

Personal Data Protection Authority's Public Announcement to Data Controllers: Procedure for Responses to Data Subject Applications

Under the Turkish Data Protection Law, data controllers are obliged to respond to applications made by data subjects wishing to exercise their rights within 30 days. How a data subject's application must be answered is expressly set out in the Communiqué on the Procedures and Principles Regarding Application to the Data Controller.

The Turkish Data Protection Authority has recently observed that, contrary to what is envisaged in the Communiqué, data controllers have been concluding applications solely through verbal communication methods such as phone calls or face-to-face briefings when responding to data subject applications. In response, in order to remedy the mistakes frequently made by data controllers, the Authority published the Public Announcement on the Notification Procedure for Responses to Be Given to Data Subjects' Applications on its official website.

Through the Announcement, the Authority reminded data controllers that responses to data subjects must be notified in writing or electronically pursuant to the Communiqué, that these responses must clearly state the extent to which the data subject's requests have been met, and that the grounds for any rejected requests must be explained to the data subjects clearly and comprehensibly.

The Authority stated that it will not accept responding to applications solely through verbal communication methods as a response that satisfies the legislative requirement, and it would be beneficial for data controllers to review their procedures for responding to data subject applications in order to avoid facing any sanctions.