REGULATION ON BUSINESS AND WORKING LICENSES FOR TERMINALS AND UTILITIES AT AIRPORTS OPEN TO CIVIL AIR TRANSPORT
(SHY-33B)

SECTION ONE
Purpose, Scope, Basis, Definitions and Abbreviations

Purpose
ARTICLE 1 – (1) The purpose of this regulation is to regulate the procedures and principles to be applicable for business and working licenses to be granted to terminals and utilities at airports open to civil air transport.

Scope
ARTICLE 2 – (1) This regulation covers works and transactions regarding licensing and auditing of terminals and utilities at airports open to civil air transport.

Basis
ARTICLE 3 – (1) This regulation has been prepared on basis of the sub-paragraph (g) of paragraph one of article 7 of the Special Provincial Administration Law of 22/2/2005 No. 5302, the Law of 10/11/2005 No. 5431 on Organization and Duties of the Directorate General of Civil Aviation and the Turkish Civil Aviation Law of 14/10/1983 No. 2920.

Definitions and abbreviations
ARTICLE 4 – (1) For the purposes of this regulation, the following terms shall have the following meanings;

a) Minister: Ministry of Transport and Communication,
b) Ministry: Ministry of Transport and Communication,
c) (Annex: O.G.-20/4/2009-27206) Authority of application: Terminal operator if utilities that are obliged to receive license in accordance with the provisions of this regulation is located within the terminal building; airport operator if they are located outside the terminal building,

c) Directorate General of DHMI: the Directorate General of the State Airports Administration,
d) ECAC: European Civil Aviation Conference,
e) Director General: the Director General of Civil Aviation,
f) Airport Operator: Public institutions and organizations and natural and private legal entities responsible for operating the airport,
g) Airport Terminal Operating License: The license granted by DGCA to open and operate airport terminals,
h) ICAO: International Civil Aviation Organization,
i) Workplace: The facility that is obliged to receive a license at airports which are open to civil air transport in accordance with the provisions of this regulation,

j) Business and working license: The license granted by DGCA to open and operate utilities within the scope of this regulation,
k) DGCA: The Directorate General of Civil Aviation,
l) SHY-14A: The Regulation on Construction, Operation and Certification of Airports published in the Official Gazette of 14/5/2002 No. 24755,

m) Utility: Workplaces that are located within airports open to civil air transport and that remain outside the scope of the Regulation on Business and Working Licenses for Non-Utility Workplaces in Airports Open to Civil Air Transport (SHY-33A) published in the Official Gazette of 5/4/2008 No. 26838,

m) Responsible Director: The person who has professional capability on field of activity of the enterprise in terminals and sanitary centers and who is the highest executive of that enterprise,

m) Terminal: The workplace, for which airport terminal operating license should be received in accordance with the provisions of this regulation in build-operate-transfer model, leasing and similar ways other than the airport operator at airports open to civil air transport and which carries out commercial activities,

n) Terminal operator: The operator carrying out terminal operations in build-operate-transfer model, leasing and similar ways other than the airport operator at airports open to civil air transport,

o) Terminal Operating Manual: The document which should be prepared by terminal operators to receive terminal operating license in accordance with the provisions of this Regulation and which covers topics such as general organization structure for operating the terminal, service competencies, terminal features, technical system competencies, maintenance and repair activities.
SECTION TWO  
General Principles

Liabilities and responsibilities
ARTICLE 5 – (1) Permits and licenses, granted by other public institutions and organizations and concerned professional associations in accordance with the concerned legislations, and registrations and similar transactions for workplaces within the scope of this regulation shall not remove the obligation to receive license in accordance with the provisions of this regulation.

(2) Receipt of terminal operating license or utility business and working license in accordance with the provisions of this regulation shall not remove the requirement and obligation to receive other permits, licenses and registration documents required by the special legislation on activities of the workplace. The owner of the workplace is responsible for preparing and maintaining the required conditions in accordance with the legislations on his business.

Main file
ARTICLE 6 – (1) A layout plan that indicates and enumerates locations of utilities in the airport and terminal floor plans that indicate and enumerate locations of utilities within terminals and a main file for each workplace enumerated in these plans including the information in Annex-3 of this regulation (Amended expression: O.G.-20/4/2009-27206) are required to be submitted by the authority of application to DGCA

Charges
ARTICLE 7 – (1) Charges for terminal operating license and utility business and working licenses shall be set out in the relevant service tariff issued by DGCA. If business and working licenses are issued for more than one field of activity, separate charging shall be applied for each field of activity.

(2) In determination of the charges in DGCA service tariff, license groups specified in paragraph two of article 24 are taken as the basis for terminals, whereas size of usage area of the workplace is taken as the basis for utilities.

(3) The license holder is obliged to apply DGCA to get extension and pay the extension charge set out in DGCA service tariff at least one month prior to the date corresponding to one year after provision of the terminal operating license.

(4) The license holder is obliged to apply DGCA to get extension with written approval of the authority of application (Amended expression: O.G.-20/4/2009-27206) and pay the extension charge set out in DGCA service tariff at least one month prior to the date corresponding to one year after provision of the utility business and working license.

(5) If the workplace owners have complaints about the specified price tariffs, the airport operator shall make necessary arrangements with regard to these complaints.

Negative impact on electronic devices and navigational assistance aids
ARTICLE 8 – (1) If it is determined by the airport operator that the materials used at workplaces that are located within the boundaries of the airport and that hold a license in accordance with the provisions of this regulation affect the navigation and electronic systems of the airport adversely, operations of the enterprise shall be ceased by DGCA following notification of the case by the airport operator to DGCA. The enterprise shall be requested to eliminate this interference within an appropriate period of up to sixty days maximum, depending on condition of the interference. If issues are not eliminated by the end of the time period granted, the license shall be cancelled.

Insurance
ARTICLE 9 – (1) Natural or legal entities willing to operate terminal are obliged to obtain Third Party Financial Liability Insurance for compensation of possible damages to third parties and submit the insurance policies to DGCA at application for the license. If this insurance does not cover all the workplaces within the terminal, the workplaces that remain out of the coverage are obliged to obtain the Third Party Financial Liability Insurance.

(2) The airport operator is obliged to set out the sub limits of the insurance ensuring required coordination with the concerned institutions and organizations and considering the international standards and notify these limits to the Ministry.

Training
ARTICLE 10 – (1) The operators holding terminal operating license and utility business and working license are obliged to provide their employees with trainings required by the training programs approved by DGCA depending on their field of activity, in order to ensure regular and continuous provision of their services.

Security measures
ARTICLE 11 – (1) Principles regarding security measures and minimum requirements set out in the Regulation on Construction, Operation and Certification of Airports (SHY-14A) are also applicable for the terminals within the scope of this regulation. Furthermore, it is mandatory to ensure that the security measures are maintained at the standard specified in national and international legislations for terminals of this nature.

Quality management system
ARTICLE 12 – (1) The terminal operator is obliged to create a quality management system at TSE, ISO or CEN standards, keep it during the operating period and certify it to DGCA within one year at the latest following completion of the license transactions. License of any operator that cannot create the Quality Management system within this time period shall be cancelled.
Utilities
ARTICLE 13 – (1) Utilities are the workplaces present in the list in Annex-1 of this regulation.

SECTION THREE
Requirements for Workplaces

Common requirements for workplaces
ARTICLE 14 – (1) The workplaces to receive business and working license within the scope of the provisions of this regulation are obliged to meet the following requirements.

a) Rules of the Labor Law and the social security legislations should be obeyed with regard to the personnel to be employed and the measures set out in the legislations with regard to occupational health and safety should be taken,
   b) A firefighting report, which indicates that necessary measures against fire are taken in rest and entertainment places within the utilities and all kinds of workplaces involving more than thirty employees, should be prepared and necessary measures should be taken against fire at other workplaces,
   c) Necessary measures and permits should be taken at workplaces producing medical wastes regarding collection, transport, storage, processing and disposal of these wastes,
   d) Facilitating measures, which are stated in ANNEX-9 issued by ICAO, Document 30 issued by ECAC and the national legislation, for entrance and exit of the handicapped to/from the workplace should be taken,
   e) Provisions of the legislation about foreigners should be obeyed with regard to business and operation by foreigners,
   f) All the personnel to work at workplaces inside and outside the terminals for passengers should wear uniform clothes suitable for their respective units and duties and have visible personnel identification cards,
   g) If waste water formation is present at the workplaces, the water should be discharged to the joint infrastructure system of the airport after pre-treatment works,
   g) Workplaces and enterprises carrying out activities at the airport should meet the standards set out in the Regulation on Assessment and Management of Environmental Noise published in the Official Gazette of 1/7/2005 No. 25862 at every stage of their activities,
   h) The sanitary institutions should meet the standards set out in the Regulation on Control of Medical Wastes published in the Official Gazette of 22/7/2005 No. 25883 at every stage of their activities,
   i) The standards set out in the Regulation on Control of Packages and Package Wastes published in the Official Gazette of 30/7/2004 No. 25538 should be met with regard to solid wastes produced at utilities and based on the basic principle of recycling solid wastes,
   j) All spaces should be equipped, decorated and illuminated with materials suitable for function and class,
   k) The workplaces should be equipped with appropriate heating and ventilation systems,
   l) Necessary measures should be taken to collect and store garbage and similar wastes produced at the workplace and connections should be established to discharge waste water properly,
   m) Hygiene and health rules should be obeyed in design of all kinds of installations, selection of construction materials used, preparation, storage and conservation of foods and drinks and arrangements such as cooler and heater should be made to avoid corruption of foods,
   m) Facilities should be regularly cleaned and maintained, necessary measures should be taken to fix possible failures as soon as possible,
   n) Smoking and no-smoking zones at the workplaces should be separated as stated in the concerned legislations,
   o) Measures should be taken against fire in order to ensure safety of the employees and clients at workplaces which are not required to receive a fire-fighting report,
   o) Entrances and exits should be allowed at separate gates for workplaces with dense human access and there should be emergency exits against fire and these exits should be indicated by illuminated signs,
   p) Volume levels set out in the concerned legislations should not be played in a manner to spoil peace and comfort of the public at the workplaces playing music.

Other requirements for utilities
ARTICLE 15 – (1) At provision of license to utilities depending on their qualities,

a) Entertainment, game and similar-purpose places,

b) Qualifications of people employed at entertainment, game and similar-purpose places,

c) Game arcade, cyber café and similar workplaces,

d) Shopping malls and workplaces such as buffet, canteen,

e) Restaurants, cafeterias and bakeries,

f) Hotel and short-term accommodation places and workplaces such as saunas,

g) Private physical training, sport centers and entertainment places including sports such as billiards, bowling, table tennis and darts,
g) Banking and communication service workplaces

are obliged to meet the requirements in the concerned legislations issued by the concerned Ministries and affiliated and/or concerned institutions and organizations, depending on fields of activity of the workplaces, as well as the requirements in article 14.

Requirements for airport medical service centers

ARTICLE 16 – (1) Airport medical service centers providing private medical services are obliged to meet the following requirements, as well as the ones mentioned in Article 14.

a) To have one permanent specialist doctor for each medical branch specified by the concerned legislation and to carry out activities in at least two fields of specialty,
b) Emergency medical institutions should have emergency medical unit, personnel and medical equipment,
c) To have at least two land ambulances and teams, at least one of which should be an emergency response ambulance, to ensure patient transfer from airport medical center to aircraft, from aircraft to medical institution and to hospitals, when needed, and/or to provide emergency response and to have adequate number of flight doctors, at least one of whom should be permanent, and who provide or purchase ambulance services, to carry out airworthy assessment of the passengers and to ensure service continuity for twenty-four hours,
d) To provide services continuously and regularly with developed equipment and personnel support.

Location and condition of airport medical center

ARTICLE 17 – (1) The airport medical centers shall be established within the airport at a place, which can easily be accessed by the passengers, which does not affect the patients’ health status adversely and is away from workplaces that are not suitable for medical services. Emergency medical unit is established at a place close to the entrance of the medical unit in order to provide ease in access and service provision. Ambulance service is established at a suitable place to provide quick access and service to apron and medical institution. All units such as patient waiting room, examination room, emergency response unit, personnel on duty room, laboratory, management unit, archive unit, patient isolation place, patient observation room, except for the ambulance service of the medical institution, are obliged to be located within the same building, adjacent to each other.

Airport clinics

ARTICLE 18 – (1) It is the basic principle to employ at least one doctor and nurse to serve for twenty-four hours at clinics planned to be established in airport. Moreover, it is obligatory for airport clinics to meet the requirements set out by the concerned legislation.

Duty-free shops and depots

ARTICLE 19 – (1) Opening of stores belonging to brands, forming of mixed product spots, rendering services such as Outlet, sales at gates prior to boarding and similar services by duty-free shops holding business and working license granted by DGCA are within the scope of this license.

Requirements for taxi stands and offices

ARTICLE 20 – (1) Taxi stands and offices, indoor and outdoor car parks and car showrooms are obliged to meet the following requirements, as well as the ones mentioned in Article 14:

a) There should be adequate space to park the particular number of cars as determined by the Airport Security Commission,
b) There should be a medicine chest at the office of the enterprise,
c) Floor of the parking area should be coated with a material such as concrete, asphalt etc. that shall not cause pollution and it should be arranged to discharge backwater into collection drains,
d) There should be phone and radio system,
e) There should be at least one foreign-language speaking personnel at the stand in order to ensure proper communication with passengers at international airports,
f) Names and pictures of the drivers should be visibly hung at the taxi stands,
g) Identity information of the driver should be visibly hung in the taxis,
h) There should be a logo identifying the airport on the vehicles,
i) There should be a city map and brochures about the country in the vehicles,
j) Number of taxis waiting in front of the terminal should be limited not to cause traffic jam and other vehicles should be kept in the stand.

SECTION FOUR

Licensing of Terminals

ARTICLE 21 – (1) Natural or legal entities willing to operate terminals in build-operate-transfer model, leasing and similar ways other than the airport operator at airports open to civil air transport are obliged to receive Airport Terminal Operating License. Elevators, escalators and belt conveyors, which are within the terminal and remain out of commercial sections and which have no commercial nature, are considered integral parts of the terminal within the scope of the license to be granted to the Terminal Operators.
If the Directorate General of DHMI operates the terminal at airports, where it is also the airport operator, it is not obliged to receive terminal operating license in accordance with the provisions of this regulation. However, it is obligatory to receive license for utilities located within these terminals.

If operators of other airports, which are not operated by and/or operating rights of which are transferred by the Directorate General of DHMI, also operate the terminals, they are obliged to receive terminal operating license in accordance with the provisions of this regulation. However, no separate charge shall be applied by DGCA for terminal operating licenses to be received for these terminals. It is obligatory to receive license for utilities located within these terminals.

Liabilities of terminal operators

ARTICLE 22 – (1) The terminal operators are obliged to meet the following requirements at the terminals they operate.

a) All the arrangements mentioned in national and international legislations with regard to physical conditions in the terminal in terms of passenger ease should be fulfilled,

b) Necessary infrastructure should be formed and necessary measures should be taken to ensure facilities mentioned in ICAO ANNEX-9 and ECAC Document 30 for entrance and exit of passengers with limited mobility, that are not accepted and that are disobedient/unruly,

c) Adequate number of direction signs should be placed to take measures that arrange and relieve passenger circulation inside and outside the terminal,

d) Uniform dressed passenger assistance staff should be formed to serve the passengers in the area from terminal entrance to check-in counters,

e) Elevators and escalators should be checked and maintained,

f) Instructions, warnings issued by DGCA and all international agreements and arrangements should be obeyed,

g) All necessary measures should be taken to ensure operation of all the workplaces within the terminal in accordance with the principles in this regulation.

(2) If it is determined that the terminal operators do not meet the requirements set out in this regulation, the sanctions mentioned in Article 38 shall be imposed.

Submission of application

ARTICLE 23 – (1) The terminal operator shall apply to DGCA with the Application Form for Airport Terminal Operation in Annex-4 of this regulation and the documents set out in the annex of this application form for the terminal it is willing to operate.

Assessment of application and issuance of license

ARTICLE 24 – (1) After the applicant natural or legal persons submit the required statements and documents completely to DGCA for airport terminal operating license, DGCA shall assess the application file according to statements and documents in the application form. Result of the assessment shall be notified to the applicant within thirty days at the latest following on-site audit at the terminal. If result of the assessment is positive, DGCA shall issue the Airport Terminal Operating License in Annex-6 of this regulation to the operator.

(2) The terminal operators are obliged to receive,

a) Group A Airport Terminal Operating License for terminals with an annual passenger capacity of 3,000,000 and higher, which are operated in build-operate-transfer model, leasing and similar ways other than the airport operator,

b) Group B Airport Terminal Operating license for terminals with an annual passenger capacity of 2,999,999 and lower, which are operated in build-operate-transfer model, leasing and similar ways other than the airport operator,

c) Group C Airport Terminal Operating License for terminals that are found suitable by the ministry to be operated for special purposes.

Increase of terminal capacity

ARTICLE 25 – (1) If, for any reason, it is required to increase the terminal capacity by ensuring physical conditions and this increase requires a change in license group as mentioned in paragraph two of article 24, the terminal operator shall be obliged to submit a written notification to DGCA with letter of approval from the airport operator and justifications.

(2) The terminal operator shall submit license renewal application for the new terminal capacity with regard to increase of the terminal capacity. In this application, only changes in information and documents related to the previous license application shall be mentioned.
License Application

ARTICLE 26 – (1) Utilities cannot be established and operated unless utility business and working license is received from DGCA in accordance with the provisions of this regulation.

(2) It is not obligatory to receive utility business and working license within the scope of this regulation for utilities such as food court, which are utilized by the airport operators to continue operation of the airport, and for medical services provided by the airport operator. (Additional sentence: O.G.-20/4/2009-27206) It is also not obligatory to receive license within the scope of this regulation for administrative buildings, depots, offices and similar places, which are licensed and/or authorized by the Ministry or the General Directorate within the scope of any legislation other than this regulation and which are used by the companies to continue their services other than commercial activities within the scope of such permission.

(3) Natural or legal entities willing to open utilities shall apply to the authority of application with the application form Annex-2 of this regulation and documents mentioned in annex of this application form (Amended expression: O.G.-20/4/2009-27206).

(4) In cases of renewal of license, establishment of new workplace, change in information and documents in the main file (Amended expression: O.G.-20/4/2009-27206), the main file should be updated to the authority of application and sections changed should be submitted to DGCA.

(5) Persons willing to establish an airport medical institution that has the qualities mentioned in the concerned legislation, which determines persons authorized to establish and operate medical institutions, are obliged to submit the application form Annex-2 of this regulation and the documents mentioned in annex of this application and the following information and documents to the authority of application in two copies (Amended expression: O.G.-20/4/2009-27206).

a) A petition of application signed by the responsible director stating title, owner or owners of the airport medical institution and requesting commencement of transactions regarding establishment of the medical center, a responsible director agreement for working as the responsible director at the medical center and a copy of the identity card,

b) A letter of undertaking signed by the responsible director and at least one of the airport medical institution owner or owners for the fact that all the requirements set out in this regulation shall be met at the airport medical institution to be established,

c) A list signed by the responsible director stating fields of specialty, medical analysis and/or radiology laboratories planned to be opened within the airport medical institution, qualities and minimum amounts of medical devices, tools, equipment and materials planned to be held and qualities and numbers of ambulances,

d) Flight doctor certificate or physiological training course certificate for each flight doctor that are planned to work permanently or on call within the airport medical institution, and flight doctor and physiological training refreshment course certificate, if any,

e) If the airport medical institution is to be established by a trading company, original or copy of the trade registry gazette showing shareholders of the company,

f) If the airport medical institution is to be established by an association, a copy of the decision documenting public-interest of the association and the regulations of the association within the framework of article 27 of the Law on Associations of 4/11/2004 No. 5253; if it is to be established by a foundation, a copy of the tax exemption decision by the Cabinet and the foundation deed.

(6) Persons willing to establish duty-free shop or depot are obliged to submit the application form Annex-2 of this regulation and the documents mentioned in annex of this application form and the following information and documents to the authority of application in two copies (Amended expression: O.G.-20/4/2009-27206).

a) Shop and depot establishment permit received from the Undersecretariat of Customs in accordance with the Regulation on Duty-free Shops published in the Official Gazette of 13/10/2006 No. 26318,

b) A copy of the letter of undertaking requested from persons willing to establish duty-free shop and depot at the application for establishment of shop and depot in accordance with the Regulation on Duty-free Shops and copies of letters of undertaking received from onboard shop operators and their contracted airline companies.

Assessment of license application

ARTICLE 27 – (1) Applications submitted by natural or legal entities willing to open utilities shall be assessed by the authority of application in accordance with the provisions in this regulation (Amended expression: O.G.-20/4/2009-27206) and result of the assessment and the approval together with the main file stated in article 6 (Amended expression: O.G.-20/4/2009-27206) shall be submitted by the authority of application to DGCA.

(2) After the applicant natural or legal persons submit all the required statements and documents completely to the authority of application for business and working license application (Amended expression: O.G.-20/4/2009-27206), the main file should be prepared by the authority of application according to the documents mentioned in the application form within fifteen days at the latest (Amended expression: O.G.-20/4/2009-27206) and submitted to DGCA.
(3) (Amended expression: O.G.-20/4/2009-27206) The authority of application shall consider the arrangements about not giving harm to human health, not causing environmental pollution, fire, explosion, general security, occupational safety, occupational health and protection of nature in statements and examinations regarding utilities.

Issuance of license

ARTICLE 28 – (1) The main file prepared to the authority of application and submitted to DGCA with regard to the applications in article 26 (Amended expression: O.G.-20/4/2009-27206) shall be assessed by DGCA within thirty days at the latest. DGCA shall issue utility business and working license in Annex-5 of this regulation to the workplaces that meet the provisions of this regulation as a result of the assessment.

(2) Licenses to be issued to workplaces, which belong to the same operator and which have more than one field of activity, may be issued under a single license. Each field of activity with license shall be stated on this license and this license shall be considered a separate license for each field of activity. Places used as depot by the workplaces shall be indicated on the business and working license.

Preservation of license at the workplace

ARTICLE 29 – (1) It is obligatory to hang the terminal operating license and utility business and working license at the workplace.

Notices

ARTICLE 30 – (1) (Amended expression: O.G.-20/4/2009-27206) The authority of application is obliged to send copies of utility business and working licenses, granted by DGCA, to the related provincial insurance directorates, concerned tax department and trade registry as they are renewed and notify DGCA till the end of next month that the utility business and working licenses have been sent.

Cases requiring license change

ARTICLE 31 – (1) If the workplace is transferred, provided that the field of activity and address stated in the business and working license remain unchanged for utilities, another license shall be issued in the name of the new operator based on the information and documents in the file upon application of the transferee. Application should be submitted to the authority of application for renewal of the license (Amended expression: O.G.-20/4/2009-27206) within fifteen days at the latest following the transfer. (Amended expression: O.G.-20/4/2009-27206) the authority of application shall attach the result of the assessment and its approval to the main file previously submitted to DGCA after required assessments are performed and present the changed sections in the main file to DGCA. Licenses of the ones meeting the requirements of this regulation shall be renewed by DGCA.

(2) If address of activity, field of activity, owner or operator of the utility changes, it is the basic principle to renew the license. If the owner of the workplace dies, the old license is assigned to the legal inheritors without issuing a new license.

(3) In cases where renewal or assignment of the utility business and working license for utilities is required, it is obligatory to submit an application to the authority of application within one month at the latest following occurrence of the case requiring renewal or assignment (Amended expression: O.G.-20/4/2009-27206). This period shall be three months for the inheritors. If the authority of application determines that the application has not been submitted within the time period (Amended expression: O.G.-20/4/2009-27206), a time period of fifteen days shall be granted to the concerned person following the date of determination. If the license is not renewed or assignment is not made by the end of this period (Amended expression: O.G.-20/4/2009-27206), the authority of application shall send a notice to DGCA for cancellation of the license and the license shall be cancelled after required examinations are performed by DGCA.

Expiry of agreements

ARTICLE 32 – (1) If agreements executed by terminal operators and utility owners holding a license in accordance with the provisions of this regulation (Amended expression: O.G.-20/4/2009-27206) with the authority of application expire, the license granted by DGCA shall be cancelled. In this case, (Amended expression: O.G.-20/4/2009-27206) the authority of application is obliged to make the necessary changes in the main file and send it to DGCA.

Changes and additions in facilities

ARTICLE 33 – (1) The workplace owners are obliged to receive approval of the airport operator for changes, additions or any amendment, construction or modification to increase pollution in workplaces that have airport terminal operating license and utility business and working license. The airport operator shall notify any change and addition in the facilities to DGCA within fifteen days.

International and national requirements

ARTICLE 34 – (1) If it is determined in audits performed by DGCA that there are cases affecting flight safety and aviation security adversely due to conditions contrary to the Turkish Civil Aviation Law No. 2920 and the relevant regulations and international rules set out by ICAO and ECAC, principles and procedures set out in this regulation are not followed, there are actions contrary to the provisions of this regulation, reputation of the country is affected adversely and there are actions violating the passenger rights, then the activities of enterprises and workplaces shall be ceased. Operator, terminal operator and airport operator that have received license from DGCA are responsible for eliminating these conflicts.

Assignment of director and responsible manager to terminals
ARTICLE 35 – (1) In order to continue their operating activities, terminal operators receiving Terminal Operating License in accordance with the provisions of this regulation are obliged to assign a director and responsible manager with professional capability for terminal operation and a quality system manager affiliated to the responsible manager to ensure healthy structure and continuous audit of the entire organization. The form in Annex-8 of this regulation should be approved by DGCA in order to assign directors and responsible manager to terminals.

(2) The managers are obliged to have the qualities set out in article 36 and document these qualities with trainings, licenses and certificates.

(3) It is obligatory that names, authorities and responsibilities, trainings, professional capabilities and details about experiences of the manager personnel should be present in the Terminal Operating Book.

(4) If the terminal operator intends to replace any manager, it is obliged to send justifications of the replacement and supporting documents, if any, name, background and respective training certificates of the new manager and the form in Annex-8 of this regulation to DGCA at least ten days prior to the intended replacement.

Qualifications of manager personnel assigned to terminals

ARTICLE 36 – (1) In terminals;

a) The responsible manager should have the authority to carry out all the activities of the terminal operator by meeting the standards required by DGCA and additional requirements specified by the terminal operator and to represent the enterprise individually,

b) The manager personnel responsible for terminal operation should have at least five years of work experience on international and national standards and legislations about terminal operation, ground handling services and airport operation; training on topics such as airport operation, terminal operation, ground handling services, civil aviation security, passenger facilities, dangerous goods and passenger and cargo services,

c) The quality system manager should have at least two years of experience and quality training, and these requirements should be met during the term of duty.

Assignment of responsible manager to airport medical centers

ARTICLE 37 – (1) Owners of the medical centers holding workplace business and working license in accordance with the provisions of this regulation is obliged to assign a responsible manager that is a doctor with professional capabilities to carry out their activities.

(2) The responsible manager can undertake this duty only at one medical institution. The responsible manager is individually responsible for administrative works, whereas jointly responsible for medical works with other doctors.

(3) If the responsible manager wants to leave the work or if the owner wants to discharge the responsible manager, this fact should be notified by the owner of the medical center to the Provincial Health Directorate and DGCA fifteen days in advance.

SECTION SIX
Miscellaneous and Final Provisions

Audit, responsibilities and sanctions

ARTICLE 38 – (1) Workplaces holding airport terminal operating license and utility business and working license shall be audited by DGCA and the airport operator. If it is determined during the audits that there are cases contrary to the legislation and/or international and national requirements set out in article 34 are not met, an appropriate time period up to maximum sixty days shall be granted by DGCA and/or the airport operator to let the workplace owners eliminate cases contrary to the legislation, depending on status of the conflict.

(2) If it is determined that the cases contrary to the legislation are not eliminated by the enterprises, sanctions set out in the Turkish Civil Aviation Law No. 2920, this regulation and in other relevant legislations shall be imposed on the enterprise that has been granted a license by DGCA or the license shall be cancelled.

(3) Activities of enterprises and workplaces, which are found to be harmful in terms of public and environmental health as a result of the audit to be performed by DGCA after issuance of the license, shall be suspended till the cases contrary to the legislation are eliminated.

Authority of regulation

ARTICLE 39 – (1) The General Directorate is authorized to carry out sub-regulatory transactions within the framework of the provisions set out in this regulation.

Compliance of current workplaces with new requirements

PROVISIONAL ARTICLE 1 – (1) Utilities that are obliged to receive license in accordance with the provisions of this regulation are obliged to submit an application, together with required documents and permits, for license within one year following effect of this regulation, whereas terminal operators should submit the same within six months at the latest. However, the terminal operators that have received the Airport Terminal Operating License within the scope of the Airport Terminal Operating Instructions (SHT-14A.01) issued by the Ministry of Transport on 21/11/2006 are not obliged to receive a new license in accordance with the provisions of this regulation. In licensing of workplaces that had been active prior to issuance date of this regulation, the time period set out in paragraph one of article 24 shall be applied as sixty days, the time period set out in paragraph two of article 27 shall be applied as thirty days and the time period set out in paragraph one of article 28 shall be applied as forty-five days.
(2) Other requirements that are not present in the Airport Terminal Operating Instructions (SHT-14A.01) and that are to be met by the Terminal Operators in accordance with the provisions of this regulation should be fulfilled by the Terminal Operators holding a license within the scope of these Instructions within one year at the latest following effect of this regulation. The license shall be cancelled if these requirements are not met.

(3) (Additional paragraph: O.G. - 20/4/2009 - 27206) If transfer of the operating right to another terminal operator among the terminal operators shall be made within 8 months following legal expiry date of the license obligation in accordance with the provisions of this regulation, the new terminal operator shall be obliged to receive the license within 3 months at the latest following the transfer.

Enforcement
ARTICLE 40 – (1) This regulation comes into force on the date of publication.

Execution
ARTICLE 41 – (1) Provisions of this Regulation are executed by the Director General of Civil Aviation.

(1) Sub-paragraph (c) has been added to paragraph one of article 4 following sub-paragraph (b) upon amendment in the Regulation published in the Official Gazette of 20/4/2009 No. 27206 and the following sub-paragraphs have been amended accordingly.

<table>
<thead>
<tr>
<th>Date</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Of the Official Gazette Publishing the Regulation</td>
<td></td>
</tr>
<tr>
<td>10/9/2008</td>
<td>26993</td>
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<tr>
<td>Date</td>
<td>Number</td>
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<tr>
<td>Of the Official Gazette Publishing the Legislations Amending the Regulation</td>
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<tr>
<td>20/4/2009</td>
<td>27206</td>
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</tbody>
</table>

Note*: This document is the transportation of “Sivil Hava Ulaşımına Açık Havaalanlarında Yer Alan Terminaller ile Sıhhi İşyerleri için İşyeri Açma ve Çalışma Ruhsatlarına İlişkin Yönetmelik (SHY-33B)” and it is prepared for information purpose only. The text written in the original document shall be used in the applications.
ANNEX-1

1 – Duty-Free Shops
2 – Medical Services
   i. Pharmacy
   ii. Airport Medical Centers
   iii. Airport Clinics
3 – Entertainment, Game etc. similar -Purpose Places
   a) Food-Drink Services
      i. Cafeterias
      ii. Cafe-bars
      iii. Restaurants and Food Courts
      iv. Patisseries
   b) Commercially Important Person Lounges (CIP)
   c) Rest, Entertainment and Cultural Services
      i. Hotel
      ii. Cinema and Theater
      iii. Meeting and Training Purpose Places
   iv. Dancing Halls
   v. Game and Entertainment Services
   vi. Internet Cafes and similar places
4 – Communication Services (except mail)
   i. Telecom
5 – Banking Services
   i. Bank Branches
   ii. ATMs
   iii. Exchange Offices
6 – Ticket Sale and Agency Services
7 – Passenger Facilities (Personal Services)
   i. Hairdresser Saloons
   ii. Beauty Saloons and SPA services
   iii. Turkish Bath, Sauna, Shower Services
   iv. Short-Term Bed and Rest Services
   v. Massage Saloons, Massage Seats
   vi. Sports Centers and Facilities
   vii. Dry Cleaning Services
   viii. Baggage Carriage Services
   ix. Photographer
   x. Baggage Room Services
   xi. Shoe Shiner
8 – Shopping – Trade Spaces
   i. Buffets
   ii. Stands
   iii. Supermarkets
   iv. Newspaper Stands
   v. Bookstores
   vi. Florists
   vii. Photograph Supply Sales
9 – Out-Terminal Meeting Counters
10 – Land Transport Services
   i. Taxi Services
   ii. Car Rental Services
iii. In-Terminal Carriage Services
11 – Car Park Services
i. Vehicle Parking Lot Service
ii. Valet Service
12 – Aviation Training Centers
13 – Other Services
# ANNEX- 2

<table>
<thead>
<tr>
<th>MINISTRY OF TRANSPORT</th>
</tr>
</thead>
<tbody>
<tr>
<td>DÍRECTORATE GENERAL  OF CIVIL AVIATION</td>
</tr>
</tbody>
</table>

APPLICATION FORM FOR UTILITY BUSINESS AND WORKING LICENSE AT AIRPORTS OPEN TO CIVIL AIR TRANSPORT

1- Name or Title of Workplace: .................................................................
2- Owner of Workplace: .................................................................
3- Major Field of Activity: .................................................................
4- Address of Workplace: .................................................................

Phone no: ................. Fax no: .................
e-mail: .................................................................

5- Property Lease (Lease contract) □ Owner (Title deed copy) □
6-Copy of service and/or lease contract
7- Usage area of workplace: ................. m²
8- Name of tax department and tax identification number: .................................................................
9- Turkish Identity Number: .................................................................
10- Mastership certificate no: ................. (Not required for ones registered to trade registry)
11- Number of personnel to be employed : .................................................................
12- Tradesmen and artisans registry certificate and chamber registration(If person)Yes□No □
13- Trade registry certificate and chamber registration certificate (If company) Yes□No □
14- Trade registry gazette, registered address and signatory circular Yes□No □
15- Fire-fighting report if it is a workplace requiring this report Yes□No □
16- Measures to facilitate entrance and exit of the handicapped Yes□No □
17- Responsible manager agreement Yes□No □

I, hereby, declare accuracy of the above-mentioned information with regard to the workplace I intend to establish and request provision of business and working license for my workplace.
Name and Surname Signature Stamp Date

*In case of misrepresentations, the concerned persons shall be subject to proceedings in accordance with the concerned legislation and the Turkish Penal Code.
*Documents no. 5, 6, 8, 10, 12, 13, 14, 15 and 17 should be attached to the form for workplaces subject to this declaration.
*Letter of approval received from the Airport Security Commission for entertainment, game etc. places should be attached to the form.
<table>
<thead>
<tr>
<th><strong>Airport Name:</strong></th>
<th>……………………………………………………………………………………………………</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Number of the Workplace in Layout Plan/Terminal Floor Plan:</strong></td>
<td>……………………………………………………………………………………………………</td>
</tr>
<tr>
<td><strong>Title of the Workplace:</strong></td>
<td>……………………………………………………………………………………………………</td>
</tr>
<tr>
<td><strong>Major field of activity:</strong></td>
<td>……………………………………………………………………………………………………</td>
</tr>
<tr>
<td><strong>Usage Area (m²):</strong></td>
<td>……………………………………………………………………………………………………</td>
</tr>
<tr>
<td><strong>Of the Responsible Director; Name Surname:</strong></td>
<td>……………………………………………………………………………………………………</td>
</tr>
<tr>
<td><strong>Title:</strong></td>
<td>……………………………………………………………………………………………………</td>
</tr>
<tr>
<td><strong>Contact Address:</strong></td>
<td>……………………………………………………………………………………………………</td>
</tr>
<tr>
<td><strong>Phone:</strong> Fax:</td>
<td>……………………………………………………………………………………………………</td>
</tr>
<tr>
<td><strong>E-mail:</strong></td>
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</tr>
</tbody>
</table>
ANNEX-4

APPLICATION FORM FOR AIRPORT TERMINAL OPERATION

1. Information about Terminal Operator

<table>
<thead>
<tr>
<th>Name Surname/Title of Legal Entity:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Address:</td>
<td></td>
</tr>
<tr>
<td>Of the Contact Person; Turkish Identity Number:</td>
<td></td>
</tr>
<tr>
<td>Name Surname:</td>
<td></td>
</tr>
<tr>
<td>Phone:</td>
<td></td>
</tr>
<tr>
<td>Fax:</td>
<td></td>
</tr>
<tr>
<td>E-mail Address:</td>
<td></td>
</tr>
<tr>
<td>Signature:</td>
<td></td>
</tr>
</tbody>
</table>

2. Information about Terminal

| Current Airport: |  |
| Terminal Status: | Domestic ☐ International ☐ Domestic-International Joint ☐ (Tick only one.) |
| Description of Operating Model: | BOT Model ☐ Other ☐ (If other, please clearly state below.) |

Additional Information:
The following information and documents should be submitted with this form:
1. Architectural floor plans of terminal building (printed and electronic copy)
2. Quality System Book
3. Share Distribution of Terminal Operator
4. Terminal Operating Book (Sample terminal operating book scope is given in Annex-7.)
5. Copy of service and/or lease agreement
6. Copies of the following documents for elevators
   a) Projects of elevator (concept, electrical and mechanical application)
   b) Certificate of Conformity of elevator (Certificate granted by notified bodies to elevator companies)
   c) EC declaration of conformity prepared by mounting company of elevator,
   ç) EC declarations of conformity for security installations in elevator,
d) Monthly maintenance and service agreement,

e) Certificate of activity of the mounting company of elevator (copy of chamber registration)

f) Final check report of elevator prepared by notified body or mounting company of elevator.

NOTE: (1) CE sign of conformity and identification number of Notified Body should be visible in cabin of the elevator mounted in accordance with the Elevator Regulation (95/16/EC) by DGCA.

(2) Moreover, maintenance works in elevators mounted and used inside the terminal in accordance with the Elevator Regulation (95/16/EC) should be carried out in accordance with the current Regulation (or the Regulation on Commissioning, Operation and Maintenance of Elevators intended to be published after opinions of the EU commission in future).

7. Escalators are within the scope of the Machine Safety Regulation (98/37/EC) published in the Official Gazette of 30/12/2006 No. 26392, CE Sign should be placed by mounting company and EC certificate of conformity should be issued.

8. The form in Annex-8 of the Regulation SHY-33B (to be filled in individually for each manager)
REPUBLIC OF TURKEY
MINISTRY OF TRANSPORT
Directorate General of Civil Aviation

UTILITY BUSINESS AND WORKING LICENSE

License No:

License Date:

Workplace Number in Layout Plan:

Airport Name:

Workplace Title:

Major Field of Activity:

This working license is granted to the license holder in accordance with the Turkish Civil Aviation Law no. 2920, the Law No. 5431 on Organization and Duties of the Directorate General of Civil Aviation and the Regulation on Business and Working Licenses for Terminals and Utilities at Airports Open to Civil Air Transport (SHY-33B).

This license cannot be transferred; the license is valid as long as it is not returned, taken back, cancelled and the license requirements are met.

General Director
AIRPORT TERMINAL OPERATING LICENSE

LICENSE NO
LICENSE GROUP
LICENSE DATE

AIRPORT

OPERATOR

This operating license is granted to the operator for meeting the standards in the Turkish Civil Aviation Law No. 2920, the Regulation on Business and Working Licenses for Terminals and Utilities at Airports Open to Civil Air Transport (SHY-33B), the Regulation on Construction, Operation and Certification of Airports (SHY-14A), ANNEXES issued by the International Civil Aviation Organization (ICAO) and documents related to these annexes and recommended practices and the standards in Document 30 issued by the European Civil Aviation Conference (ECAC).

This operating license authorizes the operator to operate the airport terminal, provided that the aforementioned Laws, Regulations, ICAO and ECAC rules are obeyed.

This license cannot be transferred; the license is valid as long as it is not returned, taken back, cancelled and the license requirements are met.

General Director
SAMPLE AIRPORT TERMINAL OPERATING BOOK SCOPE

1. ORGANIZATIONAL CAPABILITIES OF TERMINAL ENTERPRISE
   1.1. Capabilities Based on National and International Civil Aviation Legislations
   1.2. Service Provision Capabilities at National and International Standards
   1.3. Organizational Structure
   1.4. Personnel Capabilities
   1.4.1. Professional Knowledge, Skills and Learning Capabilities
   1.4.2. Personal Development Trainings
   1.4.3. Updating and On-the-job Practice Trainings
   1.5. Quality Management System
   1.5.1. Service Performance Measurement and Assessment Criteria
   1.5.2. Passenger Satisfaction Measurement and Assessment Studies
   1.6. Reporting of Service and Financial Progresses to Administration
   1.7. Planned Audit and Development Activities
   1.8. Occupational Health and Safety Capabilities
   1.9. Full-Coverage Insurance of Facilities and Systems
   1.10. Other Service Units and Terminal Services Coordination Capability
   1.11. Emergency Management

2. BASIC SERVICE CAPABILITIES OF TERMINAL ENTERPRISE
   2.1. Passenger Service-Based Enterprise Service Capabilities
   2.1.1. Flight Information, Announcement and Consultancy Services
   2.1.2. In-Terminal Direction Signs and Information Services
   2.1.3. Check-in Counter Allocation Services
   2.1.4. Baggage Handling Services (Arrival and Departure)
   2.1.5. Boarding Gate Allocation Services
   2.1.6. Bridge Allocation Services
   2.1.7. 400 Hz, PCAir and Water Provision Services
   2.1.8. Lost and Found Property Services
   2.2. Commercial Activity-Based Information Capabilities
   2.2.1. Space Allocations
   2.2.2. Billboard Allocations
   2.2.3. Meeting Counter Allocations
   2.2.4. New Space and Billboard Information
   2.2.5. Preservation of Agreements
   2.3. Terminal Facilities and Capabilities
   2.3.1. IATA or DHMI Hourly and Yearly Passenger Capacity Determination
   2.3.2. Determination of Service Level Compliant with IATA Recommendations
   2.3.3. Availability of Passenger Waiting Durations Compliant with IATA Recommendations
   2.3.4. Entrance and Exit Facilities for Passenger, Crew and Baggage
   2.3.5. Entrance and Exit Facilities for People Sending and Meeting Passengers
   2.3.6. Entrance and Exit Facilities for Passengers with Limited Mobility
   2.3.7. Facilities for Deported, INAD and Unruly Passenger Transactions,
   2.3.8. Inside and Outside Terminal Directions
   2.3.9. Elevators (Handicapped passenger, personnel elevators)
2.3.10. Escalators
2.3.11. Terminal Ventilation and Heating
2.3.12. Internal and External Phone Services
3. SERVICE CAPABILITIES OF TERMINAL ENTERPRISE FORMING INTEGRITY
3.1. Security Services
3.2. Passport Services
3.3. Visa Services
3.4. Customs Check and Preservation Services
3.5. Tax Return Services
3.6. Duty Free Services
3.7. Food-Drink Services
3.8. Medical Services
3.9. Post-office Services
3.10. Tourism Advertisement Services
3.11. Press Services
3.12. Banking Services
3.13. Airline and Representation-Supervision Services
3.14. Ground Handling Services
3.15. Ticket Sale Agency Services
3.16. Land Transport Services (Taxi..)
3.17. Rent-A Car Services
3.18. Baggage Cart Services
3.19. Garbage Collection and Disposal Services
3.20. Cleaning and Disinfection Services
3.21. Landscaping Services
3.22. Shopping and Other Workplaces
3.23. Car Park Services
3.23.1. Car Park Arrangement
3.23.2. Direction Signs
3.23.3. Price Tariffs
3.23.4. Payment Facilities
4. TERMINAL TECHNICAL SYSTEM CAPABILITIES, PERIODICAL MAINTENANCE PLANS and FAILURE MANAGEMENT
4.1. Technical Systems Failure Notice, Response and Reporting
4.2. Periodical Maintenance Plans for All Technical Systems
4.3. Baggage Handling System
4.4. Passenger Bridges
4.5. Automated Aircraft Parking System
4.6. CCTV System and Card-Pass System
4.7. General Broadcast and Announcement System
4.8. Building Automation System
4.9. Fire Warning System
4.10. External Fire Hydrant Installation, Wet and Dry-Type Fire Extinguishing Installation
4.11. Photocell Automated Sliding Doors
4.12. Central Clock System
4.13. 400 Hz System
4.15. Escalators
4.16. PC Air System
4.18. Car Park Charging System
4.19. Low, Medium Voltage and Heavy Current Installation
4.20. Terminal, Car Park and Supplements and Outdoor Illumination Installation
4.21. Apron Illumination
4.22. Uninterrupted Power (UPS)
4.23. Backup Power Supply
4.24. ENH and Main Distribution Center
4.25. Sanitary Installation
4.27. Elevator System
4.28. Baggage Wrapping Device
4.29. Baggage Cart and Coin Machines
4.30. Elevating Platform (device)

5. INFORMATION TECHNOLOGY SYSTEMS, PERIODICAL MAINTENANCE PLANS and FAILURE MANAGEMENT
5.1. Information Technology Systems Failure Notice, Response and Reporting
5.2. Periodical Maintenance Plans for All Information Technology Systems
5.3. FIDS, CDB, CUTE, GOS, BRS, LDCS, BHS server and client
5.4. Terminal Invoicing/Accounting System,
5.5. Web Server,
5.6. Back-Office Systems and Applications,
5.7. Terminal Lan and Wan Network Systems,
5.8. Back-Up/Archival System,
5.9. Terminal Polnet Infrastructure,
5.10. Terminal Switchboard
5.11. Terminal Application Software and Their Development
5.12. Terminal Server, Network and Client Program Security

6. TERMINAL SOCIAL SERVICE CAPABILITIES
6.1. Infrastructure Facilities for Handicapped Passenger Services
6.2. Baby Care Room
6.3. Baby Playing Areas
6.4. Patient Resting Room
6.5. Capability of Seats
6.6. CIP Lounge
6.7. Prayer Rooms
6.8. Lost and Found Property Services
6.9. Smoking Rooms
6.10. WC Cleaning and Hygiene
Sivil Havacılık Genel Müdürlüğü
Directorate General of Civil Aviation

SHY-33B Yönetmeliğinde belirlenen kriterlere göre terminallerde görev alacak Yönetici personelin gerekliklerinin detayları
Details of Management Personnel requirements according to criteria specified in SHY-33B Regulation

1. Hangi yönetici personel için başvuru yapıyorsun? (Yalnızca bir seçeneği işaretleyiniz.)
   For which Management Personnel is the application made for? (Mark only one option.)
   
   ? RESPONSIBLE MANAGER
   ? DIRECTOR RESPONSIBLE FOR TERMINAL OPERATION
   ? QUALITY SYSTEM MANAGER

2. Şirket Company : .................................................................................................................................

3. Görevi Position : .................................................................................................................................

4. T.C. Kimlik Numarası Identity Number : ............................................................................................

5. İsim Name : ........................................................................................................................................

6. Telefon/Faks/E-mail Phone/Fax/E-mail : ............................................................................................

7. Göreviyle ilgili nitelikler Qualifications relevant to the position :
   ..............................................................................................................................................................

8. Pozisyonuyla ilgili iş deneyimi Work experience relevant to the position :
   ..............................................................................................................................................................

Kişisel Adresi İçeren Özgeçmiş CV including personal address

? Ek(ler) Attachment(s) :

Başvuru sahibi İmzası Signature of Applicant : ...................................................... Tarih Date : ......................

Genel Müdür İmzası Signature of Accountable Manager : ......................... Tarih Date : ......................

Tamamlandıktan sonra lütfen bu formu kapalı halde aşağıda yazılı adrese gönderiniz.
After completion, please send this form under confidential cover to :

Sivil Havacilik Genel Müdürlüğü Bosna Hersek Cad. 90. Sok No:5 - 06510 Emek ANKARA

Sadece SHGM tarafından doldurulacaktır DGCA use only

Başvuru sahibini kabul eden yetkili SHGM personeline ait isim ve imza :

Name and Signature of authorized DGCA staff member accepting the applicant :

İmza Signature : ......................................................... Tarih Date : ..............................................

İsim Name : ......................................................... Görevi Position : ......................................