

Guideline On The Processing Of T.R. Identity Numbers Published By The Personal Data Protection Authority

Within the scope of the Law No. 6698 on the Protection of Personal Data ("**Law**"), the Turkish Republic Identity Number ("**T.R. ID Number**") information of individuals is not included in the category of sensitive personal data, but rather is evaluated within the scope of identity data in the general category of personal data. However, in practice, the direct processing of the T.R. Identity Number data while the same data processing purpose could be achieved by processing different data has been subject to criticism due to the fact that the T.R. ID Number is a type of data that can provide access to other personal data of the data subject.

It is without doubt that the processing of T.R. ID Numbers should be approached with particular sensitivity. Indeed, the Personal Data Protection Board ("**Board**"), in a recent decision¹ on the processing of the T.R. ID Number in the mobile application of the data controller who provides meal card services, evaluated that although the T.R. ID Number is included in the general category of personal data, it is more important than other personal data of general category and may cause greater damages in case of a data breach for the data subjects. In the relevant decision, it was determined that the same purpose could be achieved by processing other data that do not restrict as much rights of the data subjects without processing the T.R. ID Number, thus, the principle of being related, limited and proportionate to the purpose for which personal data are processed, which is one of the general principles specified in the Law, was violated.

Following the fact that the T.R. ID Number is directly processed by data controllers in many cases in violation of the general principles of the Law, although different methods are possible in practice, and the increase in criticisms and complaints made in this direction, the Personal Data Protection Authority ("**Authority**") published the Guideline

¹ <https://kvkk.gov.tr/Icerik/7782/2023-1430>

carried out is legitimate on the condition that it is clearly stated in the law are listed below.

Cases where the processing of the T.R. ID Number is stipulated	Cases where the submission of the T.R. ID Number is stipulated
Issuance of Invoices for Goods and Services	Shareholders' Participation in the General Assembly of a Company
Order and Cargo Delivery	Distance Contracting
Delivery of Postal Shipments	Voting in General and Local Elections
Complaint Applications to Intermediary Service Providers in Electronic Commerce	Voting in the Organ Elections of the Union of Chambers and Commodity Exchanges of Turkey and Commodity Exchanges
Sending Commercial Electronic Messages by Tradesmen	Voting in Trade Union Elections
Filing a Complaint to the Ministry of Trade Regarding Commercial Electronic Messages by Natural Persons	Notification of the Identity of the Trade Union Representative to the Employer
Registration in the Trade Registry and Registry Certification	Identification Procedures Performed by the Notary
Within the Scope of Local and General	Identification Procedures in Health Service

Elections, Suspension of Voter Lists, Sharing with Political Parties Qualified to Run for Election	Providers
Filing Enforcement Proceeding Requests	Identification and Notification of the Responsible Operators of Private or Public Accommodation, Recreation, Care and Treatment Facilities, All Workplaces for the Purposes of Trade and Art and Student Dormitories, as well as those who work and reside in such places; Authorized Supervisors of Public Offices; Identification and Notification of the Identities of Those Who Stay, Work or Change Their Residence Permanently or Temporarily in Dwellings
Legal Transactions Performed at Notary Public	Electronic Payment Services
Registration in the Land Registry	Identity Verification Activities in the Electronic Communication Sector
Petitions for Filing a Lawsuit, Appeal, Appeal, etc.	Betting on Sports Competitions and Winning Jackpots
Keeping Family Registers	Winning Jackpots in National Lottery Drawings

Divorce and Annulment of Marriage	Authorization of Law Enforcement Officials to Ask for Identity
Identifying Documents Issued to Natural Persons Identity	Verification with Biometric Methods in Private Hospitals
Sharing of Identity Information by the Ministry of Interior within the scope of Law No. 5490	
Identity Sharing System	
"Use of Code White" by Physicians and Healthcare Workers	
Transactions of Insured Persons within the Scope of Social Insurance and General Health Insurance	
Trade Union Establishment	
Airline Ticket Issuance	
Scheduled/non-scheduled passenger transportation and ticketing on highways	
Obtaining and Renewing Authorization Certificates for Cargo Transportation on	

