

## RESIDENCE AND WORK PERMIT PROCESS IN TURKEY

### 1. Introduction

Due to its geographical and strategic location as well as its rapidly growing and developing economy, Turkey is highly preferred by foreigners in terms of residence and work.

Residence and work permits are the documents required for foreigners who have decided to settle in Turkey or work in Turkey and the general information about these permits is given below.

### 2. Residence Permit

A residence permit is a document that is required for foreigners to stay longer than the period recognized by the visa or visa exemption or for more than ninety days. In the Law No. 6458 on Foreigners and International Protection, conditions regarding the persons who are exempt from residence permit are regulated along with the persons who will be granted a residence permit if they meet the conditions stipulated.

#### *How to Obtain a Residence Permit?*

The residence permit is obtained by applying to the immigration authorities in the province where the foreigner will reside. Residence permit applications can be made by the foreigner in person or through a lawyer or legal representative of the foreigner. After the required documents have been prepared and submitted to the Migration Management officer, the application will be evaluated by the Commission. If the application is approved, the residence permit card is sent to the residence address of the foreigner. Before the application for a residence permit, the most appropriate type of residence permit should be determined according to the residence status of the foreigner. After determining the type of residence permit to be applied for, the relevant documents should be prepared.

Types of residence permits include:

- Short Term Residence Permit
- Family Residence Permit

- Student residence permit
- Long Term Residence Permit
- Humanitarian residence permit
- Residence permit for victims of human trafficking

Below, you can find the details on who can be granted a short-term residence permit, which is the most frequently applied residence permit in Turkey, and the requirements for the permit. However, it should not be forgotten that for each type of residence permit given above, the terms and conditions stipulated in Law No. 6458 on Foreigners and International Protection vary, and therefore the required documents differ.

Also, foreigners may be required to apply for a residence permit in accordance with the new purpose of residence if the reason for granting the residence permit expires or a different reason arises.

#### *Application for Short Term Residence Permit*

Below you can find the details on who can be granted a short term residence permit:

- Foreigners who will arrive to conduct scientific research
- Foreigners who own immovable property in Turkey
- Foreigners who will establish a commercial connection or business
- Foreigners who will participate in on-the-job training programs
- Foreigners who will arrive to attend educational or similar programs as part of student exchange programs or agreements to which the Republic of Turkey is a party
- Foreigner who wish to stay for tourism purposes
- Foreigners who intend to receive medical treatment provided that they do not have a disease posing a public health threat
- Foreigners who are required to stay in Turkey pursuant to a request or decision of judicial or administrative authorities
- Foreigners who transfer from a family residence permit to short term residence permit

- Foreigners who will attend an education program, research, internship, or, a course through public institutions
- Foreigners who will attend a Turkish language course
- Foreigners who will apply within six months upon graduation from a higher education program in Turkey

In order to be granted a short-term residence permit, certain conditions must be met. The conditions in question are as follows:

- To submit the supporting documents and information on the purpose of staying in Turkey
- Not to fall within the scope of the article regulating foreigners who will not be allowed to enter Turkey in law
- To live in accommodation conditions that conform to general health and safety standards
- Upon request to present criminal record certificate issued by the competent authorities in their country of citizenship or legal residence
- To submit information on their address of stay in Turkey

According to a new regulation issued by the IMMIGRATION Authority, foreigners who are granted a short-term residence permit for a maximum period of one year within the framework of the persons who will stay for tourism purposes will not be eligible for a residence permit for the same purpose as of 01.01.2020 if they do not have a new reason of stay for the residence permit.

### 3. Work Permit

Foreign nationals can work legally in Turkey with a permit giving them the right to work and residence, issued by the Ministry of Labor and Social Security or other relevant institutions. In other words, for all foreigners who are not nationals of the Republic of Turkey, a work permit must be obtained according to Law No. 4817 on Work Permits of Foreigners. Employing foreign workers in the workplace without a foreign work permit constitutes a crime, and if it is detected during the inspections carried out by the Ministry of Family Labor and Social Services, foreign nationals are deported and penal sanctions are imposed on the employer.

### How to Obtain a Work Permit?

Foreign nationals wishing to obtain a work permit in Turkey initially apply for a work permit in their home country at the consulate of the Republic of Turkey. The consulate forwards these applications directly to the Ministry. The ministry evaluates the applications by taking the opinions of the relevant authorities, and grants work permits to foreigners whose status is deemed appropriate. Foreigners can stay and work in Turkey for the period specified in the work permit obtained from the consulate. Foreigners with valid residence permits in Turkey or their employers can apply to the Ministry within the country.

Foreigners who have a work permit may apply for an extension within 60 days prior to the expiration date and in any case before the expiration of the work permit. Applications for extension made after the date of expiration shall be rejected.

Duly made applications are concluded by the Ministry within thirty days at the latest, provided that the documents are whole and complete. In order for employers to create employment opportunities for foreign nationals, foreign workers must obtain a work permit. The documents required for the application vary according to the field in which the foreigner will work.

### 4. Conclusion

It should be noted that work and residence permit application processes are detailed, require expertise, depend on multiple criteria, and should be handled carefully; it would be healthier to get assistance from an expert attorney in order to have a hassle-free application process.

#### For further information and inquiries please contact:

Att.Ömer Faruk HANSU - [omer.hansu@hansu.av.tr](mailto:omer.hansu@hansu.av.tr)  
[en.hansu.av.tr](http://en.hansu.av.tr) | +90 216 464 12 12

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