

[TR] Law gives new powers to the Turkish Radio and Television Supreme Council

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Article 82 of Law No. 7103 on Amendments to Tax Laws and to Some Laws and Executive Decrees amending the Law on Radio and Television Establishment and Broadcasting Services (Radyo ve Televizyonların Kuruluş ve Yayın Hizmetleri Hakkında Kanuna) gives new powers to the Turkish Radio and Television Supreme Council (RTÜK). Under this article, RTÜK will become responsible for the licensing of providers offering online broadcasting services. The broadcasting service providers who already have a licence for their television or radio broadcasting activities may now use their licences for the Internet broadcasting activities, provided that those activities are in conformity with Law No. 5651 on the Regulation of Broadcasting on the Internet and Fighting Against Crimes Committed through Internet Broadcasting. Broadcasting service providers and platform owners offering their services only via Internet must obtain a broadcasting transmission licence authorising them to undertake online broadcasting. Upon a request from RTÜK, the criminal courts of peace may decide to remove the online content of or to block the broadcasting services provided by legal or natural persons who do not possess such a licence. In such cases, the Information Technologies and Communications Authority is the responsible institution to execute the Court's decision in line with Law No. 5651 - in particular Articles 8/A(3) - (5).

Content and hosting providers who are located abroad but broadcasting to Turkey in the Turkish language or using other languages for targeting commercial activities in Turkey are also required to obtain a broadcasting transmission licence.

The Article excludes from its scope forms of individual communications (as well as platforms) - operated or undertaken by either legal or natural persons - that are not specifically designed to disseminate radio and television broadcasting and comparable broadcasting services on the Internet. Web hosting providers for radio and television broadcasting and comparable broadcasting services on the Internet are also excluded from this regulation.

In the following six months, RTÜK will announce a regulation regarding delivering media services (radio, television, and optional services) over the Internet, as well as stipulating the procedures for service providers to obtain a broadcasting licence, the procedures for platform owners to be given broadcasting permission

and the monitoring the broadcasts.

7103 Sayılı "Vergi Kanunları ile Bazı Kanun ve Kanun Hükmünde Kararnamelerde Değişiklik Yapılması Hakkında Kanun" Yayımlandı.

<http://www.resmigazete.gov.tr/eskiler/2018/03/20180327M2-1.htm>

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