

## **REGULATION ON INSURANCE INFORMATION AND MONITORING CENTRE \***

Official Gazette of Publication: 09.08.2008 - 26972

Issued By: Prime Ministry (Undersecretariat of Treasury)

### **PART ONE**

#### **Objective, Scope, Basis and Definitions**

##### **Objective and scope**

###### **ARTICLE 1**

(1) (*Modified - O.G. 03.12.2011–28131*) The objective of this Regulation is to regulate the principles and procedures relating to the operation of the Insurance Information and Monitoring Centre founded with a legal personality within the Association of the Insurance and Reinsurance Companies of Turkey in line with the 10th paragraph of Article 24 of the Insurance Law No. 5684 and dated 3/6/2007, and the relevant obligations of insurance companies.

##### **Basis**

###### **ARTICLE 2**

(1) This Regulation has been prepared pursuant to the Additional Article 8 of the Highway Traffic Law No. 2918 and dated 13/10/1983, and Article 24 of the Insurance Law.

##### **Definitions**

###### **ARTICLE 3**

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

- a) Sub-information centre: Information centres founded for the relevant insurances within the Insurance Information Centre,
- b) Association: Association of the Insurance and Reinsurance Companies of Turkey,
- c) Loss adjuster: An impartial and independent person who determines the amount, reasons and characteristics of losses and damages which arise as a result of the realization of risks which have been the subject of insurance and who have adopted it as a permanent profession to execute tasks such as the determination of value by reconciliation, preliminary adjusting and loss surveillance,
- ç) Account: Assurance Account founded within the Association pursuant to Article 14 of the Insurance Law,
- d) Facultative traffic insurance: Motor Vehicles Facultative Third Party Liability Insurance,
- e) Motor own damage insurance: Motor Vehicle Physical Damage Insurance,
- f) (*Modified: O.G. 03.12.2011–28131*) Management Committee: Insurance Information and Monitoring Centre Management Committee,
- g) Register: Register showing the records of persons who work actively that will kept by the Union of Chambers and Commodity Exchanges of Turkey for loss adjusters,
- ğ) (*Modified: O.G. 03.12.2011–28131*) Centre: Insurance Information and Monitoring Centre,
- h) Undersecretariat: Undersecretariat of Treasury,
- ı) Insurances: Traffic insurances, and insurances regulated by Article 5,
- i) Traffic insurances: Facultative Traffic Insurance, Motor Own Damage Insurance, Compulsory Personal Accident Insurance, Compulsory Transportation Insurance and Compulsory Traffic Insurance,
- j) (*Modified: O.G. 03.12.2011–28131*) TRAMER: Traffic Insurance Information and

Monitoring Centre,

k) Member insurance companies: Insurance companies with an operation license in the branches related with the insurances,

l) (*Repealed: O.G. 03.12.2011–28131*)

m) Compulsory personal accident insurance : Compulsory Road Passenger Transportation Personal Accident Insurance,

n) Compulsory transportation insurance: Compulsory Third Party Liability Insurance for Road Passenger Transportation,

o) Compulsory traffic insurance: Motor Vehicles Compulsory Third Party Liability Insurance,

ö) Compulsory insurances: With the exclusion of traffic insurances, insurances which are mandatory pursuant to the relevant legislation and decided to be included in the scope by the Undersecretariat.

## **PART TWO**

### **Objectives and duties of the Centre**

**Insurance Information and Monitoring Centre (*Modified: O.G. 03.12.2011–28131*)**

#### **ARTICLE 4**

(1) (*Modified: O.G. 03.12.2011–28131*) The Centre founded to fulfil the duties set forth in this Regulation, with the headquarters located in Istanbul, may open branches provided that principles and procedures are determined by the decision of the Management Committee.

### **Insurances included in the scope**

#### **ARTICLE 5**

(1) Data related to life, sickness/health, traffic insurances, compulsory insurances as well as insurances determined by the Undersecretariat upon obtaining the opinion of the Association, shall be kept within the relevant sub-information centres.

(2) Insurance companies that have a license in the relevant branch are natural members of the sub- information centres.

**Management Committee (*Modified: O.G. 03.12.2011–28131*)**

#### **ARTICLE 6 (*Modified: O.G. 03.12.2011–28131*)**

(1) The decision-making body of the Centre is the Management Committee. The Management Committee members shall serve for 3 years.

(2) The Management Committee shall consist of five members as indicated below:

a) Two members for the non-life insurance group to represent the Association, to be elected by the Board of Directors of the Association, meeting the qualifications of an assistant general manager at the minimum, and one member for the life insurance group,

b) One member to be determined by the Undersecretariat from among employees of the companies which are not members of the Board of Directors of the Association, meeting the qualifications of an assistant general manager at the minimum,

c) One member from the Undersecretariat.

(3) One of the members listed in section (a) of the second paragraph shall chair the Management Committee. The Chairman shall be appointed by the Management Committee from among these members.

(4) The Management Committee shall convene and make decision with a quorum that is one member more than half of the full number of members.

(5) When the Management Committee deems necessary, it may ask for opinions from the relevant institutions.

## **Duties of the Management Committee (*Modified: O.G. 03.12.2011–28131*)**

### **ARTICLE 7 (*Modified: O.G. 03.12.2011–28131*)**

(1) The Management Committee shall carry out the duties below:

- a) to ensure coordination among sub-information centres,
- b) if deemed necessary, to decide on founding economic establishments within the Centre and to determine the fields of activity for the economic establishments and the nature of the procedures,
- c) to make decisions necessary for the duties assigned to the Centre by the Regulation,
- ç) to approve the budget of the Centre.

## **Centre manager and other personnel**

### **ARTICLE 8 (*Modified: O.G. 03.12.2011–28131*)**

(1) The Centre manager shall be appointed by the Management Committee upon the approval of the Undersecretariat.

(2) The Centre manager shall have a minimum seven years of experience in insurance and a minimum three years of experience in information technologies.

(3) The Centre manager shall be responsible towards the Management Committee for keeping the accounts and records regularly and for conducting the Centre's activities as per the provisions of this Regulation and decisions of the Management Committee. The budget of the Centre shall be prepared by the Centre manager.

(4) The Centre personnel shall be responsible towards the Centre manager. The directors of the sub-departments shall be appointed as per the recommendation of the Centre manager.

## **PART THREE**

### **Sub-information Centres**

#### **Traffic Insurance Information and Monitoring Centre (*Modified: O.G. 03.12.2011–28131*)**

##### **ARTICLE 9**

(1) Traffic Insurance Information and Monitoring Centre (TRAMER), is a sub-information centre operating under the Centre, and carries out its activities within the scope of this Regulation.

## **Objectives and duties of TRAMER**

### **ARTICLE 10**

(1) (*Modified: O.G. 03.12.2011–28131*) The objectives of TRAMER include ensuring the public supervision is carried out more effectively, obtaining reliable statistics with regard to traffic insurances, ensuring unity in implementation, preventing insurance fraud, enhancing trust in the insurance system, ensuring that the claims payments are made regularly and correctly, determining those who operate a motor vehicle without a compulsory insurance, and increasing the insured ratio.

(2) TRAMER carries out the duties below in order to ensure that the above objectives are fulfilled:

- a) to create a database where the records of the member insurance companies regarding compulsory traffic, compulsory transportation and compulsory personal accident insurance contracts are kept, and to ensure that this data is updated by the member insurance companies with a maximum delay of one day,
- b) to obtain from the member insurance companies the outstanding and paid loss data related with the insurances referred to in section (a) in an updated manner and on a daily basis with a

maximum delay of one day, and to associate these records with the insurance records kept within the Centre,

c) to cooperate with relevant institutions in order to determine those operating a motor vehicle without a compulsory insurance referred to in section (a), to obtain from these institutions in electronic medium the records including the information regarding vehicle operators and drivers, to associate these records with the insurance records, and to create a list of vehicles without insurance,

ç) pursuant to the decision of the TRAMER Management Committee, to include in the database, the data of the member insurance companies related with the facultative traffic and motor own insurance, with the contents and data structure of such data to be determined by the Association, to ensure that this data is updated by the member insurance companies with a maximum delay of one day,

d) to obtain from the member insurance companies the outstanding and paid loss data for the insurances referred to in section (ç), with the contents and data structure of such data to be determined by the Association, in an updated manner, on a daily basis with a maximum delay of one day, and to associate these records with the insurance records kept within the Centre,

e) as per the relevant legislation; to keep the records related with the compulsory third party liability insurance contracts which should be presented for vehicles with foreign license plates that are entering the borders of the Turkish Republic, and the compulsory third party liability insurance contracts required for motor vehicles registered in Turkey that are leaving from the borders of the Turkish Republic, within the framework of the relevant legislation and principles and procedures specified by the Management Committee,

f) to issue damage status documents in order to be used for no-damage discount or premium increase applications, and to provide such documents to the member insurance company, the agency or the policy holder free of charge,

g) to follow up the practices of the member insurance companies regarding insurances, the information of which are kept in the database created within the Centre,

ğ) to convert the data related with the premium production, insured ratio, accidents and damages as well as insurance contracts and similar statistics generated by the Centre into information reports whose contents and formats are determined by the Undersecretariat,

h) to meet information demands of authorized users,

ı) to carry out studies in order to ensure that tariffs are created in relation with the insurances, the information of which are kept in the database within the Centre and to send such studies to the Undersecretariat and the Association, to follow up the international practices related with the insurances included in its field of activity ,

i) to set up a clearance room in order to facilitate the setting off procedures for the recourse receivables of the member insurance companies related with the insurance contracts, the information of which is kept in the database created within the Centre.

j) (*Modified: OG 19.6.2009-27263*) to create a database where the records related with the wrongful insurance practices and detection of the customer profile are kept, and to ensure that the database is constantly updated with the help of the data obtained from the member companies and other sources.

(3) Within the scope of section (e) of the second paragraph, when issuing the compulsory third party liability insurance contracts required for the motor vehicles registered in Turkey that are leaving from the borders of the Turkish Republic, it is essential that there should be policies related with the relevant compulsory insurances for the vehicle which constitutes the subject matter of the contract, within the scope of TRAMER's powers.

## **Life Insurance Information and Monitoring Centre (*Modified: O.G. 03.12.2011-28131*)** **ARTICLE 11**

(1) Life Insurance Information and Monitoring Centre is a sub-information centre operating

under the Centre, and carries out its activities within the scope of this Regulation.

### **Objectives and duties of the Life Insurance Information and Monitoring Centre**

*(Modified: O.G. 03.12.2011–28131)*

#### **ARTICLE 12**

(1) The objective of the Life Insurance Information and Monitoring Centre is to generate reliable statistics related with the insurance products offered under life and accident branches, and to ensure that public monitoring and supervision is carried out more effectively.

(2) The sub-information centre carries out the duties below in order to ensure that the above objectives are fulfilled:

- a) to create a database where the records of the insurance contracts issued by the member insurance companies in life and accident branches are kept with a maximum delay of one day,
- b) to obtain from the member insurance companies the outstanding and paid loss data for the insurance contracts referred to in section (a) with a maximum delay of one day, and to associate these records with the insurance records kept within the Centre,
- c) to cooperate with the relevant institutions and establishments which are parties of the insurance contracts referred to in section (a) in order to ensure that their information demands are met, provided that they are limited with the insurance contracts that they are parties of,
- ç) to follow up the practices of the member insurance companies regarding insurances, the information of which are kept in the database created within the Centre,
- d) to convert the data related with the technical principles, premium production, claims paid and insurance contracts as well as similar statistics generated by the Centre into information reports whose contents and formats are determined by the Undersecretariat,
- e) to meet information demands of authorized users,
- f) to carry out studies in order to ensure that tariffs are created in relation with the insurances, the information of which are kept in the database within the Centre, and to send such studies to the Undersecretariat and the Association, to follow up the international practices related with the insurances included in its field of activity.

### **Health Insurance Information and Monitoring Centre** *(Modified: O.G. 03.12.2011–28131)*

#### **ARTICLE 13**

(1) Health Insurance Information and Monitoring Centre is a sub-information centre operating under the Centre, and carries out its activities within the scope of this Regulation.

### **Objectives and duties of the Health Insurance Information and Monitoring Centre**

*(Modified: O.G. 03.12.2011–28131)*

#### **ARTICLE 14**

(1) The objective of the Health Insurance Information and Monitoring Centre is to generate reliable statistics related with the insurance products offered under health and sickness branches, and to ensure that the public monitoring and supervision is carried out more effectively.

(2) The sub-information centre carries out the duties below in order to ensure that the above objectives are fulfilled:

- a) to create a database where the records of the insurance contracts issued by the member insurance companies in health and sickness branches are kept with a maximum delay of one day,
- b) to obtain from the member insurance companies the outstanding and paid loss data for the insurance contracts referred to in section (a) with a maximum delay of one day, and to associate these records with the insurance records kept within the Centre,

- c) to provide the member insurance companies with the records of the policy holders free of charge in order to ensure that the risk assessment process to be conducted by the member insurance companies is held in a healthy way.
- ç) to follow up the practices of the member insurance companies regarding insurances, the information of which are kept in the database created within the Centre,
- d) to convert the data related with the premium production, claims paid and insurance contracts as well as similar statistics generated by the Centre into information reports whose contents and format are determined by the Undersecretariat,
- e) to meet information demands of authorized users,
- f) to carry out studies in order to ensure that tariffs are created in relation with the insurances, the information of which are kept in the database within the Centre, and to send such studies to the Undersecretariat and the Association, to follow up the international practices related with the insurances included in its field of activity.

### **Insurance Loss Pursuit and Monitoring Centre (*Modified: O.G. 03.12.2011–28131*)**

#### **ARTICLE 15**

- (1) Insurance Loss Pursuit and Monitoring Centre is a sub-information centre operating under the Centre, and carries out its activities within the scope of this Regulation.
- (2) All insurance companies holding an operation license in the non-life insurance branches are natural members of the Centre.
- (3) Insurance companies shall enter all notified damages into the Centre's database even if they are not going to appoint loss adjusters.
- (4) The content of the loss adjusting reports shall be determined by the Insurance Loss Adjusters Executive Committee within the Union of Chambers and Commodity Exchanges of Turkey which is to be approved by the Undersecretariat with the opinion of the Association, provided that it is prepared according to the insurance branches by taking into account the provisions of the insurance policy.
- (5) Loss adjusters shall be required to prepare their reports through the Centre within the framework of the principles and procedures to be determined by the Undersecretariat, and insurance companies shall be required to fully provide all information related to damage from the notification stage to the completion of the payment.
- (6) Insurance companies or loss adjusters shall be required to keep the damage related records to be determined by the Undersecretariat in the Centre database or report them.
- (7) Loss and damage related information as well as information on loss adjusting reports shall be kept in the Centre database as per the principles and procedures to be determined by the Undersecretariat, allowing access to the Undersecretariat to ensure that the necessary inspections can be carried out, in a secure Uniform Report Bank, sorted by topics. This information shall also be arranged in a detailed manner in such a way as to ensure that each loss adjuster and insurance company can access its own loss adjusting report.
- (8) Insurance companies shall be required to enter into the database the damage amounts and identity details of the persons to whom payments are made.
- (9) Loss adjusting reports may not be granted to the third parties without the permission of the Undersecretariat.

### **Objectives and duties of the Insurance Loss Pursuit and Monitoring Centre (*Modified: O.G. 03.12.2011–28131*)**

#### **ARTICLE 16**

- (1) The objectives of the Insurance Loss Pursuit and Monitoring Centre include ensuring unity

in implementation with regards to compulsory insurances, and insurances determined by the Undersecretariat with the opinion of the Association, preventing insurance fraud, enhancing trust in the insurance system, ensuring that the pricing and damage payments are made in a sound manner, compiling data regarding insurance damages, loss adjusting thereof, and payments in a central database, their daily follow-up, and presenting such data for the use of the relevant parties depending on the specified authorization levels.

(2) The sub-information centre carries out the duties below in order to ensure that the above objectives are fulfilled:

a) to create a database where the records of the member insurance companies regarding compulsory insurances are kept, and to ensure that this data is updated by the member insurance companies and loss adjusters with a maximum delay of one day, in the data structure that is prepared by the Centre and approved by the Undersecretariat,

b) to obtain from the member insurance companies or the loss adjusters the outstanding and paid loss data for the insurances referred to in section (a), in the data structure that is prepared by the Centre and approved by the Undersecretariat, in an updated manner on, a daily basis with a maximum delay of one day, and to associate these records with the insurance records kept within the Centre,

c) pursuant to the decision of the Management Committee, to include in the database, the data of the member insurance companies related with insurance other than the compulsory insurances, with the content and data structure of such data to be determined by the Association, and to ensure that this data is updated by the member insurance companies with a maximum delay of one day

ç) to obtain from the member insurance companies the outstanding and paid loss data for the insurances referred to in section (c), with the content and data structure of such data to be determined by the Association, in an updated manner, on a daily basis with a maximum delay of one day, and to associate these records with the insurance records kept within the Centre,

d) (*Repealed: OG 19.6.2009-27263*)

e) to convert the data related with the premium production, claims paid and insurance contracts as well as similar statistics generated by the Centre into information reports whose contents and format are determined by the Undersecretariat,

f) to keep the records related with the value of the material assets which constitute the subject matter of the damage, and to prepare them for being presented to the information of the parties,

g) to keep and follow the records of the loss adjusting reports,

ğ) to carry out studies in order to ensure that tariffs are created in relation with the insurances, the information of which are kept in the database within the Centre, and to send such studies to the Undersecretariat and the Association, to follow up the international practices related with the insurances included in its fields of activity .

## **PART FOUR**

### **Activities and Structure of Sub-information Centres**

#### **Internal working of the Centre (*Modified: O.G. 03.12.2011–28131*)**

##### **ARTICLE 17 (*Modified: O.G. 03.12.2011–28131*)**

(1) The principles and procedures governing matters pertaining to Centre personnel, administrative and financial matters, as well as other procedures in connection with the internal operations of the Centre that are similar in nature shall be established by the Association taking into consideration the provisions of this Regulation. The responsibility of the Association as far as the Centre activities are concerned is exclusively limited to the internal working of the Centre.

(2) An information technology system shall be set up that satisfies the required qualifications, which is secure, is backed up, and which allows access at different levels for different users according to their respective information records, for the purpose of carrying out the Centre tasks.

(3) Services may be procured for the Centre activities as per the Management Committee's decision.

(4) The Centre may consolidate the information it collects and publish those deemed appropriate with the approval of the Undersecretariat.

(5) The Undersecretariat may decide, upon such a request by Insurance Arbitration Commission, that an information system that has the necessary features in connection with the arbitration system which has been established as per Article 30 of the Insurance Law, which is secure, is backed up, and which allows access at different levels for different users according to their respective information records should be established, or the existing information technology system should be improved.

**Works to be demanded by the Undersecretariat (*Modified: O.G. 03.12.2011–28131*)**

**ARTICLE 18 (*Modified: O.G. 03.12.2011–28131*)**

(1) Any and all practices and works to be demanded by the Undersecretariat within the framework of the duties and powers of the Centre shall be carried out by the Centre, and necessary systems shall be established.

(2) According to the principles and procedures to be determined by the Undersecretariat, a commission shall be established within the Centre which will be composed of representatives from the Undersecretariat, the Association, the Loss Adjusters Executive Committee of the Union of Chambers and Commodity Exchanges of Turkey, the Federation of the Metal Goods Artisans of Turkey, the consumers' associations with the highest number of members throughout Turkey, with the task of carrying out studies for determining the criteria for equivalent, original, equivalent to original products and similar parts as well as minimum repair amounts, and special service/repair shop reference lists which will be taken as the basis for the damage payments in the traffic insurances. The number of the members in the Commission may not exceed seven.

(3) Upon the affirmative opinion of the Undersecretary, the Centre may sign protocols for mutual exchange of data with the relevant special legal entities in law, and public institutions.

**ARTICLE 19 (*Repealed : O.G. 03.12.2011–28131*)**

**ARTICLE 20 (*Repealed: O.G. 03.12.2011–28131*)**

**PART FIVE**

**Miscellaneous Provisions**

**Revenues of the Centre**

**ARTICLE 21**

(1) The expenses to be incurred in order to fulfil the duties assigned to the Centre with this Regulation shall be covered by the membership participation fees to be paid by member insurance companies, investment revenues, revenues obtained in return for the services offered by the Centre, and other revenues.

(2) (*Repealed: O.G. 03.12.2011–28131*)



## **Participation fee**

### **ARTICLE 22**

(1) (*Modified: O.G. 03.12.2011–28131*) The Association may require participation fees from insurance companies for the expenses of the Centre. The participation fee shall be determined by the Undersecretariat, taking into account the proposal made by the Management Committee, up to the one per thousandth of the premium production realized by the companies in respect of such insurances which are decided to be collected at the information centre. The Undersecretariat may decide to decrease or increase this ratio by fifty percent.

(2) If it is deemed necessary, expenses of the information centre shall be supported from the budget of the Association, and from the Account as per Article 10 of the Regulation on Assurance Account published in the Official Gazette No. 26594 and dated 26/7/2007, with the approval of the Undersecretariat. The contribution to be made by the Account and the sub-information centre the contribution will be used for shall be determined by the Undersecretariat.

(3) (*Additional Paragraph: O.G. 03.12.2011–28131*) The member insurance companies shall be obliged to pay the membership participation fee required from them in writing within the periods determined in order to cover the expenses of the Centre. Action shall be taken against the member insurance companies which fail to pay the membership participation fee in time, as per Article 24.

(4) (*Additional Paragraph: O.G. 03.12.2011–28131*) In case the membership participation fee determined by the Undersecretariat as per the relevant legislation cannot meet the expenses of the Centre, the Association may demand additional participation fees from the member insurance companies.

(5) (*Additional Paragraph: O.G. 03.12.2011–28131*) Contributions may be made in the expenses of the Centre with the request of the Undersecretariat, and with the relevant approval of the concerned professional institutions/establishments.

## **Members' obligation to furnish information**

### **ARTICLE 23**

(1) Member insurance companies shall be obliged to submit to the Centre all information requested by the Centre in an accurate and complete manner, in the form and within the deadlines established.

(2) Member insurance companies shall be obliged to submit to the Centre the policy information on compulsory insurances, compulsory traffic insurance, compulsory transportation insurance and compulsory personal accident insurance contracts as well as information on updated and daily outstanding and paid loss and accident reports in a form that has been established by the Centre and approved by the Undersecretariat, with a maximum delay of one day.

(3) Member insurance companies are obliged to submit to the Centre the policy information, for which content and data structure has been established by the Association, on facultative traffic insurance, motor own damage insurance and on those insurance contracts identified by the Undersecretariat for which the Association's opinion shall be sought as well as information on updated and daily outstanding and paid loss and accident reports with a maximum delay of one day, upon such a decision by the Management Committee.

(4) Member insurance companies shall be obliged to correct the information that have been determined to have been submitted incorrectly by the Centre without delay, and submit such records of correction to the Centre, with a maximum delay of one day.

(5) In cases where member insurance companies fail to fulfil their respective obligations to furnish information, the Undersecretariat shall take the necessary measures.

## **Access to information records**

### **ARTICLE 24**

(1) The policy holders shall be provided online access to the summary information on insurance and damage related with the insurance contracts which they are parties of.

(2) Provided that it is exclusively related with their fields of activity, the authorized users for whom external access shall be allowed for the information kept at the Centre, the contents of the records they may access as well as the manner of such access shall be determined by the Undersecretariat.

(3) (*Modified: O.G. 03.12.2011–28131*) The access to the information records and their utilization by the authorized users who fail to comply with the rules shall be restricted with the decision of the relevant Management Committee, with the approval of the Undersecretariat. In case this situation acquires a continuous nature, the authorization of such persons to access and use information records shall be abolished with the decision of the Management Committee, with the approval of the Undersecretariat.

(4) (*Modified: O.G. 03.12.2011–28131*) The decision shall be made by the Management Committee with regards to the requests of parties other than the authorized users who seek the information kept at the Centre. The content of the information to be provided within the scope of this paragraph shall be determined by the Undersecretariat.

(5) (*Modified: O.G. 03.12.2011–28131*) The Management Committee shall take the necessary measures to ensure that the parties other than the authorized users use the information they have, in line with the specified purposes.

(6) (*Modified: O.G. 03.12.2011–28131*) The Management Committee shall decide on the fee for the access allowed and/or information to be provided within the scope of the second and fourth paragraphs, or their provision free of charge. Provided that it is exclusively related with their fields of activity, the service provided for the public institutions and establishments in the schedules appended to the Public Finance Management and Control Law No. 5018 and dated 24/12/2003 shall not be subject to any fees.

## **Supervision and Confidentiality (*Modified: O.G. 03.12.2011–28131*)**

### **ARTICLE 25**

(1) The activities of the Centre are supervised by the Undersecretariat.

(2) (*Additional Paragraph: O.G. 03.12.2011–28131*) The Management Committee members, the Centre Manager, Managers of the Sub-information Centres and the Centre personnel may not use the non-public information conveyed to the Centre during and after their terms of office, in any way whatsoever, in such a way as to lead to unfair competition for themselves or for others or the other stakeholders of the sector, and may not share such information with any parties. The Centre shall obtain a confidentiality statement to be approved by the Undersecretariat from persons who are in the scope of this Article, but who are not holders of public office.

## **Regulation abolished**

### **ARTICLE 26**

(1) The Regulation on Traffic Insurance Information Centre published in the Official Gazette No. 26490 and dated 11/4/2007 has been abolished.

## **Advisory Committee**

### **Appendix ARTICLE 1 (*O.G. 03.12.2011–28131*)**

(1) An Advisory Committee shall be formed within the Centre to provide advisory opinions and recommendations to the Management Committee concerning the duties of the Centre.

(2) The Advisory Committee shall be chaired by the Centre Manager, and shall consist of a

loss adjuster to be recommended by the Insurance Loss Adjusters Executive Committee of TOBB, an agency to be recommended by the Insurance Agencies Executive Committee of TOBB, and the representatives to be notified by the relevant public institutions and legal entities involved in special law, to be named by the Undersecretariat. The number of the committee members may not exceed seven.

(3) The Advisory Committee shall convene and make decisions with a quorum that is one member more than half of the full number of members. The number of meetings to be held within a year shall be determined by the Advisory Committee.

## **PART SIX**

### **Provisional and Final Provisions**

#### **Transition Provisions**

##### **PROVISIONAL ARTICLE 1**

(1) Life Insurance Information Centre, Health Insurance Information Centre, Insurance Loss Pursuit Centre shall be formed by the relevant institutions in such a way as to start their activities by 1/1/2009.

(2) Until 1/1/2009, TRAMER shall carry out its activities as a sub-information centre of the Centre, exclusively within the scope of the Regulation on Traffic Insurance Information Centre.

#### **Provisions concerning activities and personnel of the Centre**

##### **PROVISIONAL ARTICLE 2 (O.G. 03.12.2011–28131)**

(1) Within the framework of the second paragraph of Article 25 of this Regulation, the principles that the activities and personnel of the Centre will be subject to shall be regulated by the Association within 6 months as of the date this Article is published.

(2) The members of the Centre Management Committee shall be renewed within 1 month following the date this Article is published, upon notification to the Undersecretariat.

(3) The Centre Manager shall be appointed within 2 months as of the date this Article is published.

#### **Entry into Force**

##### **ARTICLE 27**

(1) As far as this Regulation is concerned;

a) Articles 9, 10 and 26 shall enter into force on 1/1/2009,

b) Other articles shall enter into force on the date of publication.

#### **Enforcement**

##### **ARTICLE 28**

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

**\* The title “Regulation on Insurance Information Centre” has been amended as “Insurance Information and Monitoring Centre” pursuant to Article 1 of the Regulation on Amendment of Regulation on Insurance Information Centre published in the Official Gazette No. 28131 and dated 3.12.2011.**

