained from the Turkish Statistical Institute upon the results of investigation of a challenge. The forms used in the field application following the finalization of records subsequent to this work shall be exterminated by virtue of the provisions of the Law No 3473 dated 28/9/1988.

(2) The forms to be used in the works shall be prepared by the Turkish Statistical Institute in conjunction with the Directorate General. The records related to the questions added to the forms by the Turkish Statistical Institute with statistical purposes shall be evaluated within the framework of the provisions of the Turkish Statistics Law.

(3) The field work to be carried out by the Turkish Statistical Institute shall be executed according to the provisions on census and research of the Law No 5429. The relevant institutions may purchase products and services for the execution of the works and acts mentioned in this Article. Regarding the works within the scope of this Article, the provisions of the Public Procurement Law No 4734 dated 4/1/2002 and the Law No 5018 shall not apply, except for the punishment and bid ban provisions. Principles and procedures for product and service purchases conducted within this scope shall be established by the Cabinet of Ministers according to the requirements of the service in line with the principles of transparency, competition, equal treatment, reliability, public control, suitable terms and timeliness, and effective use of resources.

(4) The principles and procedures related to the execution of sub-paragraph (a) of paragraph one of this Article shall be established by a regulation.

TRANSITIONAL ARTICLE 3- (1) The provision of Article 68 of this Law shall not apply to those who, within the execution period of Transitional Article 2 of this Law, have reported civil status events after the period prescribed in the civil registration legislation and to those who have lost their identity cards and international family booklets.

TRANSITIONAL ARTICLE 4- (1) Provincial administrations and municipalities which could not be connected to the national address database within the period prescribed by this Law shall determine the local addresses information and monitor their up-to-datedness, and shall sent this information in electronic format to the civil registration offices in order to be entered in the national address database.

TRANSITIONAL ARTICLE 5- (1) For the transfer to the father's section of records of children, entered under the mother's section by virtue of declaration of recognition or paternity decision prior to the entry into force of this Law, the presence of one of the parents, if the child is in the age of majority, the presence of the child shall be required.

TRANSITIONAL ARTICLE 6- (Addendum: 14/1/2016-6661/Art. 16)

(1) The issuance and distribution of identity cards shall be carried out according to the following procedures and principles until 31/12/2016:

a) Identity cards shall be printed by the Ministry of Finance in accordance with the shape, size and sample determined by the Ministry and shall be sent to the accounting authorities to meet the needs of civil registration offices and to the Ministry of Foreign Affairs to meet the needs of foreign missions.

b) Considering the needs of the civil registration offices, the accounting officer shall issue a maximum of three thousand copies for each of the male and female identity cards in cash in batches of three thousand copies each, to be paid later. If birth notifications are made within the legal period, no valuable paper fee shall be charged for the identity cards to be issued. Identity cards returned due to misspelling shall be deducted from the valuable paper fee.

c) Identity cards shall be issued by the district civil registration offices in Turkey and foreign representative offices abroad to the persons themselves, to those who present a certificate of parent, guardian or official proxy for minors and to the persons who are obliged to declare as specified in Article 17 of this Law within the framework of the procedures to be determined by the Ministry.

ç) The Directorate General and the consulates general shall not be subject to the provisions of Law No. 2489 in terms of the cost of identity cards.

Remuneration

TRANSITIONAL ARTICLE 7- (Addendum: 19/10/2017-7039/Art. 26)

(1) Until the remuneration pursuant to the first paragraph of Article 65 is jointly determined by the Ministry and the Ministry of Finance, the provisions of Article 65 before it was amended by the Law enacting this Article shall continue to be applied.

Correction of name and surname

TRANSITIONAL ARTICLE 8- (Addendum: 19/10/2017-7039/Art. 26)

(1) Provided that the person applies in writing to the civil registration office where the person's place of residence is located within two years; surnames contrary to Article 3 of the Surname Law No.2525 dated 21/6/1934, as well as names and surnames containing spelling errors or changes in meaning due to the absence of diacritical marks, may be changed for one time only with the decision of the provincial or district administrative board, without a court decision. The decision of the provincial and district administrative boards is final. If the person whose surname is changed is a man, the surnames of his wife, if any, and his children who are minors on the application date shall also be corrected. If the person whose surname is changed is a woman, her surname and the surnames of her minor children born out of wedlock, if any, shall also be corrected.

Correction of date and place of birth of immigrants

TRANSITIONAL ARTICLE 9- (Addendum: 19/10/2017-7039/Art. 26)

(1) The records of those who have acquired Turkish citizenship as immigrants and whose place and date of birth are incorrect shall be corrected by the civil registration offices upon their application with duly certified birth certificates within five years from the effective date of this article.

Name of the mother and father of the adopted child

TRANSITIONAL ARTICLE 10- (Addendum: 19/10/2017-7039/Art. 26)

(1) In the event that children or adolescents who were adopted together or alone before the effective date of this article apply to civil registration offices within five years following the effective date of this article, the names and surnames of the adopters shall be written in the civil registry record as the name or surname of the mother and/or father.

(2) The consent of adoptees who are adults and legally competent as of the effective date of this article shall also be required.

TRANSITIONAL ARTICLE 11- (Addendum: 6/12/2019-7196/Art. 61)

(1) Provided that the person applies in writing to the civil registration offices where the person's place of residence is located within three years; surnames contrary to Article 3 of the Surname Law No. 2525 dated 21/6/1934, as well as names and surnames containing spelling errors or changes in meaning due to the absence of diacritical marks, that are inconsistent with general morality, or that are deemed ridiculous by society, may be changed for one time only with the decision of the provincial or district administrative board, without a court decision. The decision of the provincial and district administrative boards is final. If the person whose surname is changed is a man, the surnames of his wife, if any, and his children who are minors on the application date shall also be corrected. If the person whose surname is changed is a woman, her surname and the surnames of her minor children born out of wedlock, if any, shall also be corrected. The President of the Republic is authorized to extend the specified period in this article once.

Entry into force

ARTICLE 74- (1) This Law shall enter into force on the date of its publication.

Enforcement

ARTICLE 75- (1) The provisions of this Law shall be carried out by the Cabinet of Ministers.