

EMERG WEBINARS

# Consumer Protection Regulations in Turkey

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# AGENDA

- Turkish Telecom Sector - An Overview
- Existing By-Law
- Draft Amendments
- Conclusion & Q/A

# Turkish Telecom Sector Q3 2021

# TELECOM SECTOR

3 MOBILE  
OPERATORS  
(IMT-  
ADVANCED)

139 FIXED  
TELEPHONY  
OPERATORS

292 ISP

# OF FIXED VOICE SUBSCRIBER & PENETRATION

12.306.954 - %14,7

# OF BROADBAND SUBSCRIBER

85,7 MIL

# OF MOBILE SUBSCRIBER & PENETRATION

84.646.943 - %101,2

# OF IMT-ADVANCED SUBSCRIBER

78.465.174

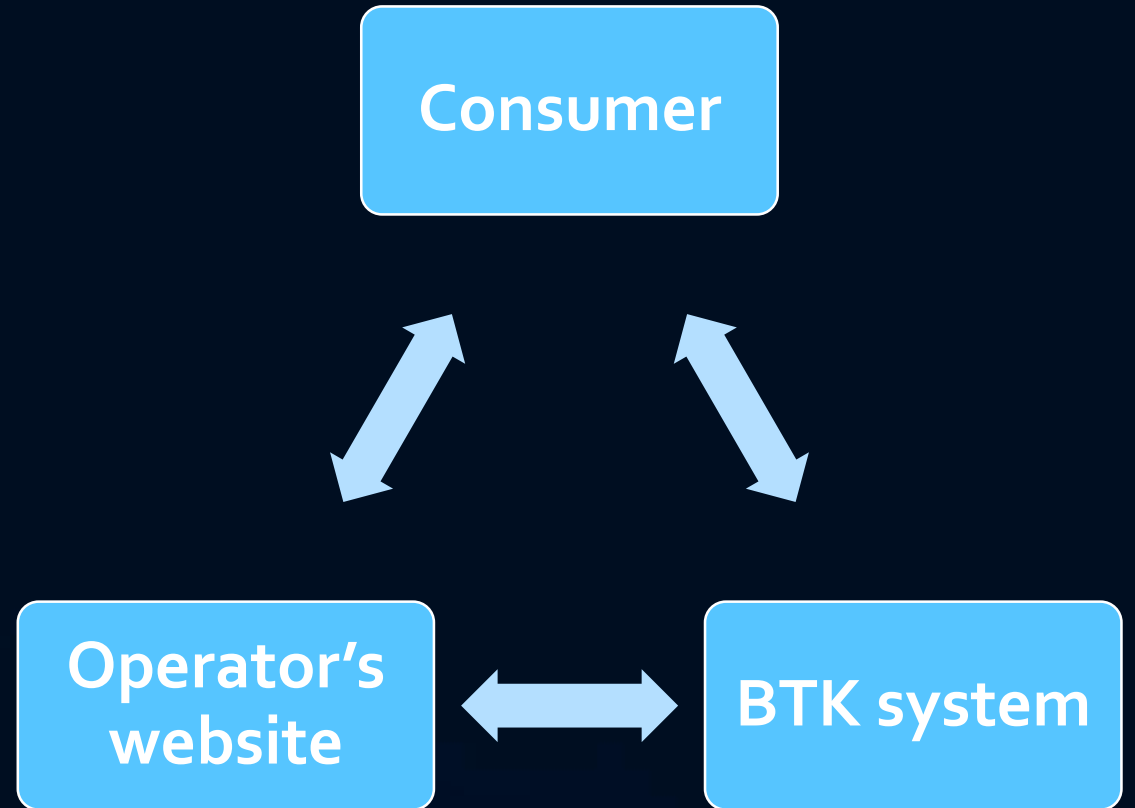
# OF SATELLITE SUBSCRIBER

14.396


# Existing By-Law 2017


# CONSUMER COMPLAINTS SYSTEM


- Operators' websites
- BTK consumer complaint system
- Connection between operators' system and BTK system
- BTK can intervene in the process
- Input for regulation and inspection activities





# CONSUMER COMPLAINTS SYSTEM


 BİLGİ  
TEKNOLOJİLERİ  
VE İLETİŞİM  
KURUMU


 CONSUMER COMPLAINT NOTIFICATION SYSTEM


 MEHMET ALPER TEKİN

 Home page

 Complaint Entry

 my complaints

 Exit

 my complaints

Search by Complaint No, Business, Status, Title and Complaint Text


✓ You can reach your applications made through the old Consumer Complaint Management System at [sikayet.btk.gov.tr](http://sikayet.btk.gov.tr).

Complaints I made on BTK (0)


Complaints I made through the business (1)

Solved and Closed

Date: 09.10.2020  
No :46718653

 PTT

MAIL SERVICES → Incorrect/Incomplete Information



# COMMITMENT PERIOD RULES

- No max commitment period mandated
- Operators cannot make any changes till the end of commitment period unless the proposed changes are exclusively to the benefit of the end-user

## EARLY TERMINATION FEE (ETF)

TOTAL DISCOUNTS RECEIVED



MONTHLY CHARGES FOR THE  
REMAINDER OF CONTRACT



COMPARISON

ETF = WHICHEVER  
IS SMALLER



# HOW TO CALCULATE EARLY TERMINATION FEE (ETF)

Total Discounts Received	
Price without discount	100
Discount	30
# of months passed	8/12

$$30 \times 8 = 240$$

Monthly charges for the remainder of contract	
Price with discount	70
# of months left	4/12

$$70 \times 4 = 280$$

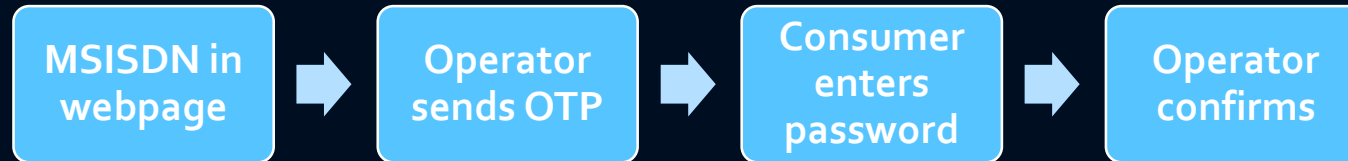
$$ETF = 240$$

# VALUE ADDED SERVICES

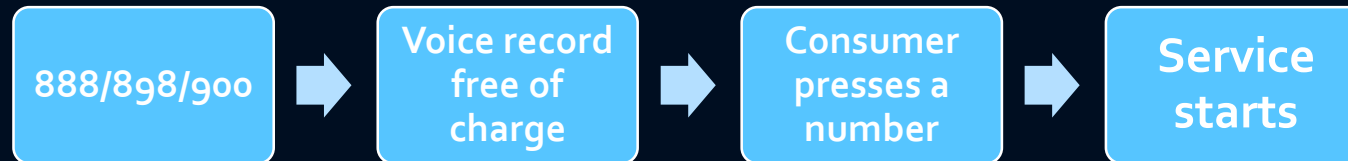
- Premium rate services & direct carrier billing
- Operators must provide proof of consent of customers
- The information shall be provided in a clear and comprehensible manner before buying service
- Consumer complaints about third party services should be held by operators that charge the consumers
- Procedures defined for different mediums (such as WAP, WEB, SMS, etc)
- VAS numbers – default choice for a contract is «VAS deactivated»

# VALUE ADDED SERVICES

WAP & WEB



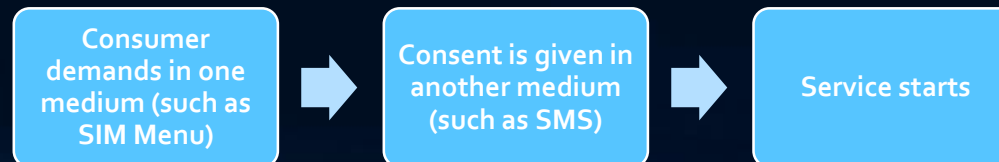
CALLING



SMS  
(SUBSCRIPTION)



OTHERS (SIM  
APP)



# TERMINATION RULES

- Previously contracts could only be cancelled by a written document or by using qualified electronic signature
- Charging stops within 24 hours from the termination request (&inform consumer)
- 7 days for paperworks (&inform consumer)
- Since September 2020, it can be cancelled through e-government portal

# Draft Amendments 2022

# TRANSPARENCY

Calling a destination not included  
in minutes allowance



Operators should inform customers about their  
called destination with an IVR

Outstanding payment information  
after termination of a contract



Operators should send SMS to customer's  
MSISDNs registered to other mobile operators

- Contract Summary
- Proof of consent logs in operators' web sites

# SIGNING CONTRACTS ELECTRONICALLY

- In person at point of sale or qualified electronic signature
- Identity Authentication Regulation & the draft By-Law

## CONTRACT TERMINATION

- Internet Customer Portal
- Verified e-mail address

# ACTUAL BROADBAND SPEED MEASUREMENT TOOL

- Certified measurement tool
- At least 20 measurements in different days
- Min actual speed: 40% of advertised speed for ADSL and 60% for fiber and cable
- Average actual speed: 75% of advertised speed for ADSL and 85% for fiber and cable



# TERMINATION RIGHT WITHOUT PENALTY

- Based on measurement tool results, if minimum or average actual speeds are less than the predetermined ratio of advertised speeds, customers will be able to terminate their contract without paying ETF
- If the operator cannot transfer the internet service to the new address within 10 days after request, subscribers with commitments will have the right to terminate contract without cancellation fees

After Certified  
Measurement  
Tool

# CHILD USERS

- Children are exposed to inappropriate advertising, marketing schemes or hidden costs
- Not content risks but commercial risks
- Primary and secondary SIM cards
- Consumer interactions over primary SIM card
  - Disable/enable DCB
  - Change tariff
  - Buy content etc.

# PRICE COMPARISON TOOL

- No certified price comparison tool
- Through e-government portal
- Details of the interface will be decided later with a Board Decision
- Price and volume (calls, SMS and internet)
- No QoS data
- No TV services

# CONCLUSION

- Still under discussion
- We expect it to come into effect at the end of 2022

Thank You