

Client Alert

COVID 19 - Suspension of Time Periods in Substantive Law, Procedural Law and Execution Law

Within the scope of the combat against Coronavirus (COVID-19), in order to prevent losses of rights in judicial processes, in the early hours of 25 March, the Turkish parliament passed a law and this law includes article regarding suspension of time periods and processes in substantive law, procedural law and execution law. According to this article:

- time periods including those applicable to initiating a lawsuit or an execution proceeding, time periods for filing an application, complaint, objection, warning, notice, submission as well as those pertaining to statute of limitations, time bars and mandatory administrative applications, time periods regarding the commencement, exercise and cessation of a right, time periods determined under the Administrative Procedure Law, Criminal Procedure Law and Civil Procedure Law and other laws that set forth periods applicable to parties, time periods set by judges and time periods in mediation and reconciliation processes are suspended from 13 March 2020 (inclusive) to 30 April 2020 (inclusive); and
- time periods determined under the Execution and Bankruptcy Law and other laws relating to execution law and time periods set by judges, execution and bankruptcy offices, excluding execution proceedings pertaining to alimony receivables, all execution and bankruptcy proceedings, transactions of parties and execution transactions, acceptance of new requests to initiate execution and bankruptcy proceedings, execution and enforcement of injunction orders are suspended from 22 March 2020 (inclusive) to 30 April 2020 (inclusive).

These time periods will start to run on the day following the day when the suspension ends. The time periods, having 15 days or less to expire at the date when the suspension starts, will be deemed extended by 15 days starting from the day following the day when the suspension ends. If the pandemic continues, the President may extend this period one more time, provided that the extension does not exceed six months, and he may limit the scope of the decision.

The time periods listed below will not be suspended:

- a. Statute of limitations regulated by laws for crimes and penalties misdemeanors, administrative sanctions, disciplinary imprisonment and preventive detention,

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- b. Time periods relating to protective measures determined under the Criminal Procedure Law and
- c. Time periods relating to complementary procedures for preliminary injunction orders determined under the Civil Procedure Law.

On the other hand, the following will be applied within the scope of the Execution and Bankruptcy Law and the relevant legislation:

- a. If the sale dates regarding assets and rights announced by execution and bankruptcy offices are within the suspension period, and consequently the respective sales are suspended, execution and bankruptcy offices will automatically set a new sale date after the suspension period. Respective sale announcements will only be made online and free of charge.
- b. During the suspension period, voluntary payments will be accepted, and each party will be able to request completion of the transactions that are in favor of the other party.
- c. During the suspension period, results of concordat term will continue for creditors and debtors.
- d. All other measures will be adopted to ensure that enforcement and bankruptcy services do not fail.

Please contact us in case of any questions regarding this matter.