

**SYLLABUS**  
**Faculty of Law**

| Course Unit Code                                                                                                                                                                                                                                                                   | Course Title                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Credits                                                       | ECTS Value                      |                  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------|---------------------------------|------------------|
| LAW242                                                                                                                                                                                                                                                                             | Law of Obligations General Provisions II                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 3                                                             | 5                               |                  |
| Prerequisite Courses:                                                                                                                                                                                                                                                              | No                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                               |                                 |                  |
| Language of Instruction:                                                                                                                                                                                                                                                           | Turkish                                                                 | Lesson Teaching Style:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Online                                                        |                                 |                  |
| Course Type and Level:                                                                                                                                                                                                                                                             | Compulsory / 2. Year / Spring Semester                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                               |                                 |                  |
| Title, Name and Surname of the Instructor of the Course                                                                                                                                                                                                                            |                                                                         | Course Hours                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Office Hours                                                  | Communication                   |                  |
| Prof. Dr. Umut Yeniocak                                                                                                                                                                                                                                                            |                                                                         | Tuesday<br>13.20-15.40                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Friday<br>12.30-15.25                                         | umutyeniocak@cag.edu.tr         |                  |
| Course Coordinator:                                                                                                                                                                                                                                                                | Prof. Dr. Umut Yeniocak                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                               |                                 |                  |
| Objectives of the Course: To teach students the basic concepts and rules in the General Provisions section of the Turkish Code of Obligations, which regulates the debt relations between individuals, and to gain the ability to apply these rules in other areas of private law. |                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                               |                                 |                  |
| Course Learning Outcomes                                                                                                                                                                                                                                                           | Upon successful completion of this course, the student will be able to: |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                               | Relations                       |                  |
|                                                                                                                                                                                                                                                                                    |                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                               | Program Outcomes                | Net Contribution |
|                                                                                                                                                                                                                                                                                    | 1                                                                       | Explains the basic concepts of tort, unjust enrichment and barriers to performance.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 1,2                                                           | 5,5                             |                  |
|                                                                                                                                                                                                                                                                                    | 2                                                                       | Distinguishes the concepts of material and moral damage, interprets the criteria based on compensation calculation.                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 2,4                                                           | 4,4                             |                  |
|                                                                                                                                                                                                                                                                                    | 3                                                                       | It interprets party changes such as transfer of receivables, assumption of debt and contract for the benefit of third parties and evaluates their legal consequences.                                                                                                                                                                                                                                                                                                                                                                                                          | 2,3,5                                                         | 5,4,5                           |                  |
|                                                                                                                                                                                                                                                                                    | 4                                                                       | Analyzes current Supreme Court decisions; develops legally and ethically reasoned solution proposals in disputes related to the law of obligations.                                                                                                                                                                                                                                                                                                                                                                                                                            | 2,3,9                                                         | 5,5,5                           |                  |
|                                                                                                                                                                                                                                                                                    | 5                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                               |                                 |                  |
|                                                                                                                                                                                                                                                                                    | 6                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                               |                                 |                  |
| 7                                                                                                                                                                                                                                                                                  |                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                               |                                 |                  |
| Course Description:                                                                                                                                                                                                                                                                |                                                                         | The concept of tort, conditions and consequences of liability based on fault, compensation for material damage in liability based on fault, cases of liability without fault, equity and danger liability, material and moral compensation, provisions to be applied in case of more than one reason for liability, unjust enrichment, culpa in contrahendo and fiduciary liability, performance of obligations and consequences of non-performance, special obligation relations, joint indebtedness, contingent obligations, transfer of receivables and assumption of debt. |                                                               |                                 |                  |
| Course Contents: (Weekly Lesson Plan)                                                                                                                                                                                                                                              |                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                               |                                 |                  |
| Week                                                                                                                                                                                                                                                                               | Topic                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Preparation                                                   | Teaching Methods and Techniques |                  |
| 1                                                                                                                                                                                                                                                                                  | Tort Liability, the Concept of Tort and Elements of Tort                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Presentation at the beginning of the course                   | Expression                      |                  |
| 2                                                                                                                                                                                                                                                                                  | Strict Liability Cases                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Turkish Code of Obligations No. 6098                          | Lecture and Discussion          |                  |
| 3                                                                                                                                                                                                                                                                                  | Strict Liability Cases                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Supreme Court Decisions, Turkish Code of Obligations No. 6098 | Lecture, Decision Analysis      |                  |

|    |                                                                                                                   |                                                               |                                   |
|----|-------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------|-----------------------------------|
| 4  | Unjust Enrichment                                                                                                 | Turkish Code of Obligations No. 6098                          | <b>Lecture and Discussion</b>     |
| 5  | Performance of obligations and consequences of non-performance                                                    | Turkish Code of Obligations No. 6098                          | <b>Lecture and Discussion</b>     |
| 6  | Performance of obligations and consequences of non-performance                                                    | Supreme Court Decisions, Turkish Code of Obligations No. 6098 | <b>Lecture, Decision Analysis</b> |
| 7  | Practical Work                                                                                                    | Supreme Court Decisions, Turkish Code of Obligations No. 6098 | <b>Lecture, Case Study</b>        |
| 8  | Midterm Exam                                                                                                      |                                                               |                                   |
| 9  | Midterm Exam                                                                                                      |                                                               |                                   |
| 10 | Culpa in contrahendo and the responsibility of trust                                                              | Turkish Code of Obligations No. 6098                          | <b>Lecture and Discussion</b>     |
| 11 | Special Obligation Relations, Undertaking the Act of the Third Party, Contract for the Benefit of the Third Party | Turkish Code of Obligations No. 6098                          | <b>Lecture and Discussion</b>     |
| 12 | Joint Indebtedness, Joint Creditor                                                                                | Supreme Court Decisions, Turkish Code of Obligations No. 6098 | <b>Lecture, Decision Analysis</b> |
| 13 | Contingent Debts, Penal Clause, Withdrawal Money                                                                  | Turkish Code of Obligations No. 6098                          | <b>Lecture and Discussion</b>     |
| 14 | Change of parties in debt relations, transfer of receivables                                                      | Turkish Code of Obligations No. 6098                          | <b>Lecture and Discussion</b>     |
| 15 | Assumption of debt                                                                                                | Turkish Code of Obligations No. 6098                          | <b>Lecture and Discussion</b>     |
| 16 | Practical Work                                                                                                    | Supreme Court Decisions, Turkish Code of Obligations No. 6098 | <b>Lecture, Case Study</b>        |
| 17 | Final Exam                                                                                                        |                                                               |                                   |
| 18 | Final Exam                                                                                                        |                                                               |                                   |

#### Course Resources

##### Textbook:

##### Recommended Reading:

Kemal Oğuzman/Turgut Öz, Law of Obligations General Provisions  
 H. Nami Nomer, Law of Obligations General Provisions  
 Fikret Eren, Law of Obligations General Provisions

#### Course Assessment and Evaluation

| Events       | Number | Contribution | Notes |
|--------------|--------|--------------|-------|
| Midterm Exam | 1      | %40          |       |
| Project      |        |              |       |
| Homework     |        |              |       |
| Presentation |        |              |       |
| Portfolio    |        |              |       |
| Finale       | 1      | %60          |       |

#### ECTS Table

| Content         | Number | Hour | Sum |
|-----------------|--------|------|-----|
| Course duration | 14     | 3    | 42  |

|                                                                 |    |    |      |
|-----------------------------------------------------------------|----|----|------|
| Out-of-Class Work                                               | 14 | 4  | 56   |
| Assignments                                                     |    |    |      |
| Presentation                                                    |    |    |      |
| Project                                                         |    |    |      |
| Midterm Exam (Midterm Exam Duration + Midterm Exam Preparation) | 1  | 20 | 20   |
| Final Exam (Final Exam Duration + Final Exam Preparation)       | 1  | 30 | 30   |
| Sum:                                                            |    |    | 148  |
| Total of 30:                                                    |    |    | 4,93 |
| ECTS Credits:                                                   |    |    | 5    |

### Past Achievements

2024-2025 Bahar Yarıyılı  
LAW242 Borçlar Hukuku Genel Hükümler

