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Advisory

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Client Alert

The 12th Judicial Package Introduces Significant Changes to Civil Procedure, Enforcement and Statutory Interest

Introduction

Law No. 7589 on Amendments to Certain Laws for the Efficient and Effective Functioning of the Judiciary ("**Law**"), commonly referred to as the 12th Judicial Package, was published in the Official Gazette dated 31 July 2026 and numbered 33326.

The Law introduces significant amendments across several areas of procedural and substantive law, including enforcement proceedings, notarial practice, statutory interest, compensation claims and civil procedure.

Among the numerous amendments introduced by the Law, the principal changes are outlined below.

The Law entered into force on 31 July 2026, except for the provisions introducing electronic auction procedures for the sale of movable and immovable assets of persons under guardianship and the new rules governing remote participation in hearings, which will enter into force three months after publication.

Key Changes Introduced by the Law

Enforcement Auctions in Dissolution of Co-ownership Proceedings

The amendments to the Enforcement and Bankruptcy Law introduce several changes to the rules governing the preparation and conduct of judicial auctions. Where the dissolution of co-ownership is ordered by way of sale and an immovable property is owned exclusively by heirs through inheritance, with no ownership interest held by third parties, the first auction will be conducted solely among the heir co-owners. This special procedure applies only once.

In the first auction conducted exclusively among the heir co-owners, the minimum bid threshold is the full appraised value of the property. If the property is not sold at the first auction, a second auction open to all persons will be conducted under the general provisions.

The amendments also partially exempt requesting creditors from providing security where their secured claim covers the required amount and they apply to the enforcement office before the end of the auction period. In addition, where a successful bidder fails to pay the purchase price within the prescribed period, the security deposit will be applied in accordance with the revised allocation rules, and the bidder may be subject to an administrative fine equal to 5% of the bid amount. These amendments apply only to auctions announced on or after 31 July 2026.

Notarial Documents

The amendments to the Notary Law revise the procedures governing the submission of notarial documents to courts, public prosecutors' offices and other competent public authorities. Where the original document is requested, the notary must retain a certified copy and send the original to the requesting authority. Where a certified copy is requested, the notary must, in principle, electronically transmit a certified copy created by scanning the original document and signing it with a secure electronic signature. If electronic transmission is not possible, a certified hard copy may be sent instead. No fees, taxes or similar charges, other than postal and travel expenses, will be charged for these transactions.

Statutory Interest

The amendments to the Law on Statutory Interest revise the method for determining the statutory interest rate applicable under the Turkish Code of Obligations No. 6098 and the Turkish Commercial Code No. 6102 where the parties have not agreed on an interest rate. Under the new rules, the annual statutory interest rate will correspond to 80% of the rediscount rate applied by the Central Bank of the Republic of Türkiye to short-term credit transactions as of 31 December of the preceding year.

If the rediscount rate applicable on 30 June differs by at least five percentage points from the rate applicable on the preceding 31 December, 80% of the rate determined on 30 June will apply during the second half of the year.

Compensation for Loss of Working Capacity and Loss of Support

The amendments to the Turkish Code of Obligations introduce new rules on the accrual of statutory interest and the deduction of advance payments in compensation claims arising from loss of working capacity and loss of support. Statutory interest will accrue from the date of the tortious act or harmful event for the portion of compensation calculated based on periods where the injured person's or the deceased supporter's income is known, and from the date of the judgment for the portion calculated based on periods where such income cannot be determined.

Advance payments made before the examination stage of the proceedings will be deducted proportionately from the compensation amount calculated as of the payment date. These amendments apply only to tortious acts and harmful events occurring on or after 31 July 2026.

Abolition of Actions for Unquantified Receivables

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The amendments to the Code of Civil Procedure abolish actions for unquantified receivables. However, Article 107 will continue to apply to actions filed before 31 July 2026.

The Law also introduced a revised framework for partial claims. Where only part of a receivable is claimed, the claimant may increase the amount claimed once in the same action, without being subject to the prohibition on the extension of claims, until the conclusion of the examination stage of the proceedings. The limitation period for the increased portion of the claim will be deemed to have been interrupted as of the date on which the action was originally filed.

Other Civil Procedure Amendments

As a rule, the period between hearings may not exceed three months. A longer period may be set where required by the nature of the proceedings, such as a prolonged expert examination or evidence collection through letters rogatory, provided that the court states its reasons.

Handwritten signature requirements will generally not apply to persons participating in hearings remotely through audio and video transmission systems. Exceptions apply to certain procedural acts, including acknowledgment, taking an oath, consent to withdrawal, waiver, acceptance and settlement. This amendment will enter into force three months after publication.

The Law also revises the rules governing the joinder and severance of actions and the availability of appeals against certain decisions rendered by regional appellate courts.

Conclusion

The Law introduces important changes to the conduct of litigation, statutory interest calculations and enforcement proceedings. In particular, the new statutory interest mechanism and the replacement of actions for unquantified receivables with the revised partial claim procedure are likely to have a significant impact on civil, commercial, employment and compensation disputes.

Businesses should review contractual provisions that do not specify an interest rate and consider the revised procedural rules when assessing existing and prospective monetary claims and litigation strategies.

The full text of the Law is available at this link.