

**MASTER IN PRIVATE LAW PROGRAM  
COURSE SYLLABUS**

| Course Details   |  |          |                     |                 |
|--|--|----------|---------------------|-----------------|
| <b>Code</b>  | <b>Academic Year</b>   |          |                     | <b>Semester</b> |
| ÖHK145   | 1  |          |                     | 1               |
| <b>Title</b>   | <b>T</b>   | <b>A</b> | <b>L</b>            | <b>ECTS</b>     |
| Current Problems/Developments in German and Turkish Insolvency Law | 3  | -        | -                   | 7.5             |
| <b>Language</b>  | German   |          |                     |                 |
| <b>Level</b>   | <b>Graduate</b>  | X        | <b>Postgraduate</b> |                 |
| <b>Department / Program</b>  | Private Law  |          |                     |                 |
| <b>Forms of Teaching and Learning</b>                              | Formal Education – Face to face  |          |                     |                 |
| <b>Course Type</b>   | <b>Compulsory</b>  |          | <b>Elective</b>     | X               |
| <b>Objectives</b>  | The aim of this course is to learn and follow current problems and developments in German and Turkish insolvency law and to examine both legal systems comparatively.  |          |                     |                 |
| <b>Content</b>   | In this course, firstly the historical development of German and Turkish insolvency law its purpose, reason for insolvency and liquidation procedures will be examined then current developments and problems will be handled. Within this framework, a seminar paper with a maximum of 25 pages must be written and a presentation of 30 minutes (including discussion) must be made.   |          |                     |                 |
| <b>Prerequisites</b>   | -  |          |                     |                 |
| <b>Coordinator</b>   | Prof. Dr. H. Özden Özkaya-Ferendeci  |          |                     |                 |
| <b>Lecturer(s)</b>   | Prof. Dr. H. Özden Özkaya-Ferendeci  |          |                     |                 |
| <b>Assistant(s)</b>  | Res. Asst. Mikail Bora Kaplan, Res. Asst. Makbule Serra Korkut, Res. Asst. Merve Güney   |          |                     |                 |
| <b>Work Placement</b>  | -  |          |                     |                 |
| Recommended or Required Reading                                    |  |          |                     |                 |
| <b>Books / Lecture Notes</b>                                       | Schmidt, Insolvenzordnung: InsO, 20. Auflage, 2021. Nerlich/Römermann, Insolvenzordnung (InsO)/Insolvenzrecht (InsR), 42. Auflage, 2021. Kuru, İcra ve İflâs Hukuku El Kitabı, 2013. Pekcanitez/Atalay/Sungurtekin Özkan/Özekes, İcra ve İflâs Hukuku Ders Kitabı, 9. Baskı, On İki Levha Yayınları, 2022. Atalı/Erdoğan/Ermenek, İcra ve İflas Hukuku, 5. Baskı, Yetkin Yayınları, 2022. Yıldırım/Deren-Yıldırım, İcra ve İflas Hukuku, 8. Baskı, Beta Yayınları, 2021. |          |                     |                 |
| <b>Other Sources</b>   | -  |          |                     |                 |
| Additional Course Material   |  |          |                     |                 |
| <b>Documents</b>   | -  |          |                     |                 |

MASTER IN PRIVATE LAW PROGRAM  
COURSE SYLLABUS

|                                    |   |   |                          |
|------------------------------------|---|---|--------------------------|
| Assignments                        | -   |   |                          |
| Exams                              | -   |   |                          |
| <b>Course Composition</b>          |   |   |                          |
| 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                       | -   |   | -                        |
| Quiz                               | -   |   | -                        |
| Assignments                        | -   |   | -                        |
| Attendance                         | -   |   | -                        |
| Recitations                        | -   |   | -                        |
| Projects                           | -   |   | -                        |
| Final Exam                         | 1   |   | 100                      |
|                                    |   | <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                         | 11  | 5   | 55                       |
| Assignments                        | 1   | 125                                       | 125                      |
| Presentation / Seminar Preparation | 1   | 3   | 3                        |
| Midterm Exam                       | -   | -   | -                        |
| Recitations                        | -   | -   | -                        |
| Laboratory                         | -   | -   | -                        |
| Projects                           | -   | -   | -                        |
| Final Exam                         | -   | -   | -                        |
|                                    |   | <b>Total Work Load</b>                    | <b>225</b>               |
|                                    |   | <b>ECTS Points (Total Work Load / 30)</b> | <b>7.5</b>               |
| <b>Learning Outcomes</b>           |   |   |                          |
| 1                                  | To learn German and Turkish insolvency law comparatively            |   |                          |
| 2                                  | To follow current developments in German and Turkish insolvency law |   |                          |

**MASTER IN PRIVATE LAW PROGRAM  
COURSE SYLLABUS**

|    |  |
|----|--|
| 3  | To learn alternative legal remedies to German and Turkish insolvency practice      |
| 4  | To learn the aspects of Turkish concordat law that differ from Swiss concordat law |
| 5  | -  |
| 6  | -  |
| 7  | -  |
| 8  | -  |
| 9  | -  |
| 10 | -  |
| 11 | -  |
| 12 | -  |

**Weekly Content**

|    |  |
|----|--|
| 1  | Historical development of insolvency law   |
| 2  | Aim and Purpose of the Insolvency Proceedings  |
| 3  | Jurisdiction in Insolvency Proceeding  |
| 4  | Reasons for Insolvency   |
| 5  | Conditions for the Opening of Insolvency Proceeding                                    |
| 6  | Liquidation Process of Insolvency Proceeding   |
| 7  | Alternatives to Insolvency Proceedings   |
| 8  | Consumer Insolvency  |
| 9  | Recent Developments in the field of Insolvency Law                                     |
| 10 | Covid-19 Measures in the framework of the Insolvency Law                               |
| 11 | Overview of SanInsFoG (Gesetz zur Fortentwicklung des Sanierungs- und Insolvenzrechts) |
| 12 | First Experiences with Corporate-Group-Insolvency Regulations                          |
| 13 | Concordat under Swiss Law  |
| 14 | Concordat under Turkish Law  |
| 15 | Final  |

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

|   | P1 | P2 | P3 | P4 | P5 | P6 | P7 |
|---|----|----|----|----|----|----|----|
| 1 | 4  | 4  | 4  | 3  | 3  | 5  | 5  |
| 2 | 4  | 4  | 4  | 4  | 4  | 4  | 4  |
| 3 | 4  | 4  | 4  | 5  | 5  | 3  | 3  |
| 4 |    |    |    |    |    |    |    |
| 5 |    |    |    |    |    |    |    |

**MASTER IN PRIVATE LAW PROGRAM  
COURSE SYLLABUS**

|   |   |  |  |  |  |  |  |
|---|---|--|--|--|--|--|--|
| 6   |   |  |  |  |  |  |  |
| 7   |   |  |  |  |  |  |  |
| 8   |   |  |  |  |  |  |  |
| 9   |   |  |  |  |  |  |  |
| 10  |   |  |  |  |  |  |  |
| 11  |   |  |  |  |  |  |  |
| 12  |   |  |  |  |  |  |  |
| <b>Contribution Level</b>   | 1: Low 2: Low-intermediate 3: Intermediate 4: High 5: Very High |  |  |  |  |  |  |
| <a href="https://obs.tau.edu.tr/oibs/bologna/progLearnOutcomes.aspx?lang=en&amp;curSunit=218">https://obs.tau.edu.tr/oibs/bologna/progLearnOutcomes.aspx?lang=en&amp;curSunit=218</a> |   |  |  |  |  |  |  |
| <b>Compiled by:</b>   | Department of Civil Procedure and Enforcement-Insolvency Law    |  |  |  |  |  |  |
| <b>Date of Compilation:</b>   | 06.10.2023  |  |  |  |  |  |  |