

## **ANNEX XI**

REFERRED TO IN ARTICLE 3.21

MOVEMENT OF NATURAL PERSONS



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### MOVEMENT OF NATURAL PERSONS

#### Article 1

##### *Scope*

This Annex applies to measures by a Party affecting natural persons of another Party covered by its Schedule of Specific Commitments.

#### Article 2

##### *Objectives*

1. Recognising the importance of temporary movement of natural persons to facilitate trade in goods and services, the Parties pursue the common objective to facilitate entry, temporary stay and work of natural persons on a mutually advantageous basis and in accordance with the Parties' Schedules of Specific Commitments and to ensure that all measures of general application affecting entry, temporary stay and work for the purpose of supplying services are administered in a reasonable, objective and impartial manner, as provided for in paragraph 1 of Article 3.7 (Domestic Regulation) of the Agreement.
2. The Parties reaffirm the need to establish transparent, secure, effective and comprehensive information and procedures for entry, temporary stay and work.

#### Article 3

##### *Procedures Relating to Entry and Temporary Stay*

1. In accordance with applicable legislation, documents required from the applicants for applications for the grant of entry, temporary stay and work shall be commensurate with the purpose for which they are collected.
2. Fees imposed in respect of the processing of an application for the grant of entry, temporary stay and work, including those in respect of visa, shall reflect no more than the approximate administrative costs incurred.<sup>1</sup>

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<sup>1</sup> Whenever application procedures of the same type exist at regional or local level, the fee required may not necessarily be identical since the costs incurred may differ among regional or local administrations.

3. Each Party shall expeditiously process applications for the grant of entry, temporary stay and work submitted by service suppliers of other Parties, including applications for extensions of the permits.
4. Applicants shall be given an opportunity to apply for renewal or extension of authorisation for temporary stay and work. Each Party shall ensure that the procedures for application for the renewal or extension of authorisation for temporary stay and work are pre-established and clearly specified.
5. Upon the applicant's request, the Party concerned shall, without undue delay, provide information concerning the status of the applicant's application. This information shall normally be provided free of charge.
6. If a Party requires additional information from an applicant in order to process the application for temporary stay and work, the authority shall notify the applicant without undue delay and where the applicable legislation allows for it, provide the applicant with the opportunity to correct any deficiencies within a reasonable period of time.
7. After a decision has been taken by a Party, it shall promptly notify the applicant for entry, temporary stay and work of the outcome of its application. The notification shall include, if applicable, the period of stay and any other terms and conditions.
8. If an application is refused, the Party concerned shall inform the applicant, in writing and without undue delay, about the reasons for such refusal. The applicant shall be given an opportunity to appeal against that decision and/or to submit a new application.
9. Each Party shall issue multiple entry visas when the respective requirements are fulfilled.
10. If a Party approves an application covering both temporary stay and work, it shall ensure that the respective time periods granted are compatible.

#### Article 4

##### ***Language Proficiency<sup>2</sup>***

1. Parties shall not require language qualifications unless they are necessary to ensure the quality of the service. If a Party requires necessary language qualifications, that Party shall ensure that adequate procedures exist for verification and assessment of language qualifications of natural persons of other Parties on reasonable terms and conditions. The competent authorities of each Party shall, in accordance with its domestic law and practices, accept authenticated copies of language certificates in place of original documents.

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<sup>2</sup> This Article shall apply only in the relations between Switzerland and Turkey.

2. Each Party shall ensure that examinations for the assessment of language qualifications, if required:

- (a) are scheduled at reasonably frequent intervals;
- (b) are open for all eligible applicants of the Parties; and
- (c) provide the applicants a reasonable period for the submission of applications for examinations.

## Article 5

### ***Transparency***

1. Each Party shall make publicly available, in a consolidated form, all measures that pertain to the entry, temporary stay and work. The authorities of the Parties shall make this information available electronically.

2. Each Party shall make publicly available information on the documents or evidence required of an applicant seeking temporary admission into their territories. Such information shall be kept updated and include the following information relevant to the entry, temporary stay and work, *inter alia*:

- (a) categories of visas and work permits;
- (b) documentation required and conditions to be met;
- (c) method of filing;
- (d) processing time;
- (e) application fees;
- (f) period of validity of the visas and work permits;
- (g) possibility and conditions for extensions;
- (h) available review and/or appeal procedures; and
- (i) reference to relevant immigration laws of general application.

Article 6

***Contact Points***

1. Each Party shall establish and maintain a contact point in order to facilitate communication, information flow and respond to inquiries from another Party regarding measures that pertain to the entry, temporary stay and work.
  2. The contact points shall facilitate access of other Parties' natural persons supplying services to information regarding measures that pertain to the entry, temporary stay and work. The contact points shall provide clarifications if service suppliers have encountered special difficulties in the process of seeking entry, temporary stay and work.
  3. The contact points referred to in paragraph 1 are:
    - (a) for Turkey: Ministry of Economy or its successor;
    - (b) for Iceland: Ministry for Foreign Affairs;
    - (c) for Liechtenstein: Ministry of Foreign Affairs;
    - (d) for Norway: Directorate of Immigration;
    - (e) for Switzerland: State Secretariat for Economic Affairs.
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