

WEEKLY UPDATES ON COMPANY LAW, SEBI, RBI AND IBC

Week 50 – 7th December 2020 to 13th December 2020

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

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

S. No	Date of Issue	Act/rules/circulars....	Subject & Link	Gist thereof						
1	09-12-20	Circular	e-Voting Facility Provided by Listed Entities	<p>SEBI vide this circular prescribed the process to be implemented (in 2 phases) to enable e-voting by all the demat account holders, by way of a single login credential, through their demat accounts/websites of Depositories / Depository Participants. Demat account holders would be able to cast their vote without having to register again with the Evoting Service Providers (ESP).</p> <table border="1"> <thead> <tr> <th>Phase</th> <th>Process</th> <th>Timeline</th> </tr> </thead> <tbody> <tr> <td>I</td> <td>Accessing the e-voting page of various ESPs through the websites of the Depositories without further authentication or Accessing various ESP portals directly from Demat accounts</td> <td>6 months</td> </tr> </tbody> </table>	Phase	Process	Timeline	I	Accessing the e-voting page of various ESPs through the websites of the Depositories without further authentication or Accessing various ESP portals directly from Demat accounts	6 months
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				<table border="1"> <tr> <td>II</td> <td>Depository to validate the demat account holder through OTP verification process</td> <td>12 months from the completion of the process in Phase I</td> </tr> </table> <p>SEBI advised all listed companies to notify the above process available to demat account holders for e-voting in the notice sent to the shareholders.</p>	II	Depository to validate the demat account holder through OTP verification process	12 months from the completion of the process in Phase I
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S. No	NEWS ON SEBI
1	SEBI had put up a consultation paper on Review of requirement of Minimum Public Offer for large issuers in terms of Securities Contracts (Regulation) Rules, 1957 on its website on November 20, 2020 seeking comments by December 07, 2020. SEBI extended the timeline for seeking public comments to December 24, 2020
2	SEBI introduced additional payment mechanism, including ASBA, for making subscription and payment of balance money for calls in respect of partly paid securities issued by listed entities. The decision has been taken as payment through Application Supported by Blocked Amount (ASBA) mechanism is investor friendly and enables faster completion of the process, Sebi said in a circular.
3	To prescribe a set of compliance standards for index providers in order to ensure quality and integrity of the indices administered, maintained or calculated by the index providers, a consultation paper has been issued by SEBI inviting public comments.

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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

S. No	NEWS ON RBI
	NIL

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IBC during the week

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

Press Release –0; Others – 0

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

S. No	NEWS ON IBC
1.	<p>Small businesses seek freeze in IBC action to continue</p> <p>Small businesses are seeking an extension of the protection given to them from bankruptcy proceedings for defaults during the pandemic beyond the nine-month period, which expires this month. But experts are divided over the demand, while the government weighs its options. The ministry of corporate affairs and the Insolvency and Bankruptcy Board of India (IBBI) will decide on extending the current suspension of fresh bankruptcy proceedings a few days prior to its expiry on 24 December, said two people with direct knowledge of the matter.</p>

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Others during the week

NSE-0; BSE-0; DIPP-0; Finance Ministry-1; Others -0;

S. No	Date of Issue	Rules/Circular/ Notification/Order	Contents thereof	Gist thereof
1	08-12-2020	Notification	<u>Foreign Exchange Management (Non-debt Instruments) (Fourth Amendment) Rules, 2020.</u>	<p>As per FEMA rules, Government approval is required for investment in entity of a Country, which shares land border with India or the beneficial owner of an investment into India who is situated in or is a citizen of any such country.</p> <p><i>Vide this amendment, Finance Ministry specified that A Multilateral Bank or Fund, of which India is a member, shall not be treated as an entity of a particular country nor shall any country be treated as the beneficial owner of the investments of such Bank or Fund in India.</i></p> <p>Further vide this amendment, Ministry has permitted foreign direct investment (FDI) in defence production up to 74 percent under the automatic route, subject to condition specified in the rules.</p>

S. No	GENERAL NEWS
	NIL
	MSME NEWS
	NIL



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