

“YÖNERGE”

RULES & PRINCIPLES CONDUCTING SURVEY, SONDAGE AND EXCAVATIONS ON CULTURAL AND NATURAL HERITAGE

CHAPTER ONE

General Provisions

AIMS AND SCOPE

Article 1 – This “yönerge” (guideline) determines the rules and procedures to conduct research, sondage and excavations on cultural and natural remains under Law no. 2863 (dated 21.07.1983) on the Protection of Cultural & Natural Heritage.

LEGAL BASIS

Article 2 - This “yönerge” is subject to:

1. the 6th, 23rd, and 35th – 49th articles of law no. 2863, on Protection of Cultural & Natural Heritage;
2. paragraph (a) of article 9 of law no. 4848, on the Organization & Duties of the Ministry of Culture & Tourism;
3. the regulations on conducting research, sondage and excavations on cultural and natural heritage.

DEFINITIONS & ABBREVIATIONS

Article 3 - In this “yönerge”, the following abbreviations are used:

- a) **“Ministry”**: the Ministry of Culture & Tourism.
- b) **“Representative of the Ministry”**: the “designee” of the Ministry at Foreign Surveys and Excavations, and the “authorized expert” of the Ministry at Turkish Surveys and Excavations, who is appointed according to the 48th act of the Law and the 17th article of the regulation.
- c) **“Interim report of the representative”**: the report about the state of the ongoing work which must be sent to the General Directorate by the representative every 15 days during the work season. This report must include the information required under the terms of this “yönerge” and must be structured according to the sample attached at the end of the text (Attachment 1).
- ç) **“The initial report of the representative”**: the first report, which must be sent to the General Directorate and to the “İl Kültür ve Turizm Müdürlüğü” by the representative at the beginning of the work season according to the 20th article of the regulation (Attachment 2).

- d) **“The final report of the representative”**: the final report, which must be sent to the General Directorate and to the “Il Kultur ve Turizm Mudurlugu” by the representative at the end of the work season according to the 20th article of the regulation (Attachment 3).
- e) **“The Board of Advice & Evaluation”**: the committee established, according to the previous regulations, for its scientific and technical opinions about excavations and surveys.
- f) **“DÖSİMM”**: the General Directorate of “Working Capital” of the Ministry of Culture & Tourism.
- g) **“General Directorate”**: the General Directorate of Cultural Heritage & Museums.
- ğ) **“Investigation Committee”**: the committee composed of Ministry employees and scientists appointed by the General Directorate in order to make investigations at a site itself before, during or after the work season.
- h) **“The report of the Investigation Committee”**: the report prepared by the investigation committee according to Attachment 4.
- ı) **“The permit”**: the document produced by the General Directorate for surveys and for museum excavations, and which is valid only for the current year.
- ii) **“Law”**: Law no. 2863 on the Protection of Cultural & Natural Heritage.
- j) **“Excavation”**: the excavation and sondage (trial dig) work carried out in order to unearth moveable or immovable cultural or natural heritage by scientific methods.
- k) **“Excavation area”**: the area which is proposed and defined on a map by the excavation director in the permit application, and which is approved by the Ministry.
- l) **“Excavation/Survey Director”**: the scholar who is responsible to the Ministry for the scientific, financial and administrative affairs of the ongoing excavation. He/she is also responsible for solving problems at the site.
- m) **“Permit application report by the Excavation/Survey Director”**: the report prepared by the director of an excavation or survey in order to renew the permit application to carry out work in the following year. This report must be submitted to the General Directorate before the end of December each year. It must be structured according to Attachment 5.
- n) **“Final report by the Excavation/Survey Director”**: the report which must be prepared by the excavation or survey director according to item “k” of the 9th article of the regulation. This report must be submitted to the General Directorate within three months of the end of the season. If the field work continues until the end of the year, then the report must be submitted before the end of January in the following year. This report must include scientific, administrative and financial information.
- o) **“Acting Director”**: The person who acts on behalf of the project director for a limited time during the absence of both the project director and the assistant director. This person is either chosen by the project director from among the experienced members of the team, or appointed by the General Directorate from the staff of the Ministry.

- ö) **“Assistant Director”**: the scholar who is responsible for scientific, financial and administrative matters at foreign excavations together with the foreign excavation director. This person is responsible to the Ministry in the absence of the excavation director
- p) **“Conservation Report”**: the report which must be prepared by the conservator at the site about the conservation work carried out during the season. This report must be submitted to the excavation director and to the representative by the conservator.
- r) **“Regional Committee of Preservation”**: the local committee which is responsible from the survey or excavation area.
- s) **“Müze”**: a Museum under the General Directorate of Cultural Heritage & Museums.
- ş) **“Museum’s Commission”**: the commission which is responsible for deciding on the materials which have to be exported in order to be analyzed abroad. If necessary, the representative and/or a team member can also be part of this commission.
- t) **“Report of Museum’s Commission”**: the report of the commission, structured according to Attachment 6.
- u) **“Museum’s report on the work of Turkish masters and PhD students”**: The report prepared by the related Museum Directorate on the field work of a Turkish student who has received a permit from the General Directorate. It must be completed within 3 months of the end of the work and structured according to Attachment 7.
- ü) **“Student’s report”**: the report designed by the masters or PhD student according to Attachment 8. It must be submitted to the General Directorate within 3 months of the end of the work.
- v) **“(Written) Permit Certificate”**: the certificate produced for excavations carried out with the permission of the Council of Ministers.
- y) **“Regulation”**: the regulation about surveys, sondages (trial digs) and excavations of cultural and natural remains.
- z) **“Survey”**: research to be carried out above ground or underwater without digging with the purpose of investigating, analyzing or diagnosing any matter relating to cultural and natural heritage.

CHAPTER TWO

Application Procedures

General Conditions

Article 4 – (1) General conditions for both Turkish and Foreign scholars who want to carry out surveys and excavations in Turkey:

- a) Both “the new application files” and “the old application files” for renewing the permit and *ruhsatname* (the written permit certificate) must contain the originals of all documents. If this is not possible, copies certified by the project director must be submitted. Permit applications submitted by foreign organisations must be in Turkish and/or translated into Turkish; this also applies to all correspondence between the Directorate and foreign organisations throughout the year.
- b) According to the 9/o item of the related regulation, applications must be submitted so as to arrive at the General Directorate before 31 December. Foreign organisations must submit their applications through Turkish consulates/embassies in their home countries. Late applications will not be considered for the current year.
- c) The applications of foreign organisations are transferred to the Ministry of Culture & Tourism by the Ministry of Foreign Affairs with a cover letter stating their views. Foreign individuals taking part in a Turkish project should also apply through a Turkish consulate abroad with a letter of invitation from the Turkish project director.
- ç) New members can be added to the team lists of surveys and excavations up until the permits have been issued in special circumstances.
- d) If a survey is planned in conjunction with an excavation, a separate application must be made and the survey must be carried out under a different permission.
- e) Applicants are required to provide documented proof that they are experts on the subjects related to the formation and culture of the site where they wish to carry out research.
- f) It is an obligation that the renewal files for sondages and excavations include a detailed report on the definition of the intended excavation area, the expected benefits of the foreseen excavation work, and the desired objectives of the season. The intended excavation and protection/conservation areas must also be marked on maps with scales of 1/1.000 and 1/500.
- g) Both new and renewal files must include official documents about the sources and amounts of financial support. Sources of finance which are in the process of being arranged at the time of application must be converted to official financial statements before the issue of the permit.
- ğ) It is essential that the sequence of the work and the day-to-day work programme in the application file match what occurs during fieldwork. The work programme must be prepared in such a way that the representative will be able to keep track of work which will be carried out in different areas.
- h) Renewal applications must include in the Survey/Excavation report provided at the end of this text (Attachment 5):

1. The current stage of the studies and objectives of the programme. If they have not been achieved, the reasons must be stated,
2. The excuses of the team members who didn't take part in the season, excluding undergraduate students,
3. Whether security or protection measures in the excavation area have been implemented,
4. The stage reached in restoration and conservation studies,
5. The actions taken for preservation and storage of the finds,
6. The adequacy of the technical infrastructure,
7. The relations between budget and expenditure,
8. The list of the publications of the previous excavation season(s).

Application rules for excavations which are carried out by the decision of the council of ministers:

Article 5 - (1) The rules below must be taken into consideration while applying for such an excavation permit:

- a) It is an obligation that the Excavation Director is an "archaeologist", an "art historian", or an "anthropologist", depending on the type of excavation. Excavation directorship will not be given to practitioners of other disciplines (i.e., architects, city planners, philologists, ethnologists, historians, or ancient historians). Excavation directors must be academicians or members of scientific institutions working on related subjects.
- b) The excavation director applicant must be at least an "associate professor" with at least five (5) years of excavation experience, and must have publications based on these researches. A copy of each publication must be submitted to the General Directorate with the application. Applicants must also have no prohibitions on their carrying out an excavation in Turkey.
- c) The applicant must present a supporting letter from the institution (a university or an institute) which gives them ongoing scientific and financial support. Other sources of support can be documented by the applicant themselves in writing.
- ç) It is preferable if the new applicant has carried out a survey in the intended excavation area in advance and completed the survey to a certain stage.
- d) A long-term work programme and the financial sources and amounts which will enable this programme must be established.
- e) Construction of a dig house, the legal expropriation of land, preservation projects, and having adequate technical staff in the team are the responsibilities of an excavation director. If it becomes necessary, the Ministry will give technical and financial support to Turkish excavations.
- f) The excavation director must also guarantee that legal expropriation will take place if it becomes necessary.
- g) The director is also responsible from the hiring of a guard/guards and for the security of the dig house and depots.

- ğ) The application must also include a form which defines the excavation area, and states the work programme, the work schedule, and information about the team members. Turkish applicants will complete the form given here as Attachment 9; foreigners will complete forms provided by the Ministry of Foreign Affairs.
- h) The quantity and quality of the team members must be appropriate for the excavation. The teams must have an “architect”, a “restorer”, or a “conservator”, according to needs. All technical staff must be registered with a relevant professional chamber (if a chamber exists for the profession).
- ı) The excavation director must choose a Turkish assistant director in advance from among Turkish academics and must include their name in the application file.
- ı) The assistant excavation director must be an “archaeologist”, an “art historian” or an “anthropologist”, as for excavation directors. They must have a doctorate and at least three (3) years of excavation experience.
- ı) The assistant excavation director represents the director during his or her absence, or when it is necessary. It is an obligation that either the excavation director or the assistant excavation director is present at the site. If both have legal excuses not to be at the site, then the acting director will be in charge.

Application rules for surveys:

Article 6 - (1) The provisions of this “yönerge” on sondages and excavations also apply for surveys, together with the following provisions:

- a) The applicant must have at least a PhD,
- b) At least five (5) years of field experience must be documented,
- c) Surveys must be programmed for at most two provinces,
- ç) The map of required scale showing the intended work area must be submitted to the Ministry with the application file,
- d) The intended period for the survey, and the financial source and payment schedule must be included in the application file,
- e) Copies of all publications of the survey director must be submitted to the Ministry with the application file,
- f) The team must be composed of adequate members both in quantity and quality,
- g) Applications for surveys intended to be carried out over less than ten days will not be evaluated,
- ğ) The survey schedule must be planned so as not to take place in July and/or August,
- h) Masters and PhD students must carry out their field work under the supervision of a university lecturer,

- i) The eras and the boundaries of the intended work must be arranged according to the expertise of the project director.

The formation and operation of the Board of Advice & Evaluation

Article 7 –

- (1) The Board of Advice & Evaluation is a committee formed on annual basis by the ministerial office. It is composed of four academicians from different disciplines and four ministry employees. Its duty is to evaluate, together with the Minister, the files relating to excavation & survey applications, and permit cancellations. However, the final decision will be given by the Minister.
- (2) The board will take into consideration the report of the investigation committee in regard to cancellations and the below criteria in regard to application files:
 - a) The work area in the new application files must fit the priority area of the General Directorate,
 - b) The work carried out must be in accordance with ethical and methodological criteria,
 - c) The integrity of the application file,
 - ç) The sufficiency of the survey/excavation programme,
 - d) The solutions for security issues at the site,
 - e) The solutions for expropriation problems at the site and progress so far made,
 - f) The construction of the dig house and depots and the construction process,
 - g) Budget analysis of the project,
 - ğ) The financial sources, and related guarantees and documents,
 - h) The relationship with other projects ongoing in the same area, and the expected contribution to other work,
 - ı) All information and records about the work carried out in the field previously,
 - i) Implementations at the site towards the protection of the cultural remains,
 - j) Formulas produced by the project director to solve problems at the site.

The Calendar for evaluation of application files

Article 8 – (1) Applications must be received by the General Directorate in Ankara before 31 December. They will be evaluated in January and February and then will be discussed at the Board of Advice & Evaluation in March. After final assessments at the General Directorate, they will be submitted to the Ministerial Office in April.

General Conditions for carrying out Excavations and Surveys

Article 9 – (1) In addition to the 9th & 10th articles of the regulation, the general provisions below must also be taken into consideration during excavations and surveys.

- (a) The fundamental idea of the regulation is not to unearth any archaeological remains before establishing necessary protection, storage and classification measures.
- (b) In order to preserve the material traces at the excavation areas for coming generations, archaeological reserve areas must be formed even if there are no visible remains on the ground or under the water.
- (c) Excavation work and other related work which can cause destruction must be carried out only by professionals.
- ç) Excavations and surveys are always carried out with annually issued permissions of the Ministry of Culture and Tourism. Projects which have received this permit must obey not only the rule in the second article of the legislation, but also all the rules stated in the *ruhsatname* (issued for excavations) and *izin belgesi* (issued for surveys).
- d) The fee on the *ruhsatname*, which was set up on 02/07/1964 under law “492” on charges, must be paid to one of the fiscal directorates (Mal Müdürlüğü or Mal Sandığı) before the *ruhsatname* is issued, and the receipt must be presented to the General Directorate in advance.
- e) If the survey or excavation director is not going to be present at all during the season, a research permit will not be issued for that year. It is a legal requirement for the directors of excavations and surveys to be at the place of work at all times.
- f) If the director of an excavation has to take some time off during the season, the General Directorate must be informed via an official letter which states the reason. If the General Directorate finds the excuse adequate, the work can then continue in the director’s absence; however, this period cannot exceed 8 per cent (as in the case of public officials) of the specified excavation season.
- g) It is essential that all the work (excavation, conservation, restoration, environmental arrangements, publication, depot and office studies) stated in the work programme should take place in the same period of time. It is also essential that the dates in the work programme

and the dates of the field season are synchronous. If it becomes necessary to change the work programme or schedule during the season, the opinion of the General Directorate must be asked.

- ğ) The work schedule must be planned in such a way that the physical work at the site must take place for a minimum of 2 months. If the excavator decides to do additional excavation work which wasn't foreseen during the season; or some other kind of work, such as site planning, conservation or restoration; outside of the season, the opinion of the related Museum Directorate must be asked. If the General Directorate agrees with the Museum, the work may then be carried out under the supervision of the related Museum Directorate.
- h) It is the excavation director's responsibility that all projects of intended restoration work must be designed according to contemporary restoration principles, and proper permissions must be obtained from the regional Council of Preservation (Bölge Koruma Kurulu) via the Directorate of Building Survey and Monuments (Rölöve ve Anıtlar Müdürlüğü). Again, the excavation director must make sure that projects of building survey, restitution and restoration fit the provisions of resolution 660, dated 05/11/1999. This resolution concerns the classification, maintenance and repair of immovable cultural remains. The work must then be carried out under the supervision of a team architect and a representative from the Ministry. In very special cases, the opinion of the "Restorasyon ve Konservasyon Merkez Laboratuvarı" must also be obtained.
- i) The assistant directors of foreign excavations, who must be at the site throughout the excavation season, should not only take part in the process of preparing the long-term strategic plans of the excavations, but should also make sure that the project director, the team members and the representative work in harmony. They also represent the excavation director during his or her absence.
- i) It is essential to preserve the pieces/parts of immovable cultural heritage where they are found. When items are found, they must be described and photographed, and inventories with photographs must be prepared. The items must then be delivered to the watchman with the related documents. The Museum Directorate is in charge of making regular checks. However, if it is not secure to preserve the piece of the immovable cultural heritage where it is found, then the excavation director and the Museum Director must obtain the necessary permission from the Council of Preservation to move the item to the depot or to the Museum. During the season the excavation director is responsible for the security of the immovable items until the permit has been issued. Outside the season it is both the excavation director's and Museum Director's responsibility to keep them safe.
- j) Restoration and conservation work on moveable cultural materials unearthed during the fieldwork must be completed and the materials delivered to the Museum during the season.
- k) The excavation director must work in coordination with the related Museum directorate as regards the provisions of the "yönerge" on "Information and Direction Signs for Museums &

Sites” issued by the Ministerial office on 23/11/2007 with number 196639. The work maintained, carried out, developed or updated during the season must be included in the final report of the excavation director and the representative. The Museum Directorate must also inform the General Directorate about the work of this kind carried out by the excavation director during the season.

- l) It is the excavation director’s responsibility to take the necessary preservation and security measures at the site. In the case of Turkish excavations, the Director of the Museum, if he thinks it is necessary, can also hire a watchman outside the season using the money allocated for the excavation by the Ministry. At all excavations the site preservation and security measures are inspected by the Museum Directorates.
- m) The first preservation intervention on moveable or immovable objects unearthed during an excavation must be in the form of passive preservation and must be carried out under the supervision of the team’s conservator. The conservator must then prepare a “conservation report” and present it to the excavation director and the representative. It is then the representative’s responsibility to forward copies on to the General Directorate and the Museum Directorate.
- n) Moveable cultural heritage must be transferred to the depot at the site on the same day it is found, along with the required documents. If this is not possible, the excavation director must take all necessary security measures.
- o) According to the 13th item of the 8th article of Law 5510 on “Social Security Organization & Public Health Insurance”, which was published in the Resmi Gazete (official gazette) on 28/09/2008 with number 27011, the excavation permit holders must inform the related SGK (Sosyal Güvenlik Kurumu) offices regularly about the title & address of the excavation, about the beginning and end dates of employment, and about payments to the workmen during the season, using the attached form number 10. It is not only the responsibility of the excavation director, but the representative is also responsible for following up on the matter.
- ö) It is the excavation director’s responsibility to inform the Ministry about the site areas (*sit alanları*) in their work area which are under the control of Treasury. They must then send the Ministry the information about the land register (section, block, plot) so that the Ministry can assign (or expropriate) the land for their use.
- p) If the representative needs to stop working at a site, first the General Directorate must be informed. Until the new representative has been appointed, the survey/excavation will continue under the supervision of the related Museum Directorate after handover from the old representative to the Museum.
- r) The survey/excavation director can allow Turkish undergraduate students to take part in the work even if their names do not appear on the team lists. However, the attached form 9 has

to be completed and the representative has to forward it to the General Directorate with one of his reports.

- s) If a survey director thinks that an artefact should be moved to a Museum, he/she will make a proposal and the representative and Museum director will make the decision.
- ş) Within 3 months of the end of a project, project directors are obliged to present their report, in Turkish, to the General Directorate, together with all related documents (plans, illustrations, photographs, slides, CDs etc). On the other hand the project directors who finish working later than 30 th of September, have to present their report not later than 31 December. Scholars who work on a rescue excavation together with a Museum Directorate must submit this report to the Museum Directorate as well.
- t) The director of a survey/excavation must inform the General Directorate about the publication rights of team members in the final report. Information about work actually published by team members must also be in the final report.
- u) All publications about the survey/excavation will be submitted both to the General Directorate and to the related Museum.
- ü) Foreign scholars must publish in Turkish as well.
- v) The General Directorate has the right to make changes to the borders of the survey/excavation areas.
- y) The General Directorate also has the right to change the intended dates of the survey.
- z) A Turkish masters or PhD student can carry out a survey under the direction of the related Museum Directorate, then the “Report of the museum on the work of masters and PhD students” and the “Students report” must be sent to the General Directorate.
- aa) The General Directorate has the right to issue more than one survey permit in the same area with same topic. The Directorate also has the right to change the surveyors’ work programme and working days.
- bb) Guests can join a survey or an excavation for a period of up to one week in total over the whole work season. However, they cannot take part in the work.
- cc) It is the responsibility of project directors and team members to pass on the necessary information to the representatives to make it easy for them to perform their duties. Project directors and team members must also take into consideration the suggestions and warnings of the representatives.

FINANCIAL SOURCES IN SONDAGE AND EXCAVATION WORK AND THEIR ALLOCATION

Article 10 – The following provisions will apply on financial sources and their allocation.

- a) The excavation director must submit all expenditure documents, based on the money transferred to "İl Özel İdaresi" (Special Provincial Administration) from the investment budget of the general directorate, to the office of the governor within one (1) month at the latest of the end of the excavation season. It is the responsibility of the office of governor to determine if the allocations have been appropriately used, what the amount of the money used was, and how much money is left and will be transferred to following year's budget. This office must also send all the documents to the General Directorate.
- b) If the money is put directly into the account of the excavation or excavation director by DÖSiMM, then it is the related Museum's responsibility to keep the expenditure documents and do the related work. The Museum must prepare a chart showing the reconciliation. The director of the excavation will then send this chart to DÖSiMM and to the General Directorate.
- c) All the moveable goods bought either with the money allocated by the General Directorate and DÖSiMM or by private sponsors must be recorded according to the (m) item of the 9th article of the regulation on "Moveable goods" dating to 18/01/2007 with number 26407. If the project will be stopped indefinitely, all these moveable goods will be acquired by the related Museum Directorate.
- ç) At the beginning of each season the Museum Director, the representative, and a team member must check and count the inventory of the moveable goods and must produce a record according to the conditions of the related regulation. Copies must be kept both by the Excavation and Museum Directors.
- d) The representative must confirm all invoices of expenditure from the money provided by the General Directorate or DÖSiMM by signing the back of invoices.
- e) A copy of the protocol between the excavation director and private sponsors must be sent to the Ministry before it is signed in order to receive the opinion of the Ministry on the matter.
- f) According to the 9th article of the regulation, the amounts of financial support received from other sources must be submitted to the General Directorate by the excavation director at the latest within one (1) month of the end of the excavation season.
- g) A certain amount of the money which is allocated to the project by the Ministry must be used on preservation and restoration work.
- ğ) Archaeological projects that wish to hire workmen must complete the attached form 11 about labour recruitment advertisements. These forms must then be submitted to the related branch of İŞKUR (the Turkish Labour Organization).
- h) If a piece of equipment exists in Turkey, requests for importation of this equipment for a survey or excavation will not be evaluated as appropriate.

THE PROCEDURES WHICH MUST BE UNDERTAKEN BY THE EXCAVATION DIRECTOR AFTER THE EXCAVATION

Article 11 - The following procedures should be undertaken by the excavation director after the end of the excavation season.

- a) Objects which come to light in the course of excavations and are considered “*müzelik*” (a museum piece) must be delivered to the related Museum with inventory notes. At the end of the excavation season all “*müzelik*” objects must have been transferred to the Museums. In no case may such an object be left at the dig house after the season ends.
- b) The “*etütlük*” (a diagnostic piece) objects must also be delivered to the related Museum with inventory notes. However, some of the “*etütlük*” objects can be left in the depots of the dig house if the excavation director, the representative and the Museum director all agree. In such cases, the security measures must be adequate. Objects left in the depots must be itemized on a list and this new list must also be combined with the lists of the previous seasons.
- c) The “*müzelik*” or “*etütlük*” objects can only be moved to the related Museums. They cannot be transferred to any other location without the permission of the General Directorate.
- ç) If the excavation has been stopped for an indefinite period of time, the possession of the depot, the dig house and the related facilities will be taken over by the related Museum Directorate.
- d) The fundamental principle of taking a sample from a moveable or immovable archaeological cultural remain for examination in Turkey or abroad is not to spoil the visual integrity of the object. Requests must first be examined by a commission formed by the Museum Directorate within the framework of the law. The Museum will decide on the place and time of the examination. If the request is approved by the commission, a written report in 3 copies will be prepared. The Museum will keep one copy and will forward the other two copies on to the Excavation Director and the General Directorate with the Museum’s cover letter. If the object is not archaeological, the related organization’s rules and conditions will apply.
- e) If non-inventory quality objects are required to be taken to universities or scientific bodies in Turkey, first they will be examined within the framework of the law by a commission formed by the Museum Directorate. If the request is approved, a written report in 3 copies will be prepared. It is very important that the date on which the objects will be returned to the Museum appears on the report. The Museum will keep one copy and will give the other two copies to the Excavation Director and the General Directorate with a cover letter.
- f) The excavation/survey director must send a scientific report on the year’s work to the General Directorate at the end of the season, designed according to the attached form 12. This report must also be accompanied by form 13, “the excavation tracking form”, and form 14, “the fiscal information form”.
- g) Excavation equipment purchased either with the Ministry allocation or by private donations must be listed according to the regulations, and a certified list must be submitted both to the Museum Directorate and to the General Directorate with the end of season report.

The particular circumstances for not renewing or nullifying the “*ruhsatname*” and “*izin belgesi*”

Article 12 – (1) Excavation or survey directors and team members who have acted contrary to the law will not receive a work permit again. The excavation or survey director is also responsible for the team members’ actions. A complaint about those who have acted contrary to the law will be made to the related state offices in order to start judicial, administrative, financial and disciplinary actions against them.

- a) Furthermore, the excavation permit will not be renewed:
 - 1) if the project director acts against the law and regulations, and if he or she does not follow the conditions on the *ruhsatname* or *izin belgesi*,
 - 2) if any shortcomings are determined on the matters requested by the General Directorate,
 - 3) if an unfavourable report of the “Investigation Committee” is approved,
 - 4) if the dig house has not been constructed or a guard has not been hired,
 - 5) if there is a shortcoming of security and preservation at the site,
 - 6) if the excavation or survey director will not correct shortcomings relating to excavation, preservation, conservation, environmental arrangements or project implementations after receiving a warning from the General Directorate.
- b) The excavation director will receive a written warning if he/she leaves the site without permission. If the act is repeated, sanctions according to the regulations will be taken.
- c) The excavation director will receive a written warning if the end of season report is not sent within the required time or if the attachments are missing. If the act is repeated, sanctions according to the regulations will be taken.

DUTIES AND POWERS (LIABILITIES) OF THE REPRESENTATIVE OF THE MINISTRY

Article 13 – According to the 48th act of the Law and the 17th article of the regulation, a representative will be charged by the Ministry with the following duties and powers at the project:

- a) The representative is responsible for ensuring the excavation or survey work is conducted in accordance with the legislation mentioned in the second article of this “*yönerge*”. In cases contrary to the legislation, he/she must inform the General Directorate about the situation. Moreover he/she has the power to ask the project director to fulfil the conditions of the *yönerge* if he/she thinks that it is necessary.
- b) If there is more than one representative, the senior representative determines the division of duties. However, liability is equal.
- c) After meeting the Excavation/Survey Director and the team members, the representative must visit the local authorities with the project director in order to inform them about the foreseen work.

- 1) The Museum Directorate must be informed about the scope of the work. If the Museum Director has any opinions or suggestions about the work, they should be considered and co-operation should be established.
- 2) The security offices should be informed about the work programme and the timetable. Necessary documents must be presented and/or will be prepared according to the demands of the security offices.
- 3) If there are any salaried staff or paid workmen at the excavation/survey project, the rep must monitor the related official procedures.
- 4) The representative must also determine the views and expectations of locals who have rights over the work area, with the aim of avoiding future conflicts.

ç) The rep must ensure that the work programme and the timetable are in accordance with the work programme and the timetable which was presented to the General Directorate with the application file.

d) The representative must be in touch with the other relevant state offices during the course of the season and must make sure that the work is carried out in accordance with the regulations of these offices.

e) If the project is spending money allocated by the General Directorate or DÖSiMM, the representative must endorse the invoices by stating that he/she witnessed receipt of the service or the goods.

f) The representative must prepare a record of the moveable goods together with a member of the Museum staff and a team member at the beginning of the excavation season. This record must fulfil the conditions of the “moveable goods legislation” and copies must be kept by the Museum Director and the project permit holder.

g) The depots are opened at the beginning and sealed at the end of the season, in the presence of the excavation director, the representative, and the Museum director (or a staff member appointed by him). A record is drawn up both at the beginning and at the end of the season. The keys are kept at the Museum. A copy of the records must be sent to the General Directorate with the final season report.

ğ) The representative must send a report to the General Directorate at the beginning of the season. Then every fortnight another report must follow. These reports and the related documents may also be sent to the Directorate in advance by fax or e-mail prior to sending by post.

h) The initial report of the representative should include the name of the city, town, district/village where the excavation is taking place, the public postal address for the excavation director and the dig house, any other contact details which are available (i.e. tel, fax, email), the date on which the rep left his or her office to meet the team, the date when he/she met the team

and the starting date of the work, the number of team members and workmen, and also the detailed work programme, including information about the working hours and holidays.

l) The initial report must also include information about meetings held with other related state offices and the outcomes of these meetings.

i) The current state of the excavation area, the old excavation trenches, and the dig house and the depot, and the status of the security measures at the site must also be stated in the interim report. If the rep foresees any risks to the excavation running, he/she should inform the General Directorate at the beginning of the season. The rep must also inform the General Directorate about the preparation stages of the planned work.

j) The interim report must also include information about the security measures and watchman. If there is a need for a second watchman, it must also be reported.

k) The reports must also include the scientific results of the excavation, information about the members (i.e. who has joined or who has left the team), and the number of workmen. Unique finds or unique conclusions must especially be underlined in the report.

l) The initial report and the final report of the representative must also be submitted to the related “Kültür ve Turizm Müdürlüğü”. The Kültür ve Turizm Müdürlüğü writes an official letter to the security departments about the opening and closing dates of the excavation.

m) The representative should examine the report delivered to him according to item “m” of the 9th article of this yönerge, and then must pass on copies to the General Directorate and to the related Museum Directorate.

n) The moveable museum artefacts found during an excavation or a survey must be recorded by the representative in the inventory registry cards (envanter fişleri) which are provided by the General Directorate, in two copies and on the same day.

o) The final report of the representative must include the conclusions of the season, the progress in the work, new requirements which arose due to the progress in the work, the number of “müzelik” and “etütlük” objects, the closing date of the excavation, and detailed information about the architectural remains unearthed during the season. A copy of the museum record (“tutanak”) which proves the delivery of the artefacts to the Museum, and the lists of “müzelik” objects and “etütlük” objects must also be attached to the final report.

ö) On the delivery of the moveable artefacts to the Museum at the end of the excavation or survey season, the excavation or survey records must be taken as final. The record must be signed in the presence of the director of the excavation/survey, the rep, and the Museum Director (or by one of his/her staff). The record must be prepared in two copies and one copy must be presented to the Museum.

p) The excavation director must approve the list of excavation equipment which was bought with the money allocated by the General Directorate, and this list will be submitted to the General Directorate with the final report of the representative.

r) The representative cannot leave the excavation site without the knowledge of the General Directorate. He/she cannot join the scientific trips of the team members unless he/she has arranged security measures at the site. During the surveys he/she is responsible for taking security measures to protect the collected artefacts.

s) The representative carries out item “o” of the 4th article in this “yönerge” together with the excavation/survey director.

ş) The representative can ask the excavation director to stop hiring certain workmen if he/she considers it necessary. If the excavation director and the representative disagree, then the decision of the General Directorate will prevail.

t) The representatives also have a place in the “Purchasing Committees” established by the 40th article of the “Regulation on purchasing goods and services” during excavations.

u) The representative must work within the framework of this “yönerge”. He/she must help the team members so that the work programme proceeds in accordance with the work programme confirmed by the General Directorate. The representative must avoid communications and behaviours which will disturb the collective lifestyle during the working period. He/she must not make any personal requests or demands. He/she must share his or her observations, suggestions and warnings with the excavation/survey director.

ü) If any other duties are given to the representative by the General Directorate, he/she must perform those as well.

PART THREE

EXCAVATIONS TO BE CARRIED OUT BY MUSEUMS

Rescue Excavations

Article 14 – (1) Museum Directorates have the right to carry out rescue excavations at sites which have moveable or immovable cultural remains exposed to damage, or already damaged, by urban development, natural hazards, illegal excavations, lack of knowledge, and excavations which are not carried out by scientific methods. These rescue excavations will be carried out in accordance with the following provisions:

a) Urgent and short-term excavations which must be carried out as a result of the following activities will be considered rescue excavations: construction work; reconstruction and investment or infrastructure works carried out by a public institution or corporation (i.e. dam constructions, new roads and road improvement works, coal mining, other mining, housing

projects carried out by TOKİ, the Housing Development Administration of Turkey, forestation works, construction of irrigation channels); natural disasters; and illegal excavations.

- b) Long-term and high-budget excavation works which have to be carried out systematically on mounds or at ancient sites will not be considered rescue excavations, and applications for excavations of this type should not be made.
- c) Rescue excavation permits are valid for the given year. Two (2) copies of permits will be issued by the General Directorate, and the Museum Directorate must sign both of them. One copy will be kept at the Museum and the other will be returned to the General Directorate.

ç) The application file for a rescue excavation must include the following information:

- 1) Urgency of the matter,
- 2) Availability of the Museum staff,
- 3) Compliance of rescue work with the other projects and duties of the Museum Directorate which are already scheduled,
- 4) The Museum Directorate has also to bear in mind that summer months are the busiest months in terms of archaeology, and the General Directorate has to assign representatives to other excavations and surveys.

d) The application file must include:

- 1) A report about the intended excavation area. This report, which must be prepared and signed by at least two experts, has also to include photograph/photographs,
- 2) A map or a development plan showing the intended excavation area,
- 3) The request form, designed according to annex 15.
- 4) If it exists, the decision report of the "Bölge Koruma Kurulu" about the intended excavation area.

e) If there is an urgent need to intervene, the Museum Directorate must inform the General Directorate immediately and must ask permission. However, the rescue work should start before the receipt of the permit, and it can be carried out outside working hours or on weekends.

f) During the rescue excavations, the following items must be taken into consideration:

- 1) In order to prevent possible or present destruction, or in order to minimise its effects, the maximum amount of data collection must be aimed for. The data must be collected from a selected area, in the possible shortest period, and all available means must be used.
- 2) Excavations must be carried out by scientific methods.

- 3) If the relevant piece of land has not been identified and registered before, a report must be prepared and submitted to the “Bölge Koruma Kurulu”.
- 4) If the relevant piece of land has a private owner, the necessary permissions must be obtained.
- 5) If the removal of immovables (i.e. mosaics, sarcophagi) becomes necessary, or if there is a need for restoration, files for the intended project/s must be prepared and permissions must be requested from the “Bölge Koruma Kurulu”. Work should not start before the issue of the permit or without the knowledge of the General Directorate.
- 6) The scientific reports, the lists of inventorial and diagnostic finds, and the delivery lists of these finds, must be submitted to the General Directorate within three months of the rescue excavation. The reasons for incomplete work must also be stated.
- 7) The publication rights are owned by the museum staff who actually managed the excavation work. The Museum staff who took part in the excavation may divide the topics between them by subject; however subject expertise must be taken into consideration.
- 8) Only the team members whose names are already stated on the permit issued by the General Directorate can take part in the excavation process. Other staff members or consultants cannot take part in the project.
- 9) However, if the Museum’s expertise or budget will not be enough to cover the needs of the project, subject experts can join the team with the permission of the General Directorate.
- 10) The rules of this article also apply to other excavations which are carried out with the decision of the Ministry and by a delegation formed by the General Directorate.

Sondage excavations which are required to be carried out at 1st and 2nd degree Archaeological Sites, and at Archaeological Sites in Urban Areas.

Article 15 – (1) Sondage excavations which must be carried out at 1st and 2nd degree Archaeological Sites and at Archaeological Sites in Urban Areas are also the responsibility of Museum Directorates. The following rules must be taken into consideration in the case of excavations which will take place in the calendar year:

- a) These excavations must take place in accordance with the present law, regulations, this “yönerge”, and with the conditions on the permit itself.
- b) For sondage and foundation excavations which will be carried out with the decision of the “Koruma Bölge Kurulu” a permit must be requested from the General Directorate.
- c) The permit will be issued in two (2) copies. Both have to be signed by the Museum Directorate. One will then be kept at the Museum and the other will be returned to the General Directorate.
- ç) The excavation work must then be carried out in accordance with the framework of the permit itself.

d) The reports, photographs, illustrations and other documents relating to the cultural remains found during the sondage or foundation excavation, must be sent both to the “Koruma Bölge Kurulu” and to the General Directorate.

e) In the case that cultural remains are found during the sondage or foundation excavations, the work must continue; however, the General Directorate must be informed immediately.

f) Reports and other related documents must be prepared in two copies; one must be submitted to the “Koruma Bölge Kurulu”, and the other to the General Directorate.

Sondage excavations which have to be carried out at 3rd degree Archaeological Sites and at Archaeological Sites in Urban Areas.

Article 16 – (1) Sondage excavations which are required to be carried out at 3rd degree Archaeological Sites and at Archaeological Sites in Urban Areas are also the responsibility of Museum Directorates. The following rules must be taken into consideration in the case of excavations which will take place in the calendar year:

a) These excavations must take place in accordance with the present law, regulations, this “yönerge”, and with the conditions on the permit itself.

b) The permit given to the Museum Directorate at the beginning of each calendar year for general purposes must be signed by the Museum Directorate. One copy must be returned to the General Directorate and the other copy must be kept at the Museum.

c) If any cultural remains are discovered during a sondage or a foundation excavation, scientific reports, photographs, illustrations and other documents relating to these cultural remains must be prepared, and must then be sent both to the “Koruma Bölge Kurulu” and to the General Directorate.

ç) In the case of cultural remains being found during the sondage or foundation excavations, the work must continue; however, the General Directorate must be informed immediately.

d) The final reports, photographs, illustrations and other documents relating to the excavation work and prepared after the conclusion of the work must be sent both to the “Koruma Bölge Kurulu” and to the General Directorate.

e) According to paragraph ç of the principle decision, with no. 658, of the High Council for the Preservation of Cultural and Natural Heritage dating to 15/11/1999, the Museum Directorates must carry out a sondage excavation before the issue of a building permit by a municipality or a governor’s office. The reports of the museum directorates on the results, including the opinions of the Museum Director, must be then sent to the General Directorate, and the building permit must then be issued in accordance with the decision of the General Directorate.

f) The lists relating to sondage or foundation excavations must be designed according to annex 16, and must be sent to the General Directorate every month.

Sondage Excavations on Unregistered Lands

Article 17 (1) If the unregistered land is out of the scope of the 4/h item of the regulation on “Korunması Gereken Taşınmaz Kültür ve Tabiat Varlıklarının Tespit ve Tescili” (the regulation about the determination and registration of the immovable Cultural and Natural remains), the Museum Directorate can carry out an excavation without asking permission from the General Directorate. The report on the sondage will then be sent both to the General Directorate and to the “Kültür Varlıklarını Koruma Bölge Müdürlüğü”.

Sondage Excavations on Registered Individual Buildings

Article 18 (1) If a need arises for a sondage or foundation excavation during a restoration or restitution project which is already approved by the “Koruma Bölge Kurulu”, on a registered building on the scale of a single structure, the Museum Directorate does not need a special permit to carry out the necessary work.

ATTACHMENTS :

Annex 1

INTERIM REPORT OF THE REPRESENTATIVE			
Excavation/Survey Name			
Director of the Excavation/Survey			
Assistant Director & Acting Director of the Excavation/Survey			
Province/Town/Village/Quarter of Excavation/Survey			
Address of Excavation/Survey House			
Representative		Work Address	
Date of Report		Number of Report	
Period of report		Number of the previous report	

Excavation/Survey House Phone Number		Fax	
Ministry Representative Mobile Number		E-mail	

Note: All pages and attachments must be signed

Annex-2

INITIAL REPORT OF THE REPRESENTATIVE			
Excavation/Survey Name			
Director of the Excavation/Survey			
Assistant Director & Acting Director of the Excavation/Survey			
Province/Town/Village/Quarter of Excavation/Research			
Address of the Excavation/Survey House			
Representative		Work Address	
Representative Mobile Number		E-mail	
Date of Report		Number of Report	1 (One)
Excavation/Survey House Phone Number		Fax	

Note: All pages and attachments must be signed.

Annex-3

FINAL REPORT OF THE REPRESENTATIVE			
Excavation/Survey Name			
Director of the Excavation/Research			
Assistant Director & Acting Director of the Excavation/Survey			
Province/Town/Village/Quarter of Excavation/Survey			
Address of the Excavation/Survey House			
Representative		Work Address	
Date of Report		Number of Report	
Date of the previous report		Number of the previous report	
Excavation/Survey House Phone Number		Fax	
Representative Mobile Number		E-mail	
Start-Final Dates		Total Number of Working Days	
Number of “Envanterlik” Objects		Number of “Etütlük” Objects	

Note: All pages and attachments must be signed.

Annex-4

REPORT OF THE INVESTIGATION COMMITTEE			
Name of the Excavation			
Director of the Excavation			
Assistant Director & Acting Director of Excavation			
Province/Town/Village/ Quarter of Excavation/Research			
Related Museum Directorate			
Time of Review	Before Excavation ()	During Excavation ()	After Excavation ()
Date of Review			
Date of Report			
Members of the Investigation Committee	Place of duty	Job Title	Signature

Annex-5

EXCAVATION/SURVEY DIRECTOR APPLICATION REPORT				
Excavation/Survey Name				
Director of the Excavation/Survey				
Assistant Director & Acting Director of the Excavation/Survey				
Province/Town/Village/Quarter of Excavation/Survey				
Address of the Excavation/Survey House				
Excavation/Survey House Phone Number			Fax	
Previous Year	Starting-Completion Dates		Total number of working days	
	Number of “Envanterlik” Objects		Number of “Etütlük” Objects	
	Total allowance of investment (from General Directorate)		Total allowance from DÖSİMM	
Date of Report				

Note: All pages and attachments must be signed.

Annex-6

THE REPORT OF MUSEUM'S COMMISSION			
Excavation/Survey Name			
Director of the Excavation/Survey			
Assistnat Director & Acting Director of the Excavation/Survey			
Province/Town/Village/Quarter of Excavation/Research			
Date of Report			
Related Museum Directorate			
Place where samples will be taken (University/Laboratory etc.)			
Type		Quantity	
Date of Return			
Museum's Commission Member	Place of Duty	Job Title	Signature

Annex-7

MUSEUM'S REPORT ON THE WORK OF TURKISH MA/PhD STUDENTS			
Student's Name and Surname			
University/Institute			
Faculty/Department			
Student Number			
Title of Thesis			
Subject of Work			
Supervisor of Thesis			
Type of Thesis Study	Master ()	PhD	()
Starting Date of Work		Duration of Work	
Completion Date of Work			
Related Museum Directorate			
Officer in charge			
Date of Report			

Annex-8

STUDENT'S REPORT			
Student's Name and Surname			
University/Institute			
Faculty/Department			
Student Number			
Title of Thesis			
Subject of Work			
Supervisor of Thesis			
Type of Thesis Study	Master ()	PhD	()
Related Museum Directorate			
Starting Date of Work		Duration of Work	
Completion Date of Work			
Date of Report			

Application Form for Turkish Citizens Who Will Participate in an
Excavation, Survey and Sondage Related to Cultural Heritage

Photo

Applicant's:

Name:

Surname:

TC Identity No:

Education:

Occupation:

Institution:

Addresses:

Phone:

E-mail:

CV:

Dates and Period of Participation:

Subject of Work:

Aim of Work:

Duty/Position at Work:

Application Date:

Signature:

Annex-11

T.C.
MINISTRY OF CULTURE AND TOURISM
GENERAL DIRECTORATE FOR CULTURAL HERITAGE AND MUSEUMS
.....EXCAVATION/MUSEUM DIRECTORATE

REQUEST FORM FOR NON-INSTITUTIONAL TEMPORARY WORKER

EMPLOYMENT INFORMATION

Workplace:

Address:

Phone:

Fax:

REQUEST / APPLICATION INFORMATION

Number of Open Positions:	
Application Dates :/201..... -/201.....	
Application Address	
Contact Person	Phone :

INTERVIEW INFORMATION

Place:	Date :	Hour:
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PROFESSIONAL FEATURES

Position :	Required Profession :	Period of Experience :
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WORKING CONDITIONS

Duration of Work :
Working Hours :
Work Address :

APPLICATION CONDITIONS

1.
2.
3.

REQUIRED DOCUMENTS FOR APPLICATION

1.
2.
3.

Date :/201.....

Name and Surname :

Title :

Signature :

EXCAVATION/SURVEY DIRECTOR'S FINAL REPORT			
Excavation/Survey Name			
Director of the Excavation/Survey			
Assistant Director & Acting Director of the Excavation/Survey			
Province/Town/Village/Quarter of Excavation/Survey			
Address of the Excavation/Survey House			
Excavation/Survey House Phone Number		Fax	
Starting-Completion Dates of Work		Total Number of Working Days	
Number of "Envanterlik" Objects		Number of "Etütlük" Objects	
Total allowance of investment (General Directorate)		Total allowance from DÖSİMM	
Date of Report			

Note: All pages and attachments must be signed.

Annex-13

EXCAVATION MONITORING FORM			
GENERAL INFORMATION			
EXCAVATION	NAME		DIRECTOR OF EXCAVATION
	PROVINCE/TOWN		
	VILLAGE		
	STARTING DATE**		
	DATE/NUMBER OF "BKK"		
	EXCAVATION HOUSE ADDRESS		
	EXPLANATION		
		NAME & SURNAME	
		TITLE	
		INSTITUTION*	
		PHONE/FAX	
		MOBILE PHONE	
		CONTACT ADDRESS	
		EXPLANATION	
..... EXCAVATION YEAR NUMERICAL DATA			
NUMBER OF "ENVANTERLİK" OBJECTS		PLANNED DATES OF WORK	
NUMBER OF "ETÜTLÜK" OBJECTS		STARTING DATE OF WORK	
NUMBER OF WORKERS		FINAL DATE OF WORK	
EXPLANATION		NUMBER OF WORKING DAYS	
		THE REASON IF THE EXCAVATION WAS NOT DONE IN THE PLANNED WORK DATE	

* Associated academic institution should be indicated, if retired "Retired" expression and the date of retirement should be stated.

** Starting year of excavation with the decision of the Council of Ministers should be stated, any changes on the decision of the Council of Ministers (BKK) must not be taken into account.

Director of Excavation

Name – Surname

Date - Signature

Annex-14

..... EXCAVATION YEAR FINANCIAL INFORMATION FORM					
MINISTRY OF CULTURE AND TOURISM		TRANSFERRED IN THE YEAR OF	USED IN THE YEAR OF	BALANCE	TRANSFERRED AMOUNT TO THE YEAR OF..... (Fund waiting at the Private Provincial Administration, and ready to use in the year of*
	DÖSiMM				-
	GENERAL DIRECTORATE OF C.H.M. INVESTMENT BUDGET (21.01.31.62-08.2.0.00-1-06.1)				
	GENERAL DIRECTORATE OF C.H.M. CURRENT BUDGET (WORKER/MONTH)				-
	OTHER				
	EXPLANATION**				
SPONSOR ORGANIZATIONS AND INSTITUTIONS***	INSTITUTION/ORGANIZATION NAME	MONEY SUPPORT	PROPERTY SUPPORT	OTHER	
	EXPLANATION				
INSTITUTIONS AND ORGANIZATIONS OTHER THAN SPONSORS PROVIDING MONEY/PROPERTY SUPPORT DURING THE YEAR					

* It should be considered that, transferred allowances from DÖSiMM and KVMGM will not be transferred to the next year, and the fund ready to use in the year of should be stated.

** If there is any allowance transferred from KVMGM Investment Budget to the excavation before the year of, but not used, and used/unused in the year of can also be stated.

*** Permanent sponsor institutions and organizations of the excavation should be specified.

**Director of Excavation,
Name & Surname**

Date

Signature

Annex-15

**REQUEST FORM FOR SONDAGE-RESCUE EXCAVATION-
LANDSCAPING AND CLEANING WORK IN THE YEAR OF**

Province	
Town	
Village-Quarter	
Location	
Site	

IF IT IS WITHIN THE PROTECTED AREA

Degree- Type	
--------------	--

WORK REQUESTED TO BE DONE

Sondage	
Rescue Excavation	
Landscaping	
Cleaning Work	
Other (Please indicate)	

PROPERTY STATUS

Treasury	
Private	
Other (Please indicate)	

AMOUNT OF FUND REQUESTED FROM THE MINISTRY

01.4 Approximate worker wages	
02.4 Payments of current workers, SGK and Stoppage	
03.3 Temporary Duty Expenses	
03.4 Tax, photo expenses	
06.6 Car rental expenses	
03.4.4.01 Archaeological excavation expenses (all kind of tools) Materials, Equipment, Project, Consultancy, etc. Other Expenses	

BUDGETARY RESOURCES PROVIDED FROM OUT OF THE MINISTRY

Private Provincial Administration	
University	
Local Facilities	
Other (Please indicate)	

OTHER ISSUES

Estimated duration of the work	
Start and final dates	
Committee members who will attend to the work	

Date-Signature
Stamp

