

## Turkish Public Procurement Tenders: Technology Development Zone Projects Now Eligible; Increased Health and Safety Requirements

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Turkey has widened the scope of its public procurement regime to now allow Technology Development Zones to participate in tenders. These zones have now become eligible to receive a "competence for technological products" certificate. Legislative changes also increase the occupational health and safety measures which must be implemented in service procurement tenders.

The changes were introduced by the Public Procurement Authority and apply to tenders held by public authorities and institutions governed by the Public Procurement Law. Two separate amendments were published in Official Gazette number 29696 on 27 April 2016 ("**Amendment Regulations**").

According to the Amendment Regulations:

- From 1 March 2016, Technology Development Zones are added to the list of projects and entities entitled to be granted a certificate of "competence for technological products". Accordingly, goods and services which result from R&D, innovation, or cooperation projects are entitled to be granted a certificate of "competence for technological products", provided these are conducted within Technology Development Zones and supported by public authorities, foundations or international funds.
- From 1 March 2016, projects arising from research and development activities, developed via the owner's equity, are now entitled to be granted a certificate of "competence for technological products", provided the Scientific and Technological Research Council issues a document showing the project was developed due to research and development.
- The Standard Contract for Procurement of Services includes contractor liabilities. These liabilities have been widened to include a requirement that contractors provide occupational health and safety, at their own expense. Contractors must now also take all necessary occupational health and safety steps required by law.
- New occupational health and safety requirements are added to the General Conditions for Procurement of Services.
  - Contractors must now hire employees with necessary occupational training for tasks classified as "hazardous" or "very hazardous".
  - Contractors must now take all occupational health and safety measures required by law for places where its employees live and work, at their own expense.

Please see these links for the full text of the Amendment Regulations (only available in Turkish):

- [Regulation Amending Regulation on the Implementation of Tender Processes for Procurement of Goods](#)
- [Regulation Amending Regulation on the Implementation of Tender Processes for Procurement of Services](#)

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