

## IT Law Sample Questions and Answers

### Part 1: True or False? Why?

- 1) Sanction is the main criteria which differs the 'legal norm' from 'moral order'. T
- 2) If person A harm the honor, reputation or dignity of person B in social media, B can only ask for compensation. This act does not constitute a crime according to Turkish Criminal Act. F

*This behaviour is a tort and a crime at the same time. Therefore besides compensation, there will be criminal consequences.*

- 3) Contract disputes, personal injury claims (compensation), property disputes are regulated by public law. F  
*They are regulated by private law (contract law, tort law, property law)*
- 4) *Turkish Criminal Code ARTICLE 243 Any person who unlawfully enters a part or whole of data processing system or remains there is punished with imprisonment up to one year, or imposed punitive fine.*

This rule above regulates criminal consequences, but not the civil consequences of entering to data processing systems unlawfully. T

- 5) In case of a tort, which is a violation of the civil law the tortfeasor (the one who gives damage to another) has to pay compensation. T
- 6) A computer hacker has to pay compensation only if there exists a damage. Therefore no damage no compensation. T
- 7) Even if the damaged party does not go to the court and ask for compensation, the state can ex officio ask for compensation and give this Money to the damaged party. F  
*Compensation can be payed only when the injured party asks for it in front of a court.*
- 8) If an officer working at the students Office of ITU disseminates the personal information of the students (like email addresses) to a advertisement company, this is unlawful and the students can ask for compensation only if they prove that they are damaged. T
- 9) The consent of a student makes the act above (in question 8) lawful. T
- 10) The personal rights of a politician are protected exactly to the extent, how the personal rights of a student of ITU are protected. F  
*The privacy of public figures is not protected in a narrow/stricted extent. The ordinary people have a broader protection.*

### Please write down which law is applicable for the following legal relationship? (Public or Private law?)

- a) Tax payer P and the tax office, if he is obliged to pay a tax penalty? Public law/ tax law
- b) Person P uses the pictures of his friend F in social media without his permission. F goes to court and asks for compensation as his personal rights are injured. Private Law or law of obligations or civil law
- c) P is arrested for computer hacking. Public law/ criminal law
- d) In order to build the third bridge on Bosphorus, the ministry decides to expropriate (kamulaştırma/istimlak) premises for the public use. Public law or administrative law
- e) Istanbul Technical University buys a software and makes a licensing agreement. Contract law/private law