

LAW ON DISABLED PEOPLE AND ON MAKING AMENDMENTS IN SOME LAWS AND DECREE LAWS

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FIRST SECTION

Objective, Scope, Definitions and General Principles

Objective

Article 1- The objective of this Law is to prevent disability, to enable the disabled people to join the society by taking measures which will provide the solution of their problems regarding health, education, rehabilitation, employment, care and social security and the removal of the obstacles they face and to make the necessary arrangements for the coordination of these services.

Scope

Article 2- This law covers the disabled people, their families, the establishment and organizations serving towards the disabled people and other concerned ones.

Definitions

Article 3- While implementing this law the definitions of some terms are as follows;

a) Disabled is the person who has difficulties in adapting to the social life and in meeting daily needs due to the loss of physical, mental, psychological, sensory and social capabilities at various levels by birth or by any reason thereafter and who therefore need protection, care, rehabilitation, consultancy and support services.

b) Disability criterion is the criterion which is prepared on the basis of the international basic criterion and which is revised when deemed necessary.

c) Person with mild disability is the person who is defined as slightly disabled according to the disability criterion.

d) Person with severe disability is the person who is defined as substantially disabled according to the disability criterion.

e) Care dependant disabled person is the person, among those documented by an official health council report as substantially disabled according to the disability classification, who is so impaired that he/she cannot maintain his/her life without the assistance and care of others because he/she is not able to substantially perform the habitual and repetitive requirements of the daily life.

f) Sheltered workshops are the workplaces with technical and financial support from the State and the working conditions of which is specially arranged by the State in order to create vocational rehabilitation and employment for the disabled people who are difficult to be integrated to the normal labour market.

g) Sheltered workshop status is the condition of having a number of disabled employees at a ratio determined by the regulation or of possessing the requirements in order to be granted with the technical and financial assistance provided to the sheltered workshop.

h) Rehabilitation is the totality of preventive, medical, vocational, educational, recreational and psycho-social services which are rendered in order to eliminate a disability by birth or occurred thereafter by any reason or to reduce the effects of disability to a minimum level, in order for the disabled to be sufficient to himself/herself and to society in his/her work and social life and to integrate with the society by enabling him/her to acquire the highest level of abilities he/she can achieve again in the fields of physical, mental, psychological, social, vocational and economical usefulness and in order to take all measures against discrimination.

i) Classification is the work to develop a common standard and framework for the definition of the function and incapability of the human body as an important health indicator.

General principles

Article 4- The following principles are followed in performing the services under this Law:

- a) State develops social policies against all kinds of abuse of disabled people and disability on the basis of the immunity of the human honour and dignity. State doesn't discriminate against the disabled people; fighting against discrimination is the basic principle of the policies towards the disabled people.
- b) The participation of the disabled people, their families and volunteer organizations are provided for the decisions to be taken in relation to disabled people.
- c) It is essential to protect the unity of the family when performing the services towards the disabled people.
- d) It is obligatory to take the opinion of the Administration on Disabled People for the arrangement of regulations by establishments and organizations towards the disabled people.

SECOND SECTION

Classification, Care, Rehabilitation, Employment, Education, Analysis of Job and Profession

Classification

Article 5- Rankings, classifications, definitions regarding the disabled people are made according to the disability criterion, which is prepared on the basis of the international disability classification. The disability criterion and the application principles are determined by the regulation, which will be jointly issued by the Ministry of Finance, the Ministry of Health, the Ministry of Labour and Social Security and the Ministry of National Education.

Care

Article 6- It is essential that the disabled people maintain their lives in health, peace and safety particularly in the environment they are in, that their care and rehabilitation are provided so that they will get by in the society and become productive, that the ones in need are taken for temporary and permanent care or provided with home care service.

Licensing

Article 7- The care services for the disabled people can be provided by the natural and legal persons and public institutions and organizations, which obtained licence from General Directorate of Social Services and Protection of Children Agency.

Rendering of the services

Article 8- While rendering the services the biological, physical and social needs of the person are also taken into consideration. For the standardization, development and prevalence of the care services, works are carried out under the coordination of General Directorate of Social Services and Protection of Children Agency.

Qualified provision of care is enabled by the care services.

Types of care

Article 9- Care services can be presented in home care or institution care models. First of all it is essential that the service is provided without separating the person from his/her social and physical environment.

Rehabilitation

Article 10- Rehabilitation services are provided in order to meet the individual and social needs of the disabled people on the basis of participation in the social life and equality. The active and effective participation of the disabled person and his/her family is essential in all stages of the rehabilitation including the decision making, planning, executing and terminating.

Training programmes are developed in order to the train the personnel needed in all areas of the rehabilitation and necessary measures are taken for the employment of these personnel.

Early diagnosis and preventive services

Article 11- The works regarding all periods of new born, toddler and children to monitor the physical, auditory, sensory, social, psychological and mental developments, to provide early diagnosis of hereditary diseases and diseases that may cause disability, to prevent disability, to bring the severity of the existing disability to the lowest level and to stop the deterioration of disability are planned and executed by the Ministry of Health.

Job and Profession Analysis

Article 12- Job and profession analyses taking the disability types into account are made by the Ministry of National Education and the Ministry of Labour and Social Security under the coordination of the Administration on Disabled People. Within the light of these analyses, the vocational rehabilitation and training programmes which appropriate for the conditions of the disabled people are developed by the foregoing organizations.

Vocational Rehabilitation

Article 13- The rights of the disabled people to choose their profession in accordance with their skills and to obtain training on this matter cannot be restricted.

It is essential that the disabled people are enabled to take advantage of the vocational rehabilitation services in order to provide that they are trained in a profession they can carry out, they are enabled to acquire a profession, their economic and social welfare is secured by making them efficient.

Measures to develop the job and skills of the individuals according to their individual developments and abilities in the private vocational rehabilitation centres to be opened by natural or legal persons, skill improvement centres and various types of sheltered workshops are taken. The concerned services can be obtained through the purchase of service by making a job and profession analysis according to the needs. The relevant methods and principles are determined by the regulation which will be jointly issued by the Ministry of National Education, the Ministry of Labour and Social Security and Administration on Disabled People.

Social and vocational rehabilitation services are also provided by the municipalities. Municipalities, when they deem necessary during the provision of these services, cooperate with the people's training and apprenticeship training centres. In the event that the rehabilitation request of the disabled person cannot be met, he/she takes the service from the nearest centre and the concerned municipality pays the amount determined in the budget instruction each year to the centre where the service is purchased.

Employment

Article 14- During the employment, no discriminative practices can be performed against the disabled people in any of the stages from the job selection, to application forms, selection process, technical evaluation, suggested working periods and conditions.

Working disabled people cannot be subjected to any different treatment than the other people with respect to their disability such that it could cause a result which is unfavourable for the disabled people.

It is obligatory that measures in the employment processes in order to reduce or eliminate the obstacles and difficulties that may be faced by the disabled people who work or who apply for a job are taken and the physical arrangements are done by the establishments and organizations with the relevant duty, authority and responsibility and by the work places. The employment of the disabled people, who are difficult to be integrated to the labour market because of their conditions of disability, is provided by means of the sheltered workshops first.

The methods and principles regarding the sheltered workshops are arranged by the regulation to be issued jointly by the Ministry of Labour and Social Security, the Ministry of Finance and the Administration on Disabled People.

Education and training

Article 15- the right of education of the disabled people cannot be prevented by any reason. The disabled children, youngsters and adults are provided with equal education with the non-disabled people and in inclusive environments by taking the special conditions and differences into consideration.

Counselling and Coordination Centre for Disable Disabled People is established in order to carry out works within the Higher Education Council on the procurement of tools and equipment, preparation of special class material, enabling the preparation of education, research and accommodation environments suitable for the disabled people in order to facilitate the education life of the disabled university students

The operation methods and principles of the Counselling and Coordination Centre for Disable Disabled People are arranged by the regulation which is prepared jointly by the Ministry of Health, the Ministry of National Education, Higher Education Council and the Administration on Disabled People.

Turkish sign language is created by the Turkish Language Institution in order to provide the education and communication of the hearing impaired people. The methods and principles of the works for creating and implementing this system are determined by the regulation to be issued jointly by the Ministry of National Education, General Directorate of Social Services and Protection of Children Agency and Administration on Disabled People under the coordination of the Turkish Language Institution.

The required procedures in order to provide the production of relief, audio and electronic books, subtitled film and similar material to meet all kinds of educational and cultural needs of the disabled people are carried out jointly by the Ministry of National Education and the Ministry of Culture and Tourism.

Educational evaluation

Article 16- The educational evaluation and diagnose of the disabled people are carried out by the special educational evaluation board in the guidance research centres of the provincial directorates of national education which consists of the experts and family of the disabled person; and education planning is developed. This planning is evaluated every year and reviewed in accordance with the developments.

The board decides the vocational branch of the training for the disabled people willing to take apprenticeship training in line with their interest, desire, ability and skills and by taking the health board report into account.

The foundation and operation methods and principles of the board are determined by the regulation to be issued jointly by the Ministry of National Education and the Administration on Disabled People

THIRD SECTION Amended Provisions

Article 17- The phrase "special education and rehabilitation centres" has been added to follow the phrase "student study education centres" which is included in the 1st Article of the Special Education Institutions Law no 625 dated 8.6.1965.

Article 18 – The following provisional article has been added to Law no 625.

Provisional Article 2- The special education and rehabilitation centres which are authorised according to the General Directorate of Social Services and Protection of Children Agency Law no 2828 dated 24.5.1983 shall renew their opening permissions until 31.12.2007 according to the requirements determined by the Ministry of National Education.

Article 19- The following clause has been added to follow the first clause of the Article 42 of the Condominium Law no 634 dated 23.6.1965.

In the event that there is an obligation for the lives of the disabled people, project amendment is decided by the majority of number and land share after being discussed in the meeting to be held latest within three months by the unit owners. In case that the meeting cannot be held within this period or the amendment request is not accepted by majority; construction, repair and installation are made according to the certified project amendment or sketch to be obtained from the concerned authorities upon the request of the concerned unit owner on the basis of the commission report which states that safety of the building is not endangered. The concerned authorities finalize the project amendment or sketch requests latest within six months. The methods and principles regarding the establishment of the commission, operation method and the process after the usage by the disabled person are determined by the regulation to be issued jointly by the Ministry of Public Works and Settlement and Administration on Disabled People.

Article 20- The title and the first clause of the Article 53 of the Civil Servants Law no 657 dated 14.7.1965 have been changed as follows.

Employment of disable people as civil servants:

It is essential that the disabled people be appointed to the vacancies that suit their professions and that the tools and equipment assisting to their performance and execution of their profession are supplied by their organizations provided that this is according to the regulations. The requirements for recruiting disabled people as civil servants and the jobs that they will be assigned with, the ancillary tools and equipment to be supplied by their organization for the performance and execution of their professions, the duties where the appointment of mentally disabled people will be exempted from the minimum education requirement are arranged by a regulation to be prepared jointly by the Ministry of Finance, the Ministry of Health, The Ministry of Labour and Social Security, the Administration on Disabled People and State Personnel Directorate.

Article 21- The following additional Article has been added to the Law no 657.

Additional Article 39- In the event that it is documented by the special education evaluation centre that the spouse, children and siblings of the civil servants who are determined by a health board report as disabled such that they cannot continue their lives without the assistance and care of others will take training and education in the official or private training and education organizations out of the location of their employment, upon the request of the concerned civil servant, he/she is appointed to a suitable vacancy in his/her organization within the province or town borders where the training and education organizations are located.

Article 22- The phrase “of the disabled people” has been added to follow the phrase “of the war veterans” which is included in the Article 8 of the Property Tax Law no 1319 dated 29.7.1970.

Article 23- The 73rd Article of the Notaryship Law no 1512 dated 18.1.1972 has been amended as follows including the title.

The fact that the concerned person is impaired with hearing, speaking and seeing:

Article 73- If the notary public understands that the concerned person has hearing, speech and visual impairment, the proceedings are carried out in the presence of two witnesses based on the request of the disabled people. If the concerned person has hearing and speech impairment and if there is no possibility to communicate in writing, there will be two witnesses and a sworn translator.

Article 24- The second clause of the 75th Article of the Law no 1512 has been amended as follows.

Although a notarial transaction is signed or hand sign is made to replace the signature, if the concerned person requests or the notary public deems necessary in terms of the quality of the transaction, the status and identity of the person who signs or who makes hand sign, except the visually impaired people for whom the transaction is made and who can sign, fingerprints of the concerned person, witness, translator and surveyor are also taken within the framework of the method in the clause above

Article 25- The second and the third clauses of the 1st Article of the Law no 2022 dated 1.7.1976 on Putting the Needy, Feeble and Destitute Turkish Citizens aged above 65 have been abolished and the following additional Article has been added to the same Law.

Additional Article 1- Despite being younger than 65 years old;

a) among those who prove by a health board report to be obtained from a fully equipped hospital that they are disabled such that they cannot maintain their lives without the assistance of others, who are older than 18 years old and who are not legally liable to look after others, the ones with an income, according to the monthly average of all kinds of their incomes under any names, less than the amount to be achieved by multiplying the indicator figure mentioned in the 1st Article of this Law with the civil servant salary coefficient, will be put on a monthly salary at 300 % of the monthly amount to be determined according to the 1st Article of this Law.

b) Among the disabled people who are older than 18 years old and who are not legally liable to look after others, the ones with an income, according to the monthly average of all kinds of their incomes under any names, less than the amount to be achieved by multiplying the indicator figure mentioned in the 1st Article of this Law with the civil servant salary coefficient, will be put on a monthly salary at 200 % of the monthly amount to be determined according to the 1st Article of this Law.

c) Although having an income, according to the monthly average of all kinds of their incomes under any names, less than the amount to be achieved by multiplying the indicator figure mentioned in the 1st Article of this Law with the civil servant salary coefficient, those who have a disabled relative younger than 18 years old after whom they are legally liable to look after will be put on a monthly salary at 200 % of the monthly amount to be determined according to the 1st Article of this Law provided that the care relation actually takes place.

The salaries put according to the provisions of this Article before completing 65 years of age continue to be paid in the same way. Among those who are put to salary according to the 1st Article of this Law, the ones who prove by a health board report to be obtained from a fully equipped hospital that they are disabled such that they cannot maintain their lives without the assistance of others are also put to salary according to the subclause (a) of the first clause. The salaries of those with a changed disability ratio that is the base of being put on the salary are determined again according to their condition. The salaries of those whose disability ratio becomes less than the figure required for a salary to be put and those who start to obtain an income which is more than the monthly average income amount stated in the first clause are stopped.

Only the disabled people themselves who are younger than 18 years old and taking advantage of the salary right take advantage of the health treatment right mentioned in the 7th article of this Law. However, among those who get salary according to the provisions of this Article, the ones who are under the health treatment assistance by any social security institution are not given the health treatment assistance.

The 2nd, 3rd, 4th, 5th, 6th, 7th and 8th Articles of this Law are also applied to those who will receive salary according to the provisions of the first clause.

Among the children who receive monthly salary or an income as an orphan from any social security institution because of being disabled, to the ones whose monthly salary or income total which they obtain from those institutions are less than the amount which can be paid according to their status as per this Article, the difference is paid by the concerned social security institution (for those with a salary or income from more than one social security institution, only from the social security institution they choose) and such paid amounts are collected from the Treasury.

Article 26- The following subclause (d) has been added to follow the subclause (c) of the 3rd Article of the General Directorate of Social Services and Protection of Children Agency Law no 2828 dated 24.5.1983 and subclauses are continued and the sub item (11) has been added to the existing subclause (e).

d) "Care Dependant Disabled Person": the person, among those documented by an official health council report as substantially disabled according to the disability classification, who is so impaired that he/she cannot maintain his/her life without the assistance and care of others because he/she is not able to substantially perform the habitual and repetitive requirements of the daily life.

11- "Living Units for Orphan Children" is the house units where the orphan children of 0-18 ages stay in sheltered residences,

Article 27- The subclause (a) of the 4th Article of the Law no 2828 has been amended as follows and subclause (e) has been abolished.

a) The activities regarding the social services under this Law are performed under the State control and monitoring in an integrity by enabling the volunteer contribution and participation of the non governmental organizations and the people. The scope of the care and other services to be provided and the leave, work methods and principles of the natural and legal persons to provide these services are arranged by a regulation to be issued by the General Directorate of Social Services and Protection of Children Agency.

Article 28- The subclause (g) of the 9th Article of the Law no 2828 has been amended as follows.

g) To determine, confirm and inspect the principles regarding the opening permission, all kinds of standards and operation of the social service institutions to be established other than those which are linked to the institutions, except those providing special education and rehabilitation service, and regarding the charge tariffs if there are, and to stop the activities of those who don't follow these principles.

Article 29- The first clause of the 10th Article of the Law no 2828 has been amended as follows.

The central organization of the institution consists of the following main units together with one General Director and five Deputy General Directors:

- a) Legal Consultancy.
- b) Directorate of Inspection Board.
- c) Strategy Development Department.
- d) Human Resources Department.
- e) Children Services Department.
- f) Elderly Care Services Department.
- g) Disabled People Care Services Department.
- h) Social Aid Services Department.
- i) Youth Services Department.
- j) Support Services Department.
- k) Social Services Education Centre.
- l) Construction Affairs Department.
- m) Revolving Fund Central Directorate.
- n) Family, Woman and Society Services Department.
- o) Private Clerk Directorate.

p) Defence Specialism.

Article 30. - The following additional Articles have been added to the Law no 2828.

Additional Article 7 - It is provided that the care services are given in official or private care institutions or in their houses to those who lost their families and those with an economically and socially deprived family among the care dependent disabled people under no social security organization.

The scope of the care services to be provided to the care dependent disabled people and the leave and working methods and principles of the natural and legal persons to provide these services are determined by a regulation to be issued jointly by the Ministry of Finance, Ministry of Health and Administration on Disabled People under the coordination of the General Directorate.

The amount to be determined for each person monthly to cover the care service to be provided to the care dependent disabled people cannot be more than the net of two-month minimum wage.

The care fee of the care dependent disabled people except those looked after by the General Directorate is met by the appropriation to be allocated in the budget of the Society.

Additional Article 8 - In order to work as interpreter to the people with hearing and speech impairment when needed personnel with the knowledge of sign language is assigned. The arrangement of the necessary courses are provided for the personnel to learn the sign language. The methods and principles regarding the duty and power and working conditions of these personnel are determined by the regulation to be prepared jointly by the Administration on Disabled People and General Directorate of Social Services and Protection of Children Agency.

Article 31- The following subclause has been added to the first clause of the 61st article of the High Roads Traffic Law no 2918 dated 13.10.1983 to follow the subclause (n) and the following sentence has been added to the second clause.

o) In the parking spaces allocated for the vehicles of the disabled people,

in the event of any violation of the subclause (o) the fine will be doubled.

Article 32- The following subclause has been added to the clause no (4) of the Article 17 of the Value Added Tax Law no 3065 dated 25.10.1984.

s) all kinds of tools and equipment and special computer programmes produced specifically for the training, professions, and daily lives of the disabled people.

Article 33- The following subclause (o) has been added to the 2nd Article of the Law no 3289 dated 21.5.1986 on the Organization and Duties of the General Directorate of Youth and Sport to follow the subclause (n) and the existing subclause (o) has been continued as the subclauses (p).

o) In order to enable the disabled individuals to exercise sports and to make it widespread, to enable the sport facilities to be suitable for the usage of the disabled people and to develop sports training programmes and supporting technologies, to provide the necessary material, to carry out information and awareness increasing works and issue publications, to train sportsmen, to cooperate with the other concerned institutions on enabling the disabled individual to exercise sports.

Article 34- The following subclause has been added to the 3rd article of the Health Services Basic Law no 3359 dated 7.5.1987.

m) Ministry of Health is authorised to issue opening permission of the organizations to be established in by the public institutions and natural and legal persons in order to produce the ancillary tools and equipment used in the rehabilitating medical services. The principles regarding the issuance of opening licence of these institutions and organizations, production and personnel standard, operation and inspection and the status of the previously opened institutions and organizations are arranged by the regulation to be issued by the Ministry of Health

Article 35- The following additional Article has been added to the Law no 3797 dated 30.4.1992 on the Organization and Duties of the Ministry of National Education.

Additional Article 3: The amount determined each year by the budget practice instruction of the education expenses of those among the disabled children with visual, orthopaedic, hearing, language and speech, voice defects, mental retardation and mental illnesses who are found appropriate by the special education evaluation councils to attend the special education and rehabilitation centres are met by the appropriation to be allocated in the budget of the Ministry of National Education.

Article 36- The 1st Article of the Law no 3960 and dated 28.12.1993 on Fighting against Hereditary Diseases has been amended as follows.

Article 1- State fights against all blood diseases, primarily including thalassemia and sickle cell anemia and other hereditary diseases which cause disability under the scope of preventive health services. The required appropriation for this is put in the budget of the Ministry of Health.

The necessary measures required for fighting against the hereditary blood diseases and other hereditary diseases that cause disability under the scope of preventive health services and methods and principles to be applied on this matter are arranged by the regulation to be issued by the Ministry of Health.

Article 37- The subclauses (u) of the second clause of the 4th Article of the Law no 3984 dated 13.4.1994 on the Establishment and Broadcast of the Radio and Televisions has been amended as follows.

u) Not encouraging the violence and discrimination against the women, vulnerable, disabled people and children.

Article 38- The subclause no (1) of the first clause of the 348th Article of the Turkish Civil Law no 4721 dated 22.11.2001 has been amended as follows.

1) Failure of the parents in fulfilling their duty of guardianship due to inexperience and illness of the parents or the fact that they are in a different location or due to similar reasons.

Article 39- The first clause of the 108th Article of the Labour Law no 4857 dated 22.5.2003 has been amended as follows and the first sentence of its second clause has been abolished.

The administrative fines suggested by the Law, except the administrative fines in the 101st article, are issued by the Regional Director of the Ministry of Labour and Social Security provided that the reason is stated.

Article 40- The following additional clause has been added to the Grand Metropolitan Municipality Law no 5216 dated 10.7.2004.

Additional Article 1- Disabled people service units are established in the Grand Metropolitan Municipalities in order to provide information, awareness, steering, consultancy, social and vocational rehabilitation services to the disabled people. These units maintain their activities in cooperation with the foundation, association established to serve the disabled people and their subordinate organizations. The methods and principles regarding the foundation, duty, authority, responsibility and operation of the disabled people service units are determined by the regulation to be prepared by the Ministry of Internal Affairs by obtaining the opinion of the Administration on Disabled People.

Article 41- The phrase "disability" has been added to follow the phrase "language, race, colour, sex" in the first clause of the 122nd Article of the Turkish Criminal Law no 5237 dated 26.9.2004.

Article 42- The following paragraph has been added to the subclause (h) of the 3rd Article of the Decree Law no 571 dated 23.3.1997.

The authority to prepare and issue disabled people identification card can be transferred to the governorships with the confirmation of the Minister under which the Directorate operates. The methods and principles of preparing and issuing disabled people identification card are determined by the regulation to be jointly prepared by the Ministry of Internal Affairs, Administration on Disabled People and General Directorate of Social Services and Protection of Children Agency.

Article 43- The 7th Article of the Decree Law no 571 has been amended as follows.

Article 7- The main service units of the Directorate are as follows:

- a) Directorate of Rehabilitation and Education Department.
- b) Directorate of Disability Research and Statistics Department.
- c) Directorate of European Union and International Relations Department.
- d) Directorate of Project and Coordination Department.

Article 44- The 8th Article of the Decree Law no 571 has been changed as follows together with its title.

Directorate of Rehabilitation and Education

Article 8 - The duties of the Rehabilitation and Education Department are as follows:

- a) To provide cooperation and coordination between the concerned institutions and organizations among the process of rehabilitation and education of the disabled people.
- b) To carry out works towards establishing all kinds of standards for the rehabilitation of the disabled people.
- c) To follow the works being done at the institutions and organizations acting on the rehabilitation field and search for the solutions.
- d) To attend events on rehabilitation and education fields (panel, symposium, conference and the likes).
- e) To follow the works for removing the obstacles restricting employment, expanding the employment areas and for enabling the disabled people to establish their own business and provide proposals.
- f) To prepare and make others prepare proposals for removing the physical and architectural obstacles faced by the disabled people in their daily lives and determining the concerned standards.
- g) To undertake and evaluate the measures that will enable the disabled people to take advantage of the public social, cultural, sporting facilities and areas and mass communication and transportation means and to prepare proposals.
- h) To follow the works on providing the disabled children, youngsters and adults with education possibility in inclusive environments and at all levels.
- i) To prepare proposals and projects on the issues like prevention of disability, early diagnosis, rehabilitation, education and social securities of the disabled people and to have proposals and projects done.
- i) To carry out similar tasks assigned by the Directorate.

Article 45- The 9th Article of the Decree Law no 571 has been changed as follows together with its title.

Directorate of Disability Researches and Statistics Department

Article 9- The duties of the Directorate of Disability Researches and Statistics Department are as follows:

- a) To establish data for determining the disability policy.
- b) To follow and evaluate the works on disability area.
- c) To compile, study and carry out works for the development of the legislations on the disabled people.
- d) To prepare and make other prepare identity cards for the disabled people in order to be used to take advantage of the rights and services offered to disabled people and to follow all relevant processes.
- e) To meet and execute the information processing and automation needs of the Directorate units.
- f) To provide the effective and efficient work flow and communication order of the Directorate units, to follow the concerned developments and to make proposals for development.
- g) To establish and manage the information portal and to provide its communication network.
- h) To provide the establishment of the database concerning the disabled people.
- i) To provide that the statistical information regarding the disabled people from national institutions and organizations in an information processing environment and evaluate this information.
- i) To announce the directives and orders of the Director to the concerned people and to follow the processes.

j) To carry out similar tasks assigned by the Directorate.

Article 46- The 10th Article of the Decree Law no 571 has been amended as follows together with its title.

Directorate of European Union and International Relations Department

Article 10- The duties of the Directorate of European Union and International Relations Department are as follows:

a) To arrange and carry out the international relations of the Directorate.

b) To follow and evaluate at international and countries extent the social policies constituted for the disable people.

c) To establish, maintain, develop cooperation with the institutions and organizations that work towards the disabled people at the international level and provide that the concerned personnel are informed.

d) To carry out the works with the European Union on disability.

e) To follow the developments in the international institutions and organizations in the activities on the disabled people, to jointly investigate the problems of the disabled people and find the solutions, to carry out joint study and research on the emerging problems, to prepare and make others prepare joint project and proposals on this matter.

f) To provide that the statistical information about the disabled people is collected from the international institutions and organizations.

g) To follow international developments regarding the disabled people, to monitor and evaluate the implementation of the agreements and contracts in our country.

h) To carry out secretariat services of the councils and organizations which are established at international level by the coordination of the Directorate for the activities towards the disabled people.

i) To provide the foreign documents, their translation and informing the concerned units.

j) To carry out the domestic and foreign publicity of the Directorate and public relations services.

k) To organize and execute all kinds of protocol affairs of the Directorate.

k) To carry out similar tasks assigned by the Directorate.

Article 47- The 11th Article of the Decree Law no 571 has been amended as follows together with its title.

Directorate of Project and Coordination Department

Article 11 - The duties of the Directorate of Project and Coordination Department are as follows:

a) To carry out works for the preparation of the projects proposed by the Directorate units or making others prepare them and to provide support to their implementation.

b) To establish communication with the relevant units, institutions and organizations to provide the necessary financial resources in order to realize the projects decided to be done by the Directorate.

c) To provide the announcement through the concerned units of the project result report to be prepared after the completion of the project.

d) To provide the establishment of the project database.

e) To carry out or make others carry out necessary works for the preparation and publication of the Directorate's periodical.

f) When assigned by the Directorate, to develop general or special protocol based cooperations.

g) To organize the meeting and briefings concerning the Directorate, to carry out the secretariat works of the Executive Committee on Disabled People and Disabled People Council, to take and publish important notes and minutes

h) To carry out similar tasks assigned by the Directorate.

Article 48- The "Main Service Units" section of the table no (1) which is the annex of the Decree Law no 571 has been changed as "1. Directorate of Rehabilitation and Education Department, 2. Directorate of Disability Research and Statistics Department, 3. European Union and International Relations Department, 4. Directorate of Project and Coordination Department".

Article 49- The staff positions which are included in the annexed list no (1) have been abolished and removed from General Directorate of Social Services and Protection of Children Agency section of the table no (1) which is the annex of the Decree Law no 190, the staff positions which are included in the annexed list no (2) have been created and added to the section belonging to the said General Directorate of the table no (I) which is attached to the said Decree Law.

b) The staff positions which are included in the annexed list no (3) have been abolished and removed from the Administration on Disabled People section of the table no (1) which is the annex of the Decree Law no 190, the staff positions which are included in the annexed list no (4) have been created and added to the section belonging to Administration of the table no (I) which is attached to the said Decree Law.

Provisions which have been abolished

Article 50- a) The additional 37th Article of the Social Insurance Law no 506 dated 17.7.1964,

b) The third clause of the 668th Article of Turkish Trade Law no 6762 dated 29.6.1956,

c) The last clause of the 14th Article of the Obligations Law no 818 dated 22.4.1926 ,

have been abolished.

Provisional Article 1- The regulations suggested in this Law are put into effect within one year from the date of publication of the Law.

Provisional Article 2- The existing official buildings of the public institutions and organizations, all existing road, pavement, pedestrian crossing, open and green areas, sporting areas and similar social and cultural infrastructure areas and all kinds of structures built by the natural and legal persons serving to public shall be brought to suitable condition for the accessibility of the disabled people within seven years after the date of effect of this Law.

Provisional Article 3- Grand Metropolitan Municipalities and municipalities take the necessary measure to make sure that the mass transport services in the city provided or controlled by themselves shall be brought to suitable condition for the accessibility of the disabled people within seven years after the date of effect of this Law.

Provisional Article 4- People, whose staff and function titles are changed or removed because of the new arrangement in the organization laws of the Administration on Disabled People and the General Directorate of Social Services and Protection of Children Agency by this Law, are appointed to suitable vacant positions within one year from the date of effect of this Law. They continue to obtain all kinds of their financial rights according to their previous positions. In the event that the net amount of the total of the salary, additional index, all kinds of increase and damages and other financial rights is less than the net amount of the total of the salary, additional index, all kinds of increase and damages and other financial rights of the last month in the previous position, the compensation is paid without and tax or deduction during the period which they remain in the appointed position until the difference is eliminated. Those with non-changing staff and function title are regarded as being appointed to the same position and title.

Operative Effect

Article 51- The 35th Article of this Law and subclause (a) of the 50th Article take effect on 1.6.2006 , and other Articles take effect on the date of publication.

Execution

Article 52- The Provisions of this Law are executed by the Cabinet of Ministers.

LIST NO (1) ABOLISHED STAFF POSITIONS

INSTITUTION : GENERAL DIRECTORATE OF THE SOCIETY OF SOCIAL SERVICES AND CHILDREN PROTECTION
ORGANIZATION : CENTRAL

Class	Title	Grade	Number of Vacant Positions	Number of Hold Positions	Total
G1H	Director of Personnel Department	1	1	-	1
G1H	Director of Research Planning and Coordination Department	1	1	-	1
G1H	Director of Administrative and Financial Affairs Department	1	1	-	1
G1H	Director of General Social Services Department	1	1	-	1
G1H	Director of the Family Unity Protection Department	1	1	-	1
G1H	Director of Family and Children Services	1	1	-	1
G1H	Director of Orphanages Department	1	1	-	1
G1H	Director of Elderly Services	1	1	-	1
G1H	Director of Rehabilitation of the Disabled and Paralyzed People	1	1	-	1
Total			9		9

LIST NO (2)
 CREATED STAFF POSITIONS

INSTITUTION : GENERAL DIRECTORATE OF THE SOCIETY OF SOCIAL SERVICES AND CHILDREN PROTECTION
ORGANIZATION : CENTRAL

Class	Title	Grade	Number of Vacant Positions	Number of Hold Positions	Total
G1H	Director of Strategy Development Department	1	1	-	1
G1H	Director of Human Resources Department	1	1	-	1
G1H	Director of Support Services Department	1	1	-	1
G1H	Director of Family – Woman and Society Department	1	1	-	1
G1H	Director of Children Services Department	1	1	-	1
G1H	Director of Youth Services Department	1	1	-	1
G1H	Director of Disabled Person Care Services Department	1	1	-	1
G1H	Director of Elderly Care Services Department	1	1	-	1
G1H	Director of Social Aid Services Department	1	1	-	1
Total			9		9

LIST NO (3)
 ABOLISHED STAFF POSITIONS

INSTITUTION: DISABLED PEOPLE ADMINISTRATION
ORGANIZATION : CENTRAL

Class	Title	Grade	Number of Vacant Positions	Number of Hold Positions	Total
G1H	Director of Medical Services Department	1	1	-	1

G1H	Director of Education Department	1	1	-	1
G1H	Director of Professional Guidance and Employment Department	1	1	-	1
G1H	Director of Adaptation to Social Life Department	1	1	-	1
Total			4		4

LIST NO (4)
CREATED STAFF POSITIONS

INSTITUTION: DISABLED PEOPLE ADMINISTRATION
ORGANIZATION : CENTRAL

Class	Title	Grade	Number of Vacant Positions	Number of Hold Positions	Total
G1H	Director of Rehabilitation and Education Department	1	1	-	1
G1H	Director of Disability Researches and Statistics Department	1	1	-	1
G1H	Director of European Union and Foreign Relations Department	1	1	-	1
G1H	Director of Project and Coordination Department	1	1	-	1
Total			4		4