

Communiqué on the Implementation Principles of the Article on the Liquidation of Debts Under 2,000-TL Subject to Enforcement Proceedings

25/01/2023

The Law on Amending the Income Tax Law and Other Laws and Decrees has been published in the Official Gazette dated 9 November 2022 and in the Provisional Article 2; it has been regulated that in the case of receivables subject to enforcement proceedings, which the enforcement amount is 2,000 Turkish lira or less, or which the enforcement amount is less than 2,000 Turkish lira as of 15.08.2022, if the creditors waive their receivables and discharge the enforcement proceedings, these receivables will be deemed as worthless receivables within the scope of Tax Procedural Law (“**TPL**”), and additionally, in case of waiving their receivables, enterprises that are liable to pay treasury share will deduct 18% of the enforcement amount and enterprises that are liable to pay universal service contribution structure will deduct 1% of the enforcement amount from the contribution fee. A communiqué on the procedures and principles regarding the implementation of the said article was published in the Official Gazette dated today. In the Communiqué, it is stated that the creditor will send a waiver request in the files in enforcement offices and this request will be accepted or rejected by the enforcement officer considering the 2,000-TL limit, and in case of acceptance, a document will be issued stating that it is closed due to waiver in accordance with the Provisional Article 2 of the Law. In addition, it has been regulated that the necessary screens will be created in the UYAP system within one week from the publication of the communiqué.