

**LAW DEGREE PROGRAM
COURSE SYLLABUS**

Course Details					
Code				Academic Year	Semester
HUK457				4	7
Title	LE	TU	LA	ECTS	
Enforcement and Bankruptcy Law	3	-	-	4	
Language	Turkish				
Level	Bachelor	x	Master		Ph.D.
Program	Faculty of Law				
Forms of Teaching and Learning	Formal Education – Face to face				
Course Type	Compulsory	x	Elective		
Objectives	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.				
Content	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 clarify these subjects.				
Course content and methods	Direct expression method				
Requirements	-				
Coordinator	Assoc. Prof. Dr. Efe Direnisa				
Lecturer(s)	Prof. Dr. H. Özden Özkaya-Ferendeci, Assoc. Prof. Dr. Efe Direnisa, Assoc. Prof. Dr. Anil Köroğlu				
Assistant(s)	Res. Asst. Mikail Bora Kaplan, Res. Asst. Makbule Serra Korkut, Res. Asst. Merve Güney; Res. Asst. Aleyna Göksu				
Internship status of the course	-				
Recommended or Required Reading					
Books/Scripts	Pekcanitez/Atalay/Sungurtekin Özkan/Özekes, İcra İflas Hukuku Ders Kitabı, 2023. Arslan/Yılmaz/Taşpınar Ayvaz/Hanağası, İcra İflas Hukuku, 2023. Atalı/Ermenek/Erdoğan, İcra ve İflas Hukuku, 2023.				
Other Sources	-				
Additional Course Material					
Documents	-				
Assignments	-				
Exams	-				
Course Composition					
Mathematics und Basic Sciences					%
Engineering					%

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Construction Design		%
Social Sciences	100	%
Educational Sciences		%
Natural Sciences		%
Health Sciences		%
Special Field		%

Assessment

	Count	Percentage (%)
Midterm Exam	1	40
Quiz		
Assignment		
Attendance		
Tutorial		
Project		
Final Exam	1	60
Total		100

ECTS Points and Work Load

	Count	Duration	Work Load (Hours)
Lectures	14	3	42
Self-Study	15	4	60
Assignments			
Presentation/Seminar Preparation			
Midterm Exam	1	2	2
Tutorial	14	1	14
Laboratory			
Project			
Final Exam	1	2	2
Total Work Load			120
ECTS Points (Total Work Load / 30)			4

Learning Outcomes

1	Recognize enforcement bodies
2	To learn the enforcement procedure without judgment
3	To learn about the confiscation procedure
4	To learn replevin procedure in attachment
5	To learn the sales phase

Weekly Content

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1	Introduction to enforcement law and organization of the debt collection agencies
2	Complaint
3	Execution notification, durations, vacation and adjournment 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
9	Action of Restitution, 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 installments, Sale, Tender and Termination of Tender, Apportionment and certificate of insolvency
15	Final Exam

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	5	5	5	5	4	4	4	3	3	3
3	5	5	5	5	4	4	4	3	3	3
4	3	3	3	4	4	4	4	5	5	5
5	2	2	3	3	4	4	4	5	5	5

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

<https://obs.tau.edu.tr/oibs/bologna/index.aspx?lang=en&curOp=showPac&curUnit=02&curSunit=198>

Compiled by: Department of Civil Procedure, Enforcement and Bankruptcy Law

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