

Commencement notification

Notification of sections under Companies (Amendment) Act, 2017

In reference to Commencement notification dated May 07, 2018, June 21, 2018 and July 05, 2018 the Ministry of Corporate Affairs has notified the following Sections of the Companies (Amendment) Act, 2017:

1. May 07, 2018: **S.O. 1833(E).—In exercise of the Power conferred by Sub-Section (2) of Section 1 of the Companies (Amendment) Act, 2017 (1 of 2018), the Central Government hereby appoints the 7th May, 2018 as the date on which the following provisions of the said Act shall come into force, namely:-**

#	Section of Companies Amendment Act, 2017	Amended Sections of Companies Act, 2013	Particulars
1	Clause (i) and clause (xiii) of section 2;	Clause (6)	Definitions
2	Section 8;	Section 26	Matters to be stated in prospectus
3	Section 13;	Section 54	Issue of sweat equity shares
4	Sections 18 and 19;	Section 77 & 78	Duty to Register of charges, etc. and Application for Registration of charge
5	Clauses (i) and (ii) of section 21;	Section 89 (6) & (7)	Declaration in respect of Beneficial Interest in any share
6	Clauses (iii) and (iv) of section 23;	Section 92	Annual return
7	Section 30 and 31;	Section 117	Resolutions and Agreements to be filed
		121	Report on Annual General meeting
8	Section 33;	129	Financial Statement
9	Section 39 and 40;	137	Copy of financial statement to be filed with registrar
		139	Appointment of Auditors
10	Section 46;	149	Company to have Board of Directors
11	Section 49;	157	Company to inform DIN to registrar
12	Section 52;	164	Disqualification for appointment of Directors
13	Sections 54 to 58 (both inclusive);	167	Vacation of office of Directors
		168	Resignation of Director
		173	Meetings of Board

		177	Audit Committee
		178	Nomination and Remuneration Committee and Stakeholders Relationship committee
14	Sections 61 and 62;	185	Loan to Directors, etc.
		186	Loan and Investment by company
15	First Proviso to clause (i) of section 80 a	403	Fee for filing etc.
16	Section 83	410	Constitution of appellate tribunal
		435	Establishments of special courts
17	Sections 86 to 89 (both inclusive).	438	Application of code to proceedings before special court
		439	Offences to be non-cognizable
		440	Transitional Provisions

Notification Link:-

http://www.mca.gov.in/Ministry/pdf/CompaniesAmendmentNoti_07052018.pdf

2. June 13, 2018: **S.O. 2422(E).—In exercise of the Power conferred by Sub-Section (2) of Section 1 of the Companies (Amendment) Act, 2017 (1 of 2018), the Central Government hereby appoints the June 13, 2018 as the date on which the following provisions of the said Act shall come into force, namely:-**

#	Section of Companies Amendment Act, 2017	Amended Sections of Companies Act, 2013	Particulars
1	22	90	Register of Significant beneficial Owners in a Company
2	24	93	Return to be filed with Registrar in case of promoter stake changes
3	25	94	Place of keeping and inspection of registers and returns etc.
4	26	96	Annual General Meeting
5	71	216	Investigation of ownership of Company

Notification Link:-

http://www.mca.gov.in/Ministry/pdf/CommNotificatio1306_14062018.pdf

3. June 21, 2018: S.O. 3020(E).— This is a Corrigendum to notification S.O. 2422(E) dated June 13, 2018 of commencement of certain provisions of Companies Amendment Act, 2017. In this notification dated June 21, 2018 Section 89(10) of the of the Companies Act, 2013, related to beneficial interest has been notified w.e.f June 13, 2018.

Notification Link:-

http://www.mca.gov.in/Ministry/pdf/Notification2106_22062018.pdf

4. July 05, 2018: In exercise of the Power conferred by Sub-Section (2) of Section 1 of the Companies (Amendment) Act, 2017 (1 of 2018), the Central Government hereby appoints the July 05, 2018 as the date on which the following provisions of the said Act shall come into force, namely:-

#	Section of Companies Amendment Act, 2017	Amended Sections of Companies Act, 2013	Particulars
1	Section 20	Section 82	Company to report satisfaction of charge

Notification Link:-

http://www.mca.gov.in/Ministry/pdf/CommencementNotification05_06072018.pdf

5. July 05, 2018: In exercise of the Power conferred by Sub-Section (2) of Section 1 of the Companies (Amendment) Act, 2017 (1 of 2018), the Central Government hereby appoints the August 15, 2018 as the date on which the following provisions of the said Act shall come into force, namely:-

#	Section of Companies Amendment Act, 2017	Amended Sections of Companies Act, 2013	Particulars
1	Section 15	Section 73	Prohibition on acceptance of deposits from public
2	Section 16	Section 74	Repayment of deposits etc. Accepted before the commencement of this Act
3	Section 75	Section 366	Companies capable of being registered

4	Section 76	Section 374	Obligations of companies registering under this part
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Notification Link:-

http://www.mca.gov.in/Ministry/pdf/CommencementNotification0507_06072018.pdf

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Total notified sections under Companies Act, 2017:-

#	Section of Companies Amendment Act, 2017	Amended Sections of Companies Act, 2013	Particulars	Effective Date
1	Clause (i) and clause (xiii) of section 2;	2(6)	Definitions	May 07, 2018
2	Section 8;	Section 26	Matters to be stated in prospectus	May 07, 2018
3	Section 13;	Section 54	Issue of sweat equity shares	May 07, 2018
4	Sections 18 and 19;	Section 77 & 78	Duty to Register of charges, etc. and Application for Registration of charge	May 07, 2018
5	Clauses (i) and (ii) of section 21;	Section 89	Declaration in respect of Beneficial Interest in any share	May 07, 2018
6	Clauses (iii) and (iv) of section 23;	Section 92	Annual return	May 07, 2018
7	Section 30 and 31;	Section 117	Resolutions and Agreements to be filed	May 07, 2018
		121	Report on Annual General meeting	May 07, 2018
8	Section 33;	129	Financial Statement	May 07, 2018
9	Section 39 and 40;	137	Copy of financial statement to be filed with registrar	May 07, 2018
		139	Appointment of Auditors	May 07, 2018
10	Section 46;	149	Company to have Board of Directors	May 07, 2018

11	Section 49;	157	Company to inform DIN to registrar	May 07, 2018
12	Section 52;	164	Disqualification for appointment of Directors	May 07, 2018
13	Sections 54 to 58 (both inclusive);	167	Vacation of office of Directors	May 07, 2018
		168	Resignation of Director	May 07, 2018
		173	Meetings of Board	May 07, 2018
		177	Audit Committee	May 07, 2018
		178	Nomination and Remuneration Committee and Stakeholders Relationship committee	May 07, 2018
14	Sections 61 and 62;	185	Loan to Directors, etc.	May 07, 2018
		186	Loan and Investment by company	May 07, 2018
15	First Proviso to clause (i) of section 80 a	403	Fee for filing etc.	May 07, 2018
16	Section 83	410	Constitution of appellate tribunal	May 07, 2018
17	Sections 86 to 89 (both inclusive).	435	Establishments of special courts	May 07, 2018
		438	Application of code to proceedings before special court	May 07, 2018
		439	Offences to be non-cognizable	May 07, 2018
		440	Transitional Provisions	May 07, 2018
18	22	Section 90	Register of Significant beneficial Owners in a Company	June 13, 2018
19	24	Section 93	Return to be filed with Registrar in case of promoter stake changes	June 13, 2018
20	25	Section 94	Place of keeping and inspection of registers and returns etc.	June 13, 2018
21	26	Section 96	Annual General Meeting	June 13, 2018
22	71	Section 216	Investigation of ownership of Company	June 13, 2018
23	Clauses (iii) of	Section	Declaration in respect of	June 13, 2018

	section 21	89(10)	Beneficial Interest in any share	
24	Section 20	Section 82	Company to report satisfaction of charge	July 05, 2018
25	Section 15	Section 73	Prohibition on acceptance of deposits from public	August 15, 2018
26	Section 16	Section 74	Repayment of deposits etc. Accepted before the commencement of this Act	August 15, 2018
27	Section 75	Section 366	Companies capable of being registered	August 15, 2018
28	Section 76	Section 374	Obligations of companies registering under this part	August 15, 2018

Hope the information will assist you in your Professional endeavours. In case of any query / information, please do not hesitate to write back to us.

Best Regards '


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