

Key Trends in Advertisement Board Decisions in 2025

As a result of the effective supervision carried out by the Advertisement Board (“Board”) in 2025, a significant number of guiding decisions were rendered in the field of commercial advertising and unfair commercial practices. The substantial increase in administrative fines that the Board may impose, introduced by the amendments to the Law on the Protection of Consumers dated 30 October 2024, has markedly strengthened the effectiveness and deterrent impact of the Board’s enforcement activities in 2025.

According to publicly available sources, the Board imposed administrative fines amounting to TRY 242,230,515 in 2025 due to misleading advertising practices, exploitation of consumers’ lack of knowledge and experience, and harm to consumers’ economic interests.

The Board’s decisions in 2025 particularly highlight its enforcement priorities—and its approach shaping 2026—in relation to dark patterns, the use of personal data, surprise (mystery) box practices, and discounted sales advertising.

Dark Patterns on Digital Platforms

Pursuant to the Annex of the Regulation on Commercial Advertising and Unfair Commercial Practices (“Regulation”), practices that aim to influence consumers’ decision-making through manipulative interface designs, options, or expressions in online environments, or that seek to alter consumers’ choices in favour of sellers or service providers, are considered misleading commercial practices.

In 2025, the Board continued to scrutinise practices on digital platforms that restrict consumers’ freedom of choice, particularly pre-selected subscription options, interface designs steering consumers toward specific preferences, and subscription cancellation processes that are deliberately complicated, all of which were assessed as dark patterns.

In this context, the Board qualified as dark patterns the placement of subscription cancellation options in a manner that makes them difficult to notice, the prioritisation of content unrelated to cancellation during the cancellation process, and the presentation of the “continue cancellation” option in small font at the bottom of the page. The Board ordered the cessation of these practices and imposed administrative fines.

The Board also re-examined certain subscription and free trial offers previously reviewed and concluded that presenting specific subscription types as pre-selected, requiring payment method details during free trial processes, and design elements that make it difficult for consumers to reject offers constitute dark patterns.

Targeted Advertising and the Use of Personal Data

Targeted advertising practices and the use of personal data in commercial communications were among the Board’s key areas of focus in 2025. In this regard, the Cooperation Protocol signed on 28 August 2024 between the Ministry of Trade’s General Directorate of Consumer Protection and Market Surveillance and the Personal Data Protection Authority was reflected in the Board’s decisions in 2025.

The Board examined advertisers’ data collection, usage, and marketing strategies from the perspectives of transparency, explicit consent, data minimisation, and whether consumers were

granted a genuine right of choice. Contractual provisions leading consumers to be deemed to have given consent for commercial electronic communications without an active declaration of intent, as well as practices that do not allow withdrawal of such consent, were considered misleading commercial practices.

Furthermore, obliging consumers to share personal data in order to benefit from discounts—thereby pressuring them to disclose information they would not normally provide—was also assessed as a misleading commercial practice, and the relevant practices were ordered to be ceased.

Surprise (Mystery) Box Practices

In 2025, the Board attached particular importance to advertisements relating to the increasingly popular “mystery box” or “surprise box” concept and issued decisions that may be regarded as setting principles.

The Board assessed such advertisements within the framework of the Regulation’s provisions on accuracy and honesty, concluding that even where general information is provided about the potential contents of the box, advertisements may be misleading where there is a significant imbalance in economic value or utility among possible products or where no adequate information is given regarding the probability of receiving specific items.

Parallel to the Board’s decisions, announcements by the Ministry of Trade indicate that e-commerce platforms offering such products were informed and requested to implement preventive measures.

Current Enforcement Approach to Discounted Sales Advertising

Inspections of discounted sales continued to be a key focus for the Board in 2025. With the amendment dated 11 October 2025 to the Price Label Regulation, the reference period for determining the pre-discount price of goods or services subject to discounted sales was reduced from 30 days to 10 days.

The Board also found that advertisements featuring multiple discount rates, such as “X% + Y% discount,” may create confusion for consumers and emphasised that discounted sales advertisements must clearly and explicitly indicate the pre-discount price, the duration of the discount, and any quantity limitations. Advertisements failing to meet these requirements were ordered to be suspended.

General Assessment and Expectations for 2026

The Board’s decisions in 2025 demonstrate that it has adopted an active regulatory approach aimed not only at identifying infringements but also at shaping consumer behaviour and market practices. Repeated inspections in areas such as dark patterns, the use of personal data, and digital advertising indicate a consistent and deterrent enforcement strategy.

In Türkiye, advertising and marketing activities in 2026 are expected to be shaped by regulatory developments concerning advertisements carried out by social media influencers. According to publicly available sources, anticipated legislative amendments in 2026 are expected to clarify obligations relating to the activities of social media influencers, particularly in terms of transparency, disclosure, and accountability. Combined with the Board’s strict enforcement approach, these developments are likely to further raise compliance standards for brands and social media influencers.

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