

From: Banks Association of Türkiye

**COMMUNIQUÉ RELATING TO NOTIFICATION AND ANNOUNCEMENT OF
DECISIONS REGARDING BANS ON DRAWING OF CHECKS AND OPENING OF
CHECK ACCOUNTS**

Purpose and Scope:

ARTICLE 1 – (1) The purpose of this Communiqué is to regulate and set down the principles and procedures relating to notification by the Ministry of Justice to the Banks Association of Türkiye, Risk Centre and announcement by the Banks Association of Türkiye, Risk Centre to banks of decisions regarding bans on drawing of checks and opening of check accounts and of decisions revoking said decisions.

Basis:

ARTICLE 2 – (1) This Communiqué is issued in reliance upon articles 5 and 6 of the Law of Checks 5941 dated 14/12/2009.

Notification in Electronic Media of Decisions Regarding Bans on Drawing of Checks and Opening of Check Accounts and of Decisions Revoking Said Decisions:

ARTICLE 3 – (1) After the decisions regarding bans on drawing of checks and opening of check accounts and of decisions revoking said decisions taken in reliance upon articles 5 and 6 of the Law 5941 are signed by secure electronic signature, all information on said decisions are retrieved in electronic media by the Banks Association of Türkiye, Risk Centre from the Ministry of Justice, National Judiciary Informatics System (UYAP), and then, notified and announced on daily basis.

(2) Notifications regarding decisions referred to in first paragraph contain the following information:

- a) Type of decision (decision regarding bans on drawing of checks and opening of check accounts/decision revoking said decisions regarding bans on drawing of checks and opening of check accounts),
- b) Name of the related juridical authority,
- c) Date of decision,
- ç) Number of decision,
- d) Dossier date, number and type, and
- e) Person prohibited from drawing of checks and opening of check accounts: in the case of a natural person, Turkish Republic Identity Number, first and last names, father's name, mother's name, place of birth, date of birth, information on province/district/neighbourhood/village of registry; or in the case of a legal entity, Tax Identity Number and/or MERSIS number and name.

(3) Principles and procedures relating to notifications to be sent as per first and second paragraphs are determined by a protocol to be signed between the Ministry of Justice and the Banks Association of Türkiye, Risk Centre.

(4) Information contained in notifications to be sent as per first and second paragraphs are announced and notified in electronic media by the Banks Association of Türkiye, Risk Centre to head offices of banks within one week.

Notification of Decisions Regarding Bans on Drawing of Checks and Opening of Check Accounts and of Decisions Revoking Said Decisions in Writing:

ARTICLE 4 – (1) Information on decisions taken by competent courts regarding bans on drawing of checks and opening of check accounts and on decisions revoking said decisions which are entered and finalized until 31/5/2010 are to be continued to be notified by the related courts to the Banks Association of Türkiye, Risk Centre by an official letter.

(2) Notifications regarding decisions referred to in first paragraph contain the following information:

- a) Type of decision (decision revoking the decisions regarding bans on drawing of checks and opening of check accounts),
- b) Name of the related court,
- c) Date of decision,
- ç) Number of decision,
- d) Date the court decision is entered and finalized,
- e) Dossier number,
- f) Period of ban, and
- g) Person prohibited from drawing of checks and opening of check accounts: in the case of a natural person, Turkish Republic Identity Number, first and last names, father's name, mother's name, place of birth, date of birth, information on province/district/neighbourhood/village of registry; or in the case of a legal entity, Tax Identity Number and name.

Effective Date:

ARTICLE 5 – (1) This Communiqué becomes effective as of the date it is published.

Enforcement:

ARTICLE 6 – (1) This Communiqué is enforced and executed by the Banks Association of Türkiye, Risk Centre.