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Significant amendments to Administrative Jurisdiction Procedure Law

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On 14 July 2021 the Law Amending the Criminal Procedure Code and Certain Other Laws 7331 (Law 7331) – which is also known as the "4th Judicial Reform Package" – was published in the *Official Gazette*. It significantly reduces the time limits provided for in the Administrative Jurisdiction Procedure Law 2577 (Law 2577) in terms of the administrative processes involved with applying to file an administrative action. The key amendments are as follows:

- According to article 10 of Law 2577, individuals may apply to administrative authorities to perform an act that might be subject to an administrative action. Administrative authorities previously had 60 days to respond to these requests. However, Law 7331 has reduced this response period to 30 days. At the end of this period, the applicant may deem the administrative authorities' silence as a refusal and file an appeal action. If the administration's response is timely but not final, the applicant can either deem this response to be a refusal or wait a further four months for a final response. This means that the overall waiting period for the applicant has also been reduced, from six months to four months.
- Under article 11 of Law 2577, individuals wishing to file an action for the annulment of an administrative action can apply to the authority superior to that which issued the administrative action, or, if there is no such superior authority, they may apply directly to the same authority to have the action:
 - removed;
 - withdrawn; or
 - amended.

Alternatively, the applicant can request a new administrative action. In accordance with the recent legislation, administrative authorities must now respond to these applications within 30 days, rather than the previous time frame of 60 days. If the authority has not responded within 30 days, the time period to file an action before the courts, which was suspended upon receipt of the application, will resume.

- Article 13 of Law 2577 sets out that those whose rights have been violated by an administrative act and who wish to file a full remedy action for compensation should first apply to the administration to establish their rights. If the administration either entirely or partially rejects their request or does not respond, the applicant can file a compensation action. The time limit for the administration to respond to such requests provided for under article 13 of Law 2577 has been reduced from 60 days to 30 days under Law 7331.
- According to the provisional article 10, which was added to Law 2577 with the enactment of Law 7331, the time limits shortened by Law 7331 will not apply to applications made to administrative bodies under articles 10, 11 or 13 of Law 2577 before 14 July 2021. The previous time limits will continue to apply for these applications.
- Under Law 7331, article 24 of Law 2577 now also provides for an expediated time frame within which administrative judicial bodies must render decisions. To accelerate administrative proceedings, judicial bodies' decisions must now be prepared and signed within 30 days, following the issuance of the decision.

By virtue of Law 7331, the time frame for both mandatory and optional procedures conducted before filing administrative actions has been shortened significantly. Since the administrative bodies' time limits to respond directly affect the time limits to file administrative actions before the courts, these amendments are also important for individual litigants concerned.

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