

MAY 2021

Covid-19: Suspension of Cheque Presentment

Due to the high number of COVID-19 cases, the Turkish Government has announced a full lockdown across the country starting from April 29, 2021, until May 17, 2021. Law No. 7318 on the Amendment to Tax Procedure Law and Certain Laws (“the Law”) which was published in the Official Gazette on April 30, 2021 provides some measures with its Provisional Article 3 to prevent the loss of rights due to the lockdown. A Communiqué, on the same date, is also published by the Ministry of Commerce to determine the procedures and principles regarding the implementation of the Provisional Article 3/1/a of the Law.

According to the Provisional Article 3, cheques whose due date for presentment fall between April 30, 2021 and May 31, 2021 cannot be presented for payment. Furthermore, enforcement and bankruptcy proceedings cannot be commenced for cheques and bills, whose due date for presentment falls within the abovementioned period. In addition, no decision concerning precautionary attachment can be granted and the proceedings that have already begun will be suspended.

Provisional Article 3 also stipulates that, no enforcement and bankruptcy proceedings can be initiated within the same period for the claims of public administrations that are subject to Law No. 5018.

In brief, in order to reduce the possible negative effects of the slowdown on the activities of merchants and craftsmen due to the lockdown, and to enable them to plan their payments within this period, abovementioned measures are taken until the end of May 2021.

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