



they send commercial electronic messages to their customers in Turkey. However, with an opinion of the Ministry, it is clarified that real or legal persons, whether or not resident in Turkey, intending to send commercial electronic messages, are obliged to register with the IYS. In this respect, alternative registration processes have been determined for the service providers that are not resident in Turkey but are intending to send commercial electronic messages to the receivers in Turkey.

What is the scope of the registration to the IYS?

According to the Regulation, service providers are obliged to upload the approvals they receive for sending commercial electronic messages to promote their goods and services, market them, promote their business or increase their recognition with content such as celebration and wishes to the IYS.

Pursuant to the Regulation, it is not necessary to obtain prior approval for sending commercial electronic messages to the electronic communication addresses of merchants or craftsmen, but the electronic contact addresses of merchants or craftsmen must also be registered to the IYS before sending commercial electronic messages.

In this context, it should be noted that whether the exception regarding merchants and craftsmen will apply for commercial electronic messages to be sent to corporate e-mail accounts allocated to employees of companies has been a matter of debate for a long time. However, in a recent opinion shared by the Ministry upon a request, the Ministry clarified that it is possible to send commercial electronic messages without approval to corporate e-mail accounts allocated to the employees of the companies with a company name extension, but it is not possible to send commercial electronic messages without approval to the individuals who work within the body of commercial companies but do not have a corporate e-mail address and use e-mail addresses with g-mail, hotmail, yahoo etc. extensions. With this opinion of the Ministry, a long-debated matter has been clarified. Therefore, it is not necessary to obtain approval for commercial electronic messages sent to corporate e-mail addresses of employees in this way, but electronic contact addresses of the relevant persons must also be recorded in the IYS.



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