

Turkey Updates Electricity License Application Rules

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Turkey has amended the application processes for pre-licenses and licenses within the electricity licensing regime. Accordingly, joint-stock companies which apply for such licenses can no longer issue bearer shares (except stock exchange bearer shares). The restriction must now be included in the related company's articles of association. Further, from the end of 2018 preliminary project approval will no longer be valid grounds for beginning construction of an electricity generation facility. Rather, a project approval or definite project approval will be required to begin construction.

The Regulation Regarding the Amendments in the Electricity Market License Regulation ("**Amendment Regulation**") was published in Official Gazette number 30473 on 9 July 2018, entering into effect on the same date.

Previously, preliminary project approval, project approval, or definite project approval were sufficient to begin construction of a generation facility. However, from 31 December 2018 preliminary project approval will no longer be valid grounds for beginning construction. Rather, from that date onward, project approval or definite project approval must be held in order to begin building a generation facility.

According to the Amendment Regulation, pre-license and generation license holders must obtain the right to use immovables which are within the scope of the project (or directly affected directly by the project). License holders which have not yet obtained the right to use such immovables must initiate compliance processes by 9 January 2019. The additional six-month period granted to licenses which have not yet commenced operation will not be affected by these transactions.

Please see this [link](#) for full text of the Amendment Regulation (only available in Turkish)

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