LEX WITNESS

BANKING & FINANCE LEGAL SUMMIT 2017

IN ASSOCIATION WITH

SILF SOCIETY OF INDIAN LAW FIRMS

4TH EDITION | 23rd June 2017, JW Marriott, Juhu, Mumbai

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THE GREAT INDIAN BFSI SECTOR

BANKING - The Indian banking industry has recently witnessed the roll out of innovative banking models like payments and small finance banks. T**he central bank granted in-principle approval to 11 payments banks and 10 small finance banks in FY 2015-16.** RBI's new measures may go a long way in helping the restructuring of the domestic banking industry. The Indian banking system consists of **26 public sector banks, 25 private sector banks, 43 foreign banks, 56 regional rural banks, 1,589 urban cooperative banks and 93,550 rural cooperative banks, in addition to cooperative credit institutions.** Public-sector banks control nearly 80 percent of the market, thereby leaving comparatively much smaller shares for its private peers. Standard & Poor's estimates that credit growth in India's banking sector would **improve to 11-13 per cent in FY17 from less than 10 per cent in the second half of CY14.**

FINANCIAL SERVICES - **The financial sector in India is predominantly a banking sector with commercial banks accounting for more than 64 per cent of the total assets held by the financial system.** The Government of India has introduced several reforms to liberalise, regulate and enhance this industry. The Government and Reserve Bank of India (RBI) have taken various measures to facilitate easy access to finance for Micro, Small and Medium Enterprises (MSMEs). With a combined push by both government and private sector, India is undoubtedly one of the world's most vibrant capital markets. Mergers and acquisition (**M&A) activity in India rose 125 per cent year-on-year to US$ 32.5 billion across 445 deals during January-September 2016. Private equity (PE) investments in real estate sector in India have increased 22 per cent in the first nine months of 2016 to reach Rs 283 billion (US$ 4.24 billion)**, as compared to the same period in 2015.

INSURANCE - Government's policy of insuring the uninsured has gradually pushed insurance penetration in the country and proliferation of insurance schemes are expected to catapult this key ratio beyond 4 per cent mark by the end of this year, reveals the ASSOCHAM latest paper. **The number of lives covered under Health Insurance policies during 2015-16 was 36 crore which is approximately 30 per cent of India's total population**. The number has seen an increase every subsequent year as 28.80 crore people had the policy in the previous fiscal. **During April 2015 to March 2016 period, the life insurance industry recorded a new premium income of Rs 1.38 trillion (US$ 20.54 billion), indicating a growth rate of 22.5 per cent.**

THE SUMMIT CONCEPT

In a tough operating environment for banking and financial service providers with a slowing domestic economy and modest recovery at global and an increased focus on tightening regulatory and governance structures. There have been a number of regulatory initiatives over the past year which seek to enhance the quality of risk-based supervision and better oversight over financial conglomerates. Through a lot of its initiatives and notifications, the apex bank - The RBI has clearly maintained a stance towards repairing and revival based mechanism as far the NPAs are concerned.

There are indications that level of stressed assets which includes both NPAs as well as restructured assets are going up. With the IBC coming into inception & play it is indeed a very encouraging note to commence the new banking era and times for India Inc. Although, while on one hand there is a lot of positivity that the economy sees but on the other hand we have a sea of questions facing the impact and assessment of how the code protects the borrower and lender interests. The insurance penetration in the country is still very low and most of the people buy insurance for tax savings purposes. With understanding of what the 'service is', there continue to be and increasing number of disputes, resulting in litigations across consumer forums, ombudsman and other courts.

Changes in regulation and number of agencies involved in regulatory oversight, the necessity to ensure a quick and effective response to identifying potential NPA and action plan for recovery, means - a need to understand and analyse each aspect critically, work with stakeholder, senior management and on organisational level to quickly adapt process and work structure to drive efficiency.

It is against this background that **The Lex Witness 4th Annual Banking and Finance Legal Summit 2017** is being organised with more focus on practical knowledge sharing. With a combination power packed panel discussions focused on topical subject, the summit proves out to be a good investment of your time to analyse, interpret and strategize your current and future response to legal, regulatory and compliance challenges.

Join Us at The Lex Witness 4th Annual Banking and Finance Legal Summit 2017! Block Your Seats Now!

THE SUMMIT AGENDA

08:30 AM SUMMIT REGISTRATION & WELCOME REFRESHMENTS

09:45 AM WELCOME NOTE BY LEX WITNESS

09:50 AM SPECIAL ADDRESS - DR. CHANDRASHEKHAR J. RAWANDALE, DIRECTOR, SYMBIOSIS LAW SCHOOL, NOIDA

10:00 AM THE DOOM TIMES - NPAs, INSOLVENCY & BANKRUPTCY - TIME FOR SOME *ACHEY DIN* AROUND?

Rajeev Dewal, Head- Legal, RBL Bank - MODERATOR
Amit Mohaan Meharia, Managing Partner, MCO Legals
Damini Marwah, General Counsel & Head - Law, Axis Bank
N.K Dilip, Partner, Tatva Legal
S Ravi Shankar, Senior Partner, Law Senate
Sameer Karekatte, Head - Legal and Chief Compliance Officer, Tata Motor Finance
Shankar Jadhav, Head - Strategy, BSE
Shishir Kumar, Head - Legal Structured Finance, ECL Finance

Demystifying The Debt Recovery Matrix
- Erstwhile Legislative Framework vs. Non-statutory Guidelines wrt IBC 2016 Rules
- JLF Guidelines Vs. IBC Code Rules Vs. RBI Statutory Powers - CAP, IRP & More

Guidelines on Sale of Stressed Assets - Shift to Prescriptive from Principal based Rule Making

NCLT's Demystification - "Disputed Debt" for An Operational Creditor

IBC - Diluting Rights of Secured Creditors?
- Repeal of SICA, Dawn of New Era of Restructuring & Insolvency Under The IBC 2016
- Conflicting Parameters wrt Enforcement of Security Interest
- IBC vs. SARFAESI Act - Section 14(1), Section 31(1) and Section 52 of IBC
- Interplay between IBC 2016 & Companies (Amendment) Act, 2016

Understanding the New Watchdog – IBBI
- Adjudicating Authority Rules, 2016
- Insolvency Professionals Regulations, 2016 - The Times Ahead
- Information Utilities Regulations, 2017 – Laying Down Robust Enough an Ecosystem?
- Insolvency and Bankruptcy Board of India (Voluntary Liquidation) Regulations, 2017

Key Draws from the Union Budget 2017-18
- Proposal for NBFCs as qualified institutional buyers (QIBs) for participation in IPOs
- Tax Troubles - Exclusion of NBFCs wrt provisions of Section 194A of the IT Act
- Indian Taxation Systems vis. a vis. Global Tax Environs - GAAR ~ G20 and OECD's BEPS Projects

Arbitration Law - Key Derivatives for the BFSI Sector - Enabler of the IBC Objectives?
- Core Arbitrability Aspects of Mandates in the BFSI Sector I Application in case of No Mortgage Loans

The ARC Sagas - Scraping their Way Out
- Stringent legal and regulatory compliances, inadequate capital, Restriction on Foreign Investment
- Valuation Mismatch, Huge Stamp Duty Implications on Assignment
- Poor average recovery rate due to inter-alia an overburdened adjudication system

11:10 AM NETWORKING BREAK

11:40 AM FOCUS PRESENTATION - NEED FOR INSTITUTIONALISED ARBITRATION FOR FINANCE DISPUTES
MANISH BAXI, CHARTERED ACCOUNTANT, PROMOTER, IDAC INDIA

12:00 NOON THE GREAT INDIAN FUNDING & INVESTMENT RIDES

Mrinal Chandran, Head of Structuring & General Counsel, Altico Capital - MODERATOR
Ashutosh Naik, Head - Complaince, IIFL Wealth Management
Dipesh Shah, Head (IFSC & Strategy), Gujarat International Finance Tec-City
Girish Rawat, Partner, Dhir & Dhir Associates
Sharmil Bhushan, Head Legal and Compliance, Essel Finance

RBI Guidelines - A Fillip for Nascent Bond Market
Transition Shift from Banking Systems to Capital Markets
Prescribed Limits for Banks vis. a vis. Capitalization - Balanced Enough?

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Gujarat International Finance Tec-City (GIFT)
New Regulatory Framework for Banking, Insurance and Finance Sector in IFSC

Norms Governing FPIs - SEBI's take on Offshore Derivative Instruments & P-Notes Markets
Liberalisation: FPI Investment Rules - Unlisted non-convertible debentures, securitised debt instruments
FDI in NBFC Cos. - A Boon Amongst Multiple Dual Edged Regulatory Sword - SEBI & RBI

Proposed Amendments to SEBI (Investment Advisers) Regulations, 2013
Uncertainty around boundaries of "investment adviser" and "investment advice"
Proper Removal of Exemptions
Investment advisory services through a separate subsidiary
Clarifications on 'investment product' and electronic/broadcasting media advice
Clarification of the meaning of 'consideration'
Clarity on activities of research analyst and investment adviser

PE Funding - Better Risk Management & Control?
Municipal Green Bonds, Masala Bonds - Challenges Etc.
Sovereign Gold Bonds - Operational Guidelines 2016-17

01:00 PM NETWORKING LUNCH

02:00 PM A VETERAN'S TAKE - DEMYSTIFYING IBC - PRACTICAL ISSUES FACING STAKEHOLDERS BY ALOK DHIR, FOUNDING & MANAGING PARTNER, DHIR & DHIR ASSOCIATES AND DIRECTOR, IRR INSOLVENCY PROFESSIONALS PRIVATE LTD.

02:15 PM THE GOVERNANCE RISK & COMPLIANCE MAZE - STAYING IN SYNC

Samir Hossain, Joint VP & Head Legal - Project & Structured Finance, Aditya Birla Finance - MODERATOR
Indrajit Mukherjee, DGM & Head Legal - Retail & SME, ARCIL
Rajesh Talwatkar, Head - Group Litigations, L&T Financial Services
Sunder Krishnan, Chief Risk Officer, Reliance Nippon Life Insurance Company
Vimal Kishor, Head- Legal, Compliance & CS, Liberty Videocon General Insurance Company
Vinay Bhatia, General Counsel, IL&FS Financial Services

Foreign Exchange Management Regulations & Amendments
Amendments to the SARFAESI Act 2002 - Key Highlights - Section 14
The Stamp Duty Sagas - Non Uniformity, Voluminous Amounts Etc.
Recent CERSAI Notifications, Recovery of Debts & Financial Institutions Act, 1993, Depositories Act 1996, DRT Act Amendments 2016, Financial Resolution & Deposit Insurance Bill, 2016

Contd. Overleaf

In Focus - Section 28 of The Indian Contract Act - Relevance & Impact Assessment
Benami Transactions (Prohibition) Amended Act, 2016
India's Islamic Finance - The First Steps Forward
New Guidelines on Trade Credit Insurance
Employment Laws - Maternity Benefit (Amendment) Act, 2016, Payment of Bonus Amendment Act etc.
CRS & FATCA Guidelines - Challenges & Solutions
Collective Investment Schemes - Transitional Trauma - SEBI CIS Regulations '99 - Section 12
RBI Guidelines for Startups - External Commercial Borrowing (ECB) Framework

Regulatory Rough Roads for Foreign & Small Banks
- Taxation Tussles, Guidelines for Annual Returns, GRC Frameworks
- Need for Separate Statutory and Regulatory Guidance

03:15 PM INSURANCE - TACKLING THE KING IN THE CONSUMER

Sachin Kalra, Head Legal, Bharti AXA Life Insurance - MODERATOR
Amber Gupta, Head legal and Company Secretary, Birla Sunlife Insurance
Anil PM, Head - Legal & Compliance, Bajaj Allianz Life Insurance
Ashish Lakhtakia, CS and Head - Legal & Compliance, Reliance Nippon Life Insurance Company
Rajat Bajaj, Vice President - Legal, Compliance & Company Secretarial, TATA AIA Life Insurance

Insurance Laws (Amendment) Act 2015 - Is the Transformation of Insurance Industry Complete?
The Financial Resolution and Deposit Insurance Bill, 2016
Insurance Frauds - Consumer Laws vis. a vis. Insurance Cos. Intent
Corporate Governance in Insurance Industry

Recently Notified Insurance Ombudsman Rules 2017
Insurance in Digital India - Recent Regulations to push Paperless Transactions
Initial Public Offerings by Indian Insurance Companies - Key Highlights

New Regulations on Third Party Administrators
COMPAT's Whip on PSU Insurance Cos for Bid Rigging

Differentiating Pyramid Scheme Structures from MLM Models: Applicable Regulatory Regime
Direct Selling Guidelines 2016 - Departure from the Money Circulation Act?

IRDAI Guidelines for Cybersecurity Framework
IRDAI Guidelines for e-commerce Insurance Players - Opportunities & Challenges
Payment of Commission to Insurance Agents 2016 - Section 31B, Section 40 of the Insurance Act 1938 & Section 2F of IRDA Act 1999

IRDA Health Regulations 2016 - Health Insurance Regulations & Guidelines - The Recent Overhaul
Guidelines on Product Filing 2016, Implementation of Indian Accounting Standards

M&A In Insurance - Paradise Lost and Found?

The Reinsurance Market in India - Next in Line?
- IRDAI (General Insurance - Reinsurance) Regulations, 2016 | Use of Lloyd's India market platform

Foreign Investment In Insurance Market
- Permitted up to 49 per cent under the Automatic Route | FDI in Pension Funds
- Regulations on Insurers' Expense Management for Non-life Insurance
- Guidelines for Corporate Governance for Insurers | IPOs by Indian Insurance Companies

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04:15 PM NETWORKING BREAK

04:45 PM THE BFSI & TECHNOLOGY ROLEPLAYS - COLLABORATING TO COMPETE?

Shankar Jadhav, Head – Strategy, BSE - MODERATOR
Babu Rao, General Counsel, Bajaj Finance
Manish B. Parikh, Senior Technical Architect, AtoS

Traditional Banking Vs. Digital Banking - Time to Collaborate?
Running towards a Cashless Economy - Too Risky a Race?
Digitization Impact - BFSI Sector Attractive to SaaS Players?
The Concept of Partnership Banking - India Yet to Catch Up?
RBI Guidelines for Cyber Security Framework

The UPI Wave - India's Tomorrow for a Cashless Economy?
The UPI vs. Payment Banks Wars - Competing Enough?
NPCI, RBI - Take on UPI & Non UPI Platforms - Biased or a Double Edged Sword?

Security Protocols - Data Security, Data Theft Concerns, Frauds & Handling Refund Claims
Cloud Computing for the BFSI Sector - Challenges Vis. a Vis. Technological Innovation
Legal & Regulatory Hassles vs. Digital Transformation of the BFSI Sector

The Block chain Technology vis. a vis. The Fintech Space
Need for Independent Regulator for Payment Banks, Virtual Currencies & Cryptocurrencies etc.

Role of Technology in the Indian BFSI Space - e-Contracts & Agreements
Validity of e-Contracts - Enforcement Issues, Role of Regulatory Bodies - Emphasis on Taskforces
Need for e-KYC, e-Due Diligence, e-Stamping - An effort towards streamlining processes?

05:30 PM GALA LUCKY DRAW FOLLOWED BY LEX WITNESS CLOSING REMARKS

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GET INVOLVED

In order to participate at The 4th Annual Banking & Finance Legal Summit 2017 in the form of Speakers, Delegates or Sponsors please get in touch with:

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