

## With Law No. 7499 amended the Enforcement and Bankruptcy Law No. 2004, the Code of Civil Procedure No. 6100, the Consumer Protection Law No. 6502, the Misdemeanour Law No. 5326, and the Criminal Procedure Law No. 5271.

*18 Mar 2024*

Law No. 7499 on the Amendment of the Criminal Procedure Law and Certain Laws ("**Law**") published in the Official Gazette dated 12 March 2024 and numbered 32487 and the Enforcement and Bankruptcy Law No. 2004 ("**??K**"), Law No. 6100 on Civil Procedure ("**HMK**"), Law No. 6502 on Consumer Protection ("**TKHK**"), Law No. 5326 on Misdemeanours ("**Misdemeanour Law**"), and Criminal Procedure Code No. 5271 ("**CMK**").

Substantial amendments have been made regarding the time periods with the regulations made within the scope of the ??K.

- Paragraph 2 of Article 19 of the ??K adds the provision that if the period is determined as a week, the period shall end on the day corresponding to the day on which the period starts in the last week.
- Within the scope of the ??K, the legal remedy periods for the following provisions are regulated as "two weeks".
  - Article 164, paragraph 2, regulating the decisions of the court in bankruptcy proceedings,
  - Paragraph 2 of Article 182 entitled "*Abolition of bankruptcy*",
  - Paragraph 4 of Article 254 titled "*Closing of bankruptcy*",
  - Paragraph 2 of Article 293 regulating the rejection of the concordat request,
  - Subparagraph 1 of paragraph a of Article 308 regulating the decisions on concordat and subparagraph 2 of paragraph e regulating the partial termination of concordat,
  - Article 309/p regulating the examination of the application and legal remedies,
  - Paragraph 1 of Article 320 regulating the extraordinary extension of time,
  - Paragraph 1 of Article 353, which regulates the decisions of the enforcement court regarding restraint and disciplinary imprisonment,
  - Paragraph 1 of Article 363, which regulates the final provisions regarding the application for legal remedy.
- Pursuant to paragraph 1 of Article 353 of the ??K, the time periods for objecting to the decisions of the court of execution on compulsion and disciplinary imprisonment and for appealing pursuant to paragraph 1 of Article 363 of the ??K started "from the date of the announcement or notification" before the amendment, whereas the words "announcement or" have been removed with the amendment.
- Pursuant to paragraph 1 of Article 364 of the ??K, the period of appeal against final decisions rendered by the civil departments of the regional court of justice, the amount or value of which exceeds fifty-eight thousand eight hundred Turkish Liras, is regulated as "two weeks" pursuant to the second paragraph of the same article.
- With the amendment made in paragraph 3 of Article 309/p of the ??K, the possibility to appeal against the approval or rejection decision in the restructuring of capital companies and cooperatives through settlement before the appellate review has been introduced, and in parallel with this amendment, it is stipulated in the fourth paragraph that the appeal application is also subject to a lump sum fee.

The significant amendments regarding the legal periods under the HMK are as follows:

The second paragraph of Article 43 of the HMK regulating the recusal of a judge (appeal against decisions regarding the recusal), the second paragraph of Article 44 of the HMK (appeal against decisions regarding the recusal), and the fifth paragraph of Article 398 of the HMK regulating the interim injunction (penalty for opposition to the injunction) have been amended by deleting the phrases "or". In the same provisions, the deadlines for applying for legal remedies have been changed from "one week" to "two weeks".

The time limits in paragraph 2 of Article 337 of the HMK, which regulates the appeal against the rejection of the legal aid request, and in paragraph 2 of the HMK, which regulates the appeal against the rejection of the appeal petition, have been changed from "one week" to "two weeks".

The period of objection to the decisions of the arbitral tribunal, which was regulated as "fifteen days" in the third paragraph of Article 70 of the TKHK, has been changed to "two weeks".

The monetary limit in paragraph 10 of Article 28 of the Law on Misdemeanours on the examination of the application against the administrative sanction decision, which includes the provision "Decisions made upon application against administrative fines including three thousand Turkish Liras are final." has been amended as "Fifteen thousand Turkish Liras".

Article 29 of the Criminal Procedure Code stipulates that an appeal against the final decision of the court must be filed within "seven days", which has been amended to "two weeks".

The full text of the Law is available at this [link](#).

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