



The Turkish Football Federation Can Now Block Unauthorized Broadcasts

The Turkish Football Federation ["TFF"] Board has now been authorized to impose access ban on unauthorized broadcasts without a court decision, through the new article introduced to the Law No. 5894 on Establishment and Duties of the Turkish Football Federation ["TFF Law"] by the Law No.7346 published in the Official Gazette dated December 25, 2021. Accordingly, if the TFF Board determines that football matches are broadcasted on the internet illegally, it will be able to take a decision to block access to the content of the subject. In cases where the violation cannot be prevented by only blocking access, the TFF can also decide to block access to the entire website.

Authority to Impose an Access Ban

Pursuant to the respective article added to the TFF Law: *"If it is determined that the broadcasts related to football matches within the borders of the Republic of Turkey are made available on the internet illegally, the Board decides to block the access regarding the broadcast, part, section (URL, etc.) in which the violation occurred. However, in cases where it is not technically possible to block access to the infringing content or the violation cannot be prevented by blocking access to the relevant content, a decision to block access to the entire website will be made."*

It is further stipulated that the decision regarding the access block will be sent to the Turkish Access Providers Association in accordance with Article 6/A of the Law No. 5651 on the Regulation of Broadcasts Made on the Internet and Combating Crimes Committed Through These Broadcasts, in order to implement the decision.

Right holders whose broadcasts are blocked may object to the Criminal Court of Peace within one week of the TFF's decision to block a broadcast, portion, section, or the full website. While the right to block access has been given to the TFF Board, this authority may also be assigned to persons in charge of the TFF's administrative unit.

So long as illegal broadcasting of football matches that are played outside the Republic of Turkey are concerned, an access block decision could be taken upon the request of the broadcasting right holder, provided that the agreement regarding the broadcasting rights and the documents on the lawful ownership are submitted to the TFF.

In Conclusion;

Pursuant to the new article, introduced to protect broadcasting rights in football matches, TFF is now authorized to impose an access ban on illegal broadcasts without a court decision. Although the amendment paved the way for rapid action, granting such an authority to the TFF will likely be challenged on the grounds of unconstitutionality.

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