

### **Questions and Answers**

#### **Electronic communications**

- (1) *The current Telecommunications legislation is mostly oriented on the European regulatory framework of 1998. Can you first give evidence that the legislation transposes well the '1998 framework', and how it has been implemented in practice? Secondly, does Turkey consider that all obligations of the '1998 framework' have been implemented before starting with regulatory obligations of the '2002 framework'?*
- (2) *To what extent do you consider the current Telecommunications legislation also transposes part of the '2002 framework'? To what extent do you consider that the draft legislation (currently in Parliament) transposes the '2002 framework'?*
- (3) *If concession agreements (such as shareholder agreements between the State and the incumbent operator) are in place which impose limitations to the liberalisation of the sector and contradict the commitments to the EU, then such agreements should be fully disclosed and shall cease before the accession negotiation starts.*
- (4) *Information on the introduction of the necessary competitive safeguards:*

- (a) *reference interconnection offer (RIO), interconnection tariffs*
- (b) *carrier selection, carrier pre-selection*
- (c) *number portability*

- (5) **Universal service:**

- (a) What is covered by the universal service obligation under Turkish legislation?
- (b) What is the procedure for the designation of the universal service provider(s)?
- (c) Is there a universal service fund in place? If so, who contributes to it and how much?
- (d) Information on the calculation of the net costs of the universal service obligation

(6) *National Regulatory Authority (NRA) tasks and independence:*

- (a) *enforcement of regulatory decisions*
- (b) *public consultations /reasoned decisions*
- (c) *transparency*
- (d) *cooperation with national competition authority*

(7) Communications tax

**Audiovisual Policy**

- (8) Please provide an overview of the regulation of the regulation of libel, defamation and insult in Turkey.
- (9) Please provide an update regarding the broadcast in languages other than Turkish
- (10) How are the nomination and appointment of the members of the High Audio Visual Board (RTÜK) and the steering board of TRT? What measures guarantee their independence and safeguard them against political interference?
- (11) Has the High Audio Visual Board (RTÜK) suspended or cancelled programmes or broadcasting licenses in the last 2 years? For which reasons?
- (12) Please provide details of any international commitment(s) which may affect audiovisual services (Bilateral Investment Treaties with other partners, commitments at the WTO (adoption of MFN on audiovisual services)
- (13) Please provide an overview of the state of alignment of your legislation with the Television without Frontiers Directive, in particular:
- (14) Are there any limitations to the ownership of television and/or radio stations?
- (15) What are (if any) the financial support systems in place for the audiovisual sector (including cinema)?
- (16) What legal and/or financial arrangements are in place for international co-productions (cinema and/or TV)?
- (17) What are the requirements concerning audiovisual archives?
- (18) Electronic signatures: report on status and progress