

İstanbul, 06.12.2018

Subject: Official Gazette Client Alert

In the Official Gazette dated 06.12.2018, the Ministry of Justice published The Electronic Notification Regulation, to enter into force on 01.01.2019. It has been made compulsory to make notifications in electronic to legal entities determined in the regulation such as public institutions and organizations, judicial and administrative jurisdiction, private law persons. Other legal and real persons also will be able to use this system, if they obtain an electronic notification address. Here are the important highlights of the Regulation:

- **According to Article 5 of the Regulation, sending notifications in electronic is mandatory for the persons and institutions listed below:**
 - a) general budget administrations, special budget administrations, regulatory and supervisory authorities, and social security institutions that are counted in the annexes of Public Finance Management and Control Law No. 5018 ("Law No. 5018")
 - b) Local administrations defined in Law No. 5018
 - c) Other public institutions and organizations established by special law, and funds established by law and surety chambers
 - d) Public economic enterprises and their subsidiaries and enterprises
 - e) Other partnerships having more than 50% of their capital belonging to the public
 - f) Professional organizations and their superiors organizations that qualify as public institutions
 - g) All private legal entities, including those established by law,
 - h) Notaries,
 - i) Attorneys registered with the bar,
 - j) mediators and experts registered in the registry,
 - k) Institutions of persons that are authorized to represent administrations, whose more than fifty percent of its capital is public-owned enterprises and other publicly owned partnerships, judicial and administrative authorities, execution directorates, and arbitrators

- It is mandatory for the persons and institutions listed above to make an application to **General Directorate of Post and Telegraph Organization (PTT)** to obtain electronic notification address, from the date of the commencement of the obligation.
- **Those who are not subject to such obligation will also make their applications to PTT.** To identify the applicant's identity, PTT will look at the identification numbers for natural persons and the systems legal persons are registered.
- And also Foreign persons can apply with their blue cards, foreign identification numbers or passports.
- **The PTT will create unique electronic notification addresses within one month from the date of application and register it in the National Electronic Notification System (UETS).**
- After the delivery of the notification addresses to the owners, PTT will submit electronic notification addresses will to the authorities, and authorities will use this electronic addresses in notification.
- The competent authority will prepare the electronic notification message, deliver it to UETS, UETS will send the notice with the timestamp. The contents and documents will be encrypted and could be seen by the addressee.
- At the end of the fifth day following the date when the notification delivered to the electronic notification address, the notification will be deemed to have been made.
- Those who wish to receive an alert in case of an electronic notification, they will be informed by e-mail or SMS if they share their e-mail addresses or phones to PTT.

Presidency of Istanbul Bar Association made an announcement on their website that Turkey Bar Association would apply n behalf of registered lawyers to PTT to create electronic notification address according to the ID number of each lawyer within one month from the date of 01.01.2019. How these electronic addresses will be delivered to the lawyers will be shared with lawyers.

We wish you good work.

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