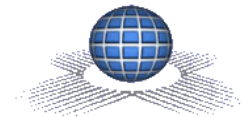


Authorization Issues Regarding Broadband in Turkey



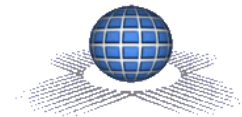
Elif ÖZDEMİR

**Workshop on Optical/Broadband Network and Related Solutions
Istanbul, December 10, 2012**



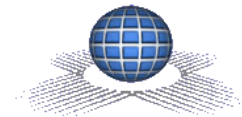
Content

- Term of Authorization
- Legal Framework
- General Principles of Authorization
- Authorization Types
- Operators Providing Broadband
- Fiscal Obligations of the Operators
- Broadband Statistics



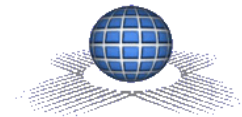
Term of Authorization

- The registration of entities providing electronic communications services and/or electronic communications network in the eye of the Authority and pursuant to such registration, or granting of certain rights and obligations specific to electronic communications services to these entities.



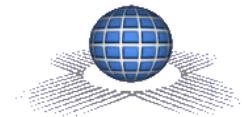
Legal Framework

- Electronic Communications Law (ECL) no. 5809 dated 2008.
 - By-Law on Authorization for Electronic Communications Sector.
 - The Definition, Scope and Period of the Electronic Communications Services, Networks and Infrastructures. (Board Decision)



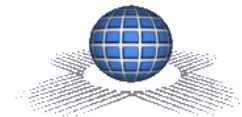
General Principles of Authorization-I

- Any company who wants to provide electronic communications services and or install and operate networks and services in Turkey should be authorized by Information and Communication Technologies Authority (ICTA) .
- Who may be subject to authorization?
 - Limited liability company
 - Joint stock company (Limited number of right of use)
- No real person allowed for authorization



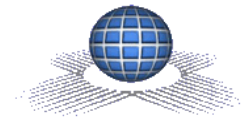
General Principles of Authorization-II

- No discrimination for foreign investors 😊
- Capital stock companies who will apply for authorization should be founded in line with the Turkish Laws.
- What are the conditions for applying authorization?
 - Article 7 of By-Law.
- Authorized company is called as “operator”



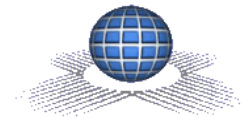
Authorization Types-I

- Notification
 - Services which do not require allocation of resources such as frequency and number.
 - Notify ICTA with the related form available ICTA web page.
 - May start providing services as soon as the notification form reaches to ICTA.
- Notification + Rights of Use
 - Services which require allocation of resources.
 - Limited number of rights of use (requires tender)
 - Unlimited number of rights of use



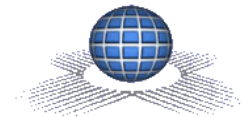
Authorization Types-II

- Authorization and concession agreements valid in the former regime are still in force.
 - 3 Concession Agreements for GSM services
 - 3 Concession Agreements for IMT-2000/UMTS services
 - 1 Concession Agreement for Turk Telekom's services
 - 1 Authorization Agreement for Turksat's services



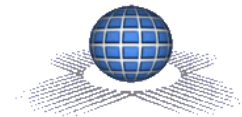
Operators Providing Broadband-I

- Avea, Vodafone and Turkcell
 - IMT-2000/UMTS operators
 - Services started on July 30, 2009
 - Authorized with Concession Agreements
- Turk Telekom AS
 - Incumbent
 - Wholesale and xDSL
 - Authorized with Concession Agreement
- Turksat AS
 - Cable, satellite services



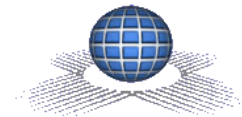
Operators Providing Broadband-II

- Infrastructure Operators
 - Authorized by notification (for Fiber)
 - 74 operators
 - Authorized by rights of use in addition to notification (for R/L)
 - 5 operators
- Internet Service Providers
 - Authorized by notification
 - 175 operators



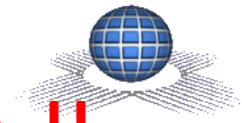
Operators Providing Broadband-III

- Mobile Virtual Network Operators (MVNOs)
 - Authorized by notification (not requiring numbers)
 - 35 operators
 - Authorized by rights of use in addition to notification (if requiring numbers)
 - 9 operators
- Broadband Wireless Access (BWA) Services
 - The regulation is in force
 - The authorization policy has not been determined by the Ministry of Transportation, Maritime and Communication.



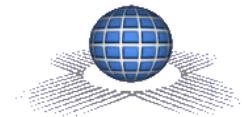
Fiscal Obligations of the Operators-I

- Fees for rights of use
 - Only the operators authorized by rights of use pay
 - Annual fee , income of the Treasury
- Administrative charges
 - All the operators
 - Annual fee
 - Thirty five ten-thousandth (0,35%) of the operators net sales



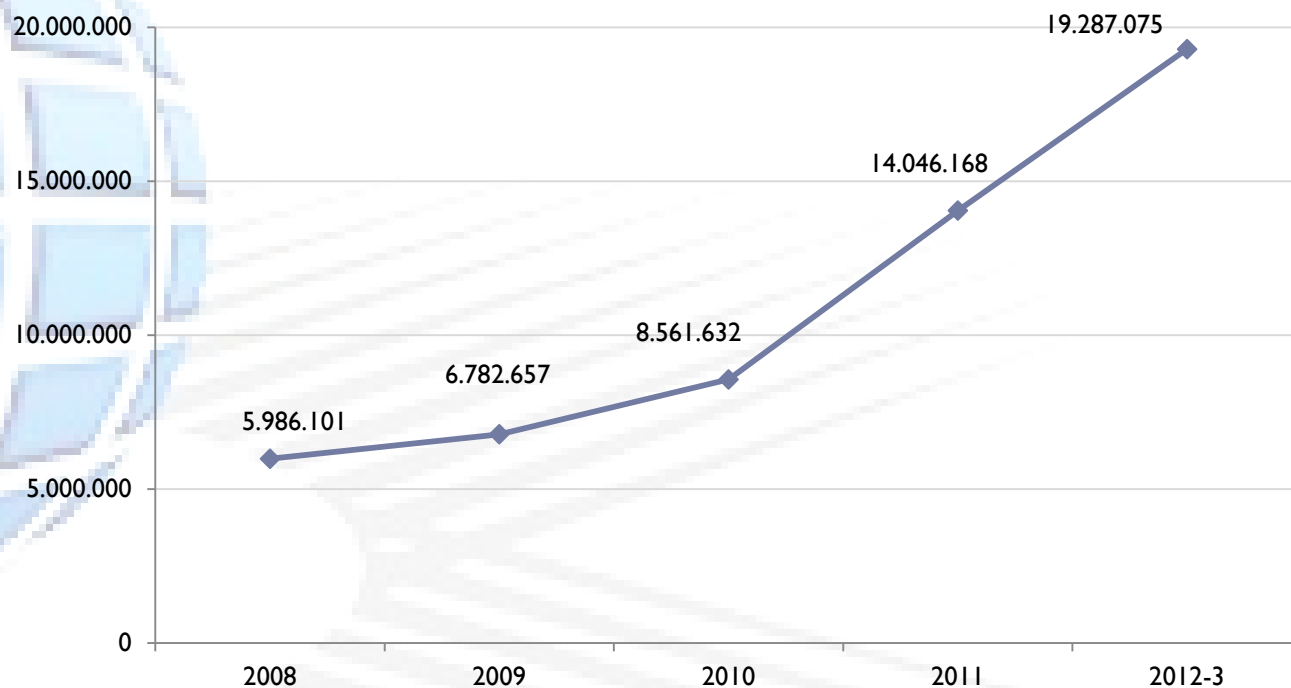
Fiscal Obligations of the Operators-II

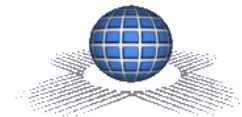
- Contribution fee for the Treasury
 - GSM, IMT-2000/UMTS, MVNO and GSM 1800 on Board Aircrafts
 - 15% of the gross sales, monthly paid
- Special Communications Tax
 - 25% for mobile services
 - 15% for cable platform and satellite platform
 - 5% for Internet and other services
- Contribution fee for Universal Service
 - 10% of the Contribution fee for the Treasury ,1% of the net sales (for the rest of the operators)
 - Annual fee.



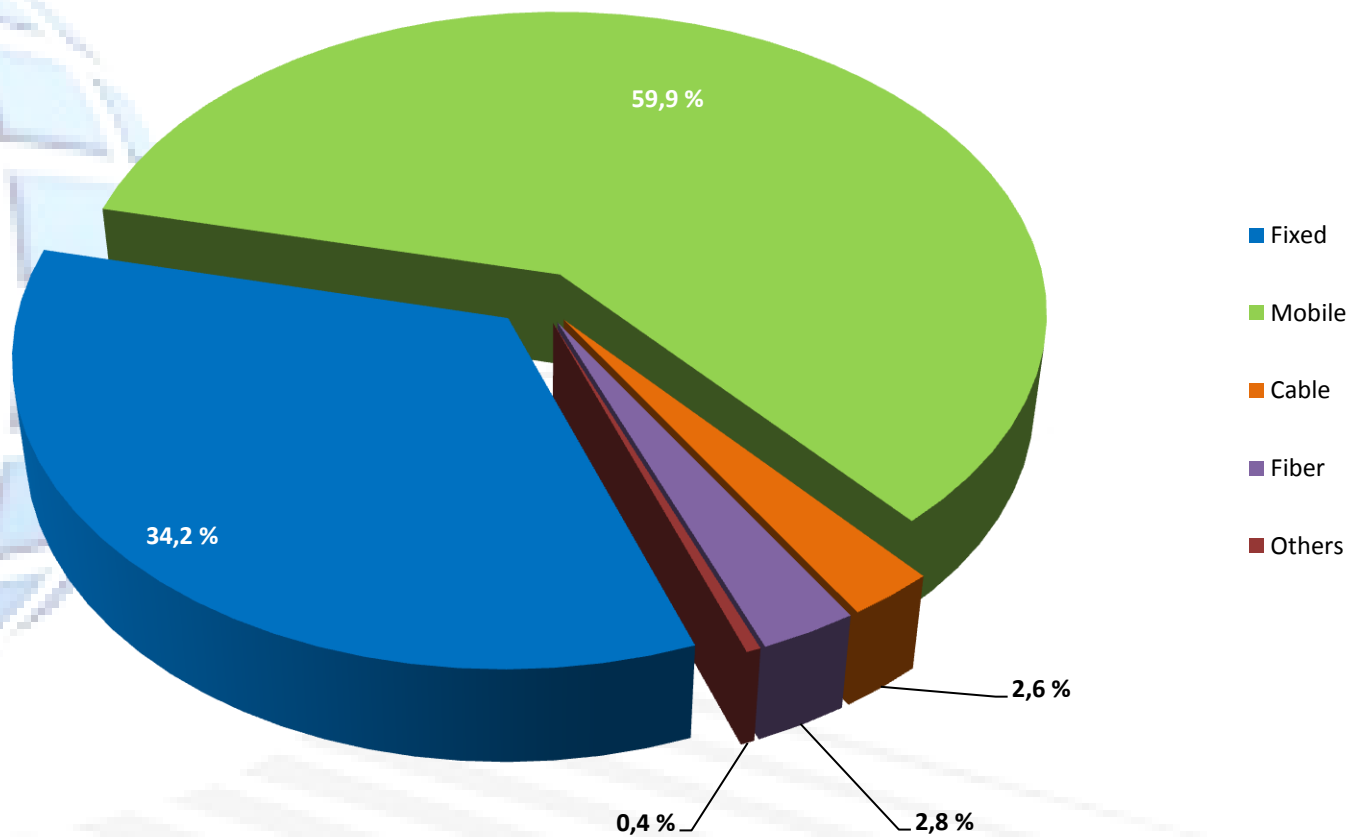
Broadband Statistics-I

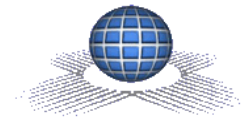
- Number of Broadband Subscribers (fixed + mobile)





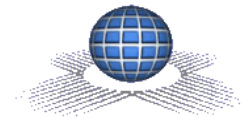
Broadband Statistics-II





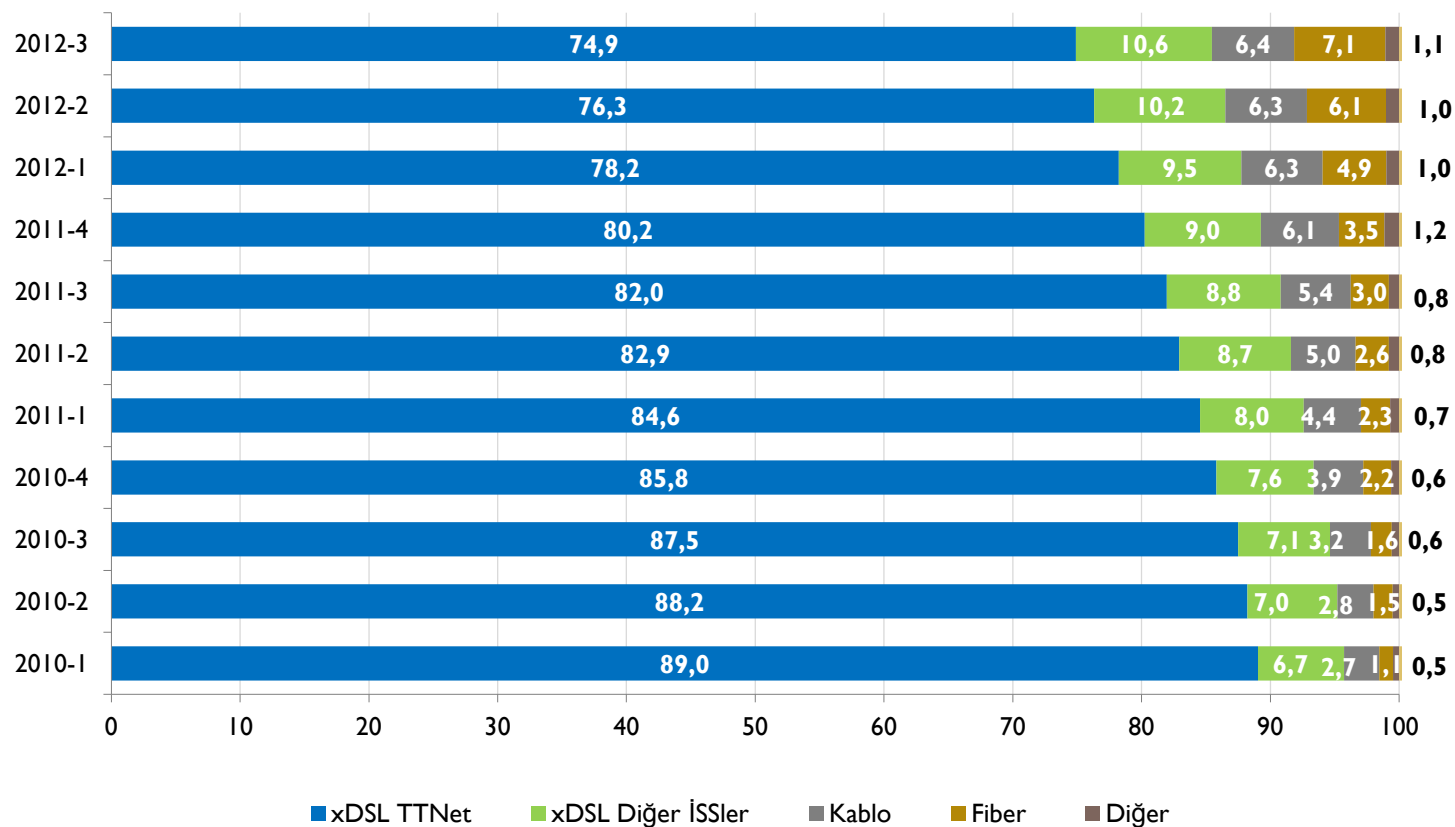
Broadband Statistics-III

• Technology	Number	Percent,%
– Fixed	6.602.030	34,2
– Mobile	11.561.579	59,9
– Cable	492.765	2,6
– Fiber	548.493	2,8
– Others	82.208	0,4
– Total	19.287.075	100,0



Broadband Statistics-IV

- Fixed broadband subscribers depending on the technology and operators, %



THANK YOU



ICTA
INFORMATION AND COMMUNICATION
TECHNOLOGIES AUTHORITY

Elif OZDEMIR
Istanbul, December 10, 2012

www.btk.gov.tr