

BULLETIN

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Issuing Power of Attorney in Turkey

Foreigners who wish to issue a power of attorney for a lawyer in Turkey can apply to notary publics in Turkey or to Turkish consulates abroad and issue the power of attorney. In addition, in order to be able to issue a power of attorney for foreigners at the notary public, translation from a sworn translator is necessary considering the citizenship and the language of the foreigner. Also, a power of attorney can be issued by the local notary of the foreign country where the foreigner resides. However, in order for the power of attorney issued by a foreign notary to be valid in Turkey, two possibilities will arise depending on whether the relevant country is a party to the Hague Convention of 15 October 1961,

- a. If the country where the notary public is affiliated is a party to the said Convention, it is sufficient to put an Apostille on the power of attorney issued by that country notary, the document has been translated into Turkish and the translation is notarized.
- b. For official documents issued in a country that is not a party to the Convention, the approval of the Turkish consulate or the competent authorities of that country is required in accordance with Article 224 of the Code of Civil Procedure.

In order for a power of attorney issued in a foreign country that is not a party to the 1961 Hague Convention to be valid in Turkey as well, in addition to the above-mentioned Code of Civil Procedure article 224, the provisions in Article 195 of the Notary Public Law should be met.

“The signature and seal of the competent authority of that country, under the notary public procedures duly carried out in foreign countries, are approved by the consul. Provisions of special laws are reserved.” is stated in the article.

In this context, the power of attorney issued in accordance with the legislation of a foreign country that is not a party to the Convention; must be signed and sealed by the authorized official of the country to which it is affiliated, and this signature and seal must be certified by the Turkish consulate in that country. After these steps, it will be possible to use the power of attorney in Turkey.