

Unclassified

English - Or. English

23 May 2022

Directorate for Financial and Enterprise Affairs
COMPETITION COMMITTEE

Annual Report on Competition Policy Developments in Turkey

-- 2021 --

This report is submitted by Turkey to the Competition Committee FOR INFORMATION.

JT03495862

Turkey

1. Overall examination of the Turkish Competition Authority's (TCA) activities shows that in 2021, a total of 405 cases were finalized. Among these, 74 cases concerning competition infringements were finalized following preliminary examinations, preliminary inquiries and investigations conducted under the provisions of Articles 4 and 6 of the Act No 4054 on the Protection of Competition (the Competition Act), 22 cases were negative clearance/exemption decisions based on Article 5 and 8 of the Competition Act, and 309 cases were merger/acquisition/privatization/joint venture decisions based on Article 7 of the Competition Act.

2. The number of final decisions for 2018, 2019 and 2020 were 355, 312 and 319 respectively. Like in previous years, the number of finalized decisions regarding merger/acquisition/privatization/joint ventures is the greatest portion of the total number of finalized decisions. The corresponding numbers for 2018, 2019 and 2020 in this enforcement area were 223, 208 and 220 respectively. The number of finalized decisions for infringements of competition¹ in 2018, 2019 and 2020 were 88, 69 and 65 respectively. Finally, the number of exemption/negative clearance final decisions was 22 in 2020, 35 in 2019 and 44 in 2018. Concerning the sectorial distribution of final decisions on merger/acquisition/privatization notifications in 2021; chemicals and mining (37), information technologies and digital platform services (32), food industry (22) and machine industry (27) were prominent ones in terms of total number of notifications. In 2021, 4 final examinations were launched and 2 final examinations were finalized.

3. The completed investigations regarding infringements of competition rules concern chemistry and mining (8), machinery (9), information technologies and platform services (8), health and medical equipment (8) and logistics, storage and mail (5) sectors. A significant part of the exemption/negative clearance decisions finalized in 2021 stemmed from applications related to banking, capital markets, finance and insurance services (8), which constituted almost one third of all exemption/negative clearance decisions. The other sectors that the Board gave most exemption/negative clearance decisions were health care (2), automobiles and vehicles (2) and machinery (3) sectors.

4. 2021 was also a very active year for investigations. In 2021, TCA initiated 16 investigations and concluded 44 investigations. The total amount of administrative fines for these infringements of competition cases amounted to approximately 4.2 Billion Turkish liras (approximately 472 Million U.S. Dollars / 401 Million Euros)

5. In 2020, 4 sector inquiries in "*Online Market Places*", "*Fresh Vegetables and Fruits*", "*Fuel*" ve "*Financial Technologies*" sectors were launched. Additionally, inquiry regarding "*Fast Consumer Markets Retail Sector*" from previous year continued. A Preliminary Sector Inquiry Report on Online Market Places and Final Sector Inquiry Report on Financial Technologies was issued and shared with stakeholders with comprehensive organizations. We believe that that these inquiries will reveal the competitive conditions and problems in the aforementioned sectors and help us to develop proactive methods to deal with these problems.

6. Due to the ongoing Covid 19 pandemic, TCA could not hold as many conferences as it did in the past. In 2020, TCA organized 1 Conference (Istanbul Competition Forum

¹ Infringements of competition cases are anti-competitive agreements prohibited by Article 4 of the Competition Act and abuse of dominance cases prohibited by Article 6

Annual Webinar - ICF) with the help of UNCTAD, 2 Workshops for ICF and 1 Training Program for the Tunisian Competition Council, with the help of SESRIC. In 2021, an initiative for regional cooperation was initiated under the name of “Balkan Initiative” and an online webinar was held with the participation of 9 country competition authorities.

7. In 2021, TCA continued its activities in the international arena. TCA attended many online international meetings both as a participant and speaker, including those organized by the Organization for Economic Co-operation and Development (OECD), United Nations Conference on Trade and Development (UNCTAD) and the International Competition Network (ICN).

8. TCA continued its efforts to provide internship opportunities for university students. As a result, 5 students (4 from undergraduate students and 1 from high school) were given the opportunity to work with us as part of the Presidency of the Republic of Turkey Human Resources Office “*Internship Mobilization Programme*”. Besides, 2 groups of undergraduate students were granted the opportunity of 2 weeks of internship.

9. Lastly, it must be emphasized that TCA is very aware of the importance of human resources in order to achieve the goals it has set for itself. In 2021, 30 new assistant competition experts were hired and received adequate training in competition law and policy in 2020. It should also be noted that some of the newly hired assistant competition experts were IT specialists. This clearly shows that TCA is taking essential steps in improving its expertise in the digital field.

1. Changes to competition laws and policies, proposed or adopted

1.1. Summary of the new legislations

10. In 2020, there were two major new legislations introduced to the Turkish Competition Legislation. The first change to competition law in 2020 was the amendments to Law No. 4054 on the Protection of Competition (“Law No. 4054”). These amendments were approved by the Turkish parliament on 16 June 2020 with the Act No. 7246. The main changes included de-minimis principle, settlement and commitments mechanisms. The complete changes to the Law No. 4054 is as follows:

- The Board may not launch investigations concerning certain agreements, concerted practices and decisions and practices of associations of undertakings that do not significantly restrict competition in the market provided that it establishes criteria such as market shares and turnover thresholds (excluding hard-core cartels such as price-fixing or market sharing). (Amending the Art.41 – *De Minimis*)
- After the initiation of an investigation at the request of either the TCA or by one or more of the parties, a settlement procedure may begin. The Board may come to a settlement with undertakings or associations of undertakings subject to investigation, who acknowledge the existence of the violation until the investigation report is submitted. The administrative monetary fines to be imposed will be decreased by 25% for undertakings that settle with the TCA (Amending the Art. 43 - *Settlement*).
- During a preliminary inquiry or an investigation, in case undertakings or associations of undertakings concerned make commitments for eliminating competition concerns occurred within the scope of Article 4 or 6 and those commitments are accepted by the Board, an investigation may not be initiated about those undertakings or associations of undertakings, or the ongoing investigation may be terminated. Hard-core restrictions

(e.g. price-fixing, market sharing) are excluded from the commitment mechanism (Amending the Art. 43 - *Commitments*).

11. The other amendments to the Law No. 4054 can be summarized as follows:

- Amending the Art. 5 -Self assessment of exemption by the undertakings are prioritized.
- Amending the Art. 7 - In merger control SIEC test was introduced instead of dominance test
- Amending the Art. 9- The TCA may impose behavioural and structural remedies if it finds a competition law infringement. Structural remedies will be implemented if behavioral remedies are not sufficient to tackle the competition law concerns.
- Amending the Art. 15 – The aim of this amendment is to make it explicit and clear that the TCA's entitlement extends to the digital assets of undertakings under investigation.
- Amending the Art. 45 – After sending the Statement of Objections, case handlers' additional opinion time is extended from 15 days to 1 month - (In the past, case handlers submitted additional opinion within 15 days of receiving the second written defence).

12. The second new legislation was the adoption of “*Guideline on the Examination of Digital Data in Dawn Raids*” (8.10.2020). Its purpose is to explain the considerations regarding the examination of digital data in dawn raids conducted by case-handlers answering the questions outlined below:

- Who can conduct examinations and what can be seized?
- Can TCA examine personal phones, tablets, etc?
- Is it possible to examine the devices outside the premises of the undertaking?

13. In 2021, secondary legislation in line with these law amendments were completed. In this regard, *De Minimis* Communiqué, Settlement Regulation and Commitments Communiqué were issued. Besides, Communiqué Amending the Block Exemption Communiqué on Vertical Agreements which provides that the vertical block exemption will apply on the condition that the market share held by the supplier does not exceed 30% of the relevant market instead of the previous 40% market share threshold.

1.2. Summary of the changes made to the existing legislations

14. The TCA did not make any significant amendment to its existing legislation in 2021.

2. Enforcement of competition law and policies

2.1. Action against anti-competitive practices, including agreements and abuses of dominant positions.

2.1.1. Summary of significant cases- Examples from the decisions on anti-competitive agreements

Çiçeksepeti Investigation [decision date: 08.04.2021, decision number: 21-20/250-106]

15. The investigation conducted about Çiçeksepeti İnternet Hizmetleri AŞ (Çiçeksepeti) pursuant to Article 41 of the Act no 4054 on the Protection of Competition (the Act no 4054) concerning the claim that Çiçeksepeti complicated its competitors' activities and abused its dominant position with the practices aimed at creating actual exclusivity, therefore, violated articles 4 and 6 of the Act no 4054. It was concluded that Çiçeksepeti was dominant in the online flower sales market, it complicated competing online flower sale websites' activities by creating actual exclusivity with verbal warnings for its dealers not to work with competing online flower sales websites, setting high sales targets on special days, and sending many flowers and consumables.

- **Relevant Market (product; geographic):** “online flower sales market”, Turkey
- **Findings:** It was concluded that Çiçeksepeti was dominant in the online flower sales market, it complicated competing online flower sale websites' activities by creating actual exclusivity with verbal warnings for its dealers not to work with competing online flower sales websites, setting high sales targets on special days, and sending many flowers and consumables.
- **Conclusion:** Çiçeksepeti made an application for commitment during the investigation process. Çiçeksepeti offered commitments to address the three factors identified as competition problems (verbal warnings not to work with competing online flower sales sites, high sales targets on special days, and sending many flowers and consumables). As a result of the evaluation made, it was concluded that the commitments offered by Çiçeksepeti were capable of eliminating the competition problems identified in the Investigation Report, and the period specified to apply the commitments was reasonable. For this reason, with the Board's decision dated 08.04.2021 and no 21-20/250-106, it was decided that the commitment offered by the undertaking would be accepted and rendered binding for the relevant undertaking, since it could eliminate competition problems.

Retail Investigation Decision [Board decision dated 28.10.2021 and numbered 21-53/747-360]

16. The pricing behavior of the chain stores engaged in the trading of retail food and cleaning products during the COVID-19 pandemic as well as those of the undertakings at the production and wholesale level that supply the former were examined under the investigation.

- **Relevant Market (product; geographic):** *not defined*
- **Findings:** The decision found that, among the chain stores operating in the relevant market, Yeni Mağazacılık A.Ş. (A 101), BİM Birleşik Mağazalar A.Ş., CarrefourSA Carrefour Sabancı Ticaret Merkezi A.Ş., Migros Ticaret A.Ş. And Şok Marketler Ticaret

A.Ş. ensured the coordination of prices and price increases by either direct or indirect contact through common suppliers. Competitively sensitive information such as future prices, price increase dates, seasonal activities and campaigns were also shared directly or through common suppliers. The companies used the suppliers to intervene in the prices of those undertakings which discounted prices or which did not yet increase their prices when prices in the market in general were increasing, and ensured that they also hiked their prices to the disadvantage of the consumers. Where the competitors' prices did not increase, the undertakings constantly monitored compliance with the collusion by quickly implementing discounts specific to a product and/or region and through the use of penalizing strategies, including making out return invoices to the supplier. Thus, it was decided that the aforementioned undertakings violated Article 4 of the Act no 4054 by agreements or concerted practices that showed the characteristics of a hub-and-spoke cartel, aimed at fixing the retail prices of many products they offered for sale.

- **Conclusion:** The decision noted that, together with the aforementioned undertakings, one of the suppliers under investigation, Savola Gıda ve San. Tic. A.Ş. (SAVOLA), was also a part of the hub-and-spoke cartel, since it helped ensure collusion/coordination between the retailers in question concerning the shelf prices and price increases related to its own products and intermediated the sharing of competitively sensitive information between the retailers, such as future prices and dates of price increases. The decision found that the undertaking concerned violated Article 4 of the Act no 4054 and thus it was jointly and equally responsible for the violation, together with the retailers. The relevant Competition Board decision also ruled that SAVOLA violated Article 4 of the Act no 4054 by fixing retail prices of the undertakings operating at the retail level.

Unilever Sanayi ve Ticaret Türk A.Ş. Decision [decision date: 18.03.2021, decision number: 21-15/190-80]

17. The investigation examined Unilever Sanayi ve Ticaret Türk A.Ş.'s (UNİLEVER) practices in the industrial ice-cream market under Articles 4 and 6 of the Act no 4054.

- **Relevant Market (product; geographic):** “industrial ice cream”, Turkey
- **Findings:** The decision noted that UNILEVER, which is active in the industrial ice-cream market with the Algida brand, held dominant position in this market, as well as its sub-categories of “instant consumption ice-cream market” and “take-home ice-cream market”. At the same time, it was also established that the agreement UNİLEVER signed with Getir Perakende Lojistik AŞ (GETİR), a logistics company, introduced non-compete obligations in violation of the Board decision dated 15.05.2008 and numbered 08-33/421-147, that UNİLEVER complicated the activities of its competitors and abused its dominant position through the discounts it implemented,.
- **Conclusion:** The undertaking was fined for violating Article 4 by crating de facto exclusivity through its rebate system and Article 6 by its agreements imposing non-compete clause to GETİR of the Act no 4054. The file also observed that the exclusivity clause in the loan agreement regulating the use of the ice-cream freezers owned by UNILEVER prevented competition at the outlets and violated Article 4 of the Act no 4054, and that an individual exemption under Article 5 of the Act could be granted to the agreement provided the exclusivity clause was removed from the agreement. In that framework, it was decided that, in an outlet with 100 m² or less net closed sales space and provided there were no freezers directly accessible for the consumer other than those owned by UNILEVER,

competing products should be allowed to use 30% of the visible space of the UNILEVER ice-cream freezers and the total ice-cream volume at the outlet.

2.1.2. Summary of significant cases- Examples from the decisions on abuse of dominance

ŞİŞECAM Exorbitant Pricing Investigation [decision date: 26.08.2021 and number: 21-40/590-287]

18. The subject matter of the case concerns the claims that Trakya Cam Sanayi A.Ş. (successor Türkiye Şişe ve Cam Fabrikaları A.Ş.-ŞİŞECAM) made unfair price increases in sheet glass products and thereby violated the Act no 4054.

- **Relevant Market (product; geographic):** “sheet glass market”, Turkey
- **Findings:** The dominant position analysis found that ŞİŞECAM held dominant position in the sheet glass market, in light of ŞİŞECAM’s long term high and stable market share, its portfolio strength and production capacity stemming from the eight production lines, high funding power arising from being a part of the Şişecam Group, and the existence of entry barriers caused by the features of the sheet glass market and the protective policies implemented in the market.
- In line with the EU and Board practices, a price-cost difference test and a price comparison analysis were conducted under the file. The price-cost difference test examined ŞİŞECAM’s costs and cost components, profit margins and mark-up rates. The price comparison analysis compared ŞİŞECAM’s prices and profitability with rivals’ prices and average import prices. In addition, a comparison was made between the prices ŞİŞECAM’s domestic and foreign facilities. The Economic Analysis and Research Department prepared a report examining whether ŞİŞECAM’s authorized sellers system resulted in a price level that could be seen as exorbitant pricing for other undertakings which are not ŞİŞECAM’s customers.
- **Conclusion:** As a result of the analyses conducted within the framework of the file, it was decided that ŞİŞECAM did not violate Article 6 of the Act no 4054 on the Protection of Competition through exorbitant pricing within the period under investigation, and that it was not necessary to impose administrative fines on the undertaking.

2.2. Mergers and Acquisitions

2.2.1. Summary of significant cases – Example from the decisions on merger/acquisitions

Final Examination concerning EssilorLuxottica S.A. [decision date: 10.06.2021, decision number: 21-30/395-199]

19. Turkish Competition Authority examined the acquisition of Hal Holding N.V.’s shares in Grandvision N.V. by EssilorLuxottica S.A. (ESSI-LUX). ESSI-LUX carries out its operations through its subsidiaries in Türkiye in the following markets: “GrandVision N.V. carries out operations through Atasun Optik Perakende Ticaret A.Ş. in the market for “retail sale of optical products”.

- **Relevant Market (product; geographic): (horizontal)** “production and wholesale of stock lenses”, “wholesale of semi-finished lenses (RX lenses)”, wholesale of brand sunglasses”, “wholesale of branded prescription optical eyeglass frames”,

“production and distribution of ophthalmic machinery, equipment and consumables” and “retail sale of optical products”

- **Findings:** The activities of the parties overlap horizontally in the market for “retail sale of optical products” and vertically with respect to other markets. Within the scope of the file, it is found that ESSI-LUX is dominant in the market for the wholesale of ophthalmic lenses and branded sunglasses and has significant market power in other markets and following the transaction it will have a powerful, leading vertically integrated structure at the retail level.
- **Conclusion:** The transaction in question has been authorized within the scope of the behavioral commitments offered to clear competitive concerns in those markets.

Final Examination concerning Aon Plc. and Willis Towers Watson Public Limited Company [decision date: 14.07.2021, decision number: 21-35/395-246]

20. The notified transaction concerns the acquisition of all of the shares of Willis Towers Watson Public Limited Company (WTW) by Aon plc. (AON). Following the preliminary examination, the Board decided to launch a final examination under Article 10.1 of the Act no 4054.

- **Relevant Market (product; geographic): (horizontal)** “non-life business insurance distribution market,” “health and social payment services market” and “consultancy services for pension payments market” “non-life business reinsurance distribution market”
- **Findings:** As a result of the final examination conducted, it was decided that the total market shares of the parties after the transaction would not reach a level that could raise competitive concerns in the “non-life business insurance distribution market,” “health and social payment services market” and “consultancy services for pension payments market” which are affected from the transaction, that there were many competing undertakings in the market and therefore no competitive concern should arise with relation to the aforementioned markets. At the same time, another market affected by the transaction, namely “non-life business reinsurance distribution market,” would see the merger of two of the largest three undertakings as a result of the transaction, the highest concentration after the transaction would arise in the market in question, and a significant competitive power would be removed from the market after the transaction, which could result in a significant restriction of the existing competition in the market
- **Conclusion:** While the final examination process was ongoing, the parties submitted to the European Commission (Commission) a list of commitments, which involved the transfer of WTW’s global non-life business reinsurance branch and facultative reinsurance branches to a third party.
- An assessment of the transaction showed that the commitments presented to the Commission by the parties essentially covered Turkey as well and that the fulfilment of these commitments would eliminate any potential anti-competitive effects in the market which would otherwise lead to competitive concerns in Turkey with regard to the transaction under examination. As a result, it was found that the notified transaction would not result in a significant lessening in effective competition as per Article 7 of the Act no 4054, and that the transaction should be authorized, subject to the commitments submitted to the Commission.

2.3. Opinions

21. TCA provided various opinions concerning implementation or amendments in legislation in 2021, in accordance with Articles 27(g) and 30(f) of the Competition Act². The total number of opinions sent to government bodies in 2020 was 19, 16 of which were for draft legislation.

3. Resources of the TCA

3.1. Resources overall

3.1.1. Annual budget (in TRY and USD)

22. Revenues of the TCA are determined by the Competition Act as follows in Article 39. According to this article, revenues of the TCA set up the budget of the TCA, and they are made up of the following items of revenues:

- The subsidy to be allocated in the budget of the Ministry of Trade,
- Payments to be made by four per ten thousand of the capitals of all partnerships to be newly established with the status of an incorporated and limited company, and that of the remaining portion in case of capital increase,
- Publication and other revenues.

23. Revenues belonging to the TCA are collected in an account to be opened in the Central Bank of the Republic of Turkey or a state bank.

24. The spending budget of the TCA in year 2021 was 137.500.000 TRY, approximately 15.466.817 USD³.

25. Moreover, although it is provided for in Article 39 of the Competition Act, there has not been a subsidy in the budget of the Ministry of Trade and the TCA has not taken any aid from the general budget transfer scheme since its establishment in 1997.

3.1.2. Number of employees (as of 31 December 2021)

- Non-administrative competition staff: 190
- All staff combined: 384

3.2. Human resources (person-years) applied to: Enforcement against anticompetitive practices, Merger review and enforcement advocacy efforts.

26. TCA was not structured as to assign staff with respect to competition enforcement activities. Rather, the staff is divided into six main enforcement departments which are assigned sectoral areas. Any merger filings or antitrust infringement complaints regarding a sector are delivered to the head of the department assigned to that sector. Then the

² Article 27(g) empowers the Competition Board to opine, directly or upon the request of the Ministry of Trade, concerning the amendments to be made to the legislation with regard to the competition law whereas Article 30(f) empowers the Presidency of the TCA to opine about decisions to be taken as to the competition policy, and the relevant legislation.

³ The annual average exchange rate (1\$ = 8.89 ₺) for 2021 was used.

department head distributes cases to competition NAC staff for analysis. NAC Staff is also employed at the Department of External Relations and Competition Advocacy; Economic Analysis and Research Department, the Department of Rulings and Legal Decisions, Cartels and On-Site Inspections Support Division, Information Technologies Department, Strategy Development Department and the Office of the Legal Adviser.

3.3. Period covered by the above information:

27. Year of 2021

Annex A. Annex: Statistical Information for the Year 2021

Table A A.1. Files Concluded

Year	Anti-competitive Agreements (Art.4) and Abuse of Dominance (Art.6)	Exemption/Negative Clearance	Merger/Acquisition/Joint Venture/Privatization	Total
2019	69	35	208	312
2020	65	34	220	319
2021	74	22	309	405

Table A A.2. Files Concluded Under the Scope of Articles 4 and 6 of the Competition Act

Year	Article 4	Article 6	Mixed (4 and 6)	Mixed (4,6 and 7)	Total
2019	30	26	13	-	69
2020	36	22	7	-	65
2021	40	23	11	-	74

Table A A.3. Horizontal and Vertical Agreements Examined under the Scope of Article 4 of the Competition Act

Year	Horizontal	Vertical	Together (H/V)	Total
2019	23	18	2	43
2020	31	10	2	43
2021	30	19	2	51

Table A A.4. Results of the Applications Regarding Exemption and Negative Clearance

Year	Concluded Negative Clearance Files			Concluded Exemption Files							
	Applications that are granted Negative Clearance	Applications that are granted Negative Clearance with Conditions	Applications that are not Granted Negative Clearance	Cases including Agreements that are granted individual exemption	Cases including Agreements that are not Granted Exemption and Required Corrections	Cases including Agreements that are Under The Scope of Block Exemption	Cases including Agreements that are Granted Individual Exemption with Conditions	Cases including Agreements that are under the scope of Block Exemption after conditions	Cases including Agreements that are not granted exemption	Cases including Agreements from which exemption was withdrawn	Cases including Agreements where individual and block exemption were evaluated together
2019	6	-	2	16	-	5	-	-	1	2	3
2020	3	-	-	15	-	1	7	-	7	-	1
2021	5	6	6	9	6	6	2	-	-	-	-

Table A A.5. Number of Merger and Acquisition Decisions

Year	Merger	Acquisition	Joint Venture	Privatization	Total
2019	1	140	66	1	208
2020	8	150	62	0	220
2021	5	214	83	7	309

Table A A.6. Results of Merger and Acquisition Notifications

Year	Cleared	Cleared with Conditions	Blocked	Out of scope (not satisfying the thresholds)
2019	185	2	-	21
2020	190	1	1	28
2021	277	3	-	29

Table A A.7. Fines Imposed⁴ (TRY)

	Year	Anti-competitive Agreements and Abuse of Dominance	Merger/Acquisition	Exemption/Negative Clearance	Other	Total
Fines related to substance	2018	349,374.235	-	-	-	349,374,235
	2019	237,674,115	-	-	-	237,674,115
	2020	1,964,045,143	-	-	-	1,964,045,143
	2021	4.229.946.505	-	-	-	4.229.946.505
Fines imposed on executives	2018	-	-	-	-	-
	2019	-	-	-	-	-
	2020	-	-	-	-	-
	2021	-	-	-	-	-
False or misleading information in an application	2018	-	320,376	-	-	320,376
	2019	-	-	-	-	-
	2020	-	838,656	-	-	838,656
	2021	-	-	-	-	-
False or misleading information given during on the spot inspections	2018	-	-	-	-	-
	2019	826,106	-	-	-	826,106
	2020	61.468.770	-	-	-	61.468.770
Finalizing a transaction without permission of the Competition Board/Failure to notify within due date	2018	-	-	-	-	-
	2019	-	-	-	-	-
	2020	-	21.001.468	-	-	21.001.468
Hindrance of on the spot inspection	2018	194,082	-	-	-	194,082
	2020	38,116,077	-	-	-	38,116,077
	2022	2.550.980	-	-	-	2.550.980

Table A A.8. Judicial Review⁵ Statistics According to Result

Year	Number of Court Judgments	Number of Favorable Judgments	Number of Unfavorable Judgments	Other ⁶	Unfavorable/Total
2019	70	60	6	4	8%
2020	155	124	24	7	15%
2021	54	40	8	6	15%

⁴ The table does not reflect new fines in the files annulled by the Council of State, the high administrative court.

⁵ According to Article 55 of the Competition Act “Suits shall be filed against administrative sanctions before the competent administrative courts. All types of suits filed against Board decisions shall be deemed a priority matter”. Prior to 2012 the (only) appeal court for Competition Board’s decisions was Court of State, the amendment in 2012 determines administrative courts in Ankara as the first instance court.

⁶ The “Other” heading contains the judgments which were accepted as non-filed, dismissals of petitions, dismissals on the ground of competence, partial acceptance and partial dismissal cases, and the cases where the court did not make a ruling due to abandonment of action or other reasons are collected under the “Other” heading