

## **Announcement of the Final Decision Regarding the Process about Turkcell İletişim Hizmetleri A.Ş. According to Article 49 of the Act no. 4054 on the Protection of Competition**

The Competition Board decision dated 06.06.2011 and numbered 11-34/742-230 taken about whether Turkcell İletişim Hizmetleri A.Ş. violated articles 4 and 6 of the Act no. 4054 by means of resale price maintenance and exclusive practices towards its distributors and dealers was partially annulled by the decision of 13<sup>th</sup> Chamber of the Council of State dated 16.10.2017 and numbered E. 2011/4560, K. 2017/2573 with respect to resale price maintenance claims. The additional process initiated thereupon by the Competition Board decision dated 31.05.2018 and numbered 18-17/297-M in order to fulfill the requirements of the annulment decision was concluded. Taken into account the decision of 13<sup>th</sup> Chamber of the Council of State dated 16.10.2017 and numbered E. 2011/4560, K. 2017/2573, all of the evidence, information and documents collected; the report prepared, written defense and explanations made during the hearing, the Competition Board took the following final decision dated 19- 03/23-10 on its meeting on 10.01.2019. It was decided

- Unanimously that Turkcell İletişim Hizmetleri A.Ş. violated article 4 of the Act no. 4054 by determining the resale price of units,
- By majority of votes that it was necessary to impose administrative fines to the aforementioned undertaking,
- By majority of votes that Turkcell İletişim Hizmetleri A.Ş. shall be imposed TL 91,942,343.31 administrative fines, according to Article 16 of the Act no. 4054 and Article 5(1)(b), 5(2) and 5(3)(a) and 6(1)(a) of the Regulation on Fines to Apply in cases of Agreements, Concerted Practices and Decisions Limiting Competition, and Abuse of Dominant Position, taking into account the favorable turnover and amounting to, by discretion, 1.125% of the annual gross income accrued at the end of the financial year 2010 and determined by the Board.

Judicial review for the decision before Ankara Administrative Courts shall be possible within 60 days as of the notification of the reasoned decision.