

## Regulation regarding the Procedures and Principles of the Electronic Seal was Published

28 Oct 2022

Regulation on the Procedures and Principles of the Electronic Seal ("**Regulation**") was published in Official Gazette dated 14 September 2022 and numbered 31953. The regulation aims to determine the procedures and principles of receiving the electronic seal applications, creation, usage, cancellation and renewal processes of the seal certificate as well as the creation and confirmation of the electronic seal.

The most important details of the Regulation are as follows:

- The electronic seal ("**E-Seal**") defined as "data added to another electronic data or linked to electronic data and is used to confirm the seal's owner's information", has the same legal characteristics as a physical seal.
- E-seal guarantees that a document or data has been created by the seal's owner and has evidential value.
- There two types of E-seals, according to its usage:
  1. **Trusted e-seal** is used to confirm its owner's identity and ensures the integrity of the data .
  2. **Advanced e-seal** can be used to identify any kind of digital asset belonging to the owner and subsequent changes in the data can be detected thanks to advanced electronic seals.
- Qualified e-seal certificate contains following data and it cannot be used to create electronic signatures:
  - Its owners identifiable title from the official records and the MERSIS number or
  - The DETSIS or taxpayer identification number or the Trade Registry Number or
  - The applicant's individual registration number determined by the relevant legislation or registered in the official registry to which the applicant is affiliated in.

ECSP reserves its right to reject applications when it cannot confirm the information, or it determines that

- the applicant is not qualified to receive a qualified e-seal certificate.
- ECSPs that are giving out qualified e-seal certificates are required to take the necessary precautions regarding the judicial and administrative processes to identify the owners of the qualified e-seal certificates.
- ECSPs are required to keep the data from the expired qualified e-seal certificates as well as the applications for the certificates for 20 years.
- The provisions of this Regulation shall be executed by the Chairman of Information Technologies and Communication Board.

You can find the full text of the Regulation at this [link](#). (Only available in Turkish).

### Related Practices

- [Privacy and Data Protection](#)

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### Related Attorneys

- BURCU TUZCU ERS?N, LL.M.
- CEYLAN NEC?PO?LU, Ph.D, LL.M.

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Moroglu Arseven | [www.morogluarseven.com](http://www.morogluarseven.com)