PROCEDURES REGARDING THE APPLICATION AND STARTUP OF TRAVEL AGENTS

In order for the entities, who wish to carry on business as a travel agent in our country, could do so, such entities shall be required to complete the legal procedure pursuant to the Travel Agents and Association of Travel Agents Act no. 1618.

Then;

#### Application

1-) The legal entities who wish to be granted a license to operate as a travel agent shall lodge an application to our Ministry to get registered as a travel agent, submitting an application letter and a document relating to name registration, if any. (Such application letter must include the full name, signature, telephone and fax numbers, street address of the person authorized to represent and bind the company, the date of application and multiple titles depending on the order of preference.)

REPUBLIC OF TURKEY

MINISTRY OF CULTURE AND TOURISM

GENERAL DIRECTORATE OF INVESTMENT AND ENTERPRISES

Department of Travel Agents

İsmet İnönü Bulvarı No:32

##### EMEK /ANKARA

Telephone: 0312-212 83 00

2-) If the travel agent titles specified in the application has been found appropriate by the Ministry, the applicant and TURSAB shall, accordingly, be informed in writing.

#### Application Documents for the Startup of a New Travel Agent

The legal entities wishing to get granted a license to operate as a travel agent shall lodge an application to TURSAB, submitting with the original or certified copies of the following documents within thirty days as of the notification by the Ministry that the title of the travel agent has been found appropriate. If the original copies are not submitted where it is necessary to submit the original copies of such documents / certificates, after confirming faithfulness of the document / certificate against the original copy thereof, the relevant officer shall write the name and title, and so approve such documents / certificates.

**Certification of documents as a true copy shall be ensured by TURSAB only if the person submitting the original copy of the document is:**

1. **Travel Agent legal person's**
	1. **Person or persons authorized to represent and bind**
	2. **General Manager**
	3. **Company Manager**
	4. **Travel Agent personnel (as defined under Article 35 of the Travel Agents Regulation)**
	5. **Insured employee (in which case Monthly Premium and Service Document must be served.)**

 **d) a person who is granted power by a power of attorney.**

1. **Letter of Application,**
2. Original copy of the declaration which specifies the date and issue of the Trade Registry Gazette, in which the articles of association were published, in which tourism and business operations as a travel agent were covered within the field of activity of the applicant entity, (Annex-4)
3. Original copy of the Certificate of Trade Registry which also includes the authorized signatory or signatories.
4. Letter of undertaking regarding the travel agent title referred to under Annex-1 (name, signature and stamp),
5. For the purposes of applicant joint-stock companies, original copy of the declaration of Turkish Identity Number and criminal record of the board members and persons who are authorized to represent the company, and for the purposes of other companies, of all partners and the persons who are authorized to represent the company.
6. Original or certified copy of the list of signatories authorized to represent the legal entity.
7. The document pertinent to the personnel referred to under Article 35 of the Travel Agents Regulation; Social Security Institution Business Place code provided under Annex-3, and original copy of the declaration of Turkish Identity Number and Social Insurance Institution monthly premium and service document.

**ARTICLE 35;**

**(1) Travel agents shall employ at their parent office and at branch offices at least one personnel meeting one of the following qualifications.**

1. **To have completed a vocational school, associate's degree or bachelor's degree in the field of hotel management and tourism,**

Or

1. **To hold an information office foreign language certificate of achievement,**

Or

1. **To hold a Guide Certificate issued and granted by the Ministry,**

**(2) Those who hold an information office foreign language certificate may be employed at category C travel agents in substitution for the personnel having the qualifications referred to in the first point.**

**(3) Travel agent owners who meet the qualifications referred to in the first point and who actually work in the agency shall be deemed an officer / employee of their agencies.**

**(4) Among the documents / certificates pertinent to such employee to be employed at the travel agencies, the original copy of the foreign language certificate issued by the information office, the original or certified copies of other documents / certificates shall be submitted to, and archived at, TURSAB. If the original copies are not submitted where it is necessary to submit the original copies of such documents / certificates, after confirming faithfulness of the document / certificate against the original copy thereof, the relevant officer shall write the name and title, and so certify such documents / certificates.**

* 1. On the basis of the values referred to under Article 29, the original copy of the guarantee for establishment in such amount as referred to under Article 30.
		+ If guarantee shall be provided in form of a letter of guarantee, definite letter of guarantee unlimited in time must bear the title of the agency and its trade name.
		+ The guarantees to be provided other than letters of guarantee shall be paid to Ministry's Central Accounting Unit or to the Ministry Central Accounting Unit through the agency of accounting units of provincial or county General Budget Offices.
		+ For category A : 7,000,00 TL (seven thousand Turkish Liras)
		+ For category B : 6,000,00 TL (six thousand Turkish Liras)
		+ For category C : 5,000,00 TL (five thousand Turkish Liras)

 And some 25 % of such amounts for **each branch office.**

3- TURSAB shall carry out an investigation and evaluation on information and documents / certificates submitted or stated thereto with respect to the application lodged, and confirm the accuracy of the statement of criminal record by reference to the relevant authority.

4- TURSAB shall perform an investigation and evaluation about whether or not the Business Place of the travel agent at the specified address meet the conditions referred to under Article 17, and whether or not the records for the personnel are kept.

## Member Registration Fee

5- The trade agent candidates, who are determined to meet the qualifications and conditions referred to under the legislation in consequence of the investigation and review as will be made by TURSAB, shall be registered as a member of TURSAB upon such candidates ensure the payment of the member registration fee.

## MEMBER REGISTRATION FEE (01.01.2018-31.12.2018)

Category (A) **55.862,65** TL

(Category B) **55.862,65** TL

Category (C) **55.862,65** TL

Annual fee shall be five percent of the member registration fee.

Member registration fee and annual fee shall be applicable subject to an increase at such rate equivalent to the revaluation rate which shall be determined an announced pursuant to the duplicate Article 298 of the Tax Procedure Law 213, in which case such increase shall be applicable as of the start of each calendar year.

6- TURSAB shall, in writing, notify its opinion about the result of the application to the Ministry and the Applicant.

7- If the Ministry, in consequence of the investigation and evaluation made by the Ministry, discovers that some documents are missing, TURSAB shall, upon the receipt of notification, inform the applicant to complete the missing document, upon which the applicant shall act accordingly.Upon the completion of the missing document, in consequence of the required investigation and evaluation, the Ministry shall provide the eligible applicants with a license to operate as a travel agent.

## Cancellation of an Application

* + - 1. Any application shall be cancelled if and where the applicant, within thirty days as of the notification that the title of the agency is deemed appropriate, fails to apply to TURSAB, or the applicant fails to complete any missing document / certificate or procedure, which may be discovered and notified by TURSAB after such application to TURSAB within thirty days as of the date of notification, or the applicant submits any inaccurate information or document / certificate.
			2. The eligible applicants whose applications are deemed appropriate shall be granted by the Ministry an operating license, and the same shall be notified to TURSAB.

NOTE:

**In respect of the declarations or documents referred to under Article 21 and 23 of the Travel Agents Regulation, if any statements made or any documents submitted are inaccurate, such application shall be cancelled.**

**Subject to the applicable provisions of the Turkish Penal Code, a criminal complaint shall be filed to the Chief Public Prosecutor's Office about the applicants who submit inaccurate documents or make false statements.**

Annex: 1

LETTER OF UNDERTAKING REGARDING THE TITLE OF THE AGENCY

We hereby agree and undertake that, if the title of the travel agency is discovered by the Ministry to have the same title with any title of an existing travel agency or a facility holding a tourism operating license, which title has previously registered at any registry office, or to have the nature to lead to confusion with any one of such titles, we shall, unconditionally, change the travel agency title with another title also acceptable to the Ministry and if we fail to take necessary actions within thirty days as of the announcement of the same by the Ministry, we understand that our failure to comply with the said obligation shall mean misleading actions.

Signature - Name of the person authorized to Represent - Stamp

**ANNEX -2**

DECLARATION OF TURKISH IDENTITY NUMBER AND CRIMINAL RECORD

**a) For Turkish Subjects:**

Turkish Identity Number :

Name and Surname :

Mother’s Name :

Father’s Name: :

Place of Birth :

Date of Birth (Day/Month/Year) :

Place of Registry :

(Province, County, Street-Village) :

I hereby declare and undertake that I meet the qualifications referred to under Article 8 of the Travel Agents and Association of Travel Agents Act 1618, and that I shall provide information in case any such qualifications change.

Date - Signature - Name

**b) For Foreign Subjects:**

Name and Surname :

Place of Birth :

Date of Birth (Day/Month/Year) :

I hereby declare and undertake that I meet the qualifications referred to under Article 8 of the Travel Agents and Association of Travel Agents Act 1618, and that I shall provide information in case any such qualifications change.

Date - Signature - Name

ANNEX -3

**DECLARATION REGARDING THE PERSONNEL TO BE EMPLOYED:**

Turkish Identity Number :

Name and Surname :

Social Security Business Place Code :

Document / Certificate Submitted:

* Original Copy of the Information Officer Certificate of Foreign Language Achievement.
* Information Officer Certificate of Achievement (Applicable only to Category C Travel Agents)
* Certified copy of the Guide Certificate issued by the Ministry,
* Original or certified copy of the certificate, evidencing the successful completion of a vocational high school, associate's degree or bachelor's degree in the field of hotel management and tourism

 Date - Signature - Name

**ANNEX -4**

**DECLARATION ABOUT THE DATE AND ISSUE OF TRADE REGISTRY GAZETTE REGARDING THE APPLICATION;**

* **TRADE REGISTRY GAZETTE REGARDING THE APPLICATION**

(Statement about the Trade Registry Gazette, in which the articles of association were published, in which the tourism and business operations as travel agent were covered within the field of activity of the applicant entity)

 **DATE OF THE TRADE REGISTRY GAZETTE :**

 **ISSUE OF THE TRADE REGISTRY GAZETTE :**

* **AMENDMENT OF THE TRADE NAME / TITLE**

 **DATE OF THE TRADE REGISTRY GAZETTE :**

 **ISSUE OF THE TRADE REGISTRY GAZETTE :**

* **DEED OF CONVERSION**

 **DATE OF THE TRADE REGISTRY GAZETTE :**

 **ISSUE OF THE TRADE REGISTRY GAZETTE :**

* **SHAREHOLDING OR BOARD OF DIRECTORS**

 **DATE OF THE TRADE REGISTRY GAZETTE :**

 **ISSUE OF THE TRADE REGISTRY GAZETTE :**

Date - Signature - Name

**Note: In line with the statement made, in case of failure to reach the Trade Registry Gazette in respect of the change requested in consequence of the investigation made through the Trade Registry Office, you shall be required to submit the same.**

LETTER OF GUARANTEE

TEXT SAMPLE

REPUBLIC OF TURKEY

#  MINISTRY OF CULTURE AND TOURISM

ANKARA

Since our bank guarantees the maximum amount of ..............TL (ONLY/.....TL) which ……………… (…………………Travel Agent) must provide as startup guarantee / for the establishment of the branch office pursuant to Travel Agents and Association of Travel Agents Act; should the said firm fail to fulfill its obligations in part or in whole arising from the Act, we hereby agree and undertake to pay the above-written amount completely and in full to you, without any need for a warning or a court order or the permission of the aforementioned entity, and regardless of any dispute between the said firm and your Administration and their consequences, upon your first written request, together with the delay penalty accruing from the date of request, in cash and in full until the date of payment. We make this declaration in capacity of authorized signatory of the bank.

This letter of guarantee is definite and unlimited in time.

POINTS TO CONSIDER:

NOTE: With regard to the category of the agent's primary office / branch office, the following amounts of guarantee must be considered. The company title and agent title (both) must written in full.

For the startup of category (A) travel agents;

7,000,00 - TL (Only/ SEVEN THOUSAND TURKISH LIRAS)

For the startup of category (B) travel agents;

6,000,00 - TL (Only/ SIX THOUSAND TURKISH LIRAS)

For the startup of category (C) travel agents;

5,000,00 - TL (Only/ FIVE THOUSAND TURKISH LIRAS)

For each branch office, some 25% of the above-mentioned amounts shall be required as guarantee.

**DOCUMENTS REQUIRED TO BE COMPLETED BY THE AGENT IN ORDER FOR NEW DOCUMENT / CERTIFICATE PROCEDURES**

1. **Letter of Application.**
2. **Letter by the Ministry regarding that the title of the agency has been approved.**
3. **Original copy of the declaration which specifies the date and issue of the Trade Registry Gazette in which the articles of association was published, evidencing that tourism and travel agent business are stated among the business activities of the applicant entity, (Annex-4)**
4. **Original copy of the Certificate of Trade Registry which also includes the authorized signatory or signatories.**
5. **For the purpose of applicant joint-stock companies, original copy of the statement of Turkish Identity Number and criminal record of the Board Members and persons who are authorized to represent the company, and for the purpose of other companies, original copy of statement of Turkish Identity Number and criminal record; original or certified copy of the list of signatories authorized to represent the legal entity.**
6. **The following documents / certificates pertinent to the personnel referred to under Article 35 of the Travel Agents Regulation;**
	* 1. **Vocational school, associate's degree or bachelor's degree diploma in the field of hotel management and tourism (Certified) or**
		2. **Original copy of the information officer foreign language certificate.**

 (Those who hold an information officer certificate of achievement may be employed at group C travel agents in substitution for the personnel meeting the qualifications referred to in the first point of the Article 34 of the Travel Agents Regulation.)

 Or

* + 1. **Guide Certificate issued by the Ministry (Certified)**
		2. **Original Copy of the statement of Turkish Identity Number provided in ANNEX-3,**
		3. **Original copy of the declaration of Social Security Institution Business Place code provided in Annex-3, and monthly premium and service document**
1. **Original copy of the letter of undertaking regarding the agent title as provided in Annex-1.**
2. **On the basis of the values prescribed under Article 34 of the Public Procurement Law 4734, dated 04/01/2002;**
	* + **If guarantee shall be provided in form of a letter of guarantee, definite letter of guarantee unlimited in time must bear the title of the agency and its trade name.**
		+ **The guarantees to be provided other than letters of guarantee shall be paid to Ministry's Central Accounting Unit or to the Ministry Central Accounting Unit through the agency of accounting units of provincial or county General Budget Offices.**
		+ **For category A : 7,000,00 TL (seven thousand Turkish Liras)**
		+ **For category B : 6,000,00 TL (six thousand Turkish Liras)**
		+ **For category C : 5,000,00 TL (five thousand Turkish Liras)**

 **and some 25 % of such amounts for each branch office.**

1. **Question cards with photo.**

...../...../.........

THE ASSOCIATION OF TURKISH TRAVEL AGENCIES

ISTANBUL

Subject: Travel Agent Branch Application

To Whom It May Concern

In consequence of the application we lodged to the Ministry of Tourism for the purpose of starting up the Travel Agency………………………. (title/name), falling into Category...., the title application was found appropriate as evidenced by and with the enclosed letter, dated ..../..../....., and the application file is provided in the annex.

Kindly submitted for necessary action.

Sincerely,

Signature - Name / Stamp

TEL :

FAX :

**Note: It must be completed by the person authorized to represent for travel agencies.**

Annex: Application File

|  |  |
| --- | --- |
| APPLICANT'S | NAME |
|  | PLACE OF RESIDENCE |
|  | PARTNERS (The Board of Directors in the case of Joint-Stock Companies)  |
|  | TYPE OF PARTNERSHIP |
| DETAILS OF THE TRAVEL AGENT, BEING THE SUBJECT OF APPLICATION | CATEGORY |
|  | TITLE |
|  | ADDRESS |
|  | REGISTRY AT THE TRADE REGISTRY OFFICE  |
|  | TELEPHONE:MOBILE:FAX:E-MAIL :WEB :  |
|  | TAX OFFICE:TAX ID NUMBER: |
|  |  |

# PHOTO

 TRAVEL AGENT'S

 TITLE : .......................................

 HEAD OFFICE : .......................................

 CATEGORY : .......................................

**QUESTION CARD REGARDING THE OWNERS OF TRAVEL AGENTS**

NAME AND SURNAME :

RESUME :

 SIGNATURE

**Note: It must be completed by the person authorized to represent for travel agencies.**

# PHOTO

 TRAVEL AGENT'S

 TITLE : .......................................

 HEAD OFFICE : .......................................

 CATEGORY : .......................................

**QUESTION CARD REGARDING THE PERSONNEL OF TRAVEL AGENTS**

NAME AND SURNAME :

FOREIGN LANGUAGE :

RESUME :

 SIGNATURE