

REGULATION ON PRINCIPLES AND PROCEDURES RELATING TO INSURANCE TO BE CONCLUDED FOR THE LEGAL LIABILITY ARISING FROM THE OPERATION OF MOTOR VEHICLES BEARING FOREIGN PLATES IN TURKEY

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PART ONE

Objective, Scope, Basis and Definitions

Objective and scope

ARTICLE 1

(1) The objective of this Regulation is to determine the principles and procedures relating to insurance to be concluded for the legal liability arising from the operation of motor vehicles bearing foreign plates in our country.

(2) This Regulation covers the motor vehicles bearing foreign plates.

(3) As per the international agreements to which our country is a party or relevant legislation, the provisions of the legislation, to which the motor vehicles and persons that shall be exempt from the liability insurance required to be concluded as per this Regulation shall be subject, are reserved.

Basis

ARTICLE 2

(1) This Regulation has been prepared pursuant to Article 91 of the Highway Traffic Law No. 2918 and dated 13/10/1983.

Definitions

ARTICLE 3

(1) The following expressions in this Regulation shall have the following respective meanings,

a) Bureau: Turkish Motor Insurers' Bureau founded with the Regulation on Working Principles and Procedures of the Turkish Motor Insurers' Bureau published in the Official Gazette No. 26920 and dated 28/6/2008 , and operating as per the mentioned Regulation,

b) Motor vehicle: Vehicles with machine power used on roads for transporting people, animals and cargo,

c) Undersecretariat: Undersecretariat of Treasury,

ç) Compulsory traffic insurance: Liability insurance issued as per the Highway Traffic Law No. 2918 for the legal liability arising from the operation of motor vehicles registered in our country.

PART TWO

General Principles

Insurance obligation

ARTICLE 4

(1) It is mandatory to have a compulsory traffic insurance or an insurance coverage equivalent to this insurance as per the principles and procedures specified with this Regulation for the legal liability arising from the damages to be inflicted on third parties due to the operation of the motor vehicles bearing foreign plates, which will enter our country.

Checking the presence of insurance

ARTICLE 5

(1) The staff authorized by the relevant legislation shall check whether or not motor vehicles bearing foreign plates have an insurance coverage within the scope of this Regulation during their entrance into our country.

- (2) The principles for issuing a policy at the borders of our country shall be regulated by the Undersecretariat in order to offer insurance coverage within the scope of this Regulation.
- (3) The motor vehicles which do not have an insurance coverage within the scope of this Article shall not be allowed to enter our country.

Cases where insurance obligation is not sought

ARTICLE 6

(1) Compulsory traffic insurance shall not be sought at the time the below listed motor vehicles enter our country:

- a) Motor vehicles which can be certified to have an insurance coverage within the scope of this Regulation as per the international agreements to which our country is a party,
- b) Motor vehicles which can be certified to have an insurance coverage as per the agreements concluded by the Bureau with the authorized entities of the relevant foreign countries, and approved by the Undersecretariat, in order to provide the insurance coverage required by this Regulation.

(2) As per the international agreements to which our country is a party or the relevant legislation, the provisions of the legislation, to which the motor vehicles and persons that shall be exempt from the liability insurance required to be concluded as per this Regulation shall be subject, are reserved.

PART THREE

Special Provisions

Agreements concluded by the Bureau

ARTICLE 7

(1) The Bureau shall be authorized to conclude any agreements with the authorized entities of the relevant foreign countries in order to offer the insurance coverage required by this Regulation.

(2) The agreements concluded by the Bureau for this purpose shall become valid with the approval of the Undersecretariat, and the matter is referred to the relevant entities by the Undersecretariat for carrying out the necessary procedures pursuant to the agreement.

Minimum content of the agreements concluded by the Bureau

ARTICLE 8

(1) The agreements concluded by the Bureau as per this Regulation shall include mutual cancellation of insurance obligation, guaranteeing of damage payments, management and liquidation of damages, transfer of damage amounts, and accordingly, commitments of the relevant entities certifying the free transferability of damage amounts as well as other issues deemed necessary.

PART FOUR

Provisional and Final Provisions

Agreements concluded prior to the Regulation

PROVISIONAL ARTICLE 1

(1) The agreements the negotiations of which are carried on by the Bureau, which are included in the subject matter of this Regulation, shall be subject to the principles and procedures set forth in this Regulation.

Entry into Force

ARTICLE 9

(1) This Regulation shall enter into force on the date of its publication.

Enforcement

ARTICLE 10

(1) The provisions of this Regulation shall be executed by the Minister in charge of the Undersecretariat of Treasury.

