

NOTIFICATIONS AND ANNOUNCEMENTS

ISSUE: 295

ELECTRONIC COMMUNICATIONS LAW

(Law No 6/2012 and 21/2014)

Bylaw made under Article 23, 24, 25, 29, 30, 57, 65

The Council of Ministers of the Turkish Republic of Northern Cyprus enacts this Bylaw with the power given under Articles 23, 24, 25, 29, 30, 57 and 65 of the Electronic Communications Law:

Short Title	1. This Bylaw may be cited as “Authorization, Numbering and Spectrum Bylaw.”
--------------------	---

SECTION ONE

General Rules

Interpretation	2. In these By-Law, unless the context requires otherwise; “Subscriber,” means any natural or legal entity that is a party in a contract made with an electronic service provider for the provision
-----------------------	---

of an electronic communications service.

“AÇM” means emergency call center.

“Address Data” means data in terms of post address and geographical coordinations on the location of the device, which is used for calling emergency aid call services.

“Interconnection” means physical and logical connection of electronic communication networks utilized by the same or a different communication service provider for the purpose of providing connection between users of the same or different communication service providers or access of users of a communication service provider to services provided by another communication service provider,

“Alphanumeric” means the range of characters composed of the combination of alphabetical and numeric character array,

“Ministry” means the Ministry responsible for Electronic Communication,

“Information Community Services” means any kind of service provided remotely on individual request by the receiver of the service in exchange for a fee, by electronic equipment, for the purpose of processing and storing data (including digital compacting),

“Right to Individual Use” means the authority that assigns specific rights to the communication service provider regarding electromagnetic energy and number use between 9 kHz and 3000 GHz; or in situations where they are not authorized to use said rights without obtaining the approval of the Board, the authority that subjects the functions of the communication service provider, in relevant situations, to specific obligations that complete a general authorization,

“CEPT” (the European Conference of Postal and Telecommunications Administrations) means the administration established for ensuring commercial, operational, legal and technical cooperation and coordination among Postal and Telecommunications Administrations of European countries,

“CLI” means calling line identity,

“Turnover” means the amount that remains after discounts of sales are deducted from gross sales of the communication service provider,

“DTMF” means dual tone multi-frequency communications,

“Detailed frequency plan (Allotment)” means entry of a designated frequency channel in the National Frequency Plan for use by administrations for a terrestrial or space radiocommunication service countrywide or in specified geographical areas and under specified conditions in accordance with frequency allocation plan,

“Electromagnetic Interference” means any broadcast or electromagnetic effect that blocks, interrupts or degrades the quality of any kind of electronic communications conducted in accordance with all other regulations,

“Electronic Communications,” means the sending and receiving of any type of sign, symbol, sound, image and data that can be transformed into electrical signals through the use of wired, wireless, optical, electrical, magnetic, electromagnetic, electrochemical, electromechanical and other conduction systems,

“Electronic Communications Service,” means the service that is presented, including telecommunications and transmission services, for broadcasting on networks (excluding services for the provision of content that is transmitted over electronic communications networks or services for the function of editorial control over these, along with information communities services) that is completely or partially comprised of the transmission of electronic signals over networks and normally in exchange for a fee,

“Electronic Communications Provider/Communications Provider” means the legal entity that is the operator of an electronic communications network or provides electronic communications services and also includes the Telecommunications Agency,

“Electronic Communications Sector” means the sector that is concerned with the provision of electronic communications service and electronic communications networks; and functions regarding the production, import, sales, repair and maintenance of electronic communications devices and systems,

“Electronic Communications Network” means irrespective of the type of transmitted information, transmission systems such as satellite networks, fixed (including internet with circuit and package switches) and mobile land networks, electric cable systems to the extent that they are used for sending signals, including networks used for tv and radio broadcasting and cable tv; that enable the transmission of signals through cable, wireless, optical or other electromagnetic devices, when necessary with switches or some other type of guidance equipment and other resources,

“Access” means the presentation of services for the use of

supportive infrastructure and/or connected services for use by other communications providers under the conditions of the Law,

“Universal Service” means a minimum service directory of reasonable prices in light of specific regional conditions that are open to end-users at a certain quality regardless of their geographical location,

“Frequency range” means the frequency separation between two frequencies or the frequency separation, to which a radio equipment could be adjusted,

“Frequency bands” means the frequency bands defined in frequency plans,

“Frequency assignment” means authorization given by the Authority for a radio station to use a radio frequency or radio frequency channels and transmission power for a specified transmission duration under specified conditions in accordance with frequency allotment,

“General Frequency Plan, (Allocation)” means entry in the National Frequency Plan of a given frequency band for the purpose of its use by one or more terrestrial or space radiocommunication services or the radio astronomy service under specified conditions,

“General Authorization” means the legal framework that assigns rights concerning the provision of electronic communications networks and services, and determines, in accordance with the law, all responsibilities or those that are uniquely applicable to special electronic communications networks and service types,

“GHz (Giga Hertz)” means one billion cycles of electromagnetic waves per second,

“Entry Authorization” means the rights given to communications providers for the construction, removal, maintenance, repair and so forth of electronic communications networks and their infrastructure, to be transferred from, in and on public and private domains,

“Communications Provider Registration” means the register in which a list of all electronic communications providers which have obtained general authorization is held,

“Telephone Service Open for Use by Everyone” means the presentation of services in which a number or numbers that are included in the national and international numbering plan can be used to call, receive calls or access emergency services by anyone and, also, when necessary, provide communications provider

assistance, directory number inquiry and directory service, general paid calls, services under special conditions, special services for physically handicapped or special needs individuals and/or services that are not geographical,

“ICAO (International Civil Aviation Organization)” means the International Civil Aviation Organization,

“ICNIRP (International Commission on Non-Ionising Radiation Protection)” means the International Commission on Non-Ionising Radiation Protection,

“IEC (International Electrotechnical Commission)” means the International Electrotechnical Commission,

“IMO (International Maritime Organisation)” means the International Maritime Organisation,

“ISO (International Organisation for Standardization)” means the International Organisation for Standardization,

“ITU (International Telecommunication Union)” means the International Telecommunication Union,

“ITU-T E.161 Recommendation” means the recommendation on the arrangement of digits, letters and symbols on telephones and other devices that can be used for gaining access to a telephone network,

“Public Electronic Communications Network” means an electronic communications network that can be used by anyone,

“Public Communications Provider” means the communications provider that provides electronic communications services to the public over the public communications network and includes the Telecommunications Agency,

“Public Telephone Network” means an electronic communications network through which telephone services are provided; this network supports the transfer of speech, fax, data and other communications between network destination points,

“kHz (Kilo Hertz)” means one thousand cycles of electromagnetic waves per second,

“Personal Data Protection Board” means the board which was established in accordance with the Personal Data Protection Regulation,

“Location Data” means the data of area that is defined in coordinates and other related parameters on the approximate

location of the device used by the user for calling emergency call services,

“User” means any kind of natural or legal entity that uses electronic communications services, regardless of being a subscriber or not,

“Board” means the Board of Directors of the Information Technologies and Communication Board established under the Law,

“Authority” means Information Technologies and Communication Board,

“License” describes the individual user right that was given before the date that the Law entered into force,

“Number” means a string or combination of letters or/and digits or symbols that defines the network termination point and routes the voice, data and images to the respective point that includes the information which may refer to subscriber, application or service provider (where relevant),

“Number portability” means the service that enables the subscriber to change its operator, geographical location and/or type of service without changing subscriber number,

“Pro-Rata” means the calculation made in accordance with pro-rata basis,

“Fixed Telephone Services” means providing fundamental and value added telephone services usable by everyone to users and/or subscribers through fixed public telephone network without technology restriction,

“Signal” means the signals which serve to transmit speech, music, sounds, images or messages or other communications or the function or control of devices,

“End-user” means any natural or legal entity that does not run a public electronic communications network or provide public electronic communications services,

“Spectrum” means the frequency interval between 9 kHz-3000 GHz that is used for electronic communications and the frequencies over 3000 GHz that have been assigned for electronic communications according to international regulations,

“Network Destination Point” means the physical point at which a subscriber accesses an electronic communications network,

“Tariff” means the list of different prices that are applied by a communications provider in exchange for electronic communications services or access to an electronic communications network,

“Carrier” means an electronic communications network operator that provides all or some of the services involved in making calls, ending calls and moving calls,

“Carrier Pre-selection” means a method in which users pre-select a carrier without dialling a carrier code,

“Carrier Selection” means a method in which users dial a carrier code to select a carrier,

“Wireless” means a system in which open, coded or encrypted sound or data can be sent or received or only sent or only received, through electromagnetic waves without the presence of a physical connection,

“Terminal Equipment” means the device that has been designed to connect in any way, directly or indirectly, to a public electronic communications network destination point and allow the transmission of signals,

“TS ISO/IEC 2000” (Information Technologies Service Management System) means the standard that provides guidance on which methods will be applied and how they will be applied on management of related operations and providing services, improving and developing their status and performances and meeting the expectations of internal and external customers of firms, which provide information technologies services,

“Consumer” means any natural or legal entity that uses or applies for the use of electronic communication services, for purposes that are not commercial or professional,

“National Frequency Plan” means the frequency plan, which is prepared for allocating the spectrum of 9 kHz-3000 GHz that will be used in the country in accordance with the legislation and international standards and which also contains the general frequency plan and detail frequency plan and which is stated to be prepared and approved by the Council of Ministers in Article 14 (2) (B) of the Law,

“National numbering plan” means the numbering plan which outlines the structure for numbers that serve the purpose of providing information on forwarding, addressing, pricing and service types,

	<p>“Point of Presence (PoP)” means the center providing routing of two-way traffic between network layers on electronic communication equipments such as modem, transmission line, router, etc,</p> <p>“Law” means Electronic Communication Law.</p>
Purpose	<p>3. The purpose of this Bylaw is to determine procedures and principles for general authorization for electronic communication services, networks and infrastructures, for the allocation of right to individual use, for determining the quality of service that will be provided by electronic communication service providers, for planning numbers and for effective and efficient use of numbering resources in accordance with the said plan, for planning and management of the spectrum and for allocation, coordination and registration of frequencies.</p>
Scope	<p>4. This Bylaw covers procedures and principles regarding the general authorization conditions that will be applied on electronic communication service providers that provide electronic communication services and/or that wish to operate electronic communication network, regarding the allocation of right to individual use and additional conditions that will be applied in the framework of the right to individual use, regarding the determination of the quality of service of the services that will be provided by electronic communication service providers, regarding preparation of National Numbering Plan, regarding determining rules on assignment and withdrawal of numbers, determining fundamental principles and rules in the scope of spectrum management, preparing and updating the National Frequency Plan and assignment and withdrawal of frequencies.</p>
Principles	<p>5. (1) The following principles are considered in the application of this By-Law.</p> <ul style="list-style-type: none"> (1) Ensuring and maintaining a free, effective and sustainable competitive environment, (2) Promoting the practices that will enable users to benefit from wide ranging electronic communications services and infrastructure in return for reasonable prices all over the country, (3) Protecting consumer rights and interests, encouraging investments that increase user satisfaction and that eliminates complaints, (4) Encouraging the practices that everyone will benefit from electronic communication network and services with the same service quality for a reasonable price under equal conditions, (5) Providing effective and efficient usage of spectrum and considering different needs and purposes of the individuals who wish to use it, (6) Preventing or minimizing the effects of harmful electromagnetic interference that may occur in the borders on the neighbouring

	<p>countries when making frequency allocation and assignment and providing efficient and effective use of spectrum mutually,</p> <p>(7) Ensuring that the criteria of the quality of service is comprehensible, applicable and up-to-date in international standards, increasing quality and diversity of service,</p> <p>(8) Considering minimum international norms in terms of human health, safety of life and property, protection of environment and consumers for installing and operating electronic communication devices and systems,</p> <p>(9) Encouraging development and usage of new technologies and investments,</p> <p>(10) Abiding by the regulations of the related international organizations,</p> <p>(11) Giving priority for national security, public order and the requirements of emergency needs for natural disasters and state of emergencies.</p>
	<p>SECTION TWO</p> <p>Authorization</p>
<p>Scope of Authorization</p>	<p>6. (1) (A) Legal entities that wish to provide electronic communication services or install or operate electronic communication network, may begin providing electronic communication services or installing or operating activities of electronic communication network after being authorized by the Authority with being limited to the scope of the authority.</p> <p>(B) If resources such as frequency or number are required in electronic communication service that will be provided or electronic communication network that will be installed or operated, right to individual use shall be allocated by the Authority.</p> <p>(2) If authorized communication service providers wish to provide electronic communication service or install or operate electronic communication network that is different from the scope which they are authorized, they are required to make a notification to the Authority for general authorization in this scope and if they require number and frequency allocation, they are required to make a request for right to individual use.</p> <p>(3) (A) Communication service providers are required to be established in the boundaries of the Turkish Republic of Northern Cyprus only for</p>

	<p>providing electronic communication service and/or installing or operating electronic communication network in accordance with the legislation of the Turkish Republic of Northern Cyprus and as long as communication service providers maintain their operations, they are required to maintain their operations with being limited to this scope only.</p> <p>(B) In addition to activities stated in this article, communication service providers may maintain their operations of property, service, maintenance and consultancy in the scope of information and communication technologies if they request; and if they maintain these kinds of operations, they are required to keep their accounting records by separating them from each other.</p>
<p>Cases that don't Require Authorization</p>	<p>7. (1) Electronic communication service and/or network or infrastructure, which is within any natural person's or legal entity's property under his/its own use (including immovable properties that are adjacent or within the same facility), which does not require allocation of any source (including the frequency bands that are stated to be used without the allocation of right to individual use in the National Frequency Plan and in the related legislation), which is used upon exclusively individual or organizational needs, which is not used for providing any electronic communications services to third parties, which is provided without any commercial intention and which is not publicly available is not subject to authorization.</p> <p>(2) (A) In case a frequency, which is subject to resource allocation in the National Frequency Plan, even though it is not subject to authorization in the scope of this clause, is requested, the request is assessed by the Authority in line with the Law, respective legislation and the National Frequency Plan in consideration of the principle of the Authority for primarily allocating resources for communication service providers.</p> <p>(B) In case the request is approved by the Authority, frequency allocation is carried out by being limited to maximum two years in the scope of the rules determined with the Law and respective legislation.</p> <p>(3) Broadcasters that are granted license by the High Council of Broadcasting may request frequency from the Authority in order to provide communication between wireless devices they used for providing broadcasting services. The Authority shall assess the frequency request in line with the National Frequency Plan and allocation shall be granted if it is approved. Frequency allocation and used in this scope are not subject to additional authorization on the condition that rules determined with this Bylaw and the National Frequency Plan are abided by.</p> <p>(4) Number allocation in numbers that will be used by free call centers and value added services that will be offered by legal entities shall be assessed by the Authority in accordance with the National Numbering Plan. The allocation shall be granted if the request is approved by the Authority;</p>

	<p>whereas allocation and usage of the number is not subject to additional authorization provided that the rules determined with this Bylaw and the National Numbering Plan are abided by.</p> <p>(5) Rules determined on the allocation of right to individual use of communication service providers and fees determined with the Law and the respective legislation shall be applied in allocation of right to individual use in the scope of this article.</p>
<p>Notification for General Authorization</p>	<p>8. (1) (A) Legal entities intending to provide electronic communication service and/or installing and operating network shall make a notification to the Authority by filling out the notification form determined with the Authority before they begin their operations.</p> <p>(B) Authorization shall be materialized in the scope of general authorization as being valid after the notification form and information and documents stated in the notification form are submitted to the Authority correctly and as of the date when the form and documents are entered into registries of the Authority.</p> <p>(C) Details, technical characteristics of electronic communication service and/or network that are declared in the notification form in the scope of authorization are limited to the geographical region where the service or network is provided or installed.</p> <p>(2) A period of maximum fifteen days is given by the Authority for correcting defects that exist in the notification of the communication service provider. Notification shall be accepted to be unmade if defects are not corrected until the end of this period.</p> <p>(3) The Authority within a week after entering of notification to the Authority's registry shall send an authorization document, to the communication service provider confirming that the said notification is duly made pursuant to the provisions of this Bylaw and indicating that the communication service provider may apply to the authorities for being granted rights to install facilities on or under public or private properties in the scope of the Law and the Bylaw, to negotiate access and to obtain access or interconnection.</p> <p>(4) Communication service provider shall be liable for any kind of loss arising from the application's non-conformances to the relevant legislation.</p>
<p>Right to Individual Use Whose Number is Limited</p>	<p>9. (1) By taking opinion of users, communication service providers, related public organizations and non-governmental organizations, the Authority shall send its written opinion on which numbers of right to individual use shall be limited to the Council of Ministers through the Ministry for the purpose of providing efficient use of sources, developing competition and improving consumers' benefit by being limited to situations in which resources are required to be operated by limited number of communication</p>

	<p>service providers. Upon the written opinion of the Authority, the Council of Ministers shall deliver its decision on which numbers of right to individual use shall be limited and which one shall be allocated by way of tender in the scope of the Law.</p> <p>(2) Allocations of right to individual use whose number is limited shall be materialized with tenders that will be made in the scope of Article 64 of the Law. In this scope, process on authorization, renewal and cancellation of allocated rights, fees, usage right application form, authorization document which will be prepared specially for the service in which rights and obligations of communication service providers are included and other information and documents that will be submitted to the Authority for authorization shall be regulated with the respective tender specification.</p>
<p>Allocation of Right to Individual Use</p>	<p>10. (1) In case of requirement for frequency and number allocation for providing electronic communication service or installing or operating electronic communication network, resource allocations shall be granted by the Authority through allocation of right to individual use in accordance with preventing interference, ensuring quality of service and effective use of spectrum. Resource allocations in the scope of right to individual use shall be determined and issued by the Authority.</p> <p>(2) (A) In case of requiring frequency and number allocation in the scope of right to individual use in providing electronic communication services or installing or operating electronic communication network, communication service providers shall apply to the Authority with the notification form determined by the Authority.</p> <p>(B) Frequencies and numbers within the scope of right to individual use cannot be used without right to individual use is allocated by the Authority.</p> <p>(C) Pursuant to submission of the notification form and information and documents set forth in the notification form to the Authority in a complete and correct way, the Authority shall make the necessary examinations with regards to the application and notifies its positive or negative decision to the communication service provider within three weeks provided that it is in conformity with the National Numbering Plan and National Frequency Plan and the conditions set forth in the following sub-clauses of (a), (b), (c), (ç) and (d) are fulfilled</p> <ul style="list-style-type: none"> (a) Existing suitable authorization for requested resources or suitable authorization notification is made together with the request for resource, (b) Requested resources are in a position to be able to be allocated and are in conformity with definition of the respective service and its geographical scope, (c) Sufficiency of technical capacity that is suitable with the requested resources, existence of market estimations and

	<p>investment plan that will support the number of subscribers,</p> <p>(ç) Having reached the occupancy rate determined by the Authority in additional resource requests</p> <p>(d) Other provisions that are required by the Authority are met.</p> <p>(3) A period of up to fifteen days may be given to the communication service provider by the Authority for correcting defects that exist in the application of the communication service provider that do not constitute contradiction to the rules determined with the Law and this Bylaw, the application shall be removed from processing if defects are not corrected until the end of this period.</p> <p>(4) (A) The communication service provider, whose application is approved by the Authority, shall be notified to deposit the fee of the respective right to individual use in total, which is calculated on pro-rata basis from the date of the application until the end of the year for which the communication service provider applied, for being registered as revenue to the Authority.</p> <p>(B) Fees on right to individual use shall be determined with the Bylaw and the respective legislation within the upper and lower limits determined with the Law. In case of the payment is not made within a month after the Authority informed the applicant in writing for the payment of the fee of right to individual use, the application shall be removed from processing.</p> <p>(5) Usage right authorization document issued for the applicant by the Authority shall be submitted to the communication service provider within fifteen days after the communication service provider, whose application is approved by submitting all the information and documents on the application for right to individual use in complete and which is notified to make the payment for the fee of right to individual use, submits the original or bank-approved copy of the receipt proving that the related fee was deposited to the bank account notified by the Authority. The communication service provider may begin to use the allocated resources as of the date the authorization document is received.</p> <p>(6) The Authority may reject the request for granting right to individual use for the reasons of national security, public order, public health and similar public requirements and the lack of resources that are required to be allocated.</p>
<p>Additional Rules to be Applied in Frequency Allocation</p>	<p>11. (1) (A) In frequency allocations, minimum restricting measurements may be taken for the number or amount of frequencies that will be allocated to ensure that wireless communication need is sufficiently met.</p> <p>(B) Necessary restrictions may be imposed on the values of technical parameters for the allocated frequencies such as place of usage, power of transmitter, antenna type, direction of the antenna and height of the</p>

antenna by the authority.

(2) In case of not being able to ensure communication environment in the allocated frequencies and not being able to eliminate electromagnetic interference despite technical regulations, allocated frequency and frequency bands may be changed by the Authority. Any kind of change including withdrawal in some or all of the frequencies allocated to and registered under the communication service provider, Directorate of Meteorology Department, General Directorate of Police, Civil Aviation Department, Turkish Republic of Northern Cyprus Coastal Guard Command, Security Forces Command, Cyprus Turkish Peace Force Command and High Council of Broadcasting parallel to the changes that will be made in the National Frequency Plan in the framework of new plans that may be made in conformity with the regulations made by the Authority and the regulations of the related international organizations for developments in the technology and effective usage of the spectrum and on the condition that frequencies allocated and registered under the communication service providers shall be protected to the maximum extent and by receiving opinion from related organizations when considered necessary by the Authority.

(3) As per the legislation in force regarding the provision of broadcasting services, the Authority shall transfer the obligation for granting right to individual use for frequency band and channel allocation to the High Council of Broadcasting. However, the Authority may make new regulations on frequency band and channel allocation for right to individual use within the National Frequency Plan or may withdraw the rights transferred to the High Council of Broadcasting.

(4) In case of any harmful electromagnetic interference, primarily the protection of frequencies that are allocated to communication service providers is essential. If any harmful electromagnetic interference exists in the allocated frequencies, the frequencies of the communication service provider and/or user that the first frequency is allocated and registered are protected.

(5) (A) In case of communication service providers, which are authorized in the scope of right to individual use whose number is not limited, do not begin to provide service in a year as of the date of authorization, may request additional time from the Authority by stating their justification to begin service. The Authority may give an additional period to the communication service provider for not more than six months.

(B) (a) In case of communication service provider does not begin providing service in a year as of the date of authorization and does not request any additional period or does not begin providing service within the additional period, the Authority shall withdraw the allocated frequency resource unless there are objective reasons that require the opposite.

	<p>(b) The Authority shall inform the communication service provider on its decision for withdrawing allocated frequency resource with its justification in a way to give a length of time until it is withdrawn.</p> <p>(c) Communication service provider shall be obliged to make the necessary regulations within the period that will be determined by the Authority in accordance with the rules of this clause.</p> <p>(6) For alteration and withdrawal of the frequencies of communication service provider that was granted usage right whose number is limited, provisions in tender specification and usage right authorization shall be taken into consideration in addition to the rules of this Bylaw and the Law. In terms of license contracts issued for the installation and operation of GSM numbers and cellular mobile telephone systems that were granted by the Ministry before the date the Law entered into force, transactions shall be made within the procedures and principles set forth in the related tender specification and/or contract in issues for withdrawing the allocated frequency resource, making change or on additional frequency allocations.</p> <p>(7) The Authority shall give a reasonable period to the communication service provider for frequency changes and withdrawals. Communication service provider cannot make a request from the Authority or from its subscribers for expense items and other costs and losses that may occur in conformity process for the changes that will be made in the National Frequency Plan or withdrawal process of the frequency. The Authority shall not be imposed any obligation for cancellation or withdrawal of frequencies.</p>
<p>Additional Rules to be Applied in Number Allocations</p>	<p>12. (1) Allocations for right to individual use that contain number allocation shall be granted by the Authority primarily in consideration of the National Numbering Plan and regulations in the scope of international agreements.</p> <p>(2) The following conditions shall be applied in the allocation of right to individual use that contain number allocation;</p> <p>(A) The Authority may allocate a specific portion of requested numbers if it considers necessary.</p> <p>(B) Allocated numbers shall not be transferred to another communication service provider without the permission of the Authority. In order for letting the allocated numbers be used by another communication service provider, it is required to notify the Authority fifteen days before.</p> <p>After the respective notification is made for letting the allocated numbers be used by another communication service provider, the Authority shall make its decision by taking the opinion from financial perspective from the Ministry responsible for Finance.</p>

(C) (a) The number or number blocks that are terminated in use for any reason may be, except in exceptional circumstances, re-assigned to a different person at least six months later than the termination date of usage for post-paid lines; at least two months later if the line was not topped up in the first two months and in other situations, at least six months later.

(b) These periods shall not be applied if the number that is terminated in use is re-assigned to the same person.

(Ç) Except for the numbers allocated before this Bylaw entered into force, numbers, which were allocated to the communication service providers in the scope of the license contracts issued for the installation and operation of GSM numbers and cellular mobile telephone systems that were granted by the Ministry before the date the Law entered into force, shall be made to be ready to be offered to service in at least one year as of the date of allocation. This period may be extended by the Authority when considered necessary. Requests of communication service providers for extending the period shall be made at least one month before the one-year period expires.

(3) In addition to the conditions set forth in the clause 1 given above, the Authority may impose special conditions for the type of service or number and may impose the communication service provider to submit a three-year plan for number use if it considers necessary.

(4) Upon justified request of the Authority, the communication service provider shall give a written report on the past three years for all of the numbers it was allocated and the report is required to contain at least the following facts:

(A) The number of subscribers of each number type and total amount of numbers that are allocated to subscribers as arranged for each number type,

(B) The quantity of assignable numbers in each number type,

(C) The quantity of numbers reserved for future services,

(Ç) The numbers in use apart from those assigned to the subscribers and their purpose of use,

(D) Number usage plan for the following three years,

(5) In case of the presence of the following conditions, the Authority may decide on changing, returning or withdrawal of allocated numbers by also taking the opinion of related parties; communication service providers shall include the following conditions in their subscription contracts;

(A) Requirement of national security, public order and emergency needs,

(B) When there are changes in regulations of related international organizations and/or in the regulations in the scope of international

	<p>agreements,</p> <p>(C) Changes that will be made in the numbering plan,</p> <p>(Ç) When requested by the communication service provider and the Authority approves this request,</p> <p>(D) When authorization of the resource of the respective number is terminated or changed for any reason,</p> <p>(E) When all assigned numbers are not brought into service or service is not given within one year as of the date of allocation,</p> <p>(F) When additional number capacity needs are obliged,</p> <p>(G) When the conditions constituting the basis for the number allocation become invalid or when it is determined that information or documents submitted during application are inaccurate or misleading.</p> <p>(6) Allocated numbers may be returned to the Authority. No right can be claimed by the Authority for returned numbers including number allocation and right to individual use fee.</p>
<p>Periods for Right to Individual Use</p>	<p>13. (1) Right to individual use shall be allocated for maximum ten years in any case unless otherwise specified by the Authority in the related application forms or unless a shorter period is requested by the communication service provider.</p> <p>(2) Between periods of twelve and six month-periods as of the expiry date of right to individual use, an application may be made to the Authority for renewal of right to individual use with the notification form determined by the Authority and with information and documents set forth in the form.</p> <p>(3) The Authority may renew the right to individual use by assessing the application in line with the conditions determined with this Law.</p> <p>(4) Rules set forth in the tender specification and usage right authorization shall be taken into consideration for the usage right period of the communication service provider that is the holder of usage right whose number is limited.</p>
<p>Communication Service Provider Registration</p>	<p>14. (1) Communication service providers that are authorized in the scope of this Bylaw shall be registered in the communication service provider registration by the Authority.</p> <p>(2) When communication service providers are allocated right to individual use, details on the allocated right to individual use shall be recorded under the registration.</p> <p>(3) Registration information shall be given in the scope determined by the Authority in the related section of the web site of the Authority.</p>

<p>National Numbering Plan</p>	<p>15. (1) The Authority shall prepare the National Numbering Plan that contains the scopes of usage of numbers that will be allocated and additional conditions for their use and shall publish it with the decision of the Board. National Numbering Plan and allocated numbers shall be published in the web site of the Authority as well.</p> <p>(2) The ITU-T Recommendation E.161 shall be taken as a basis for displaying and using the assigned numbers in alphanumeric order.</p> <p>(3) The Authority may make changes in the National Numbering Plan due to requirements of national security, public order or situations required by states of emergency, changes made in the regulations of related international organizations or need for number capacity.</p>
<p>National Frequency Plan and Management</p>	<p>16. (1) The Authority shall prepare the National Frequency Plan that contains the frequency range from 9 kHz to 3000 GHz and submits it to the Council of Ministers through the Minsitry. Pursuant to the approval of the National Frequency Plan by the Council of Ministers and publishing the National Frequency Plan in the Official Gazette, the Authority shall publish the National Frequency Plan, which is composed of explanations such as general and detailed frequency plan, frequency interval for projected systems, output power, authorization procedure, reference information and remarks in its official web site. Technical terms and abbreviations used in wireless services and stations, application terms, common usage of frequency and space applications are published with the National Frequency Plan.</p> <p>(2) International frequency coordination transactions for terrestrial, aerial, maritime, satellite and radio and television broadcasting services, are conducted with the neighbouring and related countries via bilateral or multilateral agreements by the Authority and in case of lacking of such agreements frequency coordination is done by the Authority within the framework of procedures of ITU and CEPT; coordination transactions for broadcasting services are carried out with the coordination of the High Council of Broadcasting. The international frequency coordination procedures that are done under the supervision of ICAO are carried out with the coordination of Civil Aviation Department.</p> <p>(3) In case of any harmful electromagnetic interference caused by any system residing in a neighbouring country, is notified by communication service providers or users and such interference is determined, necessary actions in order to solve the problem with the neighbouring countries are taken by the Authority.</p> <p>(4) Security Forces Command and Cyprus Turkish Peace Force Command and High Council of Broadcasting shall make and apply frequency planning in the frequency bands allocated to them by the Authority. Frequencies that will be assigned for installing system, having the system installed and usage permits and authorization transactions, any kind of</p>

	<p>maritime and aerial band wireless communication and security navigation devices and systems conducted by the Coastal Guard Command shall be determined by the Authority.</p> <p>(5) The Authority may make preparations for making changes in National Numbering Plan due to requirements of national security, public order, regulations of related international organizations and rules of bilateral agreements; in any case, the Authority shall review the Spectrum Plan at least once in every three years and prepare draft for change for updates if required. Draft for plan change shall be submitted to the Council of Ministers through the Ministry and changed National Frequency Plan shall be published and enter into force after the draft is approved by the Council of Ministers.</p>
--	--

SECTION THREE

Rights of Communication Service Providers

<p>Rights on General Authorization</p>	<p>17. (1) Legal entities that want to provide electronic communication service or to install or operate electronic communication network may provide electronic communication service or install or operate electronic communication network by being limited to the scope they are authorized on the condition that the rules determined with this Bylaw is abided by, pursuant to being authorized with the general authorization by the Authority by making the notification determined with Article 8 of this Bylaw.</p> <p>(2) Public communication service providers, in the framework of entry authorization, in accordance with the conditions determined with the Law for operating activities in the scope of general authorization for the purpose of survey, review, investigation or to install fixture, repair or for similar works</p> <p>(A) May enter into immovable property and make the necessary operations or</p> <p>(B) Open, break and/or dig any street and may install the fixture of any electronic communication network and may change the position of any pipe except for the main pipes that carry water to its users.</p> <p>(3) In order to be able to use the entry authorization, it is required to notify the user of the immovable property and related parties determined with the Law 24 hours before, obtain their written consent, pay land use fee for the user and obtain all the necessary permissions from all related authorities as per the legislation in force. Property owner shall be given compensation in accordance with the rules determined with the Law for any damage and/or destruction caused on any property during these works and installments are carried out.</p>
---	---

	<p>(4) Communication service providers authorized with general authorization may request interconnection and access from other communication service providers and may make interconnection negotiations in accordance with the conditions determined with the Law, rules determined by the Authority and Article 32 of the Main Law.</p> <p>(5) Communication service providers that install or operate electronic communication network may provide connection between Points of Presence of other communication service providers, they may install and operate terrestrial and/or submarine transmission infrastructure with a point in the boundaries of the country and with a point out of the boundaries of the country on the condition that required permissions are obtained from all of the related authorities in accordance with the legislation in force.</p>
<p>Rights for Frequency Usage</p>	<p>18. (1) Communication service provider that was allocated frequency in the scope of right individual to use may use the allocated frequency by being limited to the scope it was authorized with general authorization for the purposes of providing electronic communication service or installing or operating electronic communication network on the condition that the regulations of this Bylaw, the Law and the Authority are abided by.</p> <p>(2) Communication service provider that was allocated frequency in the scope of right to individual use shall also obtain permission from the Authority for the purpose of installing and operating wireless systems in which the frequency will be used.</p>
<p>Rights for Number Usage</p>	<p>19. (1) Communication service providers that are allocated numbers in the scope of right to individual use may use the allocated numbers only by being limited to the scopes of this Bylaw and general authorization.</p> <p>(2) The rights of communication service providers that were allocated numbers in the scope of right to individual use on the allocated numbers are not proprietary rights, but usage right.</p> <p>(3) Numbers, on which communication service provider has the right to make secondary allocation, shall be also stated in the National Numbering Plan and authorization of right to individual use.</p> <p>(4) Communication service provider may let another communication service provider use the numbers it was allocated on the condition that the Authority is informed fifteen days before and in a way determined in the legislation. In such case, while the responsibility arising from providing the service to the users shall be on the communication service provider using the number, the obligations arising from the number assignment of the communication service provider letting the other communication service provider use its number shall remain.</p> <p>(5) (A) In order for providing fixed telephone services, it is required for communication service providers to make allocations for suitable number,</p>

	<p>which they can perform secondary allocation in accordance with the National Numbering Plan.</p> <p>(B) Communication service providers that perform number allocations in conformity with the National Numbering Plan by completing authorization processes shall have the right to provide all fundamental telephone services including inter-districts and international telephone services and all services of voicemail or short message, fax, video calling and etc. to the users through fixed terrestrial telephone network and/or through the internet.</p> <p>(C) Communication service providers may provide their services by themselves or through their agencies by using post-paid or any kind of pre-paid telephone terminals.</p>
--	--

SECTION FOUR

Obligations of Communication Service Providers and Additional Conditions

<p>Obligations on General Authorization</p>	<p>20. (1) Universal service obligation and financing: In case of being determined as universal service provider by the Authority in the scope of universal service determined by the Authority, communication service providers shall fulfil the universal service requirements determined by the Authority. In case of universal service costs are determined by the Authority to be shared, communication service providers shall pay net costs which are informed to them by the Authority in the framework of the rules determined by the Authority.</p> <p>(2) Fees: (A) Fees that will be paid by communication service providers are composed of allocation and usage fee that is paid for allocation of right to individual use that is set forth in Schedule 8 that is enclosed with the Law and instalment and usage fee that is paid for wireless instalment and usage as set forth in Schedule 7 that is enclosed with the Law.</p> <p>(B) In addition, communication service providers that are under the scope of general authorization shall pay administrative fee of the Authority every year for the respective year as per the conditions determined with the Law and this Bylaw.</p> <p>(C) The Authority shall collect a fee from the individuals that the Authority provided consultancy services in the scope of the Law for consultancy service.</p> <p>(3) Interoperability of services and interconnection of networks:</p> <p>(A) Communication network, which is used or owned by the communication service provider, shall be designed, installed, maintained, operated and used in a way not to cause interference and in accordance with respective international standards.</p> <p>(B) Any two communication service providers may make technical and commercial agreement among themselves for access and/or interconnection. All public communication service providers are obliged to</p>
--	---

negotiate for making interconnection agreements when a request is made by any authorized communication service provider; in case of not being able to reach an agreement within the period determined with the Law, respective legislation and Authority, the Authority shall deliver the final decision that determines access or interconnection conditions in accordance with the rules determined with the Law, related legislation and Authority.

(C) Any communication service provider that obtained information from another communication service provider before or after it enters an access or interconnection agreement, must use this information only for the purpose it was given and must not reflect it to another natural or legal person that may gain any competitive advantage from it.

(4) Accessibility of numbers in the National Numbering Plan for users: Communication service provider shall enable accessibility of numbers for users according to the National Numbering Plan and in accordance with the conditions set forth in the National Numbering Plan.

(5) Conditions on environmental and city and area planning requirements, requirements and conditions dependent on public and private area use and the assignment of access rights and conditions connected to cohabitation and facility sharing and, if any, conditions on financial and technical guarantees to ensure the proper realization of operation infrastructure:

(A) Communication service provider may install the necessary software, devices and network for other infrastructure in the scope it was authorized by itself or may obtain from other communication service providers in conformity with the respective legislation. Communication service provider has the right to develop its systems and network according to developing technologies and to have other communication service providers use them in the framework of the respective legislation.

(B) Communication service providers shall obey the following rules for establishment of network and formation of any kind of infrastructure;

(a) In cases where underground cabling is required, the process for laying cables shall be made in the depth, which will not impede the land to be used.

(b) Effects on visibility of buildings, which may occur during instalment or cabling process of any electronic communication service device, system, network, equipment, potential dangers that may be caused during works on instalments or that may be caused by the device itself after instalment and interference shall be reduced to the minimum extent.

(c) Instalment of any public electronic communication network that is placed or installed on top, under, across any street or through any street shall be placed or installed in a way that will not cause any restriction, interruption and/or intervention through the street.

(6) Protection of personal data and private life specific to electronic communication sector: Regarding the protection of personal data and private life, communication service providers shall abide rules that are determined by the Law, Authority, Personal Data Protection Council and obligations determined with the Law on Protection of Personal Information

and with other respective legislation.

(7) Rules for protection of consumer that are specific to electronic communication sector:

For the protection of consumers, communication service providers shall abide the Law and the rules determined by the Bylaws and the Authority that are prepared in accordance with the Law.

(8) Restrictions on illegal content and transmitting illegal content:

(A) In order for required legal procedures to be applied for prevention of transmitting illegal content and in cases of transmitting and access of the said contents constitute a crime, communication service providers are obliged to keep the identity information of subscriber, his/her address, phone number or information taken when the subscription began in line with the conditions determined with the legislation; information on date and time for connecting the system, information on date and time for exiting the system, if exists, the IP address that is given for the related connection and information on connection points for a period for that will be determined by the Authority and that will not be less than six months and more than two years by starting in six months as of the date of this Bylaw enters into force and except for the obligations determined with other related legislation.

(B) For the purpose of preventing transmission of illegal content, communication service providers shall take the required precautions for preventing their users from accessing illegal contents that they are accessing.

(9) Information that will be given by communication service providers while notifying in the scope of general authorization: Information and documents on the details, technical characteristics of electronic communication service and/or network, and on the geographical region where service or network will be provided or installed shall be send. Together with these information and documents, title of the communication service provider, company registration documents, information on residence address or addresses of headquarters and branches, if they exist, sample signatures for those that are authorized to administer and represent before the Authority shall be send to the Authority.

(10) Conditions that are used in extraordinary situations for providing communication among authorities and broadcasting for the public are as follows:

(A) Communication service providers are obliged to take required measures for maintaining integrity of electronic communication networks including the prevention of harmful interference among public electronic communication services and/or networks and enabling emergency call service numbers to be able to be reached uninterruptedly in cases of disasters.

(B) Communication service provider shall notify the Authority with documents that its obligations in the subscription agreement has been performed before operation of electronic communication service and/or

network and infrastructure that were installed are terminated or withdrawn from the authority area it is obliged to provide. Communication service provider is obliged to take the required measures for providing the service uninterruptedly.

(11) Precautions regarding the limitation of exposure of the community to electromagnetic areas that are caused by electronic communication:

(A) Communication service provider is obliged to abide by the values determined by the Authority, in accordance with non-ionized radiation emission standards issued by ICNIRP and succeeding organisations and with radiation emission standards of IEC.

(B) Communication service provider shall enable that non-ionized radiation emissions that are resourced from networks operated by itself and from devices within this scope will remain in the values determined by the Authority in a way that will not exceed limit values determined by ICNIRP and shall enable that the will be installed and operated in a way not to exceed these values.

(12) Maintaining the integrity of public communication networks including the conditions for preventing interference among electronic communication networks and/or services in accordance with the legislation in force on electromagnetic compatibility: Communication service providers are obliged to ensure that electronic communication network and its parts are not designed, not built, not installed, not used and not operated in a way that may cause harmful interference with their use or operation in accordance with the related legislation.

(13) Security of public networks against unauthorized access:

(A) In order to ensure confidentiality and security of communication and ensure and protect the security of network, communication service providers are obliged to take any kind of precaution, ensure technological compatibility in their infrastructure and systems, abide confidentiality provisions in both protection and transmitting information, documents and data on electronic communications and prevent others except from authorities authorized with the Law obtaining this information.

(B) Communication service provider is obliged to take necessary measures so as to prevent access of unauthorized people and their disruptive/modifier interventions on devices that will be used in electronic communication service it will provide or that will be used in communication network it will operate.

(C) Communication service provider shall take the necessary measures for eliminating or reducing risks that are resourced from threats and/or vulnerabilities to ensure that safety of physical area, data safety, hardware-software safety and reliability and staff reliability are provided while its operations in the scope of authorization are being maintained.

(Ç) Communication service provider is obliged to ensure and document conformity to TS ISO/IEC 20000 standard. Communication service providers shall ensure and document conformity to the aforementioned standards in eighteen months as of the date of this Bylaw enters into force; whereas communication service providers that recently begin their

operations shall ensure and document conformity in eighteen months as of the date of their being authorized. Additional period may be given to communication service providers, which could not provide conformity to the aforesaid standards and/or could not document in the cases stated in this clause, by the Authority for not being more than six months and for only once if it is deemed necessary by the Authority.

(D) Communication service providers are obliged to install technical infrastructure for satisfying the demand with regards to the regulations imposed according to the legislation related with national security through electronic communication systems and other related legislation in force before their electronic communication system enters into service.

(14) Conditions for wireless frequency use even though they are not subject to the rules of granting rights to individual use: Communication service provider is not required to additionally make allocation of right for frequencies, which are not subject to right to individual use that is determined with the Authority. Additionally wireless instalment and usage permission shall not be taken for wireless devices that will be used in frequencies, which do not require allocation of individual right; on the condition that limits determined with the legislation are abided by and the Authority is notified with a notification form that will be determined by the Authority. Communication service provider shall make its frequency usage for frequencies that are not subject to right to individual use by abiding by the rules determined with the Authority, by not causing any interference and in accordance with the National Frequency Plan.

(15) Precautions on establishing compatibility for standards and/or characteristics.

(A) Communication service provider shall firstly comply with the standards, specifications and recommendations accepted by ITU, ISO, IEC and ICNIRP and the conditions that will be published by the Authority in accordance with them.

(B) Communication service provider is obliged to connect or allow the connection terminal devices that are in conformity with the respective technical regulations to its system.

(16) Quality of service:

(A) (a) The Board shall publish quality of service measurements and service levels for public communication service providers through the web site of the Authority.

(b) Public communication service providers are obliged to comply with the criteria on the quality of service and service levels determined by the Authority and stated in Schedule 1 that is enclosed with this Bylaw, to send the related data to the Authority and to show the attention that is required for providing uninterrupted service.

(c) Communication service providers are obliged to apply the latest versions of the standards that are stated in Schedule 1 that is enclosed with this Bylaw and that entered into force.

(ç) The Authority may issue Notifications on how the criteria on quality of

	<p>service, which are set forth in Schedule 1, shall be calculated and notified.</p> <p>(B) (a) In accordance with service levels published from communication service providers, the Authority may request them to make changes, improvements and amendments in service levels commitments.</p> <p>(b) Communication service provider is obliged to fulfil the aforementioned changes, improvements and amendments within the period stated by the Authority that is not in less than sixty days.</p> <p>(C) (a) Communication service providers are obliged to send the reports, which contain measurements for the criteria for the quality of service that is determined by the Authority in the scope of electronic communication services provided by them, and which contain information of previous three months and which are monthly given, to the Authority until the end of January, April, July and October every year.</p> <p>(b) The Authority may request any information and document it considers necessary with the subject.</p> <p>(c) While the reports are being sent to the Authority, communication service providers shall submit the differences on the data between two subsequent reporting periods to the Authority with their justifications.</p> <p>(Ç) Communication service providers are obliged to keep all data and related records on the criteria of quality of service for at least two years after their reporting dates.</p> <p>(D) The Authority may publish the information on the criteria of quality of service that is sent by communication service providers as well as may impose the communication service provider to publish.</p> <p>(E) (a) In order for subscribers to be able to report their complaint, failure and service requests in the scope of abiding by the criteria of quality of service, public communication service providers that provide telephone service that is open for use by everyone are obliged to provide a call center service to its subscribers through a call center, which is accessible and which is established and operated within the boundaries of the Turkish Republic of Northern Cyprus, for 7 (Seven) days 24 (Twenty-four) hours in three months as of the date this Bylaw enters into force; whereas other communication service providers are obliged to provide the service for 7 (Seven) days 16 (Sixteen) hours (08:00 – 24:00).</p> <p>(b) Communication service providers may obtain the call center service from a third party as an outsource service provided that the conditions determined with this Bylaw are abided by.</p> <p>(c) Communication service providers shall provide the necessary possibility at the main menu of call center for their user that requests service to directly connect to the real person in the call center.</p>
<p>Obligations on Right to Individual Usage that Contains Frequency</p>	<p>21. (1) Determining network or technology type or service that are granted frequency usage rights: If it is additionally stated, communication service providers are obliged to use the frequencies that are allocated to them in accordance with the direction determined with the National Frequency Plan or determined by the Authority by being limited to the</p>

<p>Allocation</p>	<p>stated network or technology type or service.</p> <p>(2) Effective and efficient use of frequencies: Communication service providers are obliged to use the frequencies that are allocated to them in accordance with the Frequency plan and regulation and policies of the Authority by not causing any interference.</p> <p>(3) Technical and operational conditions that are required for preventing interference and restricting the community being exposed to electromagnetic areas: Communication service providers are obliged to use the frequencies that are allocated to them in accordance with the rules determined with this Bylaw and in conformity with the regulations of the Authority with regards to wireless instalment and use.</p> <p>(4) Maximum period for compliance on changes that may occur in the national frequency plan: In accordance with the changes that will occur in the National Frequency Plan, communication service providers are obliged to make the necessary changes in their network, service and systems in maximum twelve months in a way that will enable its users to be affected at the least extent.</p> <p>(5) Transfer of individual rights on the use of allocated frequency: For transactions of transferring frequencies that are allocated to them to third parties, communication service providers shall abide by the rules of the Law and this Bylaw and shall take required measures for their users to be affected at the least extent due to the transfer of the abovementioned right.</p> <p>(6) Usage fees: For allocating frequencies to communication service providers and for using the allocated frequency, communication service providers shall pay frequency allocation and usage fees in accordance with the rules that are determined with the Law and this Bylaw.</p> <p>(7) Obligations on frequency use in the scope of international agreements: Communication service providers shall make the required change and compliance works in their networks and services within periods that will be determined by the Authority in order to provide compliance to the regulations of the related organizations that are stated in the Law and the Bylaw and the rules of related international agreements that will be made.</p>
<p>Obligations on Right to Individual Use That Contains Number Assignment</p>	<p>22. (1) Determining the service in which the number will be used:</p> <p>(A) The Authority may restrict the services and contents that will be offered through the numbers that will be assigned or may decide for the determined services and contents to be offered through determined number blocks with additional rules that it will determine in the National Numbering Plan or with number assignment.</p> <p>(B) The Authority may carry out classification in the scope of determining services and contents on content and/or pricing basis.</p>

(C) Communication service providers are obliged to use, make secondary assignment, provide services or have the services provided for the numbers assigned to them within determined scope and restrictions.

(2) Efficient and effective usage of numbers in accordance with the Law:

(A) Communication service providers are obliged to use the numbers assigned to them in a way that will not cause any confusion with the numbers that exist in the National Numbering Plan and in accordance with the regulations and policies of the Authority.

(B) Communication service providers shall take the required measures to ensure that calls made to a number shall be terminated at the same point except for call routing or similar circumstances.

(3) Requirements of number portability: Communication service providers that are assigned numbers are obliged to abide by the obligations on number portability that is determined with the regulations of the Law and the Authority.

(4) Obligation for providing directory of subscriber information that is open for public: Communication service providers that are assigned numbers are obliged to abide by the obligations on creating information of the directory that is determined with the Law, this Bylaw and in the scope of universal access.

(5) Maximum period on the changes that may occur in the National Numbering Plan: Communication service providers are obliged to make the required changes in their network and services in maximum twelve months in a way that ensure that their users will be affected from the changes to the minimum extent in accordance with the changes that will occur in the National Numbering Plan.

(6) Transfer of rights and conditions on transfer of rights: Communication service providers shall abide by the rules of the Law and this Bylaw in the transactions for transferring the numbers that are assigned to them to third parties and shall take the required measures for their users to be affected from this transfer of right to the minimum extent.

(7) Usage fees: In order for communication service providers to be assigned numbers and to use the assigned numbers, communication service providers shall pay allocation and usage fee in accordance with the rules determined with the Law and this Bylaw.

(8) Obligations on number usage in the scope of international agreements: Communication service providers shall make the required change and compliance works in their networks and services within periods that will be determined by the Authority in order to provide compliance to the regulations of the related organizations that are stated in the Law and the

	Bylaw and the rules of related international agreements that will be made.
Obligations for Public Telephone Networks	<p>23. (1) Communication service providers that install and operate public telephone network and communication service providers that provide telephone service open for use by everyone are obliged to fulfil the obligations that are set forth in this article on the condition of having technical feasibility and economical profitability.</p> <p>(2) Breakdown in invoices and/or Detailed Invoices: Communication service providers are obliged to send an invoice to their subscribers in written form or in the electronic environment if they don't have a demand otherwise, without charging any fee in accordance with the legislation and the Law and rules determined with the Authority by being subject to the requirements of the other legislation in force on the protection of personal information and private life. If it is technically suitable, invoices in detail may be presented to subscribers through reasonable tariffs or for free of charge. Calls that are free for calling subscriber, including calls made to emergency lines, shall not be included in the breakdown in invoices and/or detailed invoices of the customers. Communication service providers may make an agreement with other communication service providers for providing invoicing service in a way that will not impose any burden on consumers.</p> <p>(3) Restriction of free private call for outgoing calls: When requested by the subscriber, communication service providers shall block calls made for numbers dedicated to different charging or specific services or contents that are stated in the National Numbering Plan, for free of charge, within maximum a month after it was published in the National Numbering Plan.</p> <p>(4) Prepaid services: Communication service providers provide prepaid tools to their users for accessing public telephone network and the usage of telephone service open for use by everyone. When prepaid tools are physically provided, information with regards to commercial title of the communication service provider, its customer service number, Internet address, expiration date of the card, amount of TL-Kr (Turkish Lira-Kuruş) or unit, instruction manual of the card and its serial number are obliged to be stated in a clear and intelligible way through physical channel. In case of prepaid tool is provided in the electronic environment, this information shall be given to user before sale in electronic environment. For prepaid sales that are made with POS machine, the printout, which contains that information, shall be given to the user after sale.</p> <p>(5) Invoices that are not paid: In case of subscribers do not pay their invoices for telephone services that are open for use by everyone, communication service providers are obliged to inform the subscriber through the electronic communication service they receive on the declaration that the service will be terminated until two days before the service is terminated. Necessary information on the term, amount and</p>

when the service will be terminated shall be given in the notification with regards to unpaid invoices. Communication service provider shall ensure that any service interruption is limited with the related service to the extent it is technically possible except for the situations of forgery, persistent late payment or not making any payment. At least for a month after call service interruption began, communication service provider shall allow the subscribers to originate a call through the line whose service is interrupted to emergency calls and shall continue to provide call terminating services.

(6) Tone dialling or DTMF: Public telephone networks are ensured to use DTMF tones for end to end signalling all around the network both throughout the country and throughout the world to the extent it is technically possible.

(7) Calling line identification: For identification of the calling line, communication service providers shall enable the following conditions in three months as of this Bylaw enters into force;

(A) Communication service providers shall provide data and signals in order to facilitate provision of calling line identification and tone dialling facilities in the international level to the extent it is technically possible.

(B) Communication service provider is obliged to assign a number to its subscribers, which it provides call originating service for telephone services that are open for use by everyone. In calls originated by communication service provider, the number assigned to its subscriber is principal to be used as CLI.

(C) In addition to assign a number to its subscribers, communication service provider may use the geographical number, which is assigned to the subscriber by another communication service provider and which is used by the subscriber in the address the subscriber originated the call, or information number as CLI on the condition that communication service provider shall takes all required legal and technical measures and upon the submission of related documents such as invoice, etc. that prove the subscription of the subscriber or written declaration of the subscriber.

(Ç) Communication service provider shall provide the opportunity to the user that makes a call to cancel CLI feature while making a call with a simple method and for free of charge except for making emergency calls. The subscriber that makes the call shall have this opportunity for each calling lines.

(D) Communication service provider shall provide the opportunity to impede the CLI feature of received calls with a simple method and for free of charge in the scope of CLI feature.

(E) In the scope of CLI feature, communication service provider shall provide the opportunity to reject received call with a simple method when calling line identification is seen before the call is established in the case of

calling line identification is cancelled by the calling user or the subscriber.

(F) In the scope of CLI feature, communication service provider shall provide the opportunity for the subscriber that is being called to cancel the provision of the opportunity for calling line identification with a simple method and for free of charge.

(G) In case of being technically possible, the sub-clauses of (Ç), (D), (E) and (F) shall be applied in international calls as well.

(H) Communication service providers shall remove the prevention of CLI feature in accordance with the rules stated below:

(a) When a subscriber that demands determining the source of malicious and disturbing calls applies for the respective branch of Police General Directorate, identification of calling subscriber shall be stored in a way that will be determined by Police General Directorate for a temporary period and shall be given to the related branch of Police General Directorate when requested.

(b) CLI information shall be given to government agencies such as Police General Directorate, ambulance services and fire services that legally deal with emergency calls so as to answer emergency calls.

(I) Communication service providers shall make statement on their official web sites on the CLI feature for public disclosure.

(8) Emergency service calls: Communication service providers shall provide the following conditions on emergency call services in six months as of the date of this Bylaw enters into force;

(A) Communication service providers are obliged to ensure that their users can access emergency service call numbers, which are assigned to fire department, police, gendarmerie, health and similar organizations for emergency situations such as fire, health, natural disasters and security that are determined by the Authority and/or that are within the National Numbering Plan and that have also been accepted in national and international regulations for free of charge.

(B) Communication service providers are obliged to provide the address or location data of their users to AÇM's (Emergency Call Centers) for free of charge and to keep this information for a year in the following situation and scope at the time when the call is being made or in accordance with sharing procedures that will be determined by the Authority.

(a) Address data for the geographical number in question for the calls originated from geographical numbers,

(b) Location data for the call in question for calls originated from mobile numbers apart from GMPCS mobile telephone service,

	<p>(c) The address data, which is declared by the user that is assigned the number, to be used for accessing emergency call services in calls originated from position-independent numbers,</p> <p>(ç) Location data that can be determined within technical possibilities for the subject matter call for the calls originated from numbers that are assigned for GMPCS mobile telephone service.</p> <p>(C) The Authority may determine geographical precision rates of location data that communication service providers shall provide in the scope of their obligation to provide address or location data; communication service providers shall ensure that precision rates of location data that is determined by the Authority shall be applied in maximum twelve months.</p> <p>(Ç) In emergency calls that will be originated by the users of communication service providers that provide services with carrier selection, carrier pre-selection, wholesale line rental and other call originating service types, the obligations for providing access for free of charge or providing location data shall be fulfilled by the communication service provider that provides call originating service.</p> <p>(9) Communication service providers shall enable the subscribers to terminate automatic call transfer for terminal equipment of the subscriber by a third party with a simple method and for free of charge.</p>
--	---

SECTION FIVE

Administrative Fees

<p>Administrative fee of the Authority</p>	<p>24. (1) Communication service providers shall pay allocation and usage fee for allocations of right to individual use and instalment and usage fee for wireless instalment and usage. In addition, communication service providers shall annually pay administrative fee of the Authority, which is collected to cover the expenses of the Authority that are born when it is fulfilling its duties that are determined with the Law. The Authority may exempt the communication service provider, whose turnover is under the level that will be determined by the Authority with a decision which will be published in the Official Gazette for every financial year, for paying administrative fee of the Authority.</p> <p>(2) The administrative fee of the Authority shall be paid in an amount, which is determined by the Authority and which does not exceed 1% (One Percent) of electronic communication service provider's turnover that is obtained from installation and operating electronic communication network for the previous year. Communication service providers are obliged to pay the administrative fee of the Authority of the respective year to the bank account of the Authority that will be notified until the end of January for each year as cash in advance and send the bank receipt to the Authority.</p> <p>(3) Companies which recently begin communication service providing</p>
---	---

	<p>activities shall inform the Authority with its prediction of turnover that is determined for the year when the notification is being made together with its general authorization notification for the administrative fee of the Authority to be able too be calculated. Administrative fee of the Authority shall be paid to make netting over the prediction of turnover. Netting shall be made on the difference between the turnover materialized and the prediction of turnover at the end of January next year.</p> <p>(4) Administrative fee of the Authority, which is paid as cash in advance by communication service providers, whose authorizations and/or right to individual use is cancelled and/or transferred or terminated in any way, shall not be given back.</p> <p>(5) Communication service providers are obliged to notify the Authority on their annual turnovers for the previous financial year until June 1, every year. In case of communication service provider does not notify the Authority on its annual turnover until June 1, the Board may make ex officio calculation for annual turnover of the communication service provider by cooperating with the Income and Tax Department.</p> <p>(6) In case of administrative fee of the Authority is not paid until the last day of January, the Authority may suspend or cancel the right of communication service provider to operate electronic communication network or to provide electronic communication services. However, in case of proving that the reason for not making the payment within the predicted period is resourced from force majeure such as natural disaster, health, bankruptcy and etc., the Authority may give an additional period for maximum 15 (Fifteen) days.</p>
<p>SECTION SIX</p> <p>Transfer and Cancellation</p>	
<p>Transfer of Electronic Communication Networks</p>	<p>25. Communication service providers may transfer whole or specific part of their electronic communication network to another communication service provider, which made application for general authorization in the scope of the Law and this Bylaw and which is recorded in the communication service providers registry, after required notification is made to the Authority in a way that will not allow any suspension for their existing services and that will not allow their customers to be affected.</p>
<p>Transfer of Right to Individual Use</p>	<p>26. (1) Communication service providers may transfer whole or a specific part of the numbers and frequency resources that are allocated to them in the scope of right to individual use whose number is not restricted to another communication service provider, which made application for general authorization in the scope of the Law and this Bylaw and which is recorded in the communication service providers registry, if it is permitted by the Authority.</p> <p>(2) Communication service provider, which will transfer the resources, shall</p>

	<p>apply to the Authority for the permission of transfer with the application form that is determined by the Authority as well as other information and documents that will be requested by the Authority.</p> <p>(3) In case of written permission is given by the Authority for approving the transfer of resources, the right to individual use authorization shall be issued by the Authority under the name of the communication service provider that will transfer in a month after the permission. The Authority shall take the conditions of the respective market, conditions for competition, market share of the communication service provider and other related facts into consideration in the examinations made for these transfers.</p>
<p>Cancellation of Authorization</p>	<p>27. (1) Communication service provider may apply to the Authority in a written form for cancellation of its authorization by declaring that it doesn't operate electronic communications infrastructure under the scope of authorization, it has no subscribers or it terminated relationship with its subscribers at least three months before terminating its operations. In case of not being possible to notify the Authority three months before due to force majeure such as natural disaster, health, bankruptcy and etc., communication service provider is obliged to notify the Authority in at least 1 month as of the date it terminates its operations.</p> <p>(2) If required by the Authority, additional information and documents may be requested and/or an investigation may be carried out in place in addition to this notification for the request of cancellation. If it is found suitable by the Authority the said authorization may be cancelled.</p> <p>(3) The Authority may decide for suspension or cancellation of the right for operating electronic communication network or providing electronic communication services of a communication service provider, which have committed an administrative crime according to the Law, in accordance with sub-clause (Ç) of clause 1 of Article 99 of the Law. In such case, communication service provider is obliged to obey measures taken by the Authority compensating the unjust treatment of the subscriber.</p>
<p>Cancellation of the Right to Individual Use by the Authority</p>	<p>28. In accordance with the justifications stated below, the Authority may amend or cancel the right to individual use that was allocated to communication service providers after giving a reasonable period:</p> <p>(1) International requirements,</p> <p>(2) Reasons with regards to national security,</p> <p>(3) Reasons with regards to spectrum efficiency in accordance with regulations of international organizations,</p> <p>(4) In case of the Authority determines violation for any rule or restriction of any condition of the allocated right to individual use and the violation is</p>

	not eliminated within the reasonable period notified by the Authority.
SECTION SEVEN	
Various and Last Provisions	
Changes	29. In case of any change on the information or documents that have been given or submitted to the Authority for general authorization and/or application for right to individual use, communication service provider shall submit the related information and documents on the change to the Authority in maximum thirty days as of the date change is made.
Additional Conditions	30. (1) The Authority may determine additional rules and conditions for right to individual use allocations in the scope determined with the Law, together with the National Numbering Plan and Frequency Plan or additionally, in general or specific to the related network, service, frequency or number block. These rules and conditions, the forms within the scope of this Bylaw, right to individual use, general authorization allocation and authorization documents and other related texts shall be determined by the decision of the Board. (2) Communication service provider is obliged to obey the regulations that will be determined by the Authority in the framework of the conditions, which cannot be envisioned when it was authorized, but emerged later.
Existing Authorizations	31. (1) Except for the communication service providers which were issued licenses for the installation and operation of GSM numbers and cellular mobile telephone systems by the Ministry before the entry into force of this Bylaw; persons that were granted the permission to install, operate or provide service for any electronic communication network by making a contract with the Ministry before this Bylaw entered into force shall be considered to be authorized in the scope of the authorization given to them as of the date the Law entered into force. Communication service providers that are authorized accordingly and the Telecommunications Department shall obey the obligations that are determined with Board decisions, the Law, this Bylaw and the respective legislation. (2) Communication service providers that are within the scope of this article shall fill the information form that is published by the Authority and notify the Authority within a month as of this Bylaw enters into force in order for registry information that will be kept in the scope of this Bylaw to be formed. (3) Any natural or real entity that used wireless communication device or that was allocated frequency in accordance with an authorization or license before the entry into force of the Law shall give all the details on this usage to the Authority and apply for a new right to individual use within the scope of the Law in a month as of the date this Bylaw enters into force.

	<p>After examining the application, the Authority shall grant a new right to individual use by being limited with the authorization period that was given before on the condition that usage of related wireless communication device is legal, allocated frequency is in conformity with the National Frequency Plan and it doesn't create any interference on other legal users. In case of the Authority rejecting to grant a new usage right, it is obliged to inform the applicant on its justifications in writing.</p>
<p>Existing Licenses for the Installation and Operation of GSM Numbers and Cellular Mobile Telephone Systems</p>	<p>32. (1) The rules of the licenses for the installation and operation of GSM numbers and cellular mobile telephone systems that were granted by the Ministry before the Law entered into force that are not against the Law and this Bylaw; expiry, dismissal, cancellation and termination of license for any other reason shall continue in exactly the same way until the license expires.</p> <p>(2) Even though a rule is clearly present in the licenses for the installation and operation of GSM numbers and cellular mobile telephone systems, the Authority has the right to carry out the necessary regulations in call termination prices in accordance with the related articles of the Law.</p> <p>(3) Licenses for the installation and operation of GSM numbers and cellular mobile telephone systems cannot be interpreted against the rules of the Law and this Bylaw.</p> <p>(4) For issues of withdrawal, change or additional resource allocation for frequencies and number resources that are allocated in the scope of the licenses for the installation and operation of GSM numbers and cellular mobile telephone systems, proceedings are made within the scope of procedures and principles that are stated in the respective tender specification and/or contract.</p>
<p>Fees on Existing Rights</p>	<p>33. (1) In case of a communication service provider, which made an initial payment for being granted wireless frequency spectrum in the framework of the rules with regards to authorization in force, shall not be obliged to make a new initial payment to the Authority in the same scope for being granted a new right to individual use. However, it is obliged to pay annual administrative fees that will be envisaged for the costs of the Authority in accordance with the rules of the Law, fees for annual usage of the right to individual use, wireless instalment and usage fees or other fees and charges that are predicted to be received in accordance with the rules of the Law, this Bylaw and related legislation.</p> <p>(2) Communication service providers that have licenses for the installation and operation of GSM numbers and cellular mobile phone systems that were given by the Ministry shall not pay reallocation fee for the frequencies and numbers that are signed to them with license agreements and additional annual usage fee for the frequencies assigned to them.</p>

Trial Allowance	<p>34. (1) Natural and legal entities may apply to the Authority with an application form determined with the Authority for trial allowance in order for new technologies to be developed, used and/or tested and for electronic communication networks to be installed and operated and electronic communication networks to be provided.</p> <p>(2) Trial allowance shall be given under the following conditions by consulting with the Ministry;</p> <p>(A) Electronic communication service, whose trial allowance has been given, cannot be provided to persons other than test users whose number is limited in the scope of trial allowance,</p> <p>(B) Activities that are conducted in the scope of trial allowance cannot be commercial and revenue cannot be generated from these activities,</p> <p>(3) Active testing must begin in maximum 120 (one hundred and twenty) days as of the date of the person requested trial allowance is notified to be granted the allowance. In case of not beginning testing within the stated period, trial allowance shall be dismissed automatically.</p> <p>(4) Persons that are granted trial allowance shall send the report, which will contain findings they obtained during the trial period and other facts that will be determined by the Authority, to the Authority in maximum 60 (sixty) days after the trial allowance ends. Persons that requested trial allowance are obliged to submit any document that is requested by the Authority with regards to the subject at the trial allowance application, during the trial period and/or during the conclusion report is being prepared.</p> <p>(5) Persons that request trial allowance shall pay the fees that are determined with the Law and the respective legislation to the Authority.</p>
Administrative Sanctions	<p>35. In case of the activities or actions of communication service provider are against the rules and conditions determined with the Law, this Bylaw and with the respective legislation, administrative fine or other sanctions and actions are applied to the communication service provider in accordance with the Law and other related legislation.</p>
The Scope of Authorization	<p>36. Authorization that will be made in accordance with this Bylaw shall not grant any right to the communication service provider for the frequency and number allocated by the Authority other than the scope of authority, which is determined with this Bylaw.</p>
Temporary Provision Obligations of Public Communication Service Providers	<p>1. Public communication service providers are obliged to fulfil their obligations that are determined with Clause 16 of Article 20 of this Bylaw in six months as of the date of this Bylaw enters into force.</p>

<p>Temporary Provision</p> <p>Obligation to Incorporate a New Company</p>	<p>2. In accordance with Clause (3) of Article 6 of this Bylaw, communication service providers that provide electronic communication service and/or install or operate electronic communication network as well as that maintain their operations of property, service, maintenance and consultancy in the scope of information and communication technologies sector shall incorporate a separate company, in which the type of electronic communication service or electronic communication network that they are installing or operating exists or the statement of “providing electronic communication service, installing and operating electronic communication network, providing operations of property, service, maintenance and consultancy in the scope of information and communication technologies” exist in the field of activity that is present in their corporation bylaw for executing their activities that are only subject to authorization in six months as of the date this Bylaw enters into force; and in order for their existing authorizations to be transferred to the new company that will be incorporated, they shall apply to the Authority with the required information and documents in accordance with the Bylaw, they make the necessary changes in the field of activity for making their company to be able to carry out activities that are only subject to authorization and they notify the Authority on these changes. Authorizations of communication service providers that do not obey this rule shall be considered to be cancelled without the requirement to make any proceeding.</p>
<p>Temporary Provision</p> <p>Authorization Ban in Fixed Telephone Services</p>	<p>3. No authorization shall be given in fixed telephone services for 5 (five) years as of the date of the Law enters into force. The date when right to individual use for fixed telephone services will be given shall be determined by the Council of Ministers.</p>
<p>Procedures and Principles</p>	<p>37. The Authority may issue Regulations or publish Notifications for the services that communication service providers may provide in the scope of information and communication technologies, measures that will be taken maintain the integrity of electronic communication networks and to ensure information safety of communication service providers and for measurement and reporting of quality of service.</p>
<p>Enforcement</p>	<p>38. This Bylaw shall be enforced by the Ministry responsible for electronic communication.</p>
<p>Entry into Force</p>	<p>39. This Bylaw enters into force on the date of its publication on the Official Gazette.</p>

SCHEDULE ONE

(Article 20)

CRITERIA OF QUALITY OF SERVICE

CRITERIA ON THE QUALITY OF SERVICE FOR FIXED TELEPHONE SERVICES

Period of First Connection		
Definition	Measurement	Objectives
It is the period between communication service provider receiving a valid request for service and putting the service into use.	- Fulfilment period for 95% of calls whose requests are met most quickly	≤ 7 days as of the subscription contract is made
The cases of establishment of a new line, transfer of a valid line to another customer and renewal of existing access line are included in this scope.	- The percentages of requests that are completed on the agreed days, in cases when connection is agreed to be made on a certain date upon the request of user	$\geq 95\%$
The measurement shall be made in accordance with ETSI EG 201 769-1 standards.		
Call Set-up Period		
Definition	Measurement	Objectives
The period begins when address information that is required for call set-up is obtained by the network (for example definition of calling user on the line) and terminates when ringing tone, busy tone or answering signal of the dialled number reaches the calling line.	The average of providing call set-up in national calls	≤ 2 seconds
	The average of providing call set-up in international calls	≤ 3 seconds
The measurements shall be made in accordance with ETSI EG 201 769-1 standards.		
Call Blocking Ratio		
Definition	Measurement	Objectives
Call blocking ratio is the ratio of the number of call attempts, which could not be connected due to the lack of radio link, transmission, switching and resources in similar systems, to the number of total call attempts. Calls, in which busy tone, ringing tone or answering signal is not received in 30	Percentage of calls that have blockage in national calls	$\leq 2\%$
	Percentage of calls that have blockage in international calls	$\leq 5\%$

seconds after a valid number is dialled after dial tone, or in which response is given that the call cannot be made due to network, are call blocking calls.		
The measurements shall be made in accordance with ETSI EG 201 769-1 standards.		
Delays of Transmission		
Definition	Measurement	Objectives
It contains delays that are resourced from operation or expansion of equipments in the scope of ITU-T Rec. G.114.	One way delays resourced in all calls.	≤ 150 ms
The measurements shall be made in accordance with ITU-T Rec. G.114 standards.		
Failure Reporting Ratio		
Definition	Measurement	Objectives
Failure reporting rate is the number of valid failures, which are reported to the operator by the user and which is related with failure and reduction in quality level that are resourced from communication service provider, to the total number of lines used by subscribers. Reports on failures that are resourced from device and equipment that are under the responsibility of subscriber are not included in measurements.	Percentage of all failure reportings (the ratio of all failure reportings to the total number of subscribers)	$\leq 1.8\%$
The measurements shall be made in accordance with ETSI EG 201 769-1 standards.		
Failure Repair Period		
Definition	Measurement	Objectives
It is the period from the failure being reported to communication service provider until regularly operating system is provided.	Fulfilment period for 95% of valid failure reportings which are met most quickly	≤ 48 hours
The measurements shall be made in accordance with ETSI EG 201 769-1 standards.		
Invoice Complaint Rate		
Definition	Measurement	Objectives

Invoice complaint rate is calculated as the rate of the number of invoices, which are subject of complaints that are reported on the accuracy of the facts of talking time, tariff, service, discounts, campaigns and tax without checking whether they are correct, to the number of total invoices.	The percentage of invoices that caused subscribers to complain	$\leq 2\%$
The measurements shall be made in accordance with ETSI EG 201 769-1 standards.		
Period for Responding in Telephone Directory Inquiry Services		
Definition	Measurement	Objectives
Maximum period until the moment when the option for connecting to a real person is provided in the submenu.	90% of all requests	≤ 30 seconds
The measurements shall be made in accordance with ETSI EG 201 769-1 standard.		
Working Order of Payphones that are Open for Public		
Definition	Measurement	Objectives
The rate of payphones that are in operation to all payphones that are open for public.	Percentage of payphones that are open for public and in operation	$\geq 95\%$
The measurements shall be made in accordance with ETSI EG 201 769-1 standards.		

CRITERIA ON THE QUALITY OF SERVICE FOR MOBILE TELEPHONE SERVICES

Call Set-up Period		
Definition	Measurement	Objectives
The period begins when address information that is required for call set-up is obtained by the network (for example definition of calling user on the line) and terminates when ringing tone, busy tone or answering signal of the dialled number reaches the calling line.	Set-up period for 95% of calls that are set-up in the shortest time in national or international calls	$10 \leq$ seconds
The measurements shall be made in accordance with ETSI EG 201 769-1 standards.		

Call Blocking Ratio		
Definition	Measurement	Objectives
Call blocking ratio is the ratio of the number of call attempts, which could not be connected due to the lack of radio link, transmission, switching and resources in similar systems on the condition that they are within the coverage area, to the number of total call attempts. Calls, in which busy tone, ringing tone or answering signal is not received in 40 seconds after the last number of the receiver subscriber is taken by the network, or in which response is given that the call cannot be made due to network, are call blocking calls.	Percentage of calls that have blockage	$\leq 2\%$
The measurements shall be made in accordance with ETSI EG 202 057-3 standard.		
Failed Call Rate		
Definition	Measurement	Objectives
The rate of calls, which are set up correctly and which as a defined traffic channel accordingly; which is dropped or interrupted due to early termination of network before the user ended the call normally.	Percentage of calls that are set up correctly and dropped	$\leq 3\%$
The measurements shall be made in accordance with ETSI EG 202 057-3.		
Mean Opinion Score (MOS)		
Definition	Measurement	Objectives
Mean opinion score which is used in measurements of end-to-end voice quality and whose measurement method is defined in recommendation of ITU-T P.862.	Mean opinion score	$\geq 3,60$
The measurements shall be made in accordance with ITU-T Rec.G.107E standards.		
Invoice Complaint Rate		
Definition	Measurement	Objectives

The rate of the number of invoices which have complaints from customers to the number of total invoices.	The percentage of invoices that caused subscribers to complain	$\leq 2\%$
The measurements shall be made in accordance with ETSI EG 201 769-1 standards.		
Credit Complaint Rate in Pre-paid Lines		
Definition	Measurement	Objectives
The rate of the number of pre-paid subscribers that have complaints for not being able to top up credit or loss of credit to the total number of pre-paid subscribers.	Percentage of pre-paid subscribers that complaint	$\leq 2\%$
The measurements shall be made in accordance with ETSI EG 202 057-1 standards.		
Short Message Service (SMS) Completion Rate		
Definition	Measurement	Objectives
The rate of SMS numbers that are transferred successfully within end-to-end short message delivery period to the total number of sent SMS.	Percentage of SMS numbers that are transferred correctly	$\geq 95\%$
The measurements shall be made in accordance with ETSI TS 102 250-2 standards.		
End-to-end SMS Delivery Period		
Definition	Measurement	Objectives
Delivery period of 99% SMS that are sent in the shortest period from end-to-end.	Delivery period of 99% SMS that are sent in the shortest period from end-to-end.	≤ 15 seconds
The measurements shall be made in accordance with ETSI TS 102 250-2 standards.		

CRITERIA ON THE QUALITY OF SERVICE FOR INTERNET SERVICES

Period of First Connection		
Definition	Measurement	Objectives
It is the period between communication service provider receiving a valid request for service and putting the service into use. The cases	- Fulfilment period for 95% of whose requests are met most quickly	≤ 7 days as of the subscription contract is made.

of establishment of a new line, transfer of a valid line to another customer and renewal of existing access line are included in this scope.	- The percentages of requests that are completed on the agreed days, in cases when connection is agreed to be made on a certain date upon the request of user	≥95%
--	---	------

The measurement shall be made in accordance with ETSI EG 201 769-1 standards.

Delay (One Way Transmission Time)

Definition	Measurement	Objectives
The delay is half the time in milliseconds that is needed for an ICMP Echo request/reply (Ping) to a valid IP address. The half of a millisecond is the time needed for an ICMP Echo request/reply to valid request. For international delay period, an ICMP Echo request/reply (Ping) voice is send from the test point to the first international point of the operation and measurement is made.	Measurement that is made as mean value of delay	National Network Delay Period (two way) ≤ 150 milliseconds International Network Delay Period (two way) ≤ 400 milliseconds

The measurements shall be made in accordance with ETSI EG 202 057-4 standards.

Loss Ratio

Definition	Measurement	Objectives
It is the ratio of package losses between two determined points to all packages.	Ratio of package losses	Loss ratio for each class of service is usually ≤ 10 ⁻³

The measurements shall be made in accordance with ITU – T Rec. Y.1541 standards.

Data Transmission Speed Achieved

Definition	Measurement	Objectives
The data transmission speed is achieved for downloading and uploading specified test files between a remote web site and a user's computer.	- The highest 95% of the data transmission rate achieved (in kbit/s) - The lowest 5% of the data transmission rate achieved (in kbit/s) - The mean value and standard	At least 75% of transmission speed that is announced by communication service provider

	deviation of the data transmission rate (in kbit/s)	
The measurements shall be made in accordance with ETSI EG 202 057-4.		
Invoice Complaint Rate		
Definition	Measurement	Objectives
It is the rate of the number of invoices that have subscriber complaints to the total number of invoices.	The percentage of invoices that caused subscriber complaint	$\leq 2\%$
The measurements shall be made in accordance with ETSI EG 201 769-1 standard.		
Incorrect Invoice Rate		
Definition	Measurement	Objectives
It is the rate of the number of invoices that have subscriber complaints to the total number of related invoices.	The percentage of invoices that caused subscriber complaint	$\leq 1\%$
Fault Repair Time		
Definition	Measurement	Objectives
The duration from a fault has been notified by the subscriber to the instant when service has been restored to normal working order.	The time by which the fastest 95% of valid fault notifications are repaired	≤ 48 hours
The measurements shall be made in accordance with ETSI EG 201 769-1 standard.		

CRITERIA ON THE QUALITY OF CALL CENTERS FOR ALL PUBLIC COMMUNICATION SERVICE PROVIDERS

Period Spent in the Main Menu		
Definition	Measurement	Objectives

<p>It is the total time spent in the main menu of the voice response system measured in seconds. The first menu, which greets the end user that calls customer services of the operator and which basic options exist, is the main menu.</p>	<p>Time spent in the main menu</p>	<p>≤ 50 seconds</p>
--	------------------------------------	---------------------

Period Spent in the Voice Response System

Definition	Measurement	Objectives
<p>It is the total period, which begins when the end user dials a number in the basic options in the main menu until the option to connect to a real person is provided and which is measured in seconds. The automatic response system, which is created for the purposes of obtain information, give information, give requests and complaints and direct to the related customer service representative on the subject in the main menu and submenu after the end user is connected to customer services, is the voice response system.</p>	<p>Time spent in voice response system</p>	<p>≤ 40 seconds</p>

Percentage of Responding in the Determined Time

Definition	Measurement	Objectives
<p>It is the time spent after the final dialling on the voice response system to connect to a real person in the call center until the real person in the call center responds to the user that requested service and it is measured in seconds.</p>	<p>The percentage of calls that are responded in 50 seconds, 40 seconds and 30 seconds according to years.</p>	<p>From the date this Bylaw enters into force;</p> <p>80% in 50 seconds within 6 months;</p> <p>80% in 40 seconds within 18 months;</p> <p>80% in 30 seconds after 18 months and thereafter.</p>

SERVICE CRITERIA THAT SHOULD BE FOLLOWED BY ALL CORPORATE COMMUNICATION
SERVICE PROVIDERS

Time for Solving Consumer Complaints		
Definition	Measurement	Objectives
It is the time from the instant when the problem given to customer services of the operator that can be reached through the phone is received with the expectation of corrective actions for electronic communication product or services that are used by end-user or subscriber until it is solved; invalid complaints are not included and it is measured in hours.	Mean of the time for solving complaints	≤ 36 hours