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Photo by: Delphine Ducaruge

New Legal Landscape for Crypto Asset Service Providers in Turkey

Authors: Atty. Ayça Berker & Atty. Deniz Nalbant

The new Regulation defines crypto asset service providers (CASPs) as platforms that mediate the trading, exchange, initial sale or distribution of crypto assets, or provide custody services for crypto assets. These platforms are required to obtain an operating license from the Capital Markets Board (CMB). Moreover, the CMB is authorized to determine which crypto [...]

Advertisements Under Turkish Law

Author: Atty. Deniz Nalbant

Advertising, as one of the defining elements of consumer society, plays a significant role in the functioning of economic life. Today, advertising activities are instrumental in the market positioning and consumer preference of a product, service, or brand. Therefore, advertising is not only an economic phenomenon but also a concept that must be addressed within a legal framework. In [...]

Concentration in the Energy Sector in Türkiye

Authors: Atty. Ahmet Berker & Atty. Deniz Nalbant

The electricity market is a sector of strategic importance and one that requires meticulous regulation from a competition law perspective. Concentration transactions are subject to certain limitations under Turkish Law No. 4054 on the Protection of Competition (“Competition Law”) and related communiqués to ensure that consumers receive the best possible service while maintaining the market’s competitive structure Pursuant to Article 7 of the Competition Law, enterprises are prohibited from creating a dominant position or strengthening their existing dominance through mergers and [...]

Competition in the Electricity Market: Opportunities and Challenges

Authors: Atty. Ayça Berker & Atty. Deniz Nalbant

Electricity is an indispensable element of modern life, with a wide range of applications, from individual needs to commercial activities. The proper functioning of the electricity market is of critical importance not only for its own sector but also due to its significant impact on all related markets. Consumers must have economic and sustainable access to electrical energy under conditions of free competition. To achieve this goal, electricity markets have been opened to competition through privatization practices. However, anti-competitive actions and behaviors of enterprises operating in the electricity market must be carefully examined due to the inherent characteristics of [...]

Voting Agreements Under Turkish Law

Authors: Atty. Ahmet Berker & Atty. Deniz Nalbant

Voting agreements are sui generis contracts wherein a group of shareholders commits to voting in a specific manner, abstaining, or refraining from voting entirely or partially during the General Assembly Meetings of a Joint Stock Company or a Limited Liability Company. These agreements are established within the scope of freedom of contract to enable shareholders, who may not hold a sufficient number of shares and thus lack effective voting rights, to play a decisive role in decisions arising from a General Assembly. By uniting with other shareholders, they aim to achieve a more influential position in the decision-making process. [...]

Article Series on Joint-Stock Companies Under Turkish Law:

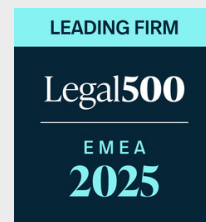
Author: Atty. Deniz Nalbant

Participation and Representation in General Assembly Meetings

General Assembly meetings serve as the most crucial decision-making platform within joint-stock companies, where shareholders exercise their fundamental rights regarding corporate governance. The Turkish Commercial Code (“TCC”) and the relevant secondary legislation comprehensively regulate the participation and representation of shareholders in General Assembly meetings to ensure transparency, legal certainty and effective corporate governance. The ability of shareholders to attend these meetings either in person or through representatives is a key factor in securing the fair and functional operation of corporate decision-making processes [...]



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