

Turkey Amends Principles for Health-related R&D Tenders

5 Apr 2017

Turkey has amended principles for health-related R&D tenders. The changes apply to procurement of R&D services by the Ministry of Health, within the scope of Article 3(f) of Public Tender Act number 4734.

The Principles Regarding Amendments to the Principles Regarding Tenders to be Made Within the Scope of Article 3(f) of Public Tender Law number 4734 by the Ministry of Health ("**Amendment Principles**"), was published in Official Gazette number 29946 on January 12, 2017, entering into force on the same date.

The amendments do not apply to service procurements for R&D projects which are:

- Conducted and supported by national R&D institutions related to the Ministry of Health
- Conducted by central or provincial organizations, as well as affiliated associations of the Ministry of Health, which are made at their own cost and the results will be used exclusively for their own activities.

The amendments include:

- The definition of "service provider" in the Amendment Principles has been extended to now also include joint ventures established by natural or legal persons, bidding for the sale and purchase of R&D services.
- Emphasis that negotiated tendering procedures will not apply for purchases made via the direct procurement method.
- For national R&D procurements by special budgeted institutions within the Ministry to conduct national R&D activities:
 - The relevant board of directors will set the monetary limits, within certain limits.
 - The relevant board of directors can abolish the obligation to take security for such procurements, depending on the tender's performance type, duration, payment method, and whether the service provider carries foreign characteristics.
 - National R&D activities can be undertaken via the direct supply procurement method for services provided by universities abroad, hospitals and educational institutions affiliated to the universities, as well as studies and research centers.
- Contracts prepared by the related administration can be used if the Public Procurement Authority's standard contracts cannot be used.

Please see this [link](#) for full text of this Amendment Principles (only available in Turkish).

Related Practices

- [Public Procurement and Government Contracts](#)

Related Attorneys

- DR. E. SEYFİ MOROĞLU, LL.M.

Moroglu Arseven | www.morogluarseven.com