



12TH JUDICIAL REFORM PACKAGE: AMENDMENTS TO JUDICIAL LEGISLATION UNDER LAW NO. 7589

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You can find our detailed assessment of the key amendments introduced by Law No. 7589, including the relevant entry into force provisions, in the remainder of this legal update.



Law No. 7589 on Amendments to Certain Laws for the Effective and Efficient Functioning of the Judiciary (the "Law") was published in the Official Gazette numbered 33326 and dated 31 July 2026.

The Law introduces significant amendments in various areas, particularly civil and administrative procedure, statutory interest, compensation, and the sale of immovable property acquired by inheritance.

1. Abolition of the Action for an Indeterminate Claim and Restructuring of Partial Claim

The action for an indeterminate claim, regulated under Article 107 of the Code of Civil Procedure No. 6100 (the "CCP"), allowed a claimant, where the amount or value of the claim could not be fully and precisely determined at the time the action was filed, to initiate proceedings for the minimum amount that could be determined and subsequently increase the amount claimed once it became ascertainable.

The Law repealed Article 107 of the CCP, thereby abolishing the action for an indeterminate claim, and introduced a new paragraph to Article 109 of the CCP governing partial claims. Under the new provision, where only part of a claim is brought before the court, the claimant may increase the amount claimed once, until the conclusion of the examination phase, without being subject to the prohibition on the extension of claims. With respect to the increased portion, the limitation period will be deemed to have been interrupted as of the date on which the action was filed, rather than the date on which the claim was increased.

The amendment entered into force on 31 July 2026. However, Article 107 of the CCP, despite its repeal, will continue to apply to actions for indeterminate claims filed before that date.

2. New Rules on Consolidation, Severance and Appeals in Civil Proceedings

The amendments to the CCP have revised the binding effect of decisions on the consolidation and severance of cases, as well as the legal remedies available against such decisions.

Under the new provisions, the court before which the first action was filed will be bound by the consolidation decision once that decision becomes final. Accordingly, it has been expressly established that the consolidation decision will become binding on the other court upon becoming final.

Decisions to consolidate cases pending before civil courts of the same level and capacity within the same judicial district may only be appealed before the regional court of appeal. Decisions of first-instance courts on severance may only be appealed before the regional court of appeal together with the final judgment, while decisions of regional courts of appeal on consolidation and severance may only be appealed before the Court of Cassation together with the final judgment. This circumstance alone will not constitute grounds for the regional court of appeal to set aside the judgment and examine the case on the merits, or for the Court of Cassation to reverse the judgment.

The amendments entered into force on 31 July 2026.



3. Limiting the Interval Between Hearings to Three Months

The CCP did not specify a general upper limit on the length of time that could elapse between two hearings. Consequently, the intervals between hearings could vary depending on the courts' caseload and the procedural steps required in each case.

As a result of the amendments made to the CCP by the Law, the principle has been adopted that, except where necessary, the period between two hearings must not exceed three months. In circumstances where a longer period is necessary, such as where an expert examination takes longer due to the nature of the case or where examination proceedings are conducted by way of letters rogatory, the judge may set a longer period, provided that the reasons are stated.

The amendment entered into force on 31 July 2026.

4. Disciplinary Regulations Concerning the Appointment of Experts in Matters That Can Be Resolved on the Basis of Legal Knowledge

The amendment to Article 63 of the Judges and Prosecutors Law No. 2802 regulates the referral of matters capable of being resolved on the basis of the legal knowledge required by the profession to expert witnesses in the context of the disciplinary liability of judges and prosecutors. This matter was, in fact, already addressed under Article 266 of the CCP and Article 3 of the Expert Witness Law No. 6754, which expressly prohibited recourse to expert witnesses in matters requiring legal knowledge.

With this amendment, the existing procedural principle that matters requiring legal knowledge and assessment which must be resolved by the judge and should not be referred to an expert witness has been given explicit recognition in the context of disciplinary law.

The amendment entered into force on 31 July 2026.

5. Amendment Concerning Signatures in Hearings Conducted via Audio and Video Transmission

Article 149 of the CCP allows the parties, their representatives and other interested parties to participate in hearings via audio and video conferencing under certain conditions, and enables procedural steps to be carried out by this means.

Pursuant to the new paragraph added to Article 149 of the CCP by the Law, the provisions relating to handwritten signatures shall, as a general rule, not apply to those participating in hearings via audio and video transmission from their respective locations. However, admissions, the taking of an oath, consent to the withdrawal of an action, waiver of an action, acceptance of an action and settlements are excluded from this provision.

Unlike many other provisions, this amendment will enter into force on 31 October 2026.



6. Legal Interest Rates Linked to a Variable System

Under Law No. 3095 on Statutory Interest and Default Interest, where the interest rate was not specified in the contract, the applicable statutory interest rate was based on the rate set by legislation, and this rate could be amended by a decision of the President where necessary.

The Law has amended this system, stipulating that the statutory interest rate shall be determined in accordance with the rediscount rate applied by the Central Bank of the Republic of Türkiye ("CBRT") in its short-term credit operations. Under the new system, the statutory interest rate will be set at 80 per cent of the rediscount rate applied by the CBRT in its short-term credit operations on 31 December of the previous year. If the rediscount rate applicable on 30 June differs by five percentage points or more from the rate applicable on 31 December of the previous year, 80 per cent of the rediscount rate applicable on 30 June will apply for the second half of the year.

Accordingly, rather than being based on a fixed rate, the statutory interest rate will be determined periodically by reference to changes in the CBRT rediscount rate.

The new system entered into force on 31 July 2026.

7. New Principles on Compensation for Loss of Working Capacity and Loss of Support

The amendment to Article 55 of the Turkish Code of Obligations (the "TCO") has introduced a new distinction regarding the date from which interest accrues on losses arising from a reduction in or loss of earning capacity, as well as damages for loss of support.

Under the new provision, statutory interest shall be applied to compensation calculated in respect of the period for which the income of the injured party or the person providing support is known, from the date on which the tortious act or the event giving rise to the loss occurred, and to compensation calculated in respect of the period for which such income cannot be determined, from the date of the judgment.

In addition, the method for deducting payments made towards satisfaction of the relevant compensation before the commencement of the examination phase has been revised. Any such payment will be deducted proportionately from the amount of compensation determined as of the date of payment.

Although the amendment entered into force on 31 July 2026, it shall apply only to tortious acts or events giving rise to damage occurring after that date. The previous provisions shall continue to apply to events that occurred prior to that date.

8. Priority for Heirs in the Sale of Immovable Property Acquired by Inheritance

In the case of immovable property acquired by more than one person by inheritance, where a decision is made to dissolve the co-ownership through sale, under the previous system the sale was conducted in accordance with the provisions governing public auctions, and third parties were permitted to participate in the initial auction.



The Law provides that, where all owners have acquired the immovable property by inheritance and no third parties other than the heirs hold any right of ownership, the first auction to be held as part of the dissolution of the co-ownership by sale shall take place solely among the heirs who are owners of the property.

This special auction will be held on a one-off basis. If the property is not sold at the first auction, the second auction will be conducted in accordance with the general provisions.

Thus, prior to the sale of the property to third parties, the heirs who are owners of the property are granted priority to acquire the property among themselves.

The amendment entered into force on 31 July 2026. However, the previous provisions will continue to apply to auctions announced prior to that date.

9. Electronic Auction Procedures for the Sale of Property Belonging to Persons Under Guardianship

Changes have been made to the procedure governing the sale of property belonging to persons under guardianship under the Turkish Civil Code No. 4721. Under the new provisions, where it is in the best interests of the person under guardianship, movable property other than valuables will be sold by public auction via the electronic sales portal integrated with the National Judicial Network Information System ("UYAP"), in accordance with the instructions of the guardianship authority.

The sale of immovable property will also be conducted by public auction via the electronic sales portal integrated with UYAP, and the auction will be finalised subject to the approval of the guardianship authority. The guardianship authority must issue its decision regarding approval within ten days of the auction date.

These amendments will come into force on 31 October 2026. For auctions announced prior to this date, the provisions in force prior to the amendments will continue to apply.

10. Extension of the Scope of Cases to Be Heard by a Single Judge in Administrative Courts

The scope of disputes that may be decided by a single judge in administrative courts has been expanded under the Law. With the exception of actions brought against regulatory acts, actions for annulment and full remedy actions concerning administrative acts where the amount in dispute does not exceed TRY 486,000 will be decided by a single judge. In addition, provisions have been introduced to allow decisions to be made by a single judge in relation to certain proceedings concerning students, the temporary secondment of public officials, travel allowances, official housing and leave matters, as well as certain disciplinary disputes.

Thus, the scope of disputes that may be examined by a single judge has been expanded not only in terms of the monetary threshold but also on the basis of the subject matter of the dispute.

The amendment entered into force on 31 July 2026 and will apply to cases brought after that date.



11. Revision of the Review and Remand Powers of Regional Administrative Courts

The Law amends Article 45 of the Code of Administrative Procedure No. 2577 (the “APL”), setting out in detail the circumstances in which a regional administrative court may set aside a first-instance court’s decision and remit the case.

The case may be referred back to the court of first instance in the circumstances listed in the Law, such as final decisions on preliminary examination and other procedural matters, issues of jurisdiction and competence, a decision being made by a judge who has been recused or is disqualified, completion of the case file with an incorrect or incomplete designation of the respondent, and a failure to rule on the claim.

Conversely, if an inspection or expert examination has not been carried out when required, or if a necessary hearing has not taken place, the regional administrative court may remedy these deficiencies itself and render a decision. The decision may not be set aside and the case referred back to the court of first instance except in the circumstances listed in the Law.

The amendment entered into force on 31 July 2026.

12. Revision of the Right of Appeal in Administrative Proceedings

As a result of the amendment made by the Law to Article 46 of the APL, in disputes other than those listed in the first paragraph of Article 46 as being subject to appeal, decisions rendered by a regional administrative court after setting aside a first-instance court’s decision on appellate review may be appealed to the Council of State within 30 days of service. However, cases heard by a single judge in administrative and tax courts, certain specific disputes listed in the Law, certain decisions falling below the prescribed monetary thresholds, and decisions relating solely to lawyers’ fees and litigation costs are excluded from this right of appeal.

The amendment entered into force on 31 July 2026 and will apply to decisions rendered by regional administrative courts after that date. The previous provisions will continue to apply to decisions rendered before that date.

13. Electronic Transmission of Notarial Documents

The amendment to Article 55 of the Notaries Law No. 1512 revises the procedure governing the examination and request of notarial documents by competent authorities.

Under the new provisions, where a court, a criminal judgeship of peace, the Chief Public Prosecutor’s Office or an official body authorised to conduct an investigation requests a certified copy of a notarial document, the notary may create a certified copy by electronically scanning the original document and signing it with a secure electronic signature, and may then transmit the certified copy electronically to the relevant authority. Where electronic transmission is not possible, a certified copy, certified as conforming to the original, shall be sent in physical form.



Furthermore, where the original document is requested by a court, a criminal judgeship of peace or the Chief Public Prosecutor's Office, the notary shall make and certify a copy of the document, retain it in place of the original, and send the original document to the relevant authority. No journal number shall be assigned to these procedures, and no fees or charges, including duties, taxes and valuable paper fees, shall be collected, other than postage costs and the travel expenses specified in the Law.

Conclusion

Law No. 7589 has introduced significant changes across a wide range of areas, from civil and administrative procedural law to statutory interest, and from compensation law to electronic sales and notarial procedures.

In particular, the abolition of actions for indeterminate claims and the restructuring of the partial claim system, the linking of the statutory interest rate to a variable system, the limitation of intervals between hearings in civil cases, the granting of priority to heirs in the sale of immovable property acquired by inheritance, the extension of the scope of cases that may be heard by a single judge in administrative courts, and the changes made to the appellate review and appeal mechanisms are among the provisions that may have direct consequences in practice.

As the Law provides for specific entry into force and transitional provisions in respect of certain amendments, it is important to assess, on a case-by-case basis, the provisions applicable to ongoing disputes and cases brought after the Law entered into force.

Should you have any questions or require further assessment regarding the subject matter, please do not hesitate to contact us at any time.

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