

**ASSESSMENT CRITERIA, APPLYING BUSINESSES AND FOREIGNERS HAVE TO FULFILL,
RELATED TO THE WORK PERMIT REQUEST OF FOREIGNERS**

Assessment criteria, applying businesses and foreigners have to fulfill, related to the work permit request of foreigners, determined as per article 13 of application regulations of the law number 4817 on work permits of foreigners:

1. It is mandatory to employ at least five Turkish citizens at the business, where work permit is requested. In the case of requesting work permit for more than one one foreigner, employment of five individual Turkish citizens shall be required for each foreigner after the first foreigner, for whom work permit has been granted. In the case of the foreigner being a partner of the company, employment requirement for five persons is required for the last six months of the work permit, which shall be granted for one year by the Ministry.
2. Issued capital of the business should be at least 100.000 TL or its gross sales should be at least 800.000 TL or amount of exports should be at least 250.000 U.S. Dollars.
3. Article 2 does not apply for foreigners, who shall work at associations and first and second articles do not apply for the representation offices of foreign state airways, education sector and home services, for the assessment of work permit applications of foreigners.
4. It is mandatory that the share of the capital of the foreigner, who is a partner of the company, is at least 20 per cent and 40.000 TL.
5. It is mandatory that the net monthly salary, declared to be paid to the foreigner, matches the duty and competency of the foreigner. According to this, minimum salary amount, to be paid to a foreigner, taking the minimum wage in effect, as of the application date, should be:
 1. 6.5 times the minimum wage for executives, pilots and engineers and architects, who request preliminary permission,
 2. 4 Times the minimum wage for unit or branch managers and architects,
 3. 3 times the minimum wage for the foreigners, who will work at positions, which require expertise and mastery, teachers and psychologists, physiotherapists, musicians and stage artists
 4. At least the minimum wage for foreigners, who will work at home services and 1.5 times the minimum wage for foreigners, who shall work at jobs other than those, listed above (such duties as sales person, marketing-export person).
 5. 2 Times the minimum wage for foreigners, who will work with such titles as acrobats and similar titles at Travel-Animation organization companies and jobs, such as masseur, masseuse and SPA therapist.
6. Masseur, masseuse and SPA therapist requests of tourism establishments with at least four stars, and holiday villages, which require expertise and mastery which prove with certificates from The Ministry of Culture and Tourism that they have a permitted massage parlor and requests of establishments and businesses, which are not in this scope, shall not be found suitable.

7. (Different: 20.April.2011/ÇGM-8108) In the case of employing at least 10 Turkish citizens for the foreigners for jobs in the entertainment sector and at tourism-animation organization companies, which require expertise and mastery, the quota of five individual Turkish citizens for each foreigner shall not be applied separately.
8. (Additional article: 20.April.2011/ÇGM-8108) Criteria, determined in articles 1 and 2 shall not apply for the assessment of work permit requests for foreigners in cases, where Turkey is a party in bilateral or unilateral agreements, in which there is a provision and for foreigners to be employed for goods or service procurement through contract or tender by public organizations and institutions.
9. (Additional article: 20.April.2011/ÇGM-8108) Criteria, determined in articles 1 and 2 shall not apply for jobs, which require high technology or in cases, where there is not a Turkish expert with the same qualifications, upon approval, granted by General Management Office.
10. (Additional article: 20.April.2011/ÇGM-8108) The criteria, set forth in article 1, is applied based on the number of Turkish citizen employees, who work at all locations of the business throughout the country for foreigners to be employed other than the key personnel, at businesses, which fulfill the conditions for Direct Foreign Investments, which Have Importance.

FOREIGNERS, FOR WHOSE APPLICATIONS CRITERIA SHALL NOT BE APPLIED

Foreigners, who are not subject to work permit assessment criteria according to the provisions of Application Regulations of the Law On Work Permits of Foreigners are stated below and it is mandatory for the foreigners, stated here to obtain work permit to be able to work. It is mandatory that the foreigners, whose work permit applications have been accepted without subjecting them to work permit assessment criteria, prove that they are in this scope through certificates, received from official authorities.

- Foreigners, whose mother, father or child are Turkish citizens,
- Foreigners, who have lived with a Turkish citizen through union of marriage for at least three years,
- Foreigners, who are citizens of The Turkish Republic of Northern Cyprus,
- Foreigners, who have received residence permit in the framework of Turkish and relative communities practice,
- Foreigners, who have received residence permit in the framework of humanitarian considerations,
- Foreigners, who have received residence permit due to being a victim of human trade,
- Foreigners, who have received residence, permit in stateless status.

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