

BİÇER GÜNER

Attorneys-at-Law

AMENDMENTS TO THE REGULATION ON BUSINESS OPENING AND OPERATING LICENSES

Introduction

With the Regulation on the Amendment of the Regulation on Business Opening and Operating Licenses ("**Amendment Regulation**") published in the Official Gazette dated 11 December 2025 and numbered 33104, certain amendments have been introduced to the Regulation on Business Opening and Operating Licenses ("**Regulation**").

Amendments Regarding Definitions and General Conditions

- With the Amendment Regulation, the scope of publicly accessible rest and entertainment venues and accommodation facilities defined under the definitions article of the Regulation has been expanded and further detailed in order to eliminate uncertainties encountered in practice.
- In addition, a requirement has been introduced under the general conditions applicable to workplaces, stipulating that workplaces must be arranged in compliance with accessibility legislation applicable to people with disabilities, the elderly, and other individuals with limited mobility.

Amendments Concerning Accommodation Facilities

- With the Amendment Regulation, licensing and operating conditions applicable to accommodation facilities have been clarified, and minimum standards have been comprehensively restructured. In this context, it has been expressly emphasized that all accommodation facilities, including hotels, motels, mountain lodges, and holiday villages, are required to obtain an occupancy permit and a fire safety report.
- Requirements have also been introduced regarding the maintenance and quality of exterior facade, interior spaces, and structural components, as well as the provision of heating, ventilation, and continuous supply of hot and cold water. Furthermore, an elevator requirement has been imposed for facilities where customer use exceeds 3 (three) floors, and compliance with accessibility legislation has been expressly established as a mandatory obligation.

Amendments to the Classifications Set Forth in the Annex to the Regulation

- With the amendments made to the annex of the Regulation, new classifications have been introduced for numerous sectors. In this regard, under the Amendment Regulation *“warehouse facilities in which solid and liquid substances are stored, involving the storage of flammable and combustible liquids exceeding 150 m³ and/or liquid chemical products exceeding 500 m³”* have been classified as chemical facilities engaged in the production of basic organic chemicals.
- In addition, various production facilities, notably including polyethylene insulation material and pipe manufacturing facilities, have been classified under facilities engaged in the production of basic inorganic chemicals.

Amendments Regarding the Classification of Energy and Agricultural Facilities

- The classification of solar power plants based on the distinction between first, second, and third-class non-hazardous establishments has been abolished, and the nature of the activity has been adopted as the determining criterion.
- Accordingly, with the aim of facilitating licensing procedures, promoting the expansion of solar power plants, and increasing production, all solar power plants have been classified as third-class non-hazardous establishments. Furthermore, the classification of geothermal greenhouse facilities, which previously fell within the scope of first-class non-hazardous establishments, has been revised and reclassified as second-class non-hazardous establishments, with a view to facilitating licensing procedures and contributing to production.

Ex Officio Licensing Authority Granted to the Ministry of Environment, Urbanisation and Climate Change

- Pursuant to article 45/A, which has been added to the Regulation, the Ministry of Environment, Urbanisation and Climate Change (“Ministry”) has been granted the authority to issue business opening and operating licences ex officio in relation to investments to be carried out or activities to be conducted by the public or private sector on immovable properties that are under the rule and disposition of the State or owned by the Treasury, public institutions or organisations, or natural or private legal persons, in cases where the competent authority fails to issue a business opening and operating licence within two months from the application date.
- Pursuant to the said provision, licenses issued under this framework shall be granted by the provincial directorates of the Ministry.

Conclusion

- With the Amendment Regulation, significant amendments have been introduced to the Regulation, affecting both general practice and specific sectors. The expansion of the scope of the definitions article and the introduction of a requirement for compliance with accessibility legislation in respect of workplaces aim to ensure uniformity in practice and to promote an inclusive approach.
- The ex officio licensing authority granted to the Ministry under Article 45/A constitutes an exceptional mechanism designed to prevent delays in investment and operational processes arising from the failure to finalize license applications within the prescribed time frame. In addition, the amendments made to the annex of the Regulation have redefined workplace classifications across numerous sectors, introducing new rules that may affect licensing and inspection processes in various fields of activity. Accordingly, businesses operating in the relevant sectors are advised to review their licensing and compliance processes in line with the updated classifications.

Contact



Burçak Kurt Biçer
Managing Partner
burcak.bicer@bicerguner.com



Uğurkan Şeber
Managing Associate
ugurkan.seber@bicerguner.com



İrem Efe
Associate
irem.efeb@bicerguner.com



Berke Özakca
Legal Intern
berke.ozakca@bicerguner.com

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