

DEPARTMENT OF LAW  
COURSE SYLLABUS

Course Details				
<b>Code</b>	<b>Academic Year</b>			<b>Semester</b>
HUK 457	4			7
<b>Title</b>	<b>T</b>	<b>A</b>	<b>L</b>	<b>ECTS</b>
Enforcement Law	3			4
<b>Language</b>	Turkish			
<b>Level</b>	<b>Undergraduate</b>	X	<b>Graduate</b>	<b>Postgraduate</b>
<b>Department / Program</b>	Faculty of Law			
<b>Forms of Teaching and Learning</b>	Undergraduate			
<b>Course Type</b>	<b>Compulsory</b>	X	<b>Elective</b>	
<b>Objectives</b>	The aim of the lecture is to explain the procedure on execution (with or without a court ruling) as well as the types of execution			
<b>Content</b>	The following subjects will be dealt with in the course: Introduction to enforcement law and organization of the debt collection agencies (supervisory authorities, courts and tribunals), the sources of enforcement law, complaint, parties of compulsory execution and joinder of enforcement, executive notification, types of execution Proceedings in general, attachment (request for execution proceeding, execution office, objection against enforcement proceeding and removal of the objection), declaring property, negative declaratory action and action of restitution, the concept of attachment in general and participation to an attachment, procedure of encashment, tender and termination of tender, an action of replevin, certificate of insolvency, foreclosure, enforcement of attachment peculiar to bills of exchange, an enforcement proceeding, evacuation of leased immovables via enforcement without judgment and provisional attachment. During the semester, practice exams will be analyzed in the course to make clarify these subjects.			
<b>Prerequisites</b>	-			
<b>Coordinator</b>	Prof. Dr. Hamide Özden Özkaya- Ferendeci			
<b>Lecturer(s)</b>	Prof. Dr. Hamide Özden Özkaya- Ferendeci, Asst. Prof. Üyesi Efe Direnisa, Asst. Prof. Hilal Ünal Kaya, Asst. Prof. Üyesi Anıl Köroğlu			
<b>Assistant(s)</b>	Res. Ass.t Mikail Bora Kaplan, Res. Asst. Makbule Serra Korkut, Res. Asst. Muhammed Şamil Memiş			
<b>Work Placement</b>	-			
Recommended or Required Reading				
<b>Books / Lecture Notes</b>	-			
<b>Other Sources</b>	Pekcanitez/Atalay/Sungurtekin Özkan/Özekes, İcra İflas Hukuku Ders Kitabı, 2020. Kuru, İcra İflas Hukuku Ders Kitabı, 2019. Arslan/Yılmaz/Taşpınar Ayvaz/Hanağası, İcra İflas Hukuku, 2020.			
Additional Course Material				
<b>Documents</b>				
<b>Assignments</b>				

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Exams			
<b>Course Composition</b>			
Mathematics und Basic Sciences			%
Engineering			%
Engineering Design			%
Social Sciences			%100
Educational Sciences			%
Natural Sciences			%
Health Sciences			%
Expert Knowledge			%
<b>Assessment</b>			
<b>Activity</b>	<b>Count</b>		<b>Percentage (%)</b>
Midterm Exam	1		40
Quiz			
Assignments			
Attendance			
Recitations			
Projects			
Final Exam	1		60
<b>Total</b>			<b>100</b>
<b>ECTS Points and Work Load</b>			
<b>Activity</b>	<b>Count</b>	<b>Duration</b>	<b>Work Load (Hours)</b>
Lectures	14	3	42
Self-Study	15	4	60
Assignments			
Presentation / Seminar Preparation			
Midterm Exam	1	2	2
Recitations	14	1	14
Laboratory			
Projects			
Final Exam	1	2	2
<b>Total Work Load</b>			<b>120</b>
<b>ECTS Points (Total Work Load / 30)</b>			<b>4</b>
<b>Learning Outcomes</b>			
1	Help the student to understand the procedure of debt enforcement (with and without court order).		

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2	
3	
4	
5	

**Weekly Content**

1	Introduction to enforcement law and organization of the debt collection agencies
2	Complaint
3	Execution Notification, Durations, Vacation and Adjourment status, Execution charges and fees
4	Parties of Compulsory Execution and Joinder of Enforcement
5	Request for Execution Proceeding and Payment Order
6	Objection Against Enforcement Proceeding and action for annulment of objection
7	Removal of the Objection
8	Negative Declaratory Action and Action of Restitution
9	Midterm Exam
10	Cancellation and adjournment of execution proceeding and declaration of property
11	Attachment
12	Participation to attachment procedure
13	Replevin procedure in attachment
14	Pay by instalments, Sale, Tender and Termination of Tender
15	Apportionment and certificate of insolvency

**Contribution of Learning Outcomes to Program Objectives (1-5)**

	P1	P2	P3	P4	P5	P6	P7	P8	P9	P10
1	5	5	5	5	5	3	5	5	5	5
2										
3										
4										
5										

**Contribution Level** 1: Low 2: Low-intermediate 3: Intermediate 4: High 5: Very High

<https://obs.tau.edu.tr/oibs/bologna/progLearnOutcomes.aspx?lang=tr&curSunit=198>

**Compiled by:** Department of Civil Procedure, Enforcement and Insolvency Law

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