

## **Insolvency and Bankruptcy Board of India**

No. IBBI/PR/2022/20

06<sup>th</sup> May, 2022

### **Press Release**

#### **Insolvency and Bankruptcy Board of India amends the Insolvency and Bankruptcy Board of India (Liquidation Process) Regulations, 2016**

The Insolvency and Bankruptcy Board of India (Board) notified the Insolvency and Bankruptcy Board of India (Liquidation Process) (Amendment) Regulations, 2022 (Amendment Regulations 2022) on 28<sup>th</sup> April, 2022.

2. On 25<sup>th</sup> July, 2019, the Board had notified the Insolvency and Bankruptcy Board of India (Liquidation Process) (Amendment) Regulations, 2019 (Amendment Regulations 2019) which amended regulations 2(1), 4, 12(2), 16, 35(2), 42(2), 44, 45(3), Schedule I and Schedule II and inserted regulations 2A, 2B, 21A, 31A, 32A and 47 of the Insolvency and Bankruptcy Board of India (Liquidation Process) Regulations, 2016. Subsequently on 26<sup>th</sup> August, 2019, the Board had issued a Circular clarifying that the provisions of the Amendment Regulations 2019 are applicable only to liquidation processes, which commenced on or after 25<sup>th</sup> July, 2019.

3. The Board has conducted *de novo* examination of Amendment Regulations 2019 and the Circular dated 26<sup>th</sup> August, 2019 in light of the evolving jurisprudence. In this regard, the Amendment Regulations 2022 provide that regulations 2A (Contributions to liquidation costs), 21A (Presumption of security interest) and 31A (Stakeholders' consultation committee), and amendment of regulation 44 (Specifying reduced time for completion of liquidation process) as inserted / amended by the Amendment Regulations 2019 shall apply only to the liquidation processes commencing on or after the date of the commencement of the Amendment Regulations 2019.

4. Consequently, the instant Circular is being withdrawn. These are available at [www.mca.gov.in](http://www.mca.gov.in) and [www.ibbi.gov.in](http://www.ibbi.gov.in).

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