

LL.M. PROGRAM IN PRIVATE LAW
COURSE SYLLABUS

Course Details					
Code		Academic Year		Semester	
ÖHK142		1		2	
Title		T	A	L	ECTS
Current Problems in The Highways Motor Vehicles Compulsory Financial Liability Insurance		3	-	-	7,5
Language	Turkish				
Level	Graduate	X	Postgraduate		
Department / Program	Private Law				
Forms of Teaching and Learning	Face to face				
Course Type	Compulsory		Elective	X	
Objectives	Objectives of the course are; examining the elements, parties, scope, and legal nature of the Highways Motor Vehicles Compulsory Financial Liability Insurance contract, examining the concept of the operator, the absolute liability of the operator, and how this responsibility is secured, and discussing the problems frequently encountered in practice regarding rights of the sufferer within the framework of the High Court decisions and the views in the doctrine.				
Content	Firstly, the definition, parties, elements, application area, and legal nature of the Highways Motor Vehicles Compulsory Financial Liability Insurance contract are examined. In this context, issues of the concept of the operator and the absolute liability of the operator are discussed in detail. Afterwards, the scope of insurance coverage, the cases excluded from the coverage, the rights of the sufferer in case of realization of the risk, and the compensation of the damage are discussed. Students are required to prepare an essay in which they review a High Court decision. After the lectures, current problems are discussed through the High Court decision review essays prepared by the students.				
Prerequisites	-				
Coordinator	Prof. Dr. Vural SEVEN				
Lecturer(s)	Prof. Dr. Vural SEVEN				
Assistant(s)	Res. Ass. Zehra Büşra KAYAÖZÜ/Res. Ass. Yakup Ahmet AKTAN/ Res. Ass. Gülnihal DÜNDAR				
Work Placement	-				
Recommended or Required Reading					
Books / Lecture Notes	Prezi Insurance Law Presentation				
Other Sources	Rayegân KENDER, Türkiye’de Hususi Sigorta Hukuku, On İki Levha Yayınları, İstanbul 2021. Rauf KARASU, Karayolları Zorunlu Mali Sorumluluk Sigortası (Trafik Sigortası), Yetkin Yayınları, Ankara 2016.				
Additional Course Material					
Documents	-				
Assignments	-				

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Exams	-		
Course Composition			
Social Sciences	100	%	
Educational Sciences		%	
Natural Sciences		%	
Health Sciences		%	
Expert Knowledge		%	
Assessment			
Activity	Count	Percentage (%)	
Midterm Exam	1	40	
Quiz			
Assignments			
Attendance			
Recitations			
Projects			
Final Exam	1	60	
	Total	100	
ECTS Points and Work Load			
Activity	Count	Duration	Work Load (Hours)
Lectures	14	3	42
Self-Study	15	11	165
Assignments	5	1	5
Presentation / Seminar Preparation	5	1	5
Midterm Exam	1	4	4
Recitations			
Laboratory			
Projects			
Final Exam	1	4	4
		Total Work Load	225
		ECTS Points (Total Work Load / 30)	7,5
Learning Outcomes			

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1	After learning the basic and important issues regarding insurance contracts, the legal place, parties, elements, and differences of the Highways Motor Vehicles Compulsory Financial Liability Insurance contract are comprehended.
2	Students learn about the concept of the operator and current issues about the responsibility of the operator.
3	The scope of application and coverage of the Highways Motor Vehicles Compulsory Financial Liability Insurance are comprehended with examples of current problems encountered in practice.
4	Students learn how to make the application to the insurer in case of the realization of the risk and which rules and dispute resolution methods should be applied to resolve concrete disputes related to the payment of insurance compensation.
5	Students develop their ability to create and present scientific works by preparing a decision review assignment in article format.

Weekly Content

1	Introduction of the Course, Giving Information about the Operation of the Course and Getting Acquainted
2	Definition, Elements, and Parties of the Highways Motor Vehicles Compulsory Financial Liability Insurance Contract
3	Concept of the Operator, Legal Nature of the Operator's Liability, and Reasons for Liability
4	The Insurance Coverage and Exclusions
5	Rights and Obligations of The Parties in the Highways Motor Vehicles Compulsory Financial Liability Insurance Contract
6	Application to the Insurer and Payment of The Compensation and Other Expenses in Case of Realization of the Risk
7	Resolution Methods of Disputes Arising from the Highways Motor Vehicles Compulsory Financial Liability Insurance Contract
8	High Court Decision Review Essay Presentation I
9	High Court Decision Review Essay Presentation II
10	High Court Decision Review Essay Presentation III
11	High Court Decision Review Essay Presentation IV
12	High Court Decision Review Essay Presentation V
13	High Court Decision Review Essay Presentation VI
14	High Court Decision Review Essay Presentation VII

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

	P1	P2	P3	P4	P5	P6	P7	P8	P9	P10	P11	P12	P13
1	5	5	3	4	2	5	3	5	5	1	2	1	2
2	5	4	5	4	4	5	4	5	4	1	4	2	2
3	5	4	4	5	3	3	4	5	4	2	2	2	2
4	5	5	4	5	3	4	3	4	4	2	4	2	2
5	4	4	4	5	5	3	4	5	4	2	3	3	4

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

<https://obs.tau.edu.tr/oibs/bologna/progLearnOutcomes.aspx?lang=en&curSunit=5867>

Compiled by: Commercial Law Department

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