Regulatory Framework for the Movement of Natural Persons

TURKEY’S EXPERIENCE ON ENTRY AND TEMPORARY STAY PROCEDURES
Coverage of the presentation

➢ Regulation of movement of natural persons and facilitation of trade in services

➢ General system of requirements

➢ E-visa Application procedures

➢ Work permit application procedures

➢ Residency permit application procedures
Regulation of Movement of Natural Persons and Facilitation of Trade in Services

➢ Domestic regulation is not limited to qualifications, licencing and technical standards.

➢ Trade in services is human intensive.

➢ Movement of natural persons is an indispensable part of GATS.

➢ Good practices on the regulation of movement of natural persons facilitates all modes of trade in services.
GENERAL SYSTEM OF REQUIREMENTS

BUSINESS PEOPLE TRAVELLING FOR ALL ECONOMIC ACTIVITIES

- Period of stay < 90
  - VISA

- Period of stay > 90
  - WORK PERMIT
Electronic visa (e-Visa) has been implemented since 2013

e-Visa application is possible from any place with internet connection.

www.evisa.gov.tr

Please note that e-visa is only valid when the purpose of travel is tourism or commerce. Other purposes, such as work and study, require sticker visa given by Embassies or Consulates.
WORK PERMITS

E-Permit Automation System
turkiye.gov.tr
Why needed a new automation system?

- Reduction of bureaucracy/officialism/work-load
- Simplifying / shortening / facilitating work permit application processes/transactions,
- Providing information security (natural/ legal person),
- Transparency of processes and facilitating application tracking
- Comprehensive and systematic retention of data and making it usable
E-Permit Automation System

- E-Permit Automation System started to operate in February 2018.


- The system works in integration with the automation systems of different public institutions (Ministry of Interior, Ministry of Foreign Affairs, Ministry of Treasury and Finance, Ministry of Trade, Ministry of Culture and Tourism, Social Security Institution, Turkish Employment Agency, General Directorate of Post and Telegraph Organization)
Via E-Permit Automation System;

➢ work permit applications can be made,

➢ Fees can be paid,

➢ Evaluation/ processes of the work permit application (update requests, requests for additional information-documents, objection or rejection decision, mail tracking of the work permit card) can be followed and related transactions can be performed by the applicant,

➢ post-application/transactions/procedures (start-up notification, cancellation of work permit, request for new work permit card) can be performed.

➢ third parties may be authorized to apply for work permits and other transactions on behalf of the employer,

➢ information and documents related to the employer/workplace can be updated,

➢ the list of applications made on behalf of the employer can be seen.
Legislative Amendments

➢ Work permit provides the right of residence to the foreigner during its validity. (since 2014) Therefore, there is no need to apply for a residence permit.

➢ Except for the first entry into the country, foreigners with work permits are exempted from the obligation to obtain visas for entry into the country (since 2014).

E-Permit Automation System + Legislative Amendments

To create a «One stop shop» model as much as possible and improving the quality of public service provided
There are two ways to apply for a work permit in Turkey

1- Regular Method (Applying from home country)

The applicant submits the contract/reference letter and the application form to the consular office of the Turkish Embassy in home country.

The consulate provides the applicant a 16 digit reference number

The employer in Turkey logins the e-government gateway (www.turkiye.gov.tr) and selects «E-Permit Automation System / Yabancıların Çalışma Izni Otomasyon Sistemi». In order to activate/complete the electronic work permit application, the employer must have a electronic notification adress (registered e-mail) and e-signature which can be obtained from Turkish Post (PTT).

2- Exceptional Method (Applying in Turkey)

The only way to apply to work permit "in Turkey" is to hold a residence permit which is valid at least for 6 months. This is for dependents of foreigners with work permit or exceptional cases such as students etc.

The employer opens an account in the on-line application system by saving the information about its company. Then he/she selects "new application" tab where the 16 digit reference number given by the consulate is entered.

After the on-line application form is filled up and submitted electronically the processing begins. The maximum processing time is 30 days.
Evaluation of the work permit application

If there are missing documents or information, the processing time is suspended. If the missing documents are not completed in 30 days the application is denied.

In case the application is evaluated in favor of the foreigner, the request for payment of the fee required for issuing the work permit card is notified by registered e-mail.

After payment of the fees, the employer is notified by registered e-mail that the work permit has been issued and will be sent to the mail.

The employer informs the applicant in home country and the Ministry directly informs the consulate and Ministry of Interior about the work permit decision.

Work permit card is mailed within 3 working days to the address provided by the employer. Once mailed, mail tracking is available in the system.

The applicant goes to the consulate and pays the fee. The work visa is issued valid for the period of the work permit.

In the case where the application is denied, the employer is notified by registered email about the reason for denial and available appeal mechanism.

Appeals to a denied application can be made through the same system. If an application is denied a second time, judicial recourse is available.

The applicant can check the status of the application and all processes from the same e-government website/E-Permit Automation System.
As of the end of October 2019, this year;

- We received 155,813 work permit applications from 162 different countries.
- Average evaluation period for work permit applications for this year is 30 days.
RESIDENCY PERMITS

E-RESIDENCE
e-ikamet.gov.tr
RESIDENCE PERMIT APPLICATION

The applications for residence permits are submitted electronically via e-ikamet.goc.gov.tr website.

After the online application is completed the system assigns an appointment date for face-to-face interview. The printed application form gives the right to stay in Turkey until the appointment date.

The printed and signed application form together with the required documents are presented on the appointment date. A translator provided by the applicant can also be present at the appointment.

If the application is completed the processing begins. If additional documents are requested, the applicant has 30 days after the interview to submit them.

The migration expert provides a stamped document during the interview which shows that there is an on-going application process. That document gives the holder the right to stay in Turkey until the application process is finished.

If the application is approved the residence permit card is posted directly to the applicants address. If the application is rejected and the applicant receives an official letter stating the reasons for rejection and requiring the person to leave the Turkish territory in 10 days starting from the day of notification.

The applicant may seek juridical recourse within 60 days of the notification of decision.
THANK YOU!

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