

TÜRKİYE BÜYÜK MİLLET MECLİSİ BAŞKANLIĞINA

2/5018, 2/5001, 2/5002, 2/4986, 2/4974, 2/4932, 2/4923, 2/4861, 2/4862, 2/4842, 2/4817, 2/4798, 2/4788, 2/4791, 2/4771, 2/4748, 2/4730, 2/4701, 2/4681, 2/4668, 2/4669, 2/4621, 2/4617, 2/4606, 2/4567, 2/4568, 2/4547, 2/4541, 2/4542, 2/4543, 2/4522, 2/4513, 2/4494, 2/4481, 2/4482, 2/4463, 2/4464, 2/4456, 2/4437, 2/4413, 2/4361, 2/4341, 2/4308, 2/4285, 2/4286, 2/4287, 2/4280, 2/4272, 2/4262, 2/4261, 2/4234, 2/4235, 2/4236, 2/4213, 2/4219, 2/4196, 2/4189, 2/4174, 2/4175, 2/4176, 2/4168, 2/4154, 2/4155, 2/4149, 2/4107, 2/4110, 2/4103, 2/4094, 2/4095, 2/4085, 2/4086, 2/4064, 2/4057, 2/4035, 2/4036, 2/4037, 2/4008, 2/3997, 2/3970, 2/3856, 2/3837, 2/3838, 2/3839, 2/3828, 2/3829, 2/3819, 2/3820, 2/3817, 2/3797, 2/3796, 2/3765, 2/3736, 2/3731, 2/3703, 2/3589, 2/3584, 2/3548, 2/3531, 2/3532, 2/3472, 2/3473, 2/3451, 2/3440, 2/3414, 2/3381, 2/3382, 2/3377, 2/3375, 2/3358, 2/3341, 2/3320, 2/3286, 2/3257, 2/3220, 2/3109, 2/3102, 2/3103, 2/3079, 2/3075, 2/3076, 2/2988, 2/2914, 2/2911, 2/2912, 2/2894, 2/2897, 2/2936, 2/2891, 2/2863, 2/2864, 2/2865, 2/2851, 2/2852, 2/2853, 2/2831, 2/2798, 2/2627, 2/2577, 2/2574, 2/2564, 2/2559, 2/2540, 2/2541, 2/2531, 2/2532, 2/2493, 2/2474, 2/2470, 2/2446, 2/2449, 2/2426, 2/2437, 2/2398, 2/2387, 2/2367, 2/2263, 2/2239, 2/2211, 2/2210, 2/2185, 2/2186, 2/2181, 2/2182, 2/2183, 2/2160, 2/2161, 2/2162, 2/2145, 2/2136, 2/2099, 2/2059, 2/1994, 2/1983, 2/1989, 2/1977, 2/1913, 2/1906, 2/1812, 2/1769, 2/1737, 2/1742, 2/1717, 2/1720, 2/1721, 2/1711, 2/1627, 2/1628, 2/1629, 2/1656, 2/1658, 2/1619, 2/1620, 2/1604, 2/1690, 2/1691, 2/1633, 2/1679, 2/1559, 2/1558, 2/1528, 2/1498, 2/1420, 2/1403, 2/1404, 2/1378, 2/1349, 2/1373, 2/1304, 2/1307, 2/1309, 2/1311, 2/1292, 2/1272, 2/1273, 2/1250, 2/1184, 2/1156, 2/1142, 2/1145, 2/1112, 2/1115, 2/968, 2/1083, 2/1056, 2/1057, 2/1026, 2/1027, 2/1013, 2/1004, 2/996, 2/997, 2/989, 2/916, 2/866, 2/778, 2/451, 2/695, 2/722, 2/448, 2/449, 2/450, 2/453, 2/457, 2/458, 2/502, 2/697, 2/564, 2/584, 2/459, 2/461, 2/474, 2/611, 2/490, 2/504, 2/553, 2/690, 2/565, 2/582, 2/596, 2/600, 2/477, 2/659, 2/493, 2/649, 2/657, 2/682, 2/693, 2/705, 2/462, 2/469, 2/614, 2/495, 2/660, 2/526, 2/696, 2/566, 2/576, 2/723, 2/599, 2/470, 2/471, 2/608, 2/616, 2/632, 2/663, 2/534, 2/704, 2/726, 2/464, 2/617, 2/483, 2/485, 2/629, 2/531, 2/672, 2/540, 2/554, 2/572, 2/472, 2/613, 2/624, 2/625, 2/498, 2/671, 2/537, 2/692, 2/561, 2/714, 2/456, 2/594, 2/482, 2/488, 2/627, 2/497, 2/500, 2/539, 2/557, 2/563, 2/597, 2/601, 2/618, 2/619, 2/626, 2/630, 2/507, 2/536, 2/677, 2/701, 2/466, 2/621, 2/496, 2/637, 2/645, 2/510, 2/542, 2/684, 2/703, 2/569, 2/468, 2/508, 2/512, 2/648, 2/514, 2/650, 2/658, 2/680, 2/550, 2/571, 2/605, 2/607, 2/499, 2/511, 2/515, 2/651, 2/517, 2/662, 2/552, 2/709, 2/476, 2/636, 2/501, 2/639, 2/653, 2/519, 2/656, 2/664, 2/698, 2/574, 2/612, 2/479, 2/615, 2/638, 2/522, 2/525, 2/528, 2/529, 2/530, 2/706, 2/460, 2/463, 2/473, 2/487, 2/635, 2/527, 2/667, 2/668, 2/532, 2/670, 2/452, 2/610, 2/634, 2/505, 2/506, 2/643, 2/665, 2/669, 2/674, 2/538, 2/454, 2/455, 2/642, 2/509, 2/533, 2/676, 2/541, 2/679, 2/567, 2/577, 2/465, 2/602, 2/644, 2/646, 2/673, 2/543, 2/544, 2/547, 2/715, 2/592, 2/593, 2/641, 2/647, 2/681, 2/549, 2/699, 2/579, 2/717, 2/581, 2/583, 2/595, 2/598, 2/513, 2/516, 2/518, 2/686, 2/687, 2/691, 2/707, 2/719, 2/467, 2/652, 2/655, 2/688, 2/555, 2/556, 2/694, 2/558, 2/710, 2/721, 2/603, 2/604, 2/654, 2/521, 2/524, 2/559, 2/562, 2/712, 2/586, 2/587, 2/606, 2/523, 2/666, 2/675, 2/700, 2/708, 2/711, 2/578, 2/580, 2/724, 2/475, 2/478, 2/631, 2/661, 2/535, 2/678, 2/545, 2/702, 2/720, 2/589, 2/609, 2/480, 2/633, 2/546, 2/683, 2/548, 2/560, 2/568, 2/570, 2/588, 2/481, 2/484, 2/486, 2/492, 2/685, 2/573, 2/575, 2/716, 2/585, 2/591, 2/620, 2/622, 2/623, 2/520, 2/551, 2/689, 2/713, 2/718, 2/725, 2/590, 2/489, 2/491, 2/628, 2/494, 2/503, 2/640, 2/1096

Esas numaralı kanun tekliflerimin, TBMM İç Tüzüğü'nün 77. Maddesinin 1. Fıkrası uyarınca
28. Yasama Döneminde yenilenmesini arz ve talep ederim. **07.06.2023**

Av.Mahmut Tanal
Şanlıurfa Milletvekili

TBMM BAŞKANLIĞI	
Tali Komisyon	Sağlık, Aile, Çalışma ve Sosyal İşler Komisyonu
Esas Komisyon	Adalet Komisyonu
Tarih: 19 Haziran 2023	Esas No: 2 /945

T B M M KANUNLAR ve KARARLAR BSK.LİĞİ
0 8 Haziran 2023
Numara:

T B M M GENEL EVRAK
0 8 Haziran 2023
No: 1226586



Av. Mahmut TANAL
İstanbul Milletvekili
İnsan Haklarını İnceleme Komisyonu Üyesi

TÜRKİYE BÜYÜK MİLLET MECLİSİ BAŞKANLIĞINA

2/2300, 2/2292, 2/2248, 2/2247, 2/2222, 2/2221, 2/2219, 2/2185, 2/2139, 2/2133, 2/2109, 2/2105, 2/2104, 2/2095, 2/2090, 2/2046, 2/2026, 2/2020, 2/2019, 2/2018, 2/2017, 2/2015, 2/2012, 2/2006, 2/2005, 2/1993, 2/1992, 2/1991, 2/1983, 2/1982, 2/1980, 2/1979, 2/1976, 2/1975, 2/1974, 2/1973, 2/1972, 2/1971, 2/1960, 2/1959, 2/1953, 2/1952, 2/1951, 2/1943, 2/1942, 2/1939, 2/1935, 2/1934, 2/1928, 2/1927, 2/1925, 2/1922, 2/1915, 2/1911, 2/1910, 2/1909, 2/1908, 2/1899, 2/1897, 2/1892, 2/1891, 2/1890, 2/1883, 2/1882, 2/1878, 2/1876, 2/1874, 2/1871, 2/1867, 2/1866, 2/1865, 2/1855, 2/1853, 2/1852, 2/1848, 2/1847, 2/1846, 2/1845, 2/1844, 2/1843, 2/1842, 2/1841, 2/1840, 2/1839, 2/1824, 2/1818, 2/1816, 2/1815, 2/1804, 2/1803, 2/1797, 2/1796, 2/1795, 2/1794, 2/1792, 2/1791, 2/1790, 2/1789, 2/1788, 2/1775, 2/1761, 2/1749, 2/1745, 2/1740, 2/1736, 2/1730, 2/1721, 2/1680, 2/1661, 2/1655, 2/1646, 2/1645, 2/1635, 2/1630, 2/1627, 2/1621, 2/1591, 2/1577, 2/1565, 2/1555, 2/1549, 2/1548, 2/1539, 2/1526, 2/1522, 2/1521, 2/1503, 2/1494, 2/1493, 2/1490, 2/1442, 2/1404, 2/1403, 2/1394, 2/1374, 2/1373, 2/1372, 2/1371, 2/1342, 2/1338, 2/1333, 2/1326, 2/1264, 2/1239, 2/1228, 2/1227, 2/1226, 2/1219, 2/1209, 2/1193, 2/1083, 2/1066, 2/1062, 2/1035, 2/1030, 2/1029, 2/1013, 2/1012, 2/1011, 2/1010, 2/1009, 2/996, 2/984, 2/982, 2/981, 2/976, 2/973, 2/972, 2/970, 2/969, 2/963, 2/961, 2/959, 2/957, 2/956, 2/954, 2/943, 2/898, 2/897, 2/885, 2/882, 2/872, 2/857, 2/851, 2/837, 2/812, 2/749, 2/746, 2/727, 2/725, 2/724, 2/718, 2/711, 2/699, 2/698, 2/697, 2/679, 2/670, 2/645, 2/644, 2/643, 2/642, 2/640, 2/639, 2/635, 2/634, 2/611, 2/610, 2/607, 2/606, 2/605, 2/596, 2/595, 2/568, 2/567, 2/566, 2/563, 2/560, 2/537, 2/536, 2/535, 2/508, 2/507, 2/506, 2/491, 2/488, 2/487, 2/481, 2/480, 2/472, 2/436, 2/413, 2/412, 2/399, 2/396, 2/386, 2/379, 2/375, 2/374, 2/373, 2/369, 2/368, 2/339, 2/337, 2/336, 2/335, 2/334, 2/333, 2/332, 2/322, 2/309, 2/304, 2/303, 2/302, 2/301, 2/300, 2/299, 2/298, 2/297, 2/292, 2/291, 2/237, 2/236, 2/233, 2/231, 2/230, 2/229, 2/227, 2/226, 2/225, 2/224, 2/218, 2/132, 2/131, 2/130, 2/129, 2/128, 2/49, 2/26 Esas Numaralı Kanun Tekliflerimin, İç Tüzüğün 77. Maddesinin 1. Fıkrası uyarınca 27. Yeni yasama döneminde yenilenmesini arz ve talep ederim.

Av. Mahmut Tanal
İstanbul Milletvekili

TBMM BAŞKANLIĞI	
Tali Komisyon/lar	Sağlık, Aile, Çalışma ve Sosyal İşler
Esas Komisyon	Adalet
Tarih:01.10.2018	Esas No:482

TBMM	
KANUNLAR ve KARARLAR BŞK.LİĞİ	
09	Temmuz 2018
Numara:	

313051



T.B.M.M.
CUMHURİYET HALK PARTİSİ
Grup Başkanlığı
Tarih: 30.11.2017
Sayı: 1583

TÜRKİYE BÜYÜK MİLLET MECLİSİ BAŞKANLIĞI'NA

2004 sayılı İcra ve İflas Kanununda değişiklik yapılmasına ilişkin kanun teklifi ve gerekçesi ekte sunulmuştur. 22/11/2017

Gereğini saygılarımla arz ederim.

Av. Mahmut TANAL
İstanbul Milletvekili

T.B.M.M. BAŞKANLIĞI	
Tali Komisyon	Sağlık, Aile, Gelişme ve Sosyal İşler
Esas Komisyon	Adalet
Tarih:	11 Aralık 2017
Esas No:	2/1974



TBMM KANUNLAR ve KARARLAR BÖLÜMÜ
01 Aralık 2017
Numara:

TBMM GENEL MÜDÜR
01 Aralık 2017
No. 191728

191728
191728

GEREKÇE

Engelli vatandaşlarımız için hayatlarının bir parçası halinde olan onlara özgül n m   tıbbi cihaz, ara ve gereler engelli kimsenin borlu olması durumunda, haczi m mk n olmaktadır.  nk  2004 sayılı İcra İflas Kanunu 82'inci maddesinde, haczi kabil olmayan mallar sınırlı sayıda belirtilerek tek tek sayılmış ve  rnekleme yoluna gidilmemi tir. Ayrıca, engelli vatandaşlarımızın tıbbi cihazları ve ara ve gerelerine ilişkin hibir d zenlemeye yer verilmemi tir.

Engelli vatandaşlarımızın borlu olması halinde yaşadıkları evde kendi hayatlarını kolayla tıran makine, tehizat ve gerelerinde haczinin kabil olmaması gerekir. Bir  rnekle ifade etmeye alı ılırsa, ama ır makinesi haczi kabil bir geretir. Ancak borlu engelli ise, bu halde bu ama ır makinesinin alacaklı/vekili tarafından haciz edilmesi halinde, borlu m   il durumda kalacaktır. Bu sebeple engelli vatandaşlarımız lehine onların zaruri ihtiyaları olan ara gerelerin haczi kabil olmayan mallar arasında sayılması ve haciz sebebiyle ya anacak mağduriyetlerin  n ne geilmesi gerekmektedir.



MADDE GEREKÇELERİ

MADDE-1 2004 sayılı İcra ve İflas Kanunu 82'inci maddesine yeni bir fıkra eklenerek, engelli borçluların kendisi ve ailesinin yaşamının zorlaştırılmaması bakımından gerekli olan eşyalar haczedilebilir mallar arasından çıkarılarak, engelli vatandaşların ve ailelerinin haciz sebebiyle yaşadıkları müşkil durumun engellenmesi amaçlanmıştır.

MADDE-2 Yürürlük maddesidir.

MADDE-3 Yürütme maddesidir.



2004 SAYILI İCRA VE İFLAS KANUNUNDA DEĞİŞİKLİK YAPILMASINA İLİŞKİN KANUN TEKLİFİ

MADDE-1 2004 sayılı İcra ve İflas Kanunu 82'inci maddesine aşağıdaki fıkra eklenmiştir.

“Borçlunun engelli olması halinde kendisine özgülenmiş tıbbi cihaz, araç ve gereçler ile engelli borçlunun günlük hayatını kolaylaştıran her türlü araç ve gereç. Borçlunun aynı konutta birlikte yaşadığı aile bireylerinden birinin engelli olması halinde, onun kullanımına özgülenmiş tıbbi cihaz, araç ve gereçler ile gündelik hayatını kolaylaştıran her türlü araç ve gereç.”

MADDE 2- Bu kanun yayımı tarihinde yürürlüğe girer.

MADDE 3- Bu kanun hükümlerini Bakanlar Kurulu yürütür.

