

Turkey Introduces Mechanism to Request Review of Administrative Fines in Certain Circumstances

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In certain circumstances, recipients of the administrative fines can now request reconciliation of administrative fines imposed by governorships or the Ministry of Customs and Trade. Newly established Reconciliation Commissions will evaluate these requests, potentially resulting in administrative fines being discounted up to 50%. Reconciliation requests can be made within 15 days of being notified about the fine, provided administrative proceedings have not yet been filed. The litigation process will not proceed if reconciliation is requested.

Reconciliation requests can be made if any of the following circumstances:

- The breach which the fine does not sufficiently line up with the legislative provisions.
- Legislative provisions have been misinterpreted by the administrative authorities.
- A difference of opinion exists between judicial and administrative judgments.

Recipients of administrative fines can only request reconciliation on one occasion and will become barred from filing any lawsuit regarding the subjects agreed upon and settled by the process, as well as from complaining to any other authority.

Advance payment discounts will not apply for administrative fines which are subject to a reconciliation request. The revised amount must be paid within 15 days of notification.

The new reconciliation mechanism does not include administrative fines imposed by the Advertising Board.

The new mechanism was introduced by Article 116 of the Law Regarding Amendment on Certain Tax Laws and Other Laws, published in Official Gazette number 30261 on 5 December 2017. The changes added Article 77/A to the Law on Protection of Consumers number 6502. Please see this [link](#) for the full text of the amendments (only available in Turkish).

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