

**STATUTE OF THE PROFESSIONAL UNION OF MOVIE ACTORS  
(BİROY)**

**PART ONE  
GENERAL  
PROVISIONS**

**Name, head-office and field of activity of the Union**

**Article 1-** A professional union has been established under the name of “Professional Union of Movie Actors” (briefly referred to as “BİROY”), the head-office of which is located at the address of Istanbul, Beyoğlu, İstiklal Cad. Atlas Sineması Pasajı. C Blok. Kat.3. Daire.53, pursuant to the provisions of Article 42 of the Law on Intellectual Property Rights numbered 5846 amended through Law numbered 5101 and the “By-Law concerning Professional Unions and Federations of Intellectual and Artistic Work Owners and Related Right Holders”. This Professional Union operates in the field of rights of performing artists (related to cinematographic works) from among the related right holders pursuant to Article 7 of the By-Law concerning Professional Unions and Federations of Intellectual and Artistic Work Owners.

**Definitions**

**Article 2-** In this Form of Statute, the following terms shall have the following meanings:

- a. **Ministry:** shall mean the Ministry of Culture,
- b. **Federation:** shall mean the superior institutions of unions of intellectual and artistic work owners and related right holders that are established pursuant to the provisions of the Law and the By-Law,
- c. **Professional Union (Union):** shall mean the Professional Union of Movie Actors (BİROY) that has been established pursuant to the provisions of the Law and By-Law with an aim to protect the common interests of intellectual and artistic work owners and related right holders, to ensure management and supervision of the rights granted under the Law, collection of the relevant fees and their distribution to the right holders
- d. **Law:** shall mean the Law on Intellectual Property Rights dated 5/12/1951 and numbered 5846,
- e. **By-Law:** shall mean the By-Law concerning Professional Unions and Federations of Intellectual and Artistic Work Owners and Related Right Holders,
- f. **Related Right Holder:** shall mean the performing artists who hold neighbouring rights to the rights of work owners with the condition not to cause harm to the moral and financial rights of the work owner,
- g. **Financial Right Holder:** shall mean the work owner and real persons or legal entities who have been delegated the power to use the financial rights of work owners within the framework of Article 48 of the Law.

## **Purpose of the Union**

**Article 3-** The purpose of the Professional Union of Movie and Serial Actors is:

**a)** to safeguard, and protect the common interests of actors who play roles in movie films, video films, TV films, serial films, films broadcast on computers and through the Internet, commercials, short and long length films, all kinds of aesthetic, scientific, didactic, technical and scientific films, and without limitation, all kinds of cinematographic movie works and/or productions regardless of the format, duration or technique, to ensure management and supervision of the rights granted under the Law numbered 5846, and to ensure collection of the indemnity payments and copyright fees and their distribution to the right holders.

**b)** to perform activities in order to ensure that the acting business develops, and the existing problems are solved, to ensure that the actors come together and cooperate for the purpose specified in the law and the by-law, to cooperate with public legal entities, private legal entities and real persons in order to monitor the rights of the artists who are members to the Union, to make efforts to provide that the copyright law develops.

**c)** to resort to legislative, executive and judicial organs when necessary in order that the rights of the artists who are members to the Union or the rights of the Union are protected and monitored in the most extensive manner.

## **Establishment of the Union**

**Article 4-** This Union may, if it fulfils the conditions envisaged under Article 8 of the By-Law, and files an application with the Ministry, start its activities upon obtainment of permission from the Ministry as envisaged under the above-mentioned article.

In the event that the Ministry determines any violation of legislation or deficiency in the certificate of foundation and its annexes, and the legal status of the Statute of the Union and its founders, the Union will eliminate such violations or deficiencies within 30 days as of the date of notification. Otherwise, the Ministry shall initiate lawsuit for termination of the Union in accordance with general provisions.

## **Temporary Board of Directors**

**Article 5-** Temporary Board of Directors shall perform the affairs of the Union, and represent the Union until the time its organs are constituted. In addition, it determines the criteria regarding membership.

Temporary board of directors may exercise the powers conferred upon the general assembly depending on the requirements and nature of the businesses.

## **Legal entity**

**Article 6-** This Union shall gain legal entity when its certificate of foundation, accompanied by its Statute prepared in accordance with the Form of Statute prepared by the Ministry and approved by the Council of Ministers, is submitted to the Ministry. The list of members of the temporary board of directors that has been set up is provided in Annex 1.

## **First general assembly meeting of the union**

**Article 7-** The Union is obligated to hold its first general assembly meeting and constitute its organs within six (6) months as of the date of application with the Ministry and at the latest, as of the date of issuance of the permit for operation. In case of violation of this obligation, the Ministry shall file a lawsuit for termination of the Union in accordance with general provisions.

In order to be able to convene the first general assembly meeting, it is necessary that permanent members of at least the minimum number of founder members as envisaged in the By-law are present at the meeting.

### **Representation of the members and monitoring of rights**

**Article 8-** In its relations with public institutions and organisations, real persons and private legal entities, the Union is authorised to monitor the rights of the related right holders who are registered with the union, to the extent of the rights delegated by its members. Unless otherwise specified in the Law and the By-Law, related right holders may personally follow up their rights which they have not delegated to the Union. The rights conferred upon related right holders pursuant to the Law may not be monitored by any unions, associations, and similar organisations other than those that are established as per the By-Law within the country.

### **Monitoring of Fixations**

**Article 9-** The Union is obligated to monitor any infringement of rights and fixations where the rights of the actors are infringed, and to take the necessary action against those who use them without authorisation.

### **Activities of the Union**

**Article 10-** The Union shall, with an aim to accomplish its purpose, carry out the following activities to the extent allowed under the legislation:

- a) to manage, monitor, protect the rights of its members before all kinds of institutions and organisations, to initiate legal and administrative proceedings,
- b) to ensure collection of the fees and indemnities arising out of use of the productions in which the members played roles, or arising out of international treaties,
- c) to enter into administrative and professional relations with domestic and foreign public institutions and organisations, real persons and private legal entities,
- d) to make professional publications, to open training courses regarding its field of activity for its members and persons other than its members,
- e) to establish social facilities for its members, and to operate them,
- f) to establish support funds and provide other social services for its members,
- g) to control and monitor commercial use of any copies of the productions in which its members took part, to take the necessary measures in order to prevent unauthorised use,
- h) to conduct works aimed at execution and implementation of agreements regarding use of the productions in which its members took part, settlement of disputes, and to cooperate with other professional unions carrying out activities in the related field,
- i) Other activities that may be performed based on the particularities of the Professional Union:
  - aa. To ensure collection of the fees, copyright payments, and indemnities arising out of broadcasting or mechanical reproduction and/or publication, or use of the fixations in

- which its members took part, through means including but not limited to TV, Pay TV, digital and cable TV,
- bb. To enter into administrative and professional relations with domestic and foreign public institutions and organisations, real persons and private legal entities, and to provide that moral and/or financial supports provided at the time of participation in or organisation of domestic or foreign festivals, promotional activities and similar events are collected by the Union, and used by the Union at suitable occasions,
  - cc. To control and monitor commercial use of all forms of copies of film fixations in which its members took part, through various means, including but limited to cable broadcasting, Internet, GSM and digital methods, to take the necessary measures in order to prevent unauthorised use,
  - dd. To organise national and international scientific panels and meetings for promoting the Turkish culture,
  - ee. To introduce and promote the artistic works of its members within and outside the country, to cooperate with those who are willing out of other professional unions which have been set up pursuant to the Law on Intellectual Property Rights numbered 5846 in respect of the legal measures to be taken against, and combat with, persons and organisations that illegally produce, reproduce and/or import into the country without authorisation, distribute and market the film productions containing the fixations in which its members took part,
  - ff. To provide consultancy support services in relation to acting for the movie and television productions that will be produced by public institutions and organisations,
  - gg. To protect and monitor the rights of related right holder actors of foreign nationality in Turkey, under the mutual agreements it will enter into, within the framework of legal regulations, to ensure collection of indemnity payments and fees arising out of rights related to the rights of the work owner, to which such persons become entitled to.
  - hh. to act as arbitrator in disputes in the field of acting, upon request.

## **Founders of the Professional Union**

**Article 11-** The founders of the Professional Union have been listed in Annex 1.

The first and last names, place of birth, date of birth, occupation or artistic works, nationality, domicile address, copies of birth registry certificates of the founders of the Union of such number as envisaged under the By-Law, who have the qualifications sought for permanent members; and for legal entities, the commercial registry records and tax identification number and membership application forms containing signed declarations evidencing that they carry the necessary qualifications for becoming permanent members have been provided in Annex 1.

## **PART TWO**

### **Membership to the Union**

#### **Membership rights and obligations**

**Article 12-** Everyone who carries the qualifications envisaged under the By-Law may become members to the Union. Members have equal rights except for the restrictions set forth in Articles 13 and 14 of the By-Law. No person may be forced to become member to or remain as a member to the Union. Legal entities may become members to the Union with the condition to have been established pursuant to Turkish laws. Members of this Union may not become members to other unions that conduct activities in the same field pursuant to the By-Law. Members are obliged to pay the entry fee and the annual fee specified by the general assembly.

## **Types of membership**

**Article 13-** In the Union, there are three (3) types of membership; namely, permanent members, benefiting members and nominee members.

### **Permanent members**

**Article 14-** In order to be able to become permanent member to the union, the person must have the following qualifications:

- a)** to have acted as a professional actor in at least (1) theatre movie or (3) television films or 13 (thirteen) episodes of serial films, and to have had his name displayed in the film's credits and titles section,
- b)** to have the capacity to exercise his civil rights,
- c)** to meet the criteria to be set by the union,

## **BENEFITING MEMBERS**

### **Article:15**

Benefiting members have been listed below:

- a- Real persons or legal entities who are not actors, but who have the right to exercise the rights of the performer or acting rights through inheritance, by way of acquisition or directly,
- b-the representatives or guardians of those who are restricted to exercise their civil rights,
- c-the actors who have the qualifications envisaged in the By-Law from among those with foreign nationality who have legal residence or work permit,
- d-If the legal entities have acquired the right of the performing artist as specified in paragraph (a) and hold the necessary authority, they may be accepted as benefiting members. Those who hold the right to directly or indirectly exercise the financial rights of a performance belonging to someone else are obligated to submit a document to evidence that they are entitled to exercise such right.

Benefiting members may not take part in the organs of the Union, may attend the General Assembly meeting with the condition not to vote. The membership applications of those who are registered with other professional unions in the same field may be rejected.

## **NOMINEE MEMBERS**

### **Article:16**

Those who do not have the qualifications sought for permanent and benefiting members may become nominee members. When the necessary conditions are fulfilled, they may become permanent members or benefiting members upon the decision of the board of directors. Nominee members may not take part in the organs of management. They may become permanent members upon the decision of the Board of Directors. They may participate in the general assembly with the condition not to cast votes.

### **Application for membership and acceptance**

**Article 17-** Real persons who wish to become members shall file a written application with the Union. Those who have the qualifications and criteria set out in the Law, By-Law and the Statute of the Union shall be accepted as members. The final decision regarding the applications shall be made by the Board of Directors, and will be notified to the relevant person by sending a letter within thirty (30) days as of the date of application.

Those who are accepted as members shall be entered into the book which contains the lists of permanent, benefiting and nominee members separately, under a row number.

### **Disputes regarding membership**

**Article 18-** The disputes that may arise between unions as to which union the applicant may become member to shall be resolved by the federation that has been established in that field. If no federation has been established in that field, the dispute will be resolved through the decision of the Ministry, the disputes between the Union and its members regarding membership shall be resolved at the general assembly of the Union.

### **Termination of membership and dissolution of relations**

**Article 19-** Membership terminates upon death, withdrawal from membership or dismissal from membership. However, in case the heirs file an application in order to replace the deceased member, such persons may continue the union membership, replacing the member who has died. In case of termination of membership, membership entry will be deleted from the membership records book by putting an explanation made by the board of directors.

The mutual obligations of those whose membership have terminated and the Union shall continue for a term of one (1) year as of the expiry of the most recent certificate of authorisation.

### **Withdrawal from membership**

**Article 20-** Members may file a written application with the Union to withdraw from the Union membership. Membership terminates upon such application.

### **Dismissal from membership and objections**

**Article 21-** Permanent, benefiting and nominee members will be dismissed from membership upon the proposal of the board of directors and decision of the disciplinary committee, in the following circumstances:

- a)** If they have hindered the work, accomplishment of the purposes of, the union through wilful acts and misconduct,
- b)** if they have failed to pay the membership fees for a term of one year despite written notice,
- c)** if they have continued in acts in violation of certificate of authorisation despite written notice.
- d)** in respect of permanent members, if they failed to attend three (3) consecutive general assembly meetings without giving excuse.

The decision as regards dismissal will be notified to the relevant person within seven (7) days through notary public.

## **PART THREE**

### **Organs of the Union**

**Article 22-** The compulsory organs of the union are as follows:

- a)** General assembly,
- b)** Board of directors,
- c)** Board of auditors,
- d)** Technical-scientific advisory committee,
- e)** Disciplinary committee,

Optional organs may also be formed upon the decision of the general assembly depending on the requirements of the Union.

### **General Assembly**

**Article 23-** The general assembly is formed up of permanent members of the unions.

#### **Duties and powers of the general assembly**

**Article 24-** The duties and powers of the general assembly have been listed below:

- a) to elect the permanent and substitute members of the board of directors, board of auditors, technical-scientific advisory committee and the disciplinary committee,
- b) to adopt decisions regarding participation in the federation, and to elect the representatives who will attend the general assembly meetings of the federation,
- c) to resolve the disputes regarding the type of membership,
- d) to negotiate and resolve the draft budget,
- e) to review and resolve the reports envisaged by the Boards,
- f) to review and release the accounts of the board of directors,
- g) to take decisions regarding opening and closing of the head-office directorate and branches,
- h) to authorise the board of directors for purchasing and selling immovables, establishing rights in rem thereupon,
- i) to resolve on the proposals of amendment to the union's statute and the directive proposals,
- j) to determine the amount of entry fees and annual fees and the Union's share to be collected out of the fees and indemnity payments,
- k) to decide on matters regarding the participation of the Union in or its cooperation with international organisations having the same purpose,
- l) to discuss and resolve on matters that are proposed by the board of directors to be reviewed by the general assembly,
- m) to determine the criteria in respect of the qualifications of the members,
- n) to determine the measures in relation to unauthorised use of fixations or broadcasts,
- o) to fulfil other duties conferred upon it under the legislation and the Statute of the Union.

#### **Provisions applicable for general assembly**

**Article 25-** The provisions of Article 23 entitled "Meetings of General Assembly", Article 24 entitled "Invitation of the General Assembly to Meeting" and Article 25 entitled "Meeting quorum and procedure" of the By-Law shall be applicable for this Union.

#### **Board of directors**

**Article 26-** Board of directors shall be formed up of at least five (5) members who are elected by the general assembly from among permanent members for a term of 2 (two) years through secret balloting. In addition, substitute members equal to the number of members will be elected.

The board of directors will elect, within three (3) days following its election, a chairman, a deputy chairman and a treasurer from among permanent members.

The board will convene at least once (1) every month upon the invitation of the chairman or in his absence, of the deputy chairman.

#### **Meeting and decision quorum**

**Article 27-** Board of directors will convene upon participation of at least three (3) members. The decisions will be adopted through absolute majority. The board member status of members who do not attend three consecutive meetings without any excuse will be lost.

### **Duties and powers of the board of directors**

**Article 28-** The duties and powers of the board of directors have been listed below:

- a)** to protect the common interests of members who are related right holders, to take the necessary action for management and monitoring of the rights, and to apply to the relevant authorities in case of infringement of the rights of the members,
- b)** to appoint or dismiss the general secretary and the personnel who will work in the head-office and the branches, to determine the principles and procedures regarding their personal rights, wages, social rights and principles of employment and other matters,
- c)** to prepare the budget and submit it to the general assembly,
- d)** to prepare the proposals for the amendments to be made in the statute of the union and submit them to the general assembly,
- e)** to prepare the tariffs in relation to the Union's share to be deducted from the indemnities and copyright fees that will be collected by the Union and in respect of the procedure concerning their utilisation and submit them to the general assembly,
- f)** In cases where there is more than one right holder in respect of a fixation, and in case a dispute arises, to prepare a directive on allocation of the fee and submit it to the general assembly,
- g)** to resolve the applications for permanent membership, benefiting membership, and nominee membership,
- h)** to prepare the directives in relation to the operation of the head-office and branches, and monitoring of rights, and to submit them to the general assembly,
- i)** to prepare the sample agreements necessary for the rights that will be monitored by the Union, and with an aim to provide assistance to fixation owners and/or financial right holders, to prepare sample agreements that they will execute with relevant persons,
- j)** to send one copy of each general assembly decision and board of auditors' report to the Ministry within three (3) days following their submission to the board,
- k)** to cooperate with the Ministry in matters relating to its purposes of incorporation, and to notify the activities that will be realised by the Union to the Ministry,
- t)** to designate the Union representatives that will take part in the commission that will be founded as per Article 81 of the Law,
- m)** In case of infringement of the members' rights, to exercise the authority to file complaint as set forth in Article 75 of the Law,
- n)** to carry out other actions as envisaged under the legislation and the Statute of the Union.

### **Representation of the Union**

**Article 29-** Unions are represented by the chairmen of board of directors. The representative authority may be transferred to one or more of the members upon a decision of the board of directors. For relations of the union with public institutions and organisations and third parties for purposes of monitoring of rights, signing authority may be granted to the general secretary or the highest level officer of the branches upon a decision of the board of directors.

### **Board of Auditors**

**Article 30-** Board of auditors shall be formed up of at least three (3) members who are elected by the general assembly from among permanent members for a term of two (2) years through secret balloting. In addition, substitute members equal to the number of permanent members will be elected. The board of auditors will elect, within three (3) days following election, a chairman from among permanent members.

### **Duties of the board of auditors**

**Article 31-** Board of auditors will audit the accounts and transactions of the board of directors at maximum six-month (6) intervals according to the principles and procedures set forth in the Union's Statute. It will submit the results of such audit to the board of directors with the reports it will prepare, and also to the general assembly with the reports it will



prepare every two (2) years. The board of auditors will send one copy of each of the reports to the Ministry.

#### **Technical-scientific advisory committee**

**Article 32** – Technical-scientific advisory committee shall be formed up of at least three (3) members who are elected by the general assembly from among permanent members for a term of two (2) years through secret balloting. In addition, substitute members equal to the number of permanent members will be elected. Technical-scientific advisory committee will appoint a chairman from among its permanent members within three days as of the date of election.

#### **Duties of the technical-advisory committee**

**Article 33-** The duty of the technical-scientific advisory committee is to conduct research and studies on subjects that fall within the field of expertise of the professional union, to make proposals to the relevant committees, to issue reports on matters, which the board of directors has asked to be reviewed, to submit one copy of each of such reports to the board of directors and one copy to the board of auditors, and to perform other actions specified in the Statute of the Union.

If deemed necessary by the Chairman or the committee, representatives and authorised persons of institutions and organisations related to the subject may be invited to attend the committee meetings in order to benefit from their knowledge and opinions.

#### **Disciplinary Committee**

**Article 34-** Disciplinary Committee shall be formed up of at least three (3) members who are elected by the general assembly from among permanent members for a term of two (2) years through secret balloting. In addition, substitute members equal to the number of permanent members will be elected. Disciplinary Committee will appoint a chairman from among permanent members within three (3) days as of the date of election.

#### **Duties of the Disciplinary Committee**

**Article 35- Disciplinary Committee is responsible for implementing the directive on disciplinary procedures.** The directive on disciplinary procedures shall be prepared by the disciplinary committee, reviewed by the board of directors and accepted by the general assembly.

The decisions for the disciplinary penalty of dismissal from membership in circumstances specified in the Statute of the Union and other penalties envisaged in the directive on disciplinary procedures shall be rendered by the disciplinary committee. The federation may object to the decisions of the unions' disciplinary committees within seven (7) days. Judicial proceedings may be initiated against decisions of disciplinary committees, to which no objections have been raised.

#### **Notifying the elected members to the organs of the Union**

**Article 36-** Names and surnames, fathers' names, place of birth, date of birth, occupations and domicile addresses of permanent and substitute members who have been elected to the union's organs will be notified, in writing, by the chairman of board of directors to the Ministry and governors' office, and by the governor's office to the Ministry of Internal Affairs within seven (7) days as of the date of their election.

#### **Head-office directorate and branches**

**Article 37-** The Union may open branches upon the proposal of the board of directors and decision of the general assembly depending on its needs. The branches will facilitate the

connection between the members in the districts where they are located and the Union's head-office.

The personnel who will be employed at the branches shall have the status of personnel of the Union.

The Union may, in addition, establish a head-office directorate connected to the general secretary. Head-office directorate shall be set up upon the proposal of the board of directors and decision of the general assembly. The number and wages of the personnel who will be employed at such head-office directorate will be determined upon the decision of the general assembly.

## **PART FOUR**

### **Financial Provisions**

#### **Accounting period**

**Article 38-** The first accounting day of the Union shall start on the date of incorporation of such union, and shall end of the date of acceptance of its budget by the general assembly.

The accounting period of the union shall be one calendar year to start as of the first day of the \_\_\_\_\_ month \_\_\_\_\_ of \_\_\_\_\_ January.

#### **Revenues of the Union**

**Article 39- The revenues of the union have been listed below:**

- a) Entry fees and annual fees to be collected from the members,
- b) Union's shares that will be deducted from revenues obtained out of collection of financial rights or rights arising under the law or copyright revenues arising out of activities to conducted pursuant to Article 10,
- c) Publication revenues,
- d) Union's share to be deducted from indemnity payments that will be collected by the Union,
- e) Revenues obtained out of donations and dispositions related to death,
- f) Revenues obtained from interest, treasury bills and government bonds
- g) Union share paid to other professional unions having equal status and/or rights in relation to the deductions from entertainment tax, taxes, duties and charges of central administration, provincial organisations, decentralisation organisations pursuant to the relevant legislation,
- i) Other revenues,

#### **Certificate of authorisation**

**Article 40-** The monitoring of, and collection and distribution of the fees related to financial rights in connection with the fixations which are specified by the members in their certificates of authorisation will be made by the Union.

For this, the members shall submit to the union a certificate of authorisation that is in conformity with the general principles laid down in the regulation issued by the Ministry within the framework of Article 20 and amended Article 80 of the Law. This certificate of authorisation will contain explicit delegation of power for monitoring of, and performance of necessary legal action in relation to, the financial rights of the members before judicial authorities and execution directorates.

#### **Criteria to be taken into consideration in agreements**

**Article 41-** The Union shall, at the time of execution of agreements in relation to the utilisation of film fixations and tariffs, within the framework of the certificates of authorisation it has received, take into consideration the criteria such as:

- a) providing continuity in transmission of film fixations to the society in a wide-ranging manner,
- b) reasonability of the fees to be paid in consideration for use of film fixations in broadcasts, taking into account national and international practices,
- c) not leading to conditions that will distort competition,
- d) field of broadcast of the broadcasting institution (national, regional, local) and number of viewers/audience,
- e) frequency of use of film fixations
- f) market share,
- g) applicable fee for each film fixation used
- h) fixed fee
- i) unit price per second or minute.

In addition, facts such as cost elements, cast list, whether the film has been awarded or not may also be taken into account.

In the agreements that will be made between users and professional unions of the related field on the basis of the above-mentioned criteria, the place where the payments will be made and the principles and procedures concerning sharing among professional unions will be designated.

### **Settlement of Disputes**

**Article 42-** In agreements that are executed between the union and broadcasting organisations, it may be envisaged that the disputes that may arise between the parties out of the implementation of the agreement should be resolved through arbitration or through the reconciliation committee to be set up.

### **Distribution**

**Article 43-** The fees that will be collected by the union shall be paid to the right holders for four (4) times per year after deducting the union's share and the indemnity amounts will be paid within fifteen (15) days as of the date of their collection after deducting their collection expenses and the Union's share.

The payment plans in respect of distribution of the fees and indemnity amounts shall be notified to the Ministry at quarterly (3 month) periods.

### **Payments to be made to the Board and committee members and officers**

**Article 44-** Attendance fees shall be paid to members who attend the meetings of board of directors, board of auditors, technical-scientific advisory committee and disciplinary committee, for each meeting date, on the basis of the minutes that will be prepared at the end of the meetings; in addition, transportation allowance and daily allowance will be paid to the members who come to the meeting from outside the central region. The amount of the attendance fee, transportation and daily allowance shall be specified through general assembly decision.

## **PART FIVE**

### **Termination of the Legal Entity of the Union, Automatical Dissolution and Liquidation**

**Article 45-** The provisions of Article 43 entitled "Termination upon decision of general assembly", Article 44 entitled "termination through court decision", Article 45 entitled "Automatical dissolution" and Article 46 entitled "Liquidation" of the By-Law shall be applicable also for this Union.

## **PART SIX**

## **Miscellaneous Provisions**

### **Books and records**

**Article 46-** The union is obligated to keep the below-mentioned books.

- a) Book containing the list of permanent members,
- b) Book containing the list of benefiting members,
- c) Book containing the list of nominee members,
- d) Board of directors' resolution book,
- e) Book containing records of incoming and outgoing documents,
- f) Income and expense book,
- g) Budget, definite account and balance-sheet book,
- h) Fixes assets book.

Board of directors may decide that other books and records should also be kept as may be required by the activities and services of the union.

It is obligatory that the books carry row numbers and are certified by the notary public.

### **Delivery of one copy of the fixations to the union**

**Article 47-** Members to the union are obligated to deliver a sample of the film fixations, for which they have delegated the right to manage, the models, pictures or photographs or other forms, saved in physical media, of those which have not been reproduced, to the union for the archives that will be set up based on the notification prepared by the union.

The union may cooperate with public legal entities and private legal entities that operate in their own fields for the archive it will set up.

## **PART SEVEN**

### **Final Provisions**

#### **Relations with International Organisations**

**Article 48-** The union may cooperate with public institutions and organisations and real persons and private legal entities located abroad. The protocols that will be executed as a result of such cooperation will be notified to the Ministry.

Membership of the union to international professional unions is subject to permission under the relevant legislation.

#### **Inspection by the Ministry**

**Article 49-** The union is subject to inspection by the Ministry from administrative and financial aspects. Places of management, branches and all kinds of appurtenances of the union, its books, accounts and transactions may be inspected by the Ministry at any time.

It is obligatory for the Union's personnel to show or deliver all the books, documents and letters that may be requested by the inspection authorities at the time of inspection, it is obligatory to allow inspection of the cash box or the cashier's office, to fulfil the request to have access to places of management, branches and appurtenances.

In case it is determined that there is any irregularity in the transactions, or that an offense of fraud or breach of trust has been committed, criminal complaint will be filed with the Public Prosecution Office regarding the related persons.

The result of the inspection that is carried out will be notified to the Union in writing.

### **Representative of the Ministry**

**Article 50-** The Ministry may appoint one of its representatives as supervisor at general assembly meetings.

### **Relevant legislation**

**Article 51-** In cases which have not been regulated in this Statute concerning Professional Union of Producers of Cinematographic Works, the provisions of the "By-law concerning Professional Unions and Federations of Intellectual and Artistic Work Owners and Related Right Holders" shall be applied.

### **Directives**

**Article 52-** The Union shall enforce the directives envisaged in the By-Law within six (6) months following formation of the compulsory bodies other than the general assembly.

### **Date of effect**

**Article 53-** This Statute shall become effective after authorisation of the Ministry is obtained.

### **Execution**

**Article 54-** The provisions of this Statute shall be implemented by the Board of Directors of the Professional Union of Movie Actors in the name of the General Assembly.

**Provisional Article –** The list of temporary board of directors' members who will conduct the affairs of the Union until the time the General Assembly determines the compulsory organs of the Union pursuant to Article 5 of the By-Law has been provided below. The term of office of the temporary board of directors shall be until the first General Assembly meeting.  
24.01.2009

1. CHAIRMAN OF THE BOARD OF DIRECTORS : Atilla ENGİN.  
Beş Yıldız Sitesi.3.Etap.A6 Blok. Dai.5 Çekmeköy/İstanbul.
2. DEPUTY CHAIRMAN OF THE BOARD OF DIRECTORS : Derya Durmaz.  
Uçaksavar Sitesi. Koçyiğitler Sk. Deniz Ap. No.14.Dai.18 Etiler/İstanbul.
3. MEMBER : Yusuf Sezgin.  
Mustafa Mazharbey Sk. Altun Ap. No.95 Kadıköy/İstanbul.
4. MEMBER : Haldun Ulvi Alacakptan.  
Başakşehir.4.Etap. 1.Kısım D40 Blok.Dai.42 Esenler/İstanbul.
5. MEMBER : Zafer Algöz.  
Hüsrevgerede Cad.Tozan Ap.No.75.Kat.2.Dai:4 Teşvikiye/İstanbul.
6. MEMBER : Güven Kıraç  
Susam Sk.Susam Ap.No.12.Dai.1 Cihangir/İstanbul.
- 7.MEMBER : Erkan Can  
Rapsodi Evleri. Armoni 2B1. Çekmeköy/İstanbul

Atilla ENGİN

Derya Durmaz

Yusuf Sezgin

Haldun Ulvi Alacakptan

Zafer Algöz

Güven Kıraç

Erkan Can

The titles and names of the founders of the Professional Union and their declaration to the effect that they accept this statute have been provided in Annex 1.