

Commercial cases worth less than TL100,000 now subject to simplified procedure

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Amendment

Under Turkish law, there are two types of procedure in civil proceedings. Written procedure is the main and most common type, whereas the simple procedure, as the name suggests, is a simplified and expedited process. There are two rounds of written submission in written procedure (ie, pleading and response and rebuttal and rejoinder). However, in the simplified procedure, only pleading and response petitions can be filed by the parties. In principle, commercial cases are subject to written procedure.

Amendment

The Law on Amendments to the Enforcement and Bankruptcy Law and Other Laws (the Amendment Law) was published in the *Official Gazette* 30361 and entered into force on March 15 2018. It amended several laws, including the Commercial Code. The Amendment Law aims to improve Turkey's investment environment by increasing the quality and speed of the judicial system and the enforceability of contracts.

Under the Amendment Law, commercial cases worth less than TL100,000 are subject to the simplified procedure in order to shorten the length of proceedings. Thus, if the value of a commercial case is less than TL100,000 (approximately €20,000), the claimant can file only a pleading and the defendant can file only a response petition. No further exchange of petitions can be carried out under the procedural law. As per procedural law, the parties should submit their evidence, or at least information regarding evidence that is not in their possession, within the exchange of petitions period.

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