

## **What formalities are required to grant a valid power of attorney to a lawyer under Turkish law?**

In order to grant a power of attorney to a Turkish lawyer, the person or entity granting the power must execute a form of power of attorney and arrange for it to be properly legalized.

If the power of attorney is to be **executed in Turkey**, this must be done in the presence of a notary public. The notary public attests to the signature of the person giving the power of attorney is given on behalf of a legal entity, the notary public will ask to see evidence that the executing person is authorized to sign on behalf of such legal entity.

If the power of attorney is **executed outside of Turkey**, it needs to be legalized by the relevant local authorities. Legalization can be obtained in two manners:

(a) Consular certification: If there is a Turkish consulate at the place where the document has been executed, you can present the power of attorney to such consulate for certification. Consular certification has the same power as Turkish notarization, had the document been executed in Turkey before a notary public. If Turkey does not have a consulate in that particular jurisdiction (i.e. if Turkey does not have diplomatic relationship with that State at consular level), you must apply to the local Turkish trade office or chamber of commerce for information regarding certification. In some cases, the Turkish consulate in a neighboring country may be available to certify documents that have been executed in the State that lacks diplomatic relationship with Turkey.

(b) The Hague Convention Apostille. As an alternative to consular certification, you can have the power of attorney apostilled in accordance with the Hague Convention for the Abolishment of the Requirement for Legalization of Foreign Documents (the "Convention"). If your State is a party to the Convention, it will have a local authority to administer the necessary formalities thereunder. In this capacity, the local authority affixes an apostille to the power of attorney. The apostille is in lieu of any Turkish certification. All Turkish authorities recognize by as valid and binding without further Turkish notarization, legalization or certification.

The following are the local authorities that have been empowered to affix the apostille under the Convention. You should check with the relevant authorities for any formalities that need to be observed and complied with in your jurisdiction:

<b>Jurisdiction</b>	<b>Local authority</b>
United States	The Office of the Secretary of State (in each State)
United Kingdom	Foreign Office
Germany	Landesgericht
Netherlands	the Registrar of the Courts of first instance
France	les Procureurs généraux auprès des cours d'appel
Italy	La Procuratore Reppublica
Switzerland	Staats-,Rats- or Kantonskanzlei, La Chancellerie d'Etat, La Cancelleria dello Stato