

Regulations on Registration of Devices Holding Electronic Identity Information Has Been Published

1 Nov 2023

Regulation on the Amendment of the Regulation on the Registration of Devices Holding Electronic Identity Information, and the Communiqué on the Amendment of the Communiqué on the Registration of Devices Holding Electronic Identity Information, was published in the Official Gazette dated 12 October 2023, with the number 32337. The amended provisions will come into effect as of 1 January 2024.

The Regulation Amending the Regulation on the Registration of Devices Holding Electronic Identity Information ("**Amendment Regulation**"), and the Communiqué on the Amendment of the Communiqué on the Registration of Devices Holding Electronic Identity Information, ("**Amendment Communiqué**"), were published in the Official Gazette dated 12 October 2023, with the number 32337.

The Amendment Regulation introduced amendments related to timeframes in the context of blacklisting applications within the scope of the Regulation on the Registration of Devices Holding Electronic Identity Information ("**Regulation**"). Devices removed from the whitelist by not receiving uninterrupted service from electronic communication networks for one year, rather than seven years from their last signal reception, have been included in the blacklist. This change allows for the following:

- Starting from 1 January 2024, for a period of one year,
- Until 1 January 2024, mobile phones that remain without signal for seven years due to not receiving service from electronic communication networks will be placed on the blacklist with IMEI records will also be deleted.

For devices that have not received uninterrupted electronic communication service for a continuous period of one year;

- They will be placed on the blacklist by the Information Technologies and Communication Authority ("**ICTA**").
- *If the electronic identity information of a device on the blacklist is used again with a subscriber number*, it is required that the device's user, along with the subscriber number information, promptly notifies the ICTA through the operator. The operator must also convey an informative message regarding the device's status to the corresponding subscriber number. Following the notification to the ICTA, if the ICTA's verification results confirm that the device is being used with a subscriber number associated with one of the end users, the device's IMEI number will be re-registered and matched to the whitelist.
- *The application for the re-registration of a device placed on the blacklist* can be made by the device's end user through the e-Government portal.
- *If the end user of a blacklisted device does not match the ICTA records*, the request for re-registering the IMEI number associated with the device can be made through the Central Mobile Device Identity Database System ("**MCKS**") via the device's importer or manufacturer.

For devices placed on the blacklist prior to 1 January 2024, due to not receiving electronic communication service for an uninterrupted seven-year period:

- *In order to reactivate a device that has been blacklisted*, the end user must submit an application through the e-Government portal.
- *If the end user of a blacklisted device does not match the ICTA records*, the request for re-registration of the device's IMEI number can be made through the MCKS via the device's importer or manufacturer.

- *If the device's importer or manufacturer undergoes liquidation or ceases operations*, an application can be submitted to the ICTA by providing the information and documents specified in the Amendment Communiqué. If the application passes the checks conducted by the ICTA, the IMEI number will be re-registered.

The Amendment Communiqué covers the details concerning the re-registration of devices that have been deactivated due to reasons such as user account changes and uninterrupted cessation of electronic communication service, through an application to the ICTA.

Regarding the user account;

- The registration of electronic identity information for imported or domestically manufactured devices will be carried out through the user account assigned to the importer or manufacturer.
- The request for creating a user account for importers or manufacturers will be submitted electronically with an electronic signature through the electronic platform provided by the ICTA, by a person authorized to represent the importer or manufacturer, as indicated in the authorization certificate. The phrase in the Regulation stating "shall send to the ICTA within a maximum of thirty days from the date of the electronic application" has been removed, and no specific time frame has been set in the Amendment Communiqué.
- Upon the electronic verification of information or documents related to the representation of the importer or manufacturer by the relevant authorities, if deemed acceptable by the ICTA, a user account will be allocated to the importer or manufacturer.
- Similar to the Regulation, the responsibility for all transactions conducted through the user account allocated by the importer or manufacturer continues to rest with the importer or manufacturer.

The re-registration of devices that have been deactivated due to uninterrupted cessation of electronic communication service through an application to the ICTA, as stipulated in the Amendment Communiqué;

In cases where the IMEI number of a device, which was registered in the ICTA's MCKS, has been blacklisted due to uninterrupted cessation of electronic communication service for an uninterrupted one-year period since its last signal reception or prior to 1 January 2024, and when the end user's records do not match those of the ICTA or when the device's importer/manufacturer undergoes liquidation or has been terminated, the device's user can apply to the ICTA for re-registration of the device with the following information and documents:

- Information or documentation indicating the liquidation or termination of the importer/manufacturer.
- The IMEI numbers for which re-registration is requested.
- An undertaking confirming the acceptance of legal, criminal, administrative, and financial responsibilities arising from the procedures to be established regarding the application.
- If the applicant is a company, a trade registry certificate or documents indicating the authorization to represent the company.
- Any other information or documents that may be requested by the ICTA.

If the application successfully undergoes the checks conducted by the ICTA, the IMEI number will be re-registered and matched to the whitelist.

You can access the Amendment Regulation through this [link](#); you can find the Amendment to Communiqué through this [link](#).

Related Attorneys

- [BURCU TUZCU ERS?N, LL.M.](#)
- [CEYLAN NEC?PO?LU, Ph.D, LL.M.](#)