Content

Course Code	Course Name	Semester	Theory	Practice	Lab	Credit	ECTS
ÖHDR-395	Ship Mortgage Under Turkish Law	1	3	0	0	3	7

Prerequisites	
Admission Requirements	

Language of Instruction	Turkish
Course Type	Elective
Course Level	Doctoral Degree
Objective	The aim of the course is to examine Turkish law on ship mortgage with the provisions of the Turkish Commercial Code and the Turkish Civil Code as a whole, including international agreements that Turkey is party to. In this course, it is aimed to provide the students with a holistic and critical view of the law of mortgage due to the reason that the ship is registered or not, and whether the legal reason for the mortgage is a contract or a provision of law is decisive for determination of the rules governing mortgages.
Content	-
References	-Kerim ATAMER, Deniz Ticareti Hukuku, Cilt IV, Deniz İcra Hukuku, 2. Baskı, On İki Levha Yayınları, İstanbul, 2019. -Cüneyt SÜZEL, Gemi Alacaklısı Hakkı ve Gemi İpoteği Hakkında 1993 Cenevre Sözleşmesi ve Yeni Türk Ticaret Kanunu, On İki Levha Yayınları, İstanbul, 2012. -Doğuş Taylan TÜRKEL, Gemi Alacaklısı Hakkının Paraya Çevrilmesi, İzmir, 2008. -Turgut KALPSÜZ, Gemi Rehni, Genişletilmiş 5. Baskı, Turhan Kitabevi, Ankara, 2004.

Theory Topics

Week	Weekly Contents
1	Introduction, Identification of the Rules Applicable to Ship Mortgage under Turkish Law
2	Concept of Ship, Ship Registries
3	Rights in rem - Ownership, Limited Rights in rem, Mortgage (Guaranty) Rights (Distinction between Contractual Mortgage Rights and Mortgage Rights arising from Law)
4	Contractual Mortgage Rights: Mortgage of Registered Ships: Contract of Ship Mortgage, Contract of Ship Mortgage on Ships under Construction (Establishment, Degree-Order, Scope of the Guaranty)
5	Contractual Mortgage Rights: Mortgage of Registered Ships: Contract of Ship Mortgage (Provisions)
6	Contractual Mortgage Rights: Mortgage of Registered Ships: Contract of Ship Mortgage (Assignment, Transfer, Amendment, Limitation)
7	Contractual Mortgage Rights: Mortgage of Registered Ships: Contract of Ship Mortgage (Types and Termination of the Mortgage)
8	Contractual Mortgage Rights: Mortgage Rights Enforceable to Ships Included in the Inventory of the Business Enterprise
9	Contractual Mortgage Rights: Mortgage of Unregistered Ships
10	Right to Request Enforcement of a Ship Mortgage Arising from Law: Shipyard’s Mortgage Right
11	Contractual Mortgage Rights: Maritime Lien Right (Legal Nature, Claims Give Rise to a Maritime Lien Right, Order of the Maritime Lien Claims)
12	Contractual Mortgage Rights: Maritime Lien Right (Debtors of the Maritime Lien, Scope of the Maritime Lien, Termination of the Maritime Lien)
13	Mortgage Rights Arising from Law: Maritime Lien Right (Difference between Maritime Liens and Maritime Claims)
14	“International Convention on Maritime Liens and Mortgages” adopted in Geneva on 6 May 1993