

THE FINE PRINT

Answers. Not theories.

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Proposed Amendment to the Turkish Personal Data Protection Law Concerning Artificial Intelligence Content

A bill proposing amendments to the *Personal Data Protection Law No. 6698* has been submitted to the Grand National Assembly of Turkey. The proposal aims to strengthen the existing sanction mechanism against personal data violations that have become more apparent with the widespread use of artificial intelligence technologies.

The general justification of the proposal emphasized that developments of AI-based systems' capacity to generate text, audio, and visual Content have increased the risk of individuals' personal data being copied, imitated, and transformed into manipulative content without their consent. In particular, so-called "deepfake" content produced through artificial intelligence is stated to infringe personality rights, violate the right to privacy, and cause both material and non-material harm to individuals.

The justification further notes that although the current legislation contains general provisions regarding the protection of personal data, it does not explicitly and specifically regulate the responsibility of digital platforms in preventing damages that arise when manipulative AI-generated content spreads rapidly through digital channels. It is highlighted that audio, visual, or textual content produced without consent can reach large audiences in a short time, leading to violations with irreversible consequences.

Within this framework, the proposal foresees the addition of a new paragraph to Article 18 of the KVKK, which regulates administrative sanctions. Accordingly, social media tools or digital platforms that enable the sharing of audio, written, or visual contents generated through artificial intelligence without the individual's consent will be subject to an administrative monetary fine at a specified rate. It is stipulated that this fine will be applied separately for each individual piece of content.

The justification of the proposal also states that digital platforms are not merely passive intermediaries for content sharing; rather, through their algorithms and operational designs, they play a decisive role in the dissemination of content. Therefore, it is asserted that imposing a clear responsibility on platforms to detect and prevent the spread of non-consensual AI-generated content has become necessary. The regulation is emphasized as not intending to restrict freedom of expression, but rather to protect individuals from AI-generated content produced without their consent and open to misuse.

You can access the full text of the proposal [here](#).

Announcement by the Turkish Data Protection Authority on the Implementation Principles Regarding the VERBIS Registration Obligation

The Turkish Personal Data Protection Authority (KVKK Authority) has published a public announcement explaining the implementation principles concerning the obligation to register with the Data Controllers Registry Information System (VERBIS), within the scope of the Personal Data Protection Board's decision dated 04.09.2025 and numbered 2025/1572. The announcement aims to eliminate uncertainties related to the application of the said decision.

Pursuant to Article 16 of the Personal Data Protection Law (KVKK), it is a general rule that real and legal person data controllers who process personal data must register with VERBIS. However, within the authority granted by the Law, the Board may introduce exemptions from the registration obligation for certain data controllers by taking into account objective criteria such as the nature of data processing activities, the number of employees, and the annual financial balance sheet.

The published announcement recalls that, through the Board's decision dated 04.09.2025, the exemption criteria regarding the VERBIS registration obligation were re-determined. In this context, explanations are provided on how the previously established exemption framework will be evaluated in practice and which data controllers will be considered within this scope.

The announcement also clarifies the application of exemption criteria introduced for data controllers whose main field of activity involves the processing of special categories of personal data. Accordingly, it is stated that real and legal person data controllers falling below certain employee number and financial balance thresholds may be exempted from the VERBIS registration obligation, regardless of the nature of their principal field of activity.

Through these clarifications, the Authority aims to reduce potential differences in interpretation that may arise in practice regarding the VERBIS registration obligation and to enable data controllers to determine the scope of their obligations more clearly.

Bill on the Protection of Children and Young People in the Digital Environment

The "Bill on the Protection of Children and Young People in the Digital Environment" has been submitted to the Grand National Assembly of Turkey (TBMM). The proposal aims to enhance the safety of children

and young people in the digital world. Covering a wide range of areas from social media use and online gaming to parental control and educational curricula, the bill introduces significant obligations for both individuals and institutions.

The draft law applies to social network providers, gaming platforms, educational institutions, public authorities, parents, and adult individuals.

According to the proposal, individuals aged 18–24 are defined as “young people,” while younger age groups are classified as “children.”

The proposal emphasizes several core principles for protecting children and young people in digital environments, including prioritizing the best interests of the child and youth, preventing discrimination, ensuring youth participation in decision-making processes, avoiding overly restrictive measures on freedoms, increasing digital awareness activities, protecting privacy and personal data, and encouraging the production of child-friendly digital content.

For social media platforms, the bill foresees important regulations such as the establishment of age-verification systems, prohibition of personalized advertisements directed at children, alignment of algorithms with ethical principles, preparation of terms of service and usage policies in clear and simple language, provision of parental-control usage options, ensuring privacy and data security-compliant content, and creating rapid complaint and resolution mechanisms.

One of the most notable provisions of the proposal is the introduction of time limitations for children under the age of 16. The daily digital usage period is set at a maximum of fifty-five minutes, and—excluding educational purposes—the use of digital devices is prohibited between 22:30 and 09:30.

Chance-based reward systems such as “loot boxes” are to be banned. In addition, mandatory micro-payments are to be prevented. Access by individuals under 18 to virtual gambling and betting sites is to be completely blocked, and a system is planned whereby illegal gambling websites will be access-blocked by the Information and Communication Technologies Authority (BTK) within 24 hours.

The proposal also envisages a system requiring platforms to provide weekly usage reports for users under the age of 18. Instant parental notifications are to be issued upon access to risky content, and administrative fines as well as judicial sanctions are foreseen for digital platforms that fail to fulfill their obligations. Furthermore, it is planned to add a one-hour-per-week course titled “Digital Awareness and Media Literacy” to the curriculum of the Ministry of National Education.

It is also planned to establish a Digital Security Authority affiliated with the Presidency. Additionally, the creation of a Digital Content Supervision Center within the BTK is among the agenda items. At

this point, penalties for crimes committed against children in digital environments are to be increased by half. A prison sentence of 3 to 8 years is envisaged for those who produce and disseminate harmful digital content. The proposal also states that individuals convicted of these offenses will be excluded from the scope of amnesty.

If the law is enacted, platforms will be granted a six-month compliance period.

In conclusion, at a time when digital media occupy an ever-increasing place in daily life, this comprehensive regulation aimed at protecting children and young people is considered an important step. The full text of the proposal can be accessed [here](#).

Public Announcement on Push Notifications Sent via Mobile Applications

KVK Authority has published a public announcement to inform the public following the increase in complaints regarding push notifications sent to users through mobile applications. The announcement addresses the measures that should be taken to prevent violations of personal data protection principles, as it was determined that some applications include practices contrary to personal data protection legislation during notification permission processes. In this context, obtaining explicit consent based on free will and separately for each specific purpose stands out as a fundamental requirement for legal compliance in the provision of digital services.

The primary objective of the KVKK is to safeguard individuals' fundamental rights and freedoms during the processing of personal data. Within this framework, mobile application providers hold the status of “data controllers.” All data processing activities carried out by these providers must comply with the general principles set forth in Article 4 of the Law and the data processing conditions regulated under Article 5.

A key issue highlighted in the Authority's examinations is the consolidation of multiple notification purposes under a single consent. For instance, distinct purposes such as “tracking order status” and “receiving campaign and advertisement notifications” are often grouped into a single permission box, and users are effectively compelled to accept marketing notifications in order to benefit from the service. However, for explicit consent to be considered valid under the law, it must relate to a specific subject, be based on adequate information, and be given freely.

Conditioning the provision of a service on another data processing purpose that is not directly related to that service undermines the user's free will. This situation is explained in KVKK practice through the principle of “granular explicit consent.” Under this principle, separate and independent consent must be obtained for each data processing purpose, preventing users from being forced into an “all or nothing” choice. Accordingly, the technical infrastructures of mobile

applications should be aligned with legal requirements, allowing users to select which types of notifications they wish to receive and to customize their preferences through in-app settings or the device's operating system.

Failure to provide such options weakens the user's control over their data and constitutes a violation of the obligation to take technical and administrative measures as regulated under Article 12 of the Law.

Through this public announcement, the KVKK Authority recommends that mobile application providers and data controllers reassess their push notification consent processes within the framework of the principles of granular explicit consent and specificity, separate notification purposes clearly, and present users with transparent and accessible options through which they can manage their preferences.

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