



## UMREK

### THE COMMUNIQUÉ OF COMPETENT PERSONS (CP's)

#### 1. GENERAL PROVISIONS

- 1.1. The conditions for determining the qualifications required for Competent Persons, certifying, keeping records, supervising, admonishing, suspending or decertification of the Competent Persons are defined within the context of the Communiqué, which was prepared in accordance with the Ex-Article 14 of the Mining Law No: 3213 and the By-Law for the National Resources and Reserves Reporting Committee of Turkey (UMREK).
- 1.2. Qualified and experienced real professionals, working in the field of geosciences, mining and metallurgy, who meet the membership criteria and are committed to obey the rules of UMREK, including the UMREK Code can apply to UMREK through a Recognized Professional Organization (see UMREK Code Annex 4) to receive a Certificate of Competence.
- 1.3. A Competent Person is a minerals industry professionals registered to an appropriate member grade of a RPO (see Annex 4) and that has been certified by UMREK with a Certificate of Competence among the proposals recommended by the RPO's.

#### 2. MEMBERSHIP

- 2.1 The Competent Person, who is proposed by a Recognised Professional Organization and approved by their qualifications and experience, has to be an expert in their subject, being aware that he/she will bear responsibility and subject to the Ethics Code of a Recognised Professional Organisation to whom he/she belongs.
- 2.2. Applicants, in order to get the Certificate of Competence, need to document the relevant professional status through an undergraduate education from a university (including the foreign universities recognised by Council of Higher Education of Turkey).
- 2.3. Applicants, in order to get the Certificate of Competence, have to be a member of one of the Recognised Professional Organisations (RPOs) defined by UMREK Code-Annex 4.
- 2.4. The Competent Person must have a minimum of seven years relevant experience in the style of mineralisation or type of deposit under consideration and in the activity which that person is undertaking.

2.5. The professional experience of the Competent Person in the related field must be up-to-date and continuous.

2.6. The Competent Person should be clearly satisfied in their own minds that they could face their peers and demonstrate competence in the commodity, type of deposit and situation under consideration.

2.7. Competent Person must have the required esteem and qualification to get a Certificate of Competence.

2.8. To act as a Competent Person:

- Pursuant to the former Turkish Penal Law No: 765 and the other laws, they have not been sentenced to penal servitude and imprisonment for more than five years even if they have been pardoned, except for conviction for negligence,
- Pursuant to the Turkish Penal Law No: 5237 and other laws, they have not been punished with more than three years' imprisonment,
- They have not been punished by the provisions of the former Banking Law No: 3182 or the Banking Law No: 4389, that was repealed by the Banking Law No: 3182, or the Capital Market Law No: 2499,
- They have not been penalized for the provisions of the Regulation on lending money requiring imprisonment,
- Pursuant to the former Turkish Penal Law No: 765, the Turkish Penal Law No: 5237 and other laws, they have not been found guilty on simple or qualified embezzlement, embezzlement, defalcation, bribery, theft, fraud, forgery, misconduct, fraudulent crimes such as bankruptcy and misuse of smuggling crimes other than smuggling, formal tender and counterfeiting of trade, money laundering crimes against the state and the dignity of its organs, crimes against the security of the State, crimes against the constitutional order and the functioning of this order, crimes against national defense, crimes against state secrets and espionage, crimes against foreign states, tax evasion or involvement in these types of crimes.

2.9. Applicants, in order to get the Certificate of Competence, are obliged to sign a written statement that they will comply with the terms of UMREK Code.

2.10. Each Competent Person is obliged to abide by the Charter of RPO that he/she belongs, the Code of Ethics, the UMREK Code, any Code or any rules published by UMREK from time to time.

2.11. Each signatory sponsor of applicants for Certificate of Competence shall submit a written document regarding his/her professional experience.

2.12. The applicant for Competent Person certification may be invited to an interview by UMREK if necessary.

2.13. The result shall be notified in writing to the applicant.

2.14. All information and documents written in this article, including application documents of RPO membership regarding applicants for obtaining the Certificate of Competence are submitted to UMREK by RPO as a file.

2.15. A candidate whose application for admission has been rejected, may re-apply.

2.16. In case of loss of the conditions stated in this Communiqué, the Certificate of Competence shall be canceled by UMREK and notified to the related person and the RPO.

### **Provisional Article**

1.1. At least two references of a RPO's Professional Members, who are personally familiar with the applicant's professional experience, will be accepted as adequate for applicants who will apply until 2020.