

Comparison of New and Old Yönerge

(Kültür ve Tabiat

Varlıklarıyla İlgili Yapılacak YüzeY Arařtırması, Sondaj ve Kazı Çalıřmalarının Yürütülmesi Hakkında Yönerge)

Type of Change	New vs Old Document	Contents	Clause No
Alterations	OY	The old regulation had the following sections: 1. Aim and Scope; 2. Legal Basis; 3. Definitions; 4.Common Clauses; 5. Excavation Request with Cabinet Order; 6. Survey Request; 7. The Working Procedures of the Assessment Committee; 8. Schedule for Requests; 9. Common rules related to Surveys; 10. Resources for the Excavations and Their Use; 11. The Procedures that have to be followed by the Excavation Director at the End of the Excavation; 12. Conditions which result in the cancellation of licences and permits; 13. The duties and authority of the Ministry Representative in Excavations and Surveys; 14.Rescue Excavations; 15 The Drilling Excavations in I and II degree Archaeological Sites and Urban Sites; 16. The Drilling Excavations in III degree Archaeological Sites and Urban Sites; 17. The Drillings at Unregistered Sites; 18. Excavations in the Registered Single Monuments; 19. Other Clauses and attachments	enacted as of 22/12/2011 with the approval number: 260635; annulled as of 13/03/2013
	NY	The new regulation has the following sections: 1. Aim and Scope; 2. Legal Basis; 3. Definitions; ; 4.New Excavation Request with Cabinet Order; 5. New Survey Request; 6. Licence Renewal Request Excavations with Cabinet Order; 7. Permit Renewal Request for Surveys; 8. Student Research Application; 9.The Working Procedures of the Assessment Committee; 10. Schedule for Requests; 11. Common rules related to Excavations; 12.Common rules related to Surveys ; 13. The Procedures that have to be followed by the Excavation Director at the End of the Excavation; 14. General Rules regarding the Student Researches; 15. Resources for the Excavations and Their Use;16. Conditions which result in the cancellation of licences and permits; 17. The duties and authority of the Ministry Representative in Excavations and Surveys; 18.Rescue Excavations; 19. The Drilling Excavations in I and II degree Archaeological Sites and Urban Sites; 20. The Drilling Excavations in III degree Archaeological Sites and Urban Sites; 21. The Drillings at Unregistered Sites; 22. Excavations in the Registered Single Monuments; 23. Other clauses and attachments	enacted as of 13/03/2013 with the approval number: 51264
	OY	There should be a guarantee for handling the expropriation in case needed	5/f
	NY	In the application for a new excavation permit, there should be NO need for expropriation.	4/ğ
	NY	For the on-going excavations there should be NO need for expropriation. No excavation can be made on the private property without the consent of the owner. Any responsibility for such actions belong to the excavation director	6/ç
	OY	General Directorate is notified beforehand that the excavation director candidate will be scientifically and financially supported by her/his institution	5/c
	NY	General Directorate is notified BEFORE THE ASSESSMENT OF THE EXCAVATION APPLICATION that the excavation leader candidate will be scientifically and financially supported by her/his institution	4/d

Alterations	OY	The excavation leader is responsible to ensure that the implementation of conservation projects that has been prepared in line with the modern restoration principles, after being inspected by the related Survey and Monuments Directorate and approved by the related Regional Conservation Council, complies with the regulation numbered 660 dated to 05/11/1999	9/h
	NY	The excavation leader is responsible to ensure that the implementation of conservation projects that has been prepared in line with the modern restoration principles, after being inspected by the related Survey and Monuments Directorate and approved by the related Regional Conservation Council, complies with HIGHER COUNCIL REGULATION	11/f
	OY	The immovable cultural assets within the ruins (örenyeri) should be protected where they are found	9/i
	NY	The immovable cultural assets within the EXCAVATION AREA (kazi alanı) should be protected where they are found	11/i
	OY	... After April new permits are presented to the Ministry, the licences for the on-going excavations are renewed; the exceptional cases are evaluated by the General Directorate	8
	NY	... After April new permits are presented to the Ministry, the licences for the on-going excavations are renewed; THE REQUESTS FOR EXCAVATIONS THAT MIGHT EMERGE AFTER THE ASSESSMENT COMMITTEE MEETING are evaluated by the General Directorate.	10
Additions	NY	Foreign excavation leader candidates have to prove that they have the associate professorship (docentlik) by the accreditation (denklik) that they can get from the Turkish Presidency of High Education Council (YÖK)	4/ç
	NY	For Turkish excavations, the scientific institution of the excavation director guarantees to contribute to the yearly excavation budget. The amount has to be at least 50% of the financial support that has been given by the Ministry for the previous year.	4/d, 6/e
	NY	... The General Directorate is notified through diplomatic procedures by the related Embassies or Ministries about the guarantee that the costs of the foreign excavations will be covered	4/m, 6/i
	NY	The application form which entails information about work calendar, program and list of participants excludes TURKISH UNDERGRADUATE (önlisans & lisans) STUDENTS	4/o, 5/ö, 6/k, 7/ı
	NY	Undergraduate Turkish students fills the form 9 after they participate to the excavation and this form is kept in excavation archives. The excavation representative presents the list of these participants with form 18 to the General Directorate	4/p, 5/p, 6/n, 7/i
	NY	... Assistant director of the excavation can not be 1st or 2nd degree relatives of the excavation director. In case no one with required skills can be found for the position, the General Directorate is consulted.	4/ş, 6/p, 15/ı

Additions	NY	... Restoration and landscaping projects can be realized in case of the positive evaluation of SURVEY AND MONUMENTS COUNCIL....	11/e
	NY	The movable artifacts are submitted to the museum upon their conservation and restoration during the excavation season BY THE CONSERVATION SPECIALIST WITH THE FORM19. THIS INFORMATION IS RECORDED TO THE INVENTORY RECEIPT BY THE MINISTRY REPRESENTATIVE AND SUBMITTED TO THE MUSEUM	11/h
	NY	..In Turkish excavations workers, guards or security can be employed by SPECIAL PROVINCIAL ADMINISTRATION / museum directorate... In foreign excavations, the guards and workers are paid by the excavation director. In foreign excavations, THE NEW SERVICES SUCH AS SECURITY, CLEANING AND CONSERVATION ARE PURCHASED THROUGH SPECIAL SERVICES ACQUISITION METHOD (özel hizmet alımı yöntemi)	11/i
	NY	... Conservation under the supervision of .. ARCHITECT, RESTORATION SPECIALIST...	11/j
	NY	The information and documentation related to the cultural assets that have been excavated can not be shared with press without the consent of the General Directorate	11/t, 12/ı
	NY	Survey/Excavation Director has to send the Results Report in accordance with form 12-B /12 -A within 3 months and no later than 31 December to the General Directorate. All the information, documents, photos, drawings, daily report and the publications of the last year related to the area is sent to General Directorate in DVD or external hard disk. The survey/excavation permits of those who do not send these necessary documents are not renewed for the next year.	12/i, 13/g, 16/7
	NY	Earth that has been accumulated after the excavation season has to be carried outside of the excavation area to a location approved by the Museum.	13/d
	NY	The check sheet for the workers employed by the excavation is prepared by the excavation director has to be signed by the excavation director and the ministry representative	15/i, 17/ü, 18/f/13
	NY	According to the Presidency Regulation on the austerity measures (number 2007/3 date 18/01/2007) public institutions can not buy, confiscate, rent or construct service buildings, residencies, civil servant houses, camps, day-care education or recreation areas or any land for these purposes inside and outside of the country. For the necessary cases, permission is asked from the Prime Ministry through the General Directorate. Portable structures (container) without the quality of a building can be purchased in accordance with the legislation(to be used as excavation house, lab, store, kitchen, dorm, etc..).	15/j
	NY	Costs related to the excavation house (water, electricity..) can be covered from the excavation budget under the responsibility of the director	15/k
NY	If the excavation director does not want to carry on the excavation, the excavation can not be terminated before necessary safeguarding precautions are ensured and the legal liabilities are satisfied. If the excavation will be handed over to a another excavation director, the General Directorate checks if new team will ensure safeguarding precautions and legal liabilities are taken over.	16/c	

Additions	NY	The ministry representative immediately informs the General Directorate (via phone) before any information or document related to the cultural assets that have been unearthed through the excavation is shared with the press.	17/v
	NY	There are four new attachments: Duty Take-Over Form, Students List, Conservation Sheet, Protocol for the Excavation-Cleaning-Drilling Works that will take place in private property	
	NY	Rescue excavation requests can not be made for the programs that require many years of work and high costs. THIS CLAUSE EXCLUDES THE RESCUE EXCAVATIONS IN THE PUBLIC INVESTMENT AREAS	18/b
	NY	In order to protect the cultural assets found in private property, the owner is notified and rescue excavation is made even without his/her consent. The loss is compensated in accordance with the art.42 of the law. If the cultural assets are found in a location where proper security measures can not be taken, they are carried to another location with the approval of the Higher Conservation Council in accordance with the 20 article of the law	18/f/4
	NY	The interviews with the press on the technical aspects of the Museum excavations is subject to the permission of Governorship and is done by Museum Directorship. The information and documentation related to the cultural assets that have been excavated can not be shared with press without the consent of the General Directorate.	18/f/11
	NY	The scientific team who is working on the excavations conducted by the museum presents a copy of all the documents to the related Museum Directorship	18/f/12
	NY	Before the drilling and foundation excavation, geophysics investigations can be made for the identification of cultural assets, sizes of trenches and their ranges	18/f/14
Eliminations	OY	...Retired academicians make their applications directly to the General Directorate.. (This sentence is mentioned in the common rules section in the old Yönerge; in the new one however, it is no longer a common clause, since the section on "new excavation request with Cabinet Order" does not have it. the other sections "new survey licence application, renewal of excavation licence and renewal of survey licence still mention the retired academicians)	4/b
	OY	The borders of excavation/survey area can be changed by the General Directorate. (The NEW YONERGE does not entail such a sentence for excavations but still has it for surveys (12/e); thus it is partially eliminated)	9/v
	OY	The decision whether to leave the artifacts where they were found or to take them to the museum is given by the Ministry Representative and Museum considering the suggestions of the Survey Director	12/s