

**WEEKLY UPDATES ON COMPANY LAW, SEBI, RBI AND IBC**

**Week 43–October 18<sup>th</sup> 2021 to October 23<sup>rd</sup> 2021**

**1**

**Companies Act 2013 during the week**

**Rules -0; Circulars - 0; Notifications-0; Orders-0; Important Notices -0**

S. No	Date of Issue	Rules/Circular/ Notification/Order	Contents thereof	Gist thereof
NIL				

S. No	NEWS ON MCA
NIL	

2

**SEBI during the week**

**Act -0; Rules -0;Circulars–2;Press Release-0; General Orders – 0; Guidelines- 0**

S. No	Date of Issue	Act/rules/circulars	Subject & Link	Gist thereof
1	18/10/2021	Circular	<b>Transmission of Securities to Joint Holder(s)</b> <a href="https://www.sebi.gov.in/legal/circulars/oct-2021/transmission-of-securities-to-joint-holder-s-53313.html">https://www.sebi.gov.in/legal/circulars/oct-2021/transmission-of-securities-to-joint-holder-s-53313.html</a>	Vide this circular SEBI has advised the Registrars to an Issue & Share Transfer Agents (RTAs) to comply with the norms pertaining to transmission of securities to joint holders(s) as per the Companies Act 2013 and to transmit securities in favour of surviving Joint holder(s), in the event of demise of one or more joint holder(s), provided that there is nothing contrary to the same in the Article of Association of the company.

2	21/10/2021	Circulars	<p><b>Modalities for filing of placement memorandum through a Merchant Banker under SEBI (Alternative Investment Funds) Regulations, 2012</b></p> <p><a href="https://www.sebi.gov.in/legal/circulars/oct-2021/modalities-for-filing-of-placement-memorandum-through-a-merchant-banker-under-sebi-alternative-investment-funds-regulations-2012_53379.html">https://www.sebi.gov.in/legal/circulars/oct-2021/modalities-for-filing-of-placement-memorandum-through-a-merchant-banker-under-sebi-alternative-investment-funds-regulations-2012_53379.html</a></p>	<p>As per existing provisions, Alternative Investment Funds (AIFs) can launch schemes subject to filing of placement memorandum with SEBI through a SEBI registered Merchant Banker. In this regard SEBI has now announced that</p> <p>a) Merchant Banker should provide a due diligence certificate after verifying veracity and adequacy of the disclosures and should be submitted along with draft memorandum</p> <p>b) AIFs should intimate SEBI regarding any changes in terms of placement memorandum on a consolidated basis, within one month of the end of each financial year. Such intimation shall also be submitted through a Merchant Banker, along with the due diligence certificate provided by the Merchant Banker.</p>
---	------------	-----------	--	--

S. No	NEWS ON SEBI
1	<p>SEBI noted that some registered Investment Advisers are engaged in unregulated activity by providing platform for buying/ selling/ dealing in unregulated products including digital gold which is not in accordance with the provisions of the SEBI Act, 1992. Investment Advisers should refrain from undertaking such unregulated activities. Any dealing in unregulated activities by Investment Advisers may entail action as deemed appropriate under the SEBI Act, 1992</p>
2	<p>Markets regulator SEBI tweaked the framework pertaining to investor grievance redressal system and arbitration mechanism at stock exchanges. The new framework will come into effect from January 1, 2022, the Securities and Exchange Board of India (SEBI) said in a circular. The decision, aimed at further enhancing the effectiveness of investor grievance redressal and arbitration mechanism, has been taken after receiving feedback from the stock exchanges. Under the new framework, SEBI said forming of exclusive panel for appellate arbitration is not required and members can serve on both the panels — arbitration and appellate arbitration. However, the exchanges will have to ensure that in the same matter, the members of arbitration panel are not considered for constituting the appellate arbitration panel if the matter goes to appeal.</p>

3

**RBI during the week**

**Notifications -1; Master Directions –0; Master Circulars –0; Circular -0;**

S. No	Date of Issue	Notifications/Master Directions/Master Circulars	Subject & Link	Gist thereof
1	22/10/2021	Notification	<p><b>Scale Based Regulation (SBR): A Revised Regulatory Framework for NBFCs</b></p> <p><a href="https://www.rbi.org.in/Scripts/NotificationUser.aspx?Id=12179&amp;Mode=0">https://www.rbi.org.in/Scripts/NotificationUser.aspx?Id=12179&amp;Mode=0</a></p>	<p>According to the RBI's new guidelines, the regulatory structure will have four layers based on their size, activity, and perceived riskiness. NBFCs, in the lowest layer, will be known as NBFC-Base Layer. NBFCs in the middle layer and the upper layer will be known as NBFC-Middle Layer and NBFC-Upper Layer, respectively. The Top Layer is ideally expected to be empty and will be known as NBFC-Top Layer.</p> <p>The new-age NBFCs, especially the P2P and accounts aggregator, will come under</p>

			<p>the Base Layer. The Base Layer will have non-deposit taking NBFCs below the asset size of Rs 1,000 crore and NBFCs undertaking activities like peer-to-peer lending, account aggregator and non-operative financial holding company, and NBFCs not availing public funds and not having any customer interface.</p> <p>There shall be a ceiling of ₹1 crore per borrower for financing subscription to Initial Public Offer (IPO). NBFCs can fix more conservative limits.</p> <p>These guidelines shall be effective from October 01, 2022. The instructions relating to ceiling on IPO funding given vide para 3.1(d) of the Annex shall come into effect from April 01, 2022.</p>
--	--	--	---

<b>S. No</b>	<b>NEWS ON RBI</b>



4

**IBC during the week**

**Notifications -0; Master Directions -0; Master Circulars -0; Circular -0;**

S. No	Date of Issue	Notifications/Master Directors/Master Circulars	Subject & Link	Gist thereof
NIL				

S. No	NEWS ON IBC
NIL	

5

**Others during the week**

**NSE-0; BSE-0; DIPP-0; Finance Ministry-0; Others -0;**

S. No	Date of Issue	Rules/Circular/ Notification/Order	Contents thereof	Gist thereof
NIL				





Flat No.7, Door No.10 Madhans,  
South Canal Bank Road,  
Mandavelipakkam, Chennai 600028.

[bhuvana.r@akshayamcorporate.com](mailto:bhuvana.r@akshayamcorporate.com) | [jayanth.v@akshayamcorporate.com](mailto:jayanth.v@akshayamcorporate.com)

[www.akshayamcorporate.com](http://www.akshayamcorporate.com) ;

Mobile: 9789982805 | 9962156708

*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. The News items are taken as is provided in various websites and  
newspapers and the author shall not be held responsible for any of it.*