

COMPANY ESTABLISHMENT IN TURKEY

NO PRE-PERMITS

The pre establishment permits to be taken from The Undersecretariat of Treasury and Ministry of Industry and Trade, required by the previous legislation has been abolished.

COMPANY ESTABLISHMENT IN 1-DAY

It is now possible to establish a company just in 1 day when applied to the related Trade Registry Office with the required documents. The company gets its "legal entity" upon registration at the Trade Registry.

COMPANIES WHICH CAN BE ESTABLISHED

Incorporated Companies such as:

- Joint Stock Companies
- Limited Companies
- Commandite Companies
- Collective Companies

Unincorporated Companies such as:

- Joint-Venture
- Business Association
- Consortium

COMPANIES WITH SPECIAL LEGISLATION

Banks, private finance institutions, insurance companies, financial leasing companies, factoring companies, holding companies, companies operating foreign currency exchange offices, companies dealing with public warehousing, publicly held companies subject to the Capital Markets Law, companies that are founders and operators of free zones are still subject to permit from the Ministry of Industry and Trade.

JOINT STOCK COMPANY

The company's stock capital is divided into shares and the liability of the shareholders is limited to the capital subscribed and paid by the shareholder. At least 5 shareholders (real person or legal entity) and minimum capital of YTL 50.000 is mandatory. The mandatory company organs are general assembly, board of directors and supervisory board.

LIMITED COMPANY

It is the company established with at least 2 and at most 50 real person or legal entities and the liability of the shareholders is limited to the capital subscribed and paid by the shareholder. Minimum capital of YTL 5.000 is mandatory. Unlike joint stock companies, no stock certificate is issued.

COMMANDITE COMPANY

It is the company established to operate a commercial enterprise under a trade name. Whereas the liability of some shareholders is limited to the capital subscribed and paid by the shareholder (commanditer), for some shareholders there is no limitation of liability. Legal entities can only be commanditer. No minimum capital is required. The rights and obligations of the shareholders are determined by the Articles of Association.

COLLECTIVE COMPANY

It is the company established to operate a commercial enterprise under a trade name and, the liability of none of the shareholders is limited only to the capital subscribed and paid by the shareholder. No minimum capital is required. It is mandatory that all the shareholders be real person. The rights and obligations of the shareholders are determined by the Articles of Association.

COMPANY ESTABLISHMENT PROCEDURES

3 copies of articles of association (one copy original) which are notarized are prepared.

Following the notarization of articles of association, within 15 days at latest, application to the relevant Trade Registry Office with the documents set below is needed.

Documents for the Company Establishment

1. Company Establishment Petition and Notification Form, duly filled in and signed by persons authorized to represent the company*,
2. Notarized signatures of persons authorized to represent the company together with the company trade name,
3. Letter of Commitment in accordance with Article 29 of the Trade Registry Regulation,

* The list of the documents to be procured and forms to be filled can be downloaded from www.sanayi.gov.tr and www.hazine.gov.tr

4. Bank receipt of the deposit, amounting to 0.04% of the company capital,
5. Certified copies of the ID certificates of the real person founders and their residence certificates (if they have Turkish citizenship),
6. In case there are any real persons of foreign citizenship among the founders of the company, the xerox copy of his/her passport to be presented together with the passport itself or its notarized copy,
7. In case the foreign shareholder(s) is a legal entity; the original copy of the Certificate of Activity issued by the competent authorities and approved by the relevant Turkish Consulate or apostilled and its notarized translation,
8. In case there are any rights and movable and immovable assets to be put in as capital for a company to be established; expert report of the assessment made to ascertain the value of these and the related court decision for the expert assignment.

ROADMAP OF ESTABLISHING A COMPANY IN TURKEY

