

## Legal Framework

Here are some important amendments, rules, regulations, circulars, notifications, and press release related to the IBC Ecosystem.

### CIRCULAR

#### 'Temporary Surrender of Professional Membership,' ceases to exist

IBBI through a through a clarification dated April 11, 2022 has said that In view of the provisions relating to 'temporary surrender of professional membership' contained in clause 26 of the Schedule to the IBBI (Model Bye-Laws and Governing Board of Insolvency Professional Agencies) Regulations, 2016, have been substituted vide Notification No. IBBI/2019-20/GN/REG043, dated 23rd July, 2019 (w.e.f. 23-07-2019) and in pursuant to the introduction of provision of 'Authorisation for Assignment', it is clarified that the process of 'Temporary Surrender of Professional Membership,' ceases to exist with issuance of above mentioned notification.

**Source:** <https://ibbi.gov.in/uploads/legalframework/ea6f70f852d6c2ad103efcf5d5b158c8.pdf>

### NOTIFICATION

#### Appointment Of Shri Ravi Mital as Chairperson of IBBI

Ministry of Corporate Affairs 'MCA' in exercise of power conferred u/s 189 of IBC appointed Sh. Ravi Mittal as the Chairperson of Insolvency and Bankruptcy Board of India (IBBI) for a period of Five years or the age of sixty-five years whichever is earlier. Sh. Mittal assumed office from 09th February 2022.

**Source:** <https://ibbi.gov.in/uploads/legalframework/620f27fc08fae95b7a27200a18b15f5a.pdf>

### GUIDELINES

#### IBBI Extends online Educational Course till September 30, 2022

IBBI has extended online educational courses and professional development sessions on IBC till September 30, 2022. With respect to each course, the IPA/RVO is supposed to provide a compliance report to the IBBI within seven days after course completion. Essentially, according to the guidelines issued in July 2020, the records



of every course must be maintained for at least three years.

**Source:** <https://ibbi.gov.in/uploads/legalframework/a3928106022ce5ea0abce2ce87ea7487.pdf>

### PRESS RELEASES

#### IBBI Releases Publication of “Frequently Asked Questions (FAQs) on Insolvency and Bankruptcy Code, 2016”

IBBI in association with the Committee on Insolvency & Bankruptcy Code of ICAI has released a publication titled “Frequently Asked Questions (FAQs) on Insolvency and Bankruptcy Code, 2016”, during the 72nd Annual Function of ICAI on February 4, 2022. This publication is the revised, enriched version of the publication released by ICAI in 2017.

It aims at creating awareness and disseminate knowledge about the Code, in easy-to-understand FAQs format. Further it covers the developments in the Code and subordinate legislation during the period between editions. The book was released in the presence of Dr. Bhagwat Kishanrao Karad, Hon'ble Minister of State for Finance, Government of India who was chief guest at the function.

**Source:** IBBI Press Release No. IBBI/PR/2022/09 dated 07th February 2022

#### IBBI signed Memorandum of Understanding (MoU) with Indian Banks Association (IBA)

IBBI and IBA on March 04, 2022, signed an MoU to collaborate in conducting awareness and capacity building programs, primarily for financial creditors, on topics related to insolvency, bankruptcy, and other related subjects, at a workshop on “Committee of Creditors: An

## UPDATES

Institution of Public Faith” organised jointly by IBBI, SBI and IBA at New Delhi.

The MOU has been signed by Mr. Amit Pradhan (Executive Director, IBBI) and Mr. Sunil Mehta (Chief Executive, IBA).

**Source:** IBBI Press Release No. IBBI/PR/2022/12 dated 04th March 2022

### IBBI Publishes Syllabus, Format, Frequency and Other Details of Valuation Examinations

IBBI vide its press release dated March 31, 2022, has published the syllabus and format of the 'Valuation Examinations' to be conducted from July 01, 2022, for the three asset classes i.e., Land and Building, Plant and Machinery, & Securities or Financial Assets.

The examinations of all three class will be conducted online (computer-based in a proctored environment) with objective multiple-choice questions and will be conducted on every working day. The Press release includes syllabus, details of topics covered and weightage of each topic in the examination.

**Source:** IBBI Press Release No. IBBI/PR/2022/14 dated 31st March 2022


### IBBI amends the IBBI (Voluntary Liquidation Process) Regulations, 2017

The IBBI with an objective to expedite the Voluntary

Liquidation Process under the IBC has amended the IBBI (Liquidation Process) Regulations, 2017. The Amendment Regulations modify timelines for some stipulated activities undertaken during the process as under:

- The liquidator shall prepare the list of stakeholders within fifteen days (against the previously stipulated forty-five days) from the last date for receipt of claims, where no claim from creditors has been received till the last date for receipt of claims.
- The liquidator shall distribute the proceeds from realization within thirty days (against the previously stipulated six months) from the receipt of the amount to the stakeholders.
- It has been further provided that the liquidator shall endeavour to complete the liquidation process of the corporate person within two hundred and seventy days from the liquidation commencement date, where the creditors have approved the resolution under section 59(3)(c) or regulation 3(1)(c), and ninety days from the liquidation commencement date in all other cases (against the previously stipulated 12 months in all situations).

**Source:** [https://ibbi.gov.in/uploads/press/b\\_82d135ca92a7dfac6399146ef68634d.pdf](https://ibbi.gov.in/uploads/press/b_82d135ca92a7dfac6399146ef68634d.pdf)



## Indian Institute of Insolvency Professionals of ICAI

(Company formed by ICAI as per Section 8 of the Companies Act 2013)

### EXECUTIVE DEVELOPMENT PROGRAM (For IPs)


### MASTERING “AVOIDANCE/PUFF FORENSICS” UNDER IBC

CPE: 12 Hours

Mode: Virtual

Limited Seats

Duration: 18 Hours (over 3 days)



FORENSICS

Fee: Rs. 6000/- +Taxes

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