

Circular

5 August 2024

Circular No: 61

Subject: Special irregularity fines to be applied to collections made using the name and/or account of others or paying instruments belonging to others.

Two paragraphs have been added to above article according to article 13 of the Law numbered 7524 published on Official Gazette dated August 2, 2024. In this framework;

- In case the collections related to the delivery of goods or the performance of services are made using the name and/or account of others through banks and similar financial institutions, payment institutions or the Postal and Telegraph Organization Joint Stock Company, a special irregularity fine will be paid in the amount of 10% of the amount to be processed for each transaction.

However, this fine shall not be less than TRY 20,000 for first-class merchants and self-employed professionals, TRY 10,000 for second-class merchants, bookkeeping farmers and those whose earnings are determined in a simple manner, and TRY 5,000 for those who are excluded from them. In addition, this penalty will be deducted separately for those who make the delivery of goods or performance of services and those who are paid on behalf and/or account.

- In case collections made through using credit card, bank card, pre-paid card, barcode, electronic wallet and similar payment instruments by means of payment systems and devices (POS etc. devices) which are not registered on behalf of their own tax liability excluding situations which are permitted in accordance with Law numbered 5464 on Bank Cards and Credit Cards, three-folds of above fine amounts shall be imposed as special irregularity fine for taxpayers making the collection and those allowing others to use such systems or devices registered on behalf of them separately for each transaction.

Total special irregularity fines which shall be imposed within a calendar year in the above scope shall not exceed TRY 20 million.

The above regulations have entered into force as of August 2, 2024.

Our explanations provided above include general information on the issue. No responsibility can be claimed against EY and Kuzey YMM ve Bağımsız Denetim A.Ş. due to the implications arising from the context of this document or emerging with respect to its context.

Best Regards,

KUZEY YMM VE BAĞIMSIZ DENETİM A.Ş.