

WEEKLY UPDATES ON COMPANY LAW ,SEBI AND RBI

Week 22 - May 28- June 03, 2018

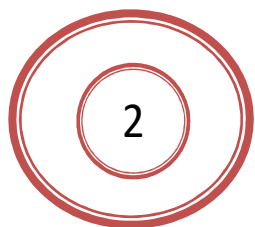
1

Companies Act 2013 during the week

Rules - 0; Circulars - 1; Notifications – 0; Orders- 0; Important Notices - 0

S.No	Date of Issue	Rules/Circular/ Notification/order	Contents thereof	Gist thereof
1	28.05.2017	Circular	General Circular regarding Clarification with regard to provisions under section 135 (5) of the Companies Act, 2013.	It has been clarified that for the purpose of spending under CSR activities preference should be given for local area and areas around where the company operates.

S.No.	GENERAL IMPORTANT NOTICES	Remarks
	-	-



SEBI during the week

Act -0; Rules -0 ; Regulations-0; General Orders – 0; Guidelines- 0;

Master Circulars-0; Circulars – 2; Press Release –0; Others - 0

S.No	Date of Issue	Act/rules/circulars..	Subject & Link	Gist thereof
1	30.05.2018	Circular	Enhanced Disclosure and Transparency Norms for Credit Rating Agencies	<ol style="list-style-type: none"> 1. To ensure transparency review of rating requested by an issuer will be provided to its instruments by CRA's and it has to be reviewed by Rating committee which consist of member who do not have any pecuniary relationship with CRA's or any of its employees. 2. Rating that are not accepted by an issuer will disclosed on the website of CRA's as non-accepted ratings for a period of 12 months. 3. Half yearly disclosure of rating action taken during the year shall be uploaded in the CRA website within 15 days from the end of half year.

				<p>4. Format of disclosure requirement has been modified.</p> <p>5. List of defaults for each rating category needs disclosure on half yearly basis.</p> <p>6. Compliance by CRA in this regard shall be verified during internal audit.</p>
2	28.05.2018	Circular	System-driven Disclosures in Securities Market	<p>System driven disclosures in the securities market has been introduced in the Circular dated 01.12.2015 and it has been streamlined in the circular dated 21.12.2016 to implement the system in phases.</p> <p>First Phase(already implemented) – Disclosures of promoters / Promoters group under SEBI SAST Regulation and SEBI Prohibition of Insiders trading (PIT) Regulations have been implemented.</p> <p>Next phase (To be effective now) – Additional disclosure of non-promoters under SAST Regulation and disclosures of Directors and employees of the Company under PIT Regulations is now being proposed and the procedure for the same has been provided. In this regard CEO and two level below CEO shall be deemed as employees for this purpose.</p> <p>It is not applicable for Scheduled commercial Bank and Public Financial Institution.</p> <p>To ensure compliance of these disclosures the</p>

				depositories and stock exchanges has to make necessary arrangements.
--	--	--	--	--



RBI during the week

Notifications -1; Master Directions –0; Master Circulars – 0; Circular - 0; Press Release - 0

S.No	Date of Issue	Notifications/Master Directors/Master Circulars	Subject & Link	Gist thereof
1	31.05.2018	Notification	Withdrawal of Exemptions Granted to Government Owned NBFCs	<p>1. Government owned Companies registered with RBI as NBFC's are exempted from the following regulatory and statutory provisions:</p> <p>(i) Maintenance of percentage of assets (u/s 45 IB) and creating of Reserve funds (u/s 45 IC) under RBI act</p> <p>(ii) In the Master Direction - Non-Banking Financial Company - Systemically Important Non-Deposit taking Company and Deposit taking Company (Reserve Bank) Directions,</p>

				<p>2016 and in the Master Direction - Non-Banking Financial Company - Non-Systemically Important Non-Deposit taking Company (Reserve Bank) Directions, 2016 (except provisions contained in paragraph 23 of these Directions) which Regulating the Non deposit taking NBFC's from conducting the business in a manner that cause harm to public interest.</p> <p>(iii) In the Master Direction - Non-Banking Financial Companies Acceptance of Public Deposits (Reserve Bank) Directions, 2016 that enable the banks to regulate the credit system except the provisions mentioned in the said master directions paragraph 36 (Copies of balance sheet and accounts together with the Directors' report and notes on accounts to be furnished to the Bank), 37 (Information with respect to change of address, directors, auditors, etc. to be submitted) and 41 (Reporting Requirements).</p> <p>2. NBFC Regulations will be</p>
--	--	--	--	--

				<p>applicable to all Government NBFC's as per timeline prescribed.</p> <p>3. The following Master Directions have been updated regarding the exemption of provisions from RBI Act 1934:</p> <ul style="list-style-type: none"> i) Non-Banking Financial Company - Non-Systemically Important Non-Deposit taking Company (Reserve Bank) Directions, 2016, ii) Non-Banking Financial Company - Systemically Important Non-Deposit taking Company and Deposit taking Company (Reserve Bank) Directions, 2016 and iii) Non-Banking Financial Companies Acceptance of Public Deposits (Reserve Bank) Directions, 2016
--	--	--	--	---



Flat No.7, Door No.10 Madhans,
South Canal Bank Road,
Mandavelipakkam Chennai 600028.
mail@akshayamcorporate.com

www.akshayamcorporate.com;Land Line:044-43533080

The Information Contained herein is of general nature and is not intended to address the circumstances of any particular individual or entity. The views expressed here are solely those of the author in his private capacity.