

## Turkey Announces the Regulation on Verification Process of the Applicant's Identity in the Electronic Communications Sector

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Regulation on Verification Process of the Applicant's Identity in the Electronic Communications Sector ("**Regulation**") introduced in the Official Gazette dated 26 June 2021 and numbered 31523.

The Regulation aims to regulate the procedures and principles pertaining the process to be applied in order to verify the identity of the applicant in the electronic communication sector in case the documents related to the subscription contract, number porting application, operator change application, qualified electronic certificate application, registered e-mail application and SIM change application are issued electronically.

According to the Regulation, only following channels can be used for identification verification:

- e-Government gateway,
- Visual verification by artificial intelligence or authorized person, together with the document with near field communication feature in accordance with the ICAO 9303 standard,
- Creating PAdES with Republic of Turkey ID Card,
- Taking video footage to be specific to the process with the applicant's identity document in face-to-face channels.

The Regulation allows artificial intelligence to make the comparison of the face in the live image and the photograph in the identity document.

In accordance with the provisional article 1 of the Regulation, in subscription agreements, number porting application, operator/service provider change application, qualified electronic certificate application, registered e-mail application and SIM change applications signed with digital signature before the Regulation came into force, the burden of proof of transaction date with a time stamp is on the operator/service provider. Also, in administrative and judicial processes regarding transactions that create liability and/or criminal liability to the transaction party or a third party, the burden of proof is on the operator/service provider in case of any objection.

In this context, in case of objection to the relevant transaction documents, the operator/service provider must carry out the process as in transactions made without consent/information.

The Regulation will come into force on 31 December 2021.

Please see this [link](#) for the full text of the Regulation published in the Official Gazette dated 26 June 2021 and numbered 31523 (only available in Turkish).

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### Related Attorneys

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

