

PASSPORT LAW

Law Number: 5682 of 15 July 1950

Art. 1

Entry Points.

Turkish citizens and foreign subject persons may enter and go out of places determined only by the Board of Ministers.

Art. 2

Passport or document obligation.

Turkish citizens and foreign subject persons are obliged to present valid passports or a passport substitute document to enter Turkey and to go out of Turkey.

Ministries of Interior and Foreign Affairs have the power to award in common the subject of which or the documents to be accepted instead of passport for the foreign subject persons other than the ones determined by the law and international agreements.

(...)

Art. 4

The foreign subject persons who came without passports or documents.

The foreign subject persons who come to Turkish borders without passport or documents or invalid passport or documents are returned.

The foreign subject persons who claim that they lost their passports or documents during the travel may be accepted, provided that they are sent to the closest government office if required and may be resided at the place shown by the local government director for the purpose of the procedure according to the award to be made for them until end of the investigation to be done by the Ministry of Interior.

Immigrants who come by the permission of the Government are accepted to Turkey even if they do not present passports provided they have a document issued by Turkish Consulates or by officers or delegations sent by the Government to the foreign countries to dispatch immigrants.

Generally, acceptance of the immigrants and the foreign persons who come for the purpose of settlement excluding the procedure concerning settlement whether they have passports or not depends on the award of the Ministry of Interior.

Art. 5

Entry visa obligation.

Except the exceptions explained in the law, the foreign subject persons are obliged to obtain visas from the authoritative Turkish officials to enter from the Turkish borders. Acceptance of the persons who come without obtaining visas depends on concerned security officials' permittance.

'A' types of passports written in the eighteenth article are not subject to entry visa.

Turkish citizens are not subject to obtain visas to come to Turkey.

(...)

Art. 8

Persons who are forbidden to enter Turkey.

1. Tramps and beggars.
2. The persons who are insane and who suffer from contagious diseases.
3. Of these persons exceptions may be applied to the ones who come for the purpose of treatment or change of air by their means of transport or under the financial protection of their legal guardian and their health are not hazardous for the public health and peace.
4. The persons who are accused or condemned of one of the crimes accepted as base for return according to the agreement or agreements concerning returning the criminals which are included in the Republic of Turkey.
5. The persons who have been driven out of Turkey and still no entry
6. The persons who are perceived that they come for the purpose of destroying the security and public order of the Republic of Turkey or helping or participating in with the persons who want to destroy the security and public order of the Republic of Turkey.
7. Prostitutes and the persons who incite women to prostitution and the persons who make white women trading and any types of smugglers.
8. The persons who cannot prove that they have not enough money to live in and depart from Turkey in the period they stated but they have someone to support them or the persons who cannot prove that they will not engage in one of the works prohibited to the foreign subjects.

(...)

Art. 11

Exceptional measurements in war and exceptional circumstances.

The Board of Ministers may apply terms and conditions concerning passports and visas for all or some of the foreign subject persons comprising of part or the entire country in war or the other extraordinary circumstances.

Art. 18

"For foreign persons" sealed passports.

A passport which is submitted by the award of the Ministry of Interior, sealed with "for foreign persons" and comprising of no meaning as regards of acquisition of Turkish citizenship nor acquisition of any right in the favour of the bearer to the persons who are stateless or upon the obligations considered by the Ministry of Interior to the persons who are subject to the procedure applied to the stateless persons as regards to their residence and travel since their nationality conditions are not regular.

These passports are two types:

A) The passports valid for only one entry into Turkey and only one departure from Turkey.

Validity of these passports are expired upon the entry to Turkey is realized if it is issued for entry, validity of these passports are expired upon the arrival in the country expounded in the passport if it is issued for departure from Turkey. These passports should be used by the bearers by departing from the country they are staying within one month as from the date of issue. Otherwise it should be renewed.

B) Passports for only one entry and one departure valid for three to six months according to the appreciation of the Ministry of Interior.

Born types of passports are issued by the Ministry of Interior and in the foreign countries by the consulates of the Republic of Turkey upon the direction to be given by the Ministry of Foreign Affairs upon the claim or approval by the Ministry of Interior.

If the validity of the passport written in the paragraph (A) above is expired and two months passed, the renewal procedure for these depends on the award of the Ministry of Interior.

Daughters or sons of the passport bearer who have not reached adult age and not working but as regards of nationality are in the same position, may be registered in the passport section titled "accompanied". The same procedure may be applied to the spouse who is in the same position as regards to nationality.

The persons who are registered in the passport section "accompanied by" cannot use these passports if they are not accompanied by the passport bearer.

These passports should contain the photograph of the bearer and of any of the persons who are registered in the passport section titled "accompanied by".

Tax:

The types which are written in the paragraph (A) are subject to 5 TL. tax. The persons who are understood that they could not pay this tax are exempted from this tax.

(...)

Art. 22 (Amended: 2418 - 25 February 1981)

a) Passports or documents are not issued to the persons who are under general security control, to the persons who are prohibited to leave for foreign countries, to the persons who cannot prove that they have adequate reasons and conditions to submit themselves to the persons whose departure from the country is determined as inconvenient regarding the general security by the Ministry of Interior, the persons whose tax responsibilities are informed to the officials having power to issue passports, in addition to these:

b) To the persons who are accused of acting against the Revolution Laws counted in the Article 153 of the Constitution and the law numbered 5816 related to the offenses committed against Atatürk.

c) To the persons who committed offense against the state itself written in the first chapter of the second book of Turkish Criminal Code.

d) To the persons who committed offense in inciting prostitution written in the third section of the eighth chapter of the second book of Turkish Criminal Code.

e) To the persons who committed offenses written in the articles; 179, 180, 188, 201, 236, 264, 313, 314, 315,384,385, 387, 388,390, 391, 392, 403, 404, 405, and 406 of the Turkish Criminal Code.

To the persons who committed offenses against the awards of the law numbered 6136 concerning fire arms, daggers and other instruments as such, related to smuggling arms and bullets.

f) To the persons who committed offenses such as embezzlement, malversation, bribery, theft, fraud, forgery, abuse, fraudulent and bankruptcy.

g) The other offenses other than the above require imprisonment.

h) To the persons who committed offenses concerning labour providing comprised in the article 105 of the Labour Law numbered 1475.

i) To the persons who committed offenses written in the articles 516 (except pursuing depends upon complaint paragraph), 517, 536 and 537 of the Turkish Criminal Code which are committed for political and ideological purposes, until their offenses become decisive.

The passports of the persons whose residence in the foreign countries found inconvenient are not renewed. Merely travel documents to be used to return to Turkey is issued for these and for the persons whose passport periods were not extended by the officials by justified reasons.

Passports of documents to leave for foreign countries may not be issued to the persons who lost their passports or the documents substitute passport and the persons who cannot base this situation on the justified reason and the persons who are deported from the country they live in considering the reasons for their having been driven out of these countries.

Restriction or prohibition of the travels of the Turkish citizens.

(...)

Art. 26

Stateless persons.

Entry visa issuing for the written below is subject to the permission of the Ministry of Interior.

A) Stateless persons

B) Bearers of the Nansen passports

C) Bearers of the travel documents and alike documents (Affidavit, Lese passe etc.)

Transit visa may be issued for the persons who are the bearers of such documents without permission of the Ministry of Interior if they depart subsequently or if they have entry visa of the country they have come from.

(...)

Art. 33

Penal sentences.

Fine sentence of up to 500 TLs, or imprisonment up to three months is awarded to the persons who depart or attempt to depart from the borders of the Republic of Turkey without passport or document or passport substitute or award both of the penalties together. Fine sentence of 250 to 1000 TLs or imprisonment of 1 to 6 months is awarded to the persons who committed this offense for the purpose of special aims such as to release themselves from investigation of punishment, to desert from the military service, not to pay their tax debt or awarded both of the penalties together.

Art. 34

Fine sentence of 250 to 1 250 TLs or imprisonment of 1 to 6 months or both of the penalties together is awarded to the citizenship and foreigners who entered Turkey illegally from the borders of the Republic of Turkey. Foreign subjects shall be deported upon the completion of their terms.

Art. 35

Fine sentence of 125 to 250 TLs or imprisonment of 1 to 6 months or both penalties together is awarded to the persons who entered or departed from Turkey from the places which have not been appointed by the Council of Ministers even if they win a legal passport or document.

(...)

Art. 38

The payments written in this law are given by Criminal Courts of Peace.