

# The Effect Of The Law No. 7226 on “Amendments to Certain Laws” to Suspension Of Time Limitations Due to the Covid-19

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Law No. 7226 has been adopted by the General Assembly of the Turkish Grand National Assembly on 25 March 2020 and time limitations will be suspended until 30 April 2020 in order to prevent any loss of rights in regard to trials, due to the measures taken for epidemic of Coronavirus (Covid 19) which has been declared as an outbreak by the World Health Organization.

In this respect, the most significant points of this amendments are summarized below.

#### • **Time Limits in Legal Proceedings Have Been Suspended**

With this amendment; in this law No. 7226 which has been adopted by the General Assembly of the Turkish Grand National Assembly on 25 March 2020, the judicial terms have been suspended retrospectively from 13 March 2020 (inclusive), until 30 April 2020 (inclusive).

According to the law;

1. Any and all terms in scope of the acquisition, use or extinction of a right, including the terms for filing lawsuits, enforcement proceedings, applications, objections, notices, notifications, submission periods, prescription periods and statutory limitations, along with the mandatory administrative application terms, and also the terms specified under the Code of Administrative Procedure, the Criminal Procedure Law and the Code of Civil Procedure; the terms specified in other laws containing procedural provisions, determined by the judges, and time limits in mediation and reconciliation proceedings have been suspended retrospectively from 13 March 2020,

2. The limits stipulated under the Enforcement and Bankruptcy Law and other laws related to enforcement proceedings, and time limits determined by judges or enforcement and bankruptcy offices within this scope; also all pending enforcement and bankruptcy proceedings, expect those commenced for maintenance creditors, new enforcement and bankruptcy proceedings and ancillary attachment proceedings have been suspended from 22 March 2020 until 30 April 2020.

The suspended terms will resume as of 1 May 2020. If there are 15 days or less days for the expiry of a term as of the beginning of the suspension period, the term will be deemed extended for further 15 days starting from the day following the end of the suspension period. In case of continuation of the Coronavirus (Covid-19) outbreak, the President of Turkish Republic will be entitled to extend this suspension process once again for 6 months which is a maximum period of this process.

In case of the sale (sale of seized assets) day regarding goods or rights declared by the enforcement and bankruptcy offices remains within the suspension period, then, after the completion of suspension period, the enforcement and bankruptcy offices will announce the sale day without parties' request in that regard. In this case, the sales announcement will be made only electronically and fee will not be charged for the announcement. In this suspension period, if any payment is consentingly made by a party, it will be accepted and the parties can request that actions in favor of the other party be taken. The results of the concordatum period for the creditor and the debtor will continue during this suspension.

Below judicial terms are excluded from the suspension period by this law;

1. The prescription periods for crimes and punishments, misdemeanors and administrative sanction and disciplinary detentions and preventive detentions,
2. The terms for measures of precaution that has been stipulated in law of the Criminal Procedure.
3. The terms which has been stipulated in the Code of Civil Procedure regarding the completions of interim injunctions.

With the amendment, all other measures to be taken, including the postponement of hearings and negotiations, and the related procedures and principles will be determined by the Cabinet for the Court of Cassation and Council of State; by the Supreme Council of Judges and Prosecutors for first instance courts and regional courts of appeal; and by the Ministry of Justice for justice services.

Kind Regards,

**TILEGAL LAW OFFICE**