



## Immigration Q&A

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# Immigration Q&A

Deloitte Turkey is delighted to present a guidance and frequently asked questions document prescribed by the Turkish Legislation for work permit durations and processes based on the International Labour Law No 6735 in effect as of the date of this document. The information in the context may vary due to the nationalities, domiciles, circumstances or in accordance with the rules and regulations in force.

Therefore, Deloitte Turkey does not accept any liability for any possible amendments as it is to the individuals and the employers' responsibility to have a knowledge of the law above with all the ins and outs.

## **1. How many work permit application methods are there in Turkey?**

Generally, work permit applications should be initiated at the Turkish Representative in home country or at the country of residence. However, if you are already residing in Turkey with a legal residence permit valid for at least 6 months, you may apply directly to the Turkish Ministry of Labour and Social Security.

## **2. What is the work permit process through the Turkish Consulate?**

You need to submit a work visa application at the Turkish Consulate General/Embassy in your country. As a result of this application, the Turkish Consulate General/Embassy provides you with a reference number which needs to be submitted to the Turkish Ministry of Labour and Social Security online portal during the work permit application by your employer in Turkey or its deputy in Turkey.

## **3. In how many days do I have to send this reference number?**

Reference number is valid for 10 working days for the submission of the work permit to the Turkish Ministry of Labour and Social Security. As soon as you are provided with the reference number by the Turkish Consulate General/Embassy, you need to provide this number to your employer / service provider for work permit application.

## **4. Can I apply for a work permit directly through the procedures in Turkey?**

Yes, you can apply for the work permit without making the work visa application if you are holding a valid Turkish residence permit that is issued for at least 6 months.

## **5. If I have a legal residence permit from another country, should I apply for the work permit through Turkish Representative in my home country or in the country of residence?**

You can apply from your country of residence.

**6. How long would the work permit evaluation procedure take?**

As per the local immigration law in force in Turkey, the evaluation period of the work permit application is 30 days once the work permit application is completely submitted through the authority's portal. However, the period can vary due to the national holidays, workload or additional document request by the authority.

**7. If the Turkish Ministry of Labour and Social Security requests an additional or missing document for my work permit application during the evaluation stage, within how many days do I need to submit them?**

Within 30 days starting from official notification made through the portal, missing document shall be submitted. Once the missing document is uploaded into the system, 30 days of work permit evaluation period re-starts from the day of submission.

**8. What happens if I cannot upload the missing document in 30 days?**

If the documents cannot be uploaded within 30 days, then the work permit application is automatically cancelled.

**9. Within how many days can I apply for an objection if my work permit application is rejected?**

Within 30 days you can appeal against the rejection decision. Appealing against rejection is done through a detailed individual petition.

**10. If I apply for a work permit for the first time in Turkey, what will be the maximum period for its validity?**

For the first applications; the Turkish Ministry of Labour and Social Security grants a work permit for maximum 1 year unless there are no restrictions.



**11. For the applications through Turkish Consulate General/Embassy (i.e. work visa applications), what is the next step to be followed once the work visa is approved?**

Following to approval of Ministry, you should visit the Turkish Consulate General/Embassy where you applied and get your single entry visa stamped into your passport. Single entry visa grants one time entry right to country and it is important to use it once you arrive into Turkey to activate the work permit card which automatically grants multiple entry.

**12. In how many days do I have to enter Turkey with my single entry Turkish work visa?**

Under normal circumstances, upon the work permit approval, you need to collect your visa and enter the country within 6 months following your Turkish work permit start date.

**13. What happens if I enter Turkey with the single entry work visa and leave Turkey before my work permit card arrives to my employer?**

Your work permit card may be cancelled and you might be required to make a new work visa application again. Therefore it is strictly recommended to check with your employer whether the card is at their office before you arrive Turkey with a single entry visa.

**14. Is there a different procedure for the foreign engineers who will be employed as an engineer in Turkey?**

Yes, in the first instance pre-approved work permit application shall be completed and within a year, high school and university diploma equivalency shall be obtained from the related authorities in Turkey and then once these are in hand, final work permit application should be completed. At a last stage, if all these procedures are completed, then you should be registered to the engineers chamber and pay your annual fee.





**15. If I decide to extend my work permit, when do I need to apply for the extension?**

You would be able to apply for the extension 60 days prior to your current work permit's expiration date. If you cannot make the work permit extension before the last date of your current work permit, then you need to make a new work visa application from the start in your home country or your country of residence.

**16. If I apply for a work permit extension in Turkey, what is the maximum duration for the extended work permits?**

For the first extension; you would be able to apply up to 2 years. For the next extensions; you would be able to apply up to 3 years.

**17. Does the passport expiry date have an impact on work permit process?**

The passport validity must be at least 60 days longer than the applied duration. For instance, passport must be valid for at least 14 months to apply for 1-year permit.

**18. If I have a current work permit under one company in Turkey, am I able to work in a different company with the same work permit?**

No. Work permit is granted to you to work as an employee of a company which applied for your work permit. Therefore, in case you would choose to work for another company which is different than the company that your work permit is granted for, your existing work permit should be cancelled and you would need to get a new work permit under a new company, provided that your current employer issues a consent letter.

**19. If I have a work permit valid for more than one year and decide to leave my current employer, can I get a work permit for the same validity during a new work permit application under a new Turkish company?**

No, the new work permit application under a new Turkish company will be treated as a new work permit application and would be granted for one year if the authority approves.

**20. How can I change my work permit to work with another company?**

You are able to apply for a new work permit under another company during the validity of your current work permit through the application to be held within Turkey. The previous company needs to keep you registered in the Turkish Social Security (TSS) until your new work permit is approved under the new Turkish company. Following the approval, the current company will be obliged to deregister you from TSS and your new employer needs to register you in the TSS accordingly in case certificate of coverage from your home country authority cannot be provided.

**21. In which cases is my work permit cancelled?**

End of the Turkey employment or due to not having entered Turkey within 6 months following your Turkish work permit start date or, in case of staying abroad continuously more than 6 months, except for force majeure; such as health problems or obligatory community service etc.

**22. In case of leaving my job before the end of my work permit, do I need to inform any authority in Turkey?**

Yes. Turkish Ministry of Labour and Social Security needs to be informed within 15 days following your TSS deregistration under your employer in Turkey or your employment termination with the employer company.

**23. Can I use my work permit as a residence permit at the same time?**

Yes. Your work permit substitutes for a residence permit within its validity. This means that you don't have to separately apply and get a residence permit.



#### 24. What is the Turquoise Card and work permit exemption?

Turquoise card provides you an unlimited right to work in Turkey along with the legal residence right and there are certain requirements to be fulfilled prior to making an application for this type of work permit. Turquoise Card also provides your family members with the right to reside in Turkey.

Work permit exemption is granted for foreign nationals who meet the exemption criteria defined by the Ministry of Labor and Social Security. The exemption's duration depends on the nature of the work to be performed. The application could be submitted either within Turkey or from abroad.

Work permit exemption do not grant residency right to the accompanying family members and it would be required for the family members to apply for residence permit in Turkey.

#### 25. Am I able to apply for Turquoise Card or work permit exemption?

As per the Implementation Regulation of the International Labour Force Law (Law No: 6735) dated February 2nd, 2022; the issuance of the Turquoise Card application acceptance has begun for the foreigners who met the eligibility criteria. The criteria is identified by the Ministry of Labour and Social Services and International Labour Force Policy Advisory Board.

According to declaration of the Ministry of Labor of Social Services, the work permit exemption applications have started to be accepted by the related authorities as of 01.10.2022. The evaluation of the exemption application is at the discretion of the Ministry.

#### 26. If I'm a student in Turkey, can I get a work permit?

If you are an associate or bachelor's degree student, you cannot get a work permit under current legislation.

#### 27. If I'm a master or doctorate student in Turkey, can I get a work permit?

Yes. There is no obstacle for that to get a work permit for a foreign student.

#### 28. How much is the applicable work permit legal fee for 2018?

- TRY 3.090,20 + TRY 356,00 (card fee) for a work permit with a duration up to 1 year.
- TRY 6.180,40 + TRY 356,00 (card fee) for a work permit with a duration of up to 2 years.
- TRY 9.270,60 + TRY 356,00 (card fee) for a work permit with a duration of up to 3 years.

All these fees should be paid within 30 days after getting notified by the authority.

#### 29. I have obtained my work permit. Should I need to make an address registration?

Yes. You need to complete your address registration within 20 workdays following to your entry to Turkey, at the related branch of the Presidency of Migration Management as per area of jurisdiction.

#### 30. If my residence address/marital status/name or surname would change, shall I have a notification obligation?

Yes. You shall need to notify respective authority in Turkey within 20 workdays.

#### 31. If I lose my work permit, what should I do?

You should immediately visit the Turkish Police, get the proper legal notifications and apply for a new permit ID card as soon as possible.

#### 32. In how many days should I leave Turkey once my work permit expires?

You should leave Turkey in 10 calendar days once your work permit expires.

#### 33. If I would like to stay in Turkey after the expiry date of my work permit, are there any restrictions?

Yes, after the cancellation or expiry of your current work permit, you are allowed to stay in Turkey only for 10 calendar days. If you would like to stay more than 10 days, you shall either make a residence permit application or leave Turkey and re-enter Turkey with a proper visa. In both alternatives, you will have 10 days starting from expiry date to apply for residence permit or leave Turkey.

#### 34. Under which circumstances would I or my employer be penalised due to violation of Turkish work permit regime?

Employers hiring foreign individuals without a work permit, or employers missing legal Ministry notification time periods are subjected to monetary penalty due to violation of Turkish work permit legislation. In case you would work in Turkey without work permit or you would continue to reside in Turkey without any permit type once your work permit is expired, you would get monetary penalty as well.

#### 35. In how many days shall monetary penalty be paid out?

All immigration fines should be paid out to the authority within 30 days after getting notification.

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