


**Esin  
Attorney  
Partnership.**

**Doing Business in Türkiye  
2023**



The 2023 edition of Doing Business in Türkiye is your simple but comprehensive guide to understanding the current investment climate and the most important laws regulating investments and commercial activities in Türkiye.

The guide features various topics, including the legal landscape, taxation and VAT, customs duties, commercial contracts, competition law, data protection, intellectual property, foreign investment models, real estate ownership and leasehold, and employment.



## Turkish Judicial System

- The Turkish legal system is similar to the legal systems of Continental Europe.
- The most common methods for resolution of disputes in Türkiye are through litigation or arbitration.
- In terms of litigation, the courts in Türkiye are separated in three main branches with regard to their competence, which are (i) civil law, (ii) criminal law and (iii) administrative law. All disputes arising from private law are resolved by civil courts. Courts that are established under these three branches are also divided by their specialization such as Labor Courts, Commercial Courts or Tax Courts.
- Türkiye has a three-staged court proceedings system. Accordingly, in principle, the lawsuits are filed before courts of first instance and although there are some exceptions, are subject to two appeal stages namely (i) appeal before Regional Court of Appeals and (ii) appeal before the Court of Cassation or appeal before the Council of State depending on nature of case.
- Certain kinds of disputes are subject to mandatory mediation, which is a precondition for filing a lawsuit arising therefrom. These are mainly commercial claims that have a monetary nature and monetary claims arising from employment law.
- Apart from mandatory mediation, the parties to a dispute can also apply to voluntary mediation before referring their dispute to a court or arbitration.
- Türkiye is a party to the Singapore Convention on Mediation, which facilitates international trade and commerce by enabling disputing parties to easily enforce and invoke settlement agreements across borders.
- While litigation can be considered as the usual and most common mechanism of dispute resolution in Türkiye, arbitration is also broadly preferred as the method for resolving complex commercial disputes, especially arising from cross-border contracts.
- Although there are many arbitration institutions in Türkiye, parties doing business in Türkiye regularly refer their disputes to International Chamber of Commerce International Court of Arbitration ("ICC"), Istanbul Arbitration Centre ("ISTAC") and Istanbul Chamber of Commerce Arbitration and Mediation Centre ("ITOTAM"), and the Union of Chambers and Commodity Exchanges of Türkiye ("TOBB") Arbitration Council. ICC is often preferred, especially for cross-border transactions. ISTAC is one of the most prominent arbitral institutions in Türkiye for domestic and international arbitrations.
- Foreign arbitral awards can be enforced in Türkiye if the country where the award was issued is a party to the New York Convention or there is de facto reciprocity between Türkiye and that country for the recognition or enforcement of arbitral awards. In recognition and enforcement lawsuits, Turkish courts are not authorized to re-examine the merits of the dispute if the decision does not violate Turkish public policy or relate to a matter within the exclusive jurisdiction of Turkish courts.



## Foreign Investments

- Generally, Turkish law provides that foreign investors be treated equally to Turkish investors.
- There is no restriction on foreign shareholding except in a few specific sectors such as media, education and aviation.
- Foreign investors may choose foreign laws and courts to have jurisdiction over their contracts.

- Agreements between two Turkish parties (regardless of whether they have foreign shareholders) must be in the Turkish language and any non-Turkish versions will not be enforceable.



## Establishing a Legal Presence in Türkiye

- **Establishing Company.** Most foreign investment requiring a permanent legal presence in Türkiye proceeds through a locally established company. Local legislation allows several forms of company; however, considering overall advantages and disadvantages, foreign investment generally opts to incorporate either a joint stock company (**JSC**) or a limited liability company (**LLC**). Foreign investment's choice between these two forms depends on a detailed comparison between JSC and LLC, as below:
- In practice, US companies mostly prefer establishing LLCs because of the check-the-box legislation rules in the US.
- In terms of scope of activity, JSCs may be established for any type of activity, which is not prohibited by law, whereas LLCs may not engage in banking, insurance, financial leasing and other activities limited by law.
- In terms of minimum capital requirement, it is TRY 50,000 for JSCs whereas it is TRY 10,000 for LLCs.
- In terms of shareholding, local legislation allows single-shareholder JSC and LLC.
- In terms of payment requirement of initial capital, unless otherwise specifically stated in the relevant regulatory legislation which the company operating in a regulated industry is subjected to, at least 25% of the initial capital of a JSC must be paid prior to incorporation and the remaining 75% must be paid within 24 months following the incorporation date; whereas there is no requirement for the LLCs to pay a certain amount prior to the incorporation and the entire share capital amount can be paid within 24 months following the incorporation date.
- In terms of liability, shareholders are liable to the extent of their capital subscription undertakings, and executives are personally liable for the unpaid public debts (e.g., unpaid taxes or social security premiums) in JSCs. On the other hand, liability regime is slightly different in LLCs: as a general rule, shareholders are liable to the extent of their capital subscription undertakings with an exception stating that shareholders may be liable for unpaid public debts on a pro rata basis to their capital contribution whereas liability regime of executives is similar to JSCs.
- In terms of general assembly, general assembly of a company is composed of its shareholders and the meetings of general assembly are structured in a same way for both JSCs and LLCs. Accordingly, ordinary general assembly meeting must be held each year within three months following the end of the company's fiscal year, during which the shareholders review relevant financial statements, resolve on profit distribution and release the directors. Extraordinary general assembly meetings can be held as necessitated by the operations of the company.
- In terms of board, the board of directors for JSCs and the board of managers for LLCs are entitled to represent and manage the company and it is a mandatory corporate organ for both companies. Local legislation allows single-member boards. In JSCs, members of the board of directors are not obliged to be a shareholder of the company, whereas in LLCs, at least one of the members of the board of managers must be a shareholder of the company. Neither the members of board of directors in JSCs nor the members of board of managers in LLCs are required to be Turkish citizens or residents in Türkiye, unless otherwise specifically stated in local legislation which the company operating in a regulated industry is subjected to.
- The incorporation procedure in Türkiye is almost the same for both JSCs and LLCs; and involves relatively significant paperwork and intense communication with the authorities, and also requires integrated cooperation with institutions such as banks. In addition, incorporation of companies that will

engage in activities specified in the legislation (e.g. banking, financial leasing, factoring) will require authorization from the Ministry of Trade and/or the relevant regulatory authority. Preparation of documents is usually the most time consuming and crucial stage. It should also be noted that certain incorporation documents executed abroad must be apostilled or legalized by the Turkish Consulate in the relevant jurisdiction.

- **Establishing Branch Office.** In addition to establishing a company in Türkiye, foreign investors may also consider establishing a branch office in Türkiye. Branch offices are entirely different structures compared to companies, as below:
  - In terms of scope of activity, branch offices can only engage in activities of its parent company. It cannot provide goods and/or services or engage in any commercial activity, which is not within the scope of services of the parent company.
  - In terms of capital, branch offices have autonomous capital and accounting to carry out commercial transactions with third parties. While there is no minimum capital requirement for a branch, in recent practice, the Trade Registry requires the branch offices to allocate a minimum of TRY 10,000 as capital. It is also important to note that it is required that the branch office maintains capital sufficient for its day-to-day operations in practice.
  - In terms of representation and management, it is mandatory to appoint at least one branch manager resident in Türkiye. There is no nationality requirement for the branch managers. The branch manager has full power and authority to represent the branch.
  - In terms of dependency to the parent company, although branch offices are registered with the relevant Trade Registry as separate legal entities, they are not totally independent from their parent companies. Branch offices are dependent to the parent company in terms of internal management and it is deemed that they act on behalf of its parent company. Thus, the loss and/or profit arising from the transactions of the branch office belong to the parent company. Parent company assumes the rights and obligations arising from the acts of the branch office. Accordingly, parent company may be the addressee for any claim to be directed to the branch office.
- **Establishing a Liaison Office.** If the foreign investor is not planning to perform any commercial activity in Türkiye, establishing a liaison office that does not have a separate legal personality, can also be considered. In terms of scope of activity, liaison offices are not allowed to directly engage in any profit generating business. However, it is permitted to carry out activities such as gathering information, conducting market researches, promotion of the products and services of the foreign company, representation and hosting, control and inspection of the suppliers in Türkiye with respect to quality and standards and procurement of local suppliers, technical support visiting clients and describing the aspects of the parent company, arranging transfer of documents between the clients and the parent company, and entering into contacts to expand the business opportunities of its parent company, acting as regional management headquarters since these are not considered as commercial activities.
- Establishment of a liaison office is subject to permission of the General Directorate of Incentive Implementation and Foreign Investment and the establishment is not registered with the Trade Registry. The General Directorate grants permission of activity for a limited time period. The activity permit may be extended by the General Directorate based on application in case the General Directorate is convinced on the merits of the application.
- Liaison offices are required to prepare and submit annual submissions to the General Directorate in scope of their activities each year in May.



## Taxation

- Individuals are subject to income tax between the rates 15% and 40% progressively. While the corporate income tax rate was applied as 25% for 2021, 23% for 2022; now, the rate is applied as 20% for 2023. Unless the related legislation will be amended, the rate will be 20% for the following years. Türkiye has signed double tax treaties with more than 89 countries.
- A written document with a signature (e.g., contract, undertaking letter, letter of intent) or any other document created in a magnetic medium as electronic data with an electronic signature is subject to stamp tax if the document is signed in Türkiye. Agreements signed outside of Türkiye (or embassies or consulates in Türkiye) will be subject to stamp tax only if the document (i) is submitted to the Turkish authorities; (ii) is assigned or endorsed to others in Türkiye; or (iii) the document's provisions are otherwise benefited from in Türkiye. Fiscal authorities interpret the term "benefiting from the provisions" in a broad manner. The stamp tax rates vary between 0.189% and 0.948% depending on the type of the document with an overall cap of TL 10,732,371.80 (for 2023). Share purchase agreements recently became exempt from stamp tax.
- In principle, the VAT rate is 18% and the VAT Law provides several tax exemptions (e.g., services in free trade zones, export of goods and services). A reduced VAT rate of 1% or 8% applies for certain deliveries and services listed separately in the VAT legislation.
- The digital services tax ("DST") became effective as of March 1, 2020. Revenues generated from digital services provided in Türkiye including any and all kinds of advertising services provided through digital media, sale of audio, visual or digital content through digital media and services provided through digital media, services of the provision and operation of digital media enabling users to interact with each other and intermediation services provided by digital service providers through digital media, are subject to DST.  

The DST is calculated as 7.5% over the gross revenue earned during a taxation period (i.e., one-month period) from in-scope services. The tax residency status of the digital service providers has no impact on the tax liability.
- Other taxes applicable in Türkiye include gift and inheritance tax, banking and insurance transaction tax, resource utilization support fund, special consumption tax, and special communication tax, valuable house tax, accommodation tax and digital services tax.
- Türkiye employs anti-avoidance measures such as transfer pricing, thin capitalization and controlled foreign corporations, as well as general anti-abuse rules that rely on substance over-form.



## Employment

- If an employer wishes to hire foreign employees, a work permit or a work permit exemption certificate must be obtained before the foreign employees can start working in Türkiye. Noncompliance with the requirement to obtain a work permit or a work permit exemption certificate will result in administrative fines applicable to both the employer and the respective foreign employee, and the foreign employee can be deported from Türkiye and banned from entering Türkiye.
- Ministry of Labor and Social Securities applies certain criteria when processing work permit applications of foreign nationals, which the employer must fulfill. For instance, employers are required to employ a minimum of five Turkish nationals in the respective workplace for each foreign national they want to hire.
- According to the International Labor Force Law, statutory managers of limited liability companies who are also shareholders of the relevant company and boards of directors' members of joint stock



companies who are also shareholders of the relevant company, managing shareholders of commandite companies with capital divided into shares, must obtain work permits to work in Türkiye.

- In case they will work in Türkiye, the following individuals are exempted from the requirement of obtaining a work permit, but only for up to 3 months: (i) boards of directors' members of joint stock companies who do not reside in Türkiye; shareholders of other companies who do not hold managerial positions; the individuals who are not shareholders in these companies but authorized to represent and bind the company at the highest level; and (ii) cross-border service providers whose services in Türkiye do not exceed 90 days in a 180-day period. Those who are exempt from the requirement to obtain a work permit must obtain a "work permit exemption certificate" in Türkiye.
- Unions and pensions related issues pose threats in M&A transaction less frequently than in the rest of Europe.



## Real Property

- Non-Turkish individuals who are citizens of countries determined by the Council of Ministers can purchase real estate and acquire limited rights in rem subject to certain requirements.
- Non-Turkish legal entities can only own real estate and limited rights in rem within the scope of special provisions of Turkish law, including the Petroleum Law, Tourism Incentive Law and Industrial Area Law.
- Turkish companies with foreign capital and in which foreign nationals or foreign companies own 50% or more shares or have the right to appoint/dismiss persons with management rights, may acquire and use real estate or limited rights in rem to carry out the activities stated in the companies' articles of association after receiving approval from the city governorship where the real estate property is located.



## Intellectual Property

- Intellectual property rights are governed by two different laws, namely Turkish Industrial Property Law and the Turkish Copyright Law.
- Competent local authority for the prosecution of trademarks, designs, utility models, patents and geographical indications is the Turkish Patent and Trademark Office, with its swift and up-to-date application of intellectual property law and developed online search and filing platforms.
- Confidential information and trade secrets are not explicitly defined under Turkish laws. It is not possible to register confidential information or trade secrets in Türkiye. They are protected under unfair competition laws.
- Intellectual property disputes are heard before specialized intellectual property courts, which are established in three biggest cities in Türkiye.

Türkiye is a member of the World Trade Organization and a party to a number of international treaties related to intellectual property, including the TRIPS Agreement, Paris Convention, Madrid Protocol, Berne Convention, Geneva Act of the Hague Agreement Concerning the International Deposit of Industrial Designs, Patent Cooperation Treaty, Rome Convention, International Convention for the Protection of New Varieties of Plants and European Patent Convention.



## Banking

The Turkish financial sector underwent major structural changes as a result of the financial liberalization program begun in the early 1980s. The abolition of directed credit policies, liberalization of deposit and credit interest rates and liberal exchange rate policies, as well as the adoption of international best standard banking regulations accelerated the structural transformation of the Turkish banking sector. Since the 1980s, the Turkish banking sector experienced a significant expansion and development in the number of banks, employment in the sector, diversification of services and technological infrastructure.

- The Turkish money markets and foreign exchange markets stabilized in 2001, in large part due to regulatory reform and other governmental actions (including a three-part audit undertaken in 2001 and 2002). The system's transparency improved along with the establishment of an independent supervisory and regulatory framework and new disclosure requirements. The structural changes undertaken strengthened the banking sector and resulted in a more level playing field for banks.
- The Turkish banking industry has undergone significant consolidation over the past decade. Pursuant to Turkish banking regulations three types of banks are allowed to be established to operate in Türkiye: deposit banks, development and investment banks and participation banks. These banks can be in the form of branchless digital banks. As of 20 April 2023, there are 58 banks (including domestic and foreign banks as well as participation banks, but excluding the Central Bank) in Türkiye. Thirty-five of these are deposit banks, seventeen are development and investment banks and six are participation banks, which conduct their business under separate legislation and in accordance with Islamic banking principles. Further, there are three banks being managed by the Savings Deposit Insurance Fund. In addition, as of 20 April 2023, BRSA has also provided establishment approval for five digital banks, two of which are also granted operation approval by the BRSA.
- The Banking Law permits deposit-taking banks to engage in all fields of financial activities, including deposit collection, corporate and consumer lending, foreign exchange transactions, capital market activities and securities trading. Typically, major commercial banks have nationwide branch networks and provide a full range of banking services, while smaller commercial banks focus on wholesale banking. The main objectives of development and investment banks are to provide medium-and long-term funding for investment in different sectors.
- Turkish banks (including development and investment banks) and branches of foreign banks in Türkiye are primarily governed by two regulatory authorities in Türkiye, the Banking Regulation and Supervision Agency (BRSA) and the Central Bank. The BRSA is responsible for all banks operating in Türkiye, including development and investment banks, foreign banks and participation banks.
- Foreign persons and entities may open and operate banks in Türkiye if they fulfill the criteria set under the Turkish banking regulations. In addition, foreign banks may open branches as well as representative offices in Türkiye, as long as they obtain the approval of the BRSA. Representative offices can only engage in advertisement of the foreign bank and its services and market research activities.
- The Central Bank was founded in 1930 and performs the traditional functions of a central bank, including the issuance of bank notes, implementation of the government's fiscal and monetary policies, maintenance of price stability and continuity, regulation of the money supply, management of official gold and foreign exchange reserves, monitoring of the financial system and advising the government on financial matters. The Central Bank exercises its powers independently of the government. The Central Bank, in conjunction with the government, is empowered to determine the inflation target and adopt a monetary policy in compliance with this target. The Central Bank is the only authorized and responsible institution for the implementation of this monetary policy.





## Issuance and Regulation of Securities

- The Borsa Istanbul is Türkiye's only securities exchange. It integrates all the exchanges operating in Turkish capital markets under a single roof. Stocks, corporate and government bonds, investment fund participation shares, asset-backed securities, covered bonds, derivative instruments and *sukuk*'s are amongst the capital market instruments currently being traded in the Borsa Istanbul.
- The Capital Markets Board (CMB) is an independently operated autonomous public body whose principal function is to assist the development of the Turkish securities market, contribute to the efficient allocation of financial resources in the Turkish economy, and ensure adequate protection for investors.
- The CMB sets forth certain requirements for introducing foreign securities into the Turkish market. To offer foreign securities in Türkiye, the CMB must approve a prospectus (*izahname*) written in Turkish containing the required information prior to issuing foreign securities. In particular, foreign securities must not bear any encumbrance, and must be issued in Turkish Lira or a convertible currency recognized by the Central Bank of Türkiye.
- The Central Securities Depository is the authority responsible for carrying out transactions related to the dematerialization of capital market instruments, keeping track of these dematerialized instruments and the rights attached therein electronically and performing central custody of these instruments.



## Investment/Capital Markets Services

- Provision of investment services such as brokerage, portfolio management, investment advisory and underwriting of capital markets instruments and related ancillary services in Türkiye is subject to CMB's approval. Investment brokers, portfolio management companies and collective investment schemes such as investment funds and investment trusts are under the supervision of the CMB.
- The CMB is also responsible for supervising institutions providing supplementary services in capital markets such as credit rating agencies, clearing houses, audit and valuation firms and data logging institutions.



## Currency Control Regulations

- Persons not residing in Türkiye may purchase and sell securities issued by Turkish issuers, if transactions are facilitated through a Turkish bank or brokerage, and the relevant gains and purchase price are transferred through a Turkish bank.
- Funds in Turkish Lira or a foreign currency may be freely transferred abroad through Turkish banks. Turkish banks are required to notify the Central Bank of transfers exceeding USD 50,000 (or its equivalent) within 30 days of the transfer.
- Up to TRY 25,000 and foreign currency up to the equivalent of EUR 10,000 can be physically taken out of Türkiye without any limitation.



## Protection of Competition

- Agreements and concerted practices between undertakings, and decisions and practices of associations of undertakings which have as their object or effect or likely effect the prevention, distortion or restriction of competition in a particular market for goods or services are prohibited with the Law No. 4054 on the Protection of Competition ("**Competition Law**").
- Abuse of a dominant position, whether perpetrated by a single undertaking or several undertakings acting in concert, is also prohibited in accordance with the Competition Law.
- Merger and acquisition transactions that resulting in a change of control are prohibited if the transaction would result in a significant lessening of effective competition within a market for goods and services with the Competition Law. On a separate note, even if the transaction would not result a significant lessening of effective competition, the transaction that resulting in a change of control should be notified to the Turkish Competition Authority on condition that the monetary thresholds are met.



## Compliance/Anti-Bribery

- Several Turkish laws contain provisions on anticorruption and bribery, primarily the Turkish Criminal Code No. 5237, the Law on Declaration of Property and Combating Bribery and Corruption No. 3628, the Law on the Ethics Board for Public Officials No. 5176 and the Civil Servants Ethical Principles and Application Procedures and Principles.
- The consequences of bribery for legal entities are the (i) revocation of their license/permit if (a) a private legal entity abuses its authority arising out of a license/permit granted to it by a public entity and (b) the legal entity's governing bodies or representatives participated in the actions of such entity; and (ii) confiscation of property or material interests, if the conditions under the law are satisfied. Individuals engaged in bribery on behalf a legal entity can be subject to criminal sanctions.
- Anti-money laundering laws impose a number of obligations (e.g., customer identification, suspicious transaction reporting) on parties to combat money laundering.



## Customs

- Unless the importation is prohibited by domestic laws (e.g. certain wastes and scraps), importing requires no special license or permission. However, to protect the environment and public health, public security or public policies, customs authorities may require certain products to have an import license.
- Unless prohibited by international treaties or domestic laws, all goods can be freely exported. Particularly, the items under the Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies List and the Australia Group List of Chemical Precursors and military items are subject to export control and licensing in Türkiye.
- Under the transit regime, goods may be circulated (i) from a foreign country to another foreign country (between two Turkish border gates); (ii) a foreign country to Türkiye; (iii) Türkiye to a foreign country; or (iv) a border gate or inland customs office to another inland customs office.



## Consumer Protection

- In Türkiye, the main piece of legislation on consumer protection is the Consumer Protection Law No. 6502 (**Consumer Protection Law**), available online [here](#) (in Turkish) and online [here](#) (in English-please note that the English version published by the Ministry of Trade is not up-to-date and therefore; does not involve all the amendments).
- The Consumer Protection Law covers all consumer transactions. A consumer transaction is accepted as any legal transaction concluded between a consumer and persons acting with commercial and professional purposes in the goods and services markets. A consumer, on the other hand, is deemed as persons using or benefiting from goods or services having no professional or commercial purpose. Therefore, contracts and legal transactions executed with the consumers are subject to the Consumer Protection Law.
- Upon discovering the product's defects, the consumer can: (i) rescind the contract for a full refund; (ii) demand replacement of the good or that the service be performed again; (iii) demand a reduction of the price pro rata the defect; or (iv) demand a free repair. The seller must perform the consumer's selection of remedy, within certain exceptions.
- The statute of limitations for liability for a defective good or service is two years following the delivery of the good to the consumer or performing the service, even where the defect appears later, unless those liable for the defect have undertaken liability for a longer period. The statute of limitations is five years for real property used for residential and vacation purposes.
- Product manufacturers or importers must establish a minimum number of after-sales service providers or enter into an agreement with already established and working after-sales service providers. The number of these after-sales service providers depends on the type and requirements of the good.
- Under Turkish laws, the contractual provisions prepared by one party in advance, for the purposes of using the same provisions in multiple similar transactions in the future and presented to the counterparty, its provisions would constitute standard terms and conditions. The standard terms and conditions, that are to consumer's disadvantage are null and void unless the consumer is informed of the existence of these terms and provided with the opportunity to learn their content, negotiate and approved them.



## Data Protection

- Law No. 6698 on the Protection of Personal Data (the Data Protection Law) entered into force in April 2016 as the first general personal data protection law of Türkiye, harmonizing Turkish data protection law with the EU Directive 95/46, with certain differences. In current landscape, the Data Protection Law is expected to be amended in a way to be synchronized with the GDPR with a special focus on regulations as to (i) cross-border data transfers and (ii) processing of special categories of data. Prospective amendments have not been published yet.
- The Data Protection Law sets forth obligations for data controllers mainly with regard to personal data processing, cross-border data transfers, and data security.
- The Data Protection Authority, established in January 2017, is the enforcement agency of the Data Protection Law. The Data Protection Authority is authorized to issue the secondary legislation touching base with principles outlined in the Data Protection Law such as personal data deletion, data controllers' registry, notification obligation and principles of the application to the data controller, together with guidelines and decisions.

- A large number of organizations have undertaken data privacy compliance programs to bring their personal data processing activities in line with the Data Protection Law. In Türkiye, data controllers are obliged to register to the data controllers' registry, which also applies to foreign data controllers.
- The Data Protection Authority has issued more than 3350 decisions to date, and has fined a total amount of approximately TRY 74.116.828 (approximately USD 3,820,000).



## Pharmaceuticals and Healthcare

- In order to be sold in the Turkish market, industrially manufactured or imported medicines for human use must have marketing authorization. In addition, it is obligatory to obtain a sales permit for placing on the market the products with marketing authorization.
- If a medicinal product is unavailable in Türkiye but the Health Ministry approves its use for a patient, it can be procured from abroad by the licensed pharmaceutical suppliers (commonly known as named patient sales). If the medicinal product already exists on the Permitted Active Substances List, no application to the Health Ministry is necessary.
- In principle, promotional activities to the general public can only be carried out for non-prescription medicinal products with marketing authorization in Türkiye. Promotional activities for healthcare professionals pertaining to medicinal products without marketing authorization during international conferences convened in Türkiye are exempt from this prohibition.
- Unlike pharmaceuticals, medical devices do not require marketing authorization to be placed on the market. According to the Medical Devices Regulation ("MDR"), medical devices require registration on the Product Tracking System (Ürün Takip Sistemi). In addition, the MDR implements the European Database on Medical Devices (EUDAMED) system of the European Commission to enhance transparency and improve traceability in the medical device industry. Accordingly, the MDR introduces obligations for manufacturers, importers and authorized representatives to file registrations with EUDAMED.



## Telecommunications

- Turkish telecommunications legislation is similar to that of the EU. The majority of services that necessitate an authorization/license in the EU also fall within the scope of such requirements in Türkiye.
- The provision of electronic communications services, operation of electronic communications networks and installation of electronic communications infrastructure are activities subject to authorization. There are two types of procedures for authorizations: authorization by notification and the right-of-use procedure.
- The recent amendments to the Turkish telecommunication regulations introduced new rules for operators regarding their authorizations, including quantity and quality limits in terms of the staff, workplace-related requirements, competency control periods, and rules on changes of indirect control of operators, and authorization cancellation of operators that do not provide services.

All of the information included in this guide is for informational purposes only and may not reflect the most current legal and regulatory developments, judgments or settlements. This information is not offered as legal or any other advice on any particular matter.

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