

Content

| Course Code | Course Name | Semester | Theory | Practice | Lab | Credit | ECTS |
|-------------|---|----------|--------|----------|-----|--------|------|
| EHYL-346 | Proceedings for Collusion and Avoidance of Legal Acts | 2 | 3 | 0 | 0 | 3 | 6 |

| | |
|------------------------|--|
| Prerequisites | |
| Admission Requirements | |

| | |
|-------------------------|---|
| Language of Instruction | Turkish |
| Course Type | Elective |
| Course Level | Masters Degree |
| Objective | Objective of the course is to understand the difference between the collusion action and the nullity action and to solve the problems that it meets in practice |
| Content | This course provides an in-depth examination of the institutions of collusion and revocatory action within the context of substantive law and enforcement law. In the first phase, the concept of collusion, its types, and its effects, particularly in the law of obligations and inheritance law, are discussed. In the second phase, revocatory actions under the Execution and Bankruptcy Law are detailed. Within this framework, the subject of the action, onerous and gratuitous transactions, and voidable transactions made with the intent to harm creditors are examined. Additionally, procedural aspects such as the competent court and jurisdiction, time limits for filing a lawsuit, parties to the action, and trial procedure are covered. Finally, the relationship between collusion and revocatory action is analyzed, and the consequences of the revocatory action in terms of enforcement and bankruptcy law are evaluated in the light of case law. |
| References | Hakan Pekcanitez/Oğuz Atalay/Meral Sungurtekin Özkan/ Muhammet Özekes, İcra ve İflâs Hukuku Ders Kitabı, 7. Bası, İstanbul 2020. Baki Kuru, İcra ve İflas Hukuku El Kitabı, 2. Bası, Ankara 2013. Güray Erdönmez, Alacaklılara Zarar Verme Kastıyla Yapılan Tasarrufların İptali, 2. Bası, İstanbul 2019. |

Theory Topics

| Week | Weekly Contents |
|------|---|
| 1 | Concept of collusion |
| 2 | Sorts of collusion |
| 3 | Impact of collusion by obligation law |
| 4 | Impact of collusion by inheritance law |
| 5 | Object of nullity action |
| 6 | Onerous savings which are the object of collusion action |
| 7 | Gratuitous savings which are the object of collusion action |
| 8 | Savings which are the object of collusion action because of intention to damage |
| 9 | Relation between collusion action and nullity action |
| 10 | Attributive competence and territorial competence in the nullity action- period of prosecute a suit |
| 11 | Parties of the nullity action |
| 12 | Procedure in the nullity action |
| 13 | Consequences of nullity action by law of enforcement |
| 14 | Consequences of nullity action by law of bankruptcy |