Manupatra Weekly Wrap

10th -15th Nov 2025

CASE LAWS

Criminal	
Supreme Court: Weapon recovery, forensic report alone insufficient for murder conviction	*Govind Vs. State of Haryana, Dated: 14.11.2025, (MANU/SC/1547/2025; 2025 INSC 1318)* The **Supreme Court** has overturned the life sentence of a man convicted of murder, observing that the High Court had erred in upholding the conviction based solely on the recovery of the pistol allegedly used in the crime and an FSL report linking the recovered cartridges to bullets found in the victim's body. The court has observed that *"Though the FSL report indicates that the pistol and cartridges recovered correlate with the bullets found in the body of the deceased, such evidence by itself is not sufficient to establish the appellant's guilt in the absence of any proof that the recovered pistol was indeed used in the commission of the offence."*
Supreme Court upholds POCSO Act conviction, emphasizes consistent ocular evidence over medical evidence	*Dinesh Kumar Jaldhari Vs. State of Chhattisgarh, Dated: 13.11.2025, (MANU/SC/1539/2025; 2025 INSC 1317)* The **Supreme Court** upheld the conviction of a man found guilty of aggravated sexual assault on a 4-year-old girl, dismissing his appeal for acquittal due to the lack of medical evidence and eyewitness testimony. The Court ruled that the consistent and reliable testimony of the child's parents was enough to support the conviction.
Supreme Court explains how 'intention' & 'knowledge' decide if section 304 IPC offence is culpable homicide, not murder	*Nandkumar @ Nandu Manilal Mudaliar Vs. State of Gujarat, Dated: 10.11.2025, (MANU/SC/1506/2025; 2025 INSC 1302)* The **Supreme Court** has converted a man's conviction from murder under Section 302 to culpable homicide not amounting to murder under Section 304 Part I, noting he had no intention to kill but was aware that his actions could likely cause the victim's death.

Supreme Court: Ordering DNA test is unwarranted when paternity issue has no connection to offence	*R. Rajendran Vs. Kamar Nisha and Others, Dated: 10.11.2025, (MANU/SC/1500/2025; 2025 INSC 1304)* The **Supreme Court** has observed that DNA tests cannot be routinely ordered to determine paternity, emphasizing the presumption of legitimacy for children born within wedlock. Such tests must be used only when essential, avoiding privacy intrusion or illegitimising a child, and not for "fishing inquiries."
Nithari Verdict: Supreme Court says conviction on tainted evidence violates Fundamental Rights	*Surendra Koli Vs. The State Of Uttar Pradesh & Anr., Dated: 11.11.2025, (MANU/SC/1500/2025; 2025 INSC 1308)* Setting aside Koli's final Nithari conviction, the **Supreme Court** declared that sustaining it after companion cases with the same evidence collapsed would infringe on his constitutional rights under Articles 14 and 21. The Court further observed that "Article 21 of the Constitution insists on a fair, just and reasonable procedure. That insistence is at its acutest where capital punishment is imposed.... To allow a conviction to stand on evidentiary basis that this Court has since rejected as involuntary or inadmissible in the very same factmatrix offends Article 21 of the Constitution. It also violates Article 14 of the Constitution, since like cases must be treated alike."

Civil	
Supreme Court: In execution petition, decree-holder must prove violation by judgment debtor	*Kapadam Sangalappa And Others Vs. Kamatam Sangalappa and Others, Dated: 11.11.2025, (MANU/SC/1518/2025; 2025 INSC 1307)* The **Supreme Court** held that a decree cannot be executed on mere presumption. It clarified that the burden lies on the decree-holder to establish that the judgment debtor has violated the terms of the decree before seeking its execution.
Madhya Pradesh High Court: Railways liable for deaths on tracks if it fails to take preventive measures	*Ramaavatar @ Ramotar Prajapati and Others Vs. Union of India, Dated: 10.11.2025, (MANU/MP/3607/2025)* The **Madhya Pradesh High Court** has observed that the Railways is liable to pay compensation for deaths occurring during unauthorized track crossings if it fails to implement adequate preventive measures. In this case, 3-year-old Rajesh and two women were run over while on the tracks.
Supreme Court: Subsequent purchaser without due verification bound by previous sale agreement	*K.S. Manjunath and Others Vs. Moorasavirappa @ Muttanna Chennappa Batil, Since Deceased By His Lrs and Others, Dated: 10.11.2025, (MANU/SC/1504/2025; 2025 INSC 1298)* The **Supreme Court** has observed that a subsequent purchaser who relies solely on the vendor's claims without due diligence cannot claim protection under Section 19(b) of the Specific Relief Act, 1963. The bench noted that prior agreements to sell, even if unilaterally cancelled, remain enforceable.
Jammu & Kashmir & Ladakh High Court: Claims under Roshni Act *Void Ab Initio*; ownership rights null from inception	*Ghulam Rasool Mistri Vs. State of J&K and Ors., Dated: 11.11.2025, (MANU/JK/0766/2025)* **J&K & Ladakh High Court** has observed that the Roshni Act, 2001, being unconstitutional and *void ab initio*, cannot create any legal right or claim. Consequently, all actions, applications, and entitlements under the Act are null from inception, leaving no legal basis for ownership of State land.

Narcotics	
Supreme Court: Long wait behind bars? Not enough for bail in drug cases	*Union Of India Vs. Vigin K. Varghese, Dated: 13.11.2025, (MANU/SC/1534/2025; 2025 INSC 1316)* The **Supreme Court** has observed that extended custody periods and case delays don't automatically entitle accused persons to bail in commercial narcotics matters unless the conditions given under Section 37 of the NDPC Act are satisfied.

Excise	
Supreme Court: Externally procured parts given for assembly, not used in manufacture, not liable to Excise Duty	*Lipi Boilers Ltd. Vs. The Commissioner of Central Excise, Aurangabad, Dated: 10.11.2025, (MANU/SC/1505/2025; 2025 INSC 1297)* The **Supreme Court** has dismissed the Revenue Department's excise duty claim against a company that built a boiler at a client's site, ruling that externally procured parts supplied for assembly but not used by the manufacturer cannot be included for excise duty assessment.
Breach of Trust: Supreme Court denies reinstatement to postmaster who misappropriated deposits	*Union Of India and Ors. Vs. Indraj, Dated: 13.11.2025, (MANU/SC/1537/2025;2025 INSC 1313)* The **Supreme Court** has overturned the reinstatement order of a Postmaster who had been terminated for misappropriating depositors' funds. The Court ruled that simply returning the embezzled amount does not exonerate an employee from charges of misconduct. The Court further observed that *"Relationship of a customer with a banker is of mutual trust. Any account holder will be satisfied once an entry is made in his passbook regarding deposit of any amount by him in the post office where he had maintained the account."*

Motor Vehicle	
Supreme Court: Breach of policy? Pay the victim anyway, then recover from vehicle owner	*Akula Narayana Vs. The Oriental Insurance Company Limited & Anr., Dated: 10.11.2025, (MANU/SC/1507/2025; 2025 INSC 1301)* The **Supreme Court** has observed that "Where the contract of insurance is not disputed, even on breach of insurance conditions, this Court had allowed recovery of compensation from the insurer by giving right to the insurer to recover the same from the vehicle owner."

Contract	
Supreme Court: Unilateral termination of sale agreement invalid if contract does not permit it	*K.S. Manjunath and Others Vs. Moorasavirappa @ Muttanna Chennappa Batil, Since Deceased by His Lrs and Others, Dated: 10.11.2025, (MANU/SC/1504/2025; 2025 INSC 1298)* The **Supreme Court** has observed that a party cannot unilaterally terminate a non-determinable agreement to sell under the Specific Relief Act, 1963, unless the contract is expressly determinable. It clarified that the aggrieved party can directly seek specific performance without first challenging the termination.

Service Tax	
Supreme Court: Service tax not applicable on transfer of title in immovable property	*Commissioner Of Service Tax Vs. M/S Elegant Developers, Dated: 10.11.2025, (MANU/SC/1502/2025; 2025 INSC 1299)* The **Supreme Court** has observed that the mere transfer of title in immovable property by sale does not constitute a "service" under the Finance Act, 1994. Therefore, such transactions are not subject to service tax and fall outside its scope, confirming that only actual services are taxable.

Banking	
Delhi High Court: Post-Dated cheques given as security attract section 138 NI Act after liability arises	*Manmohan Gaind Vs. Negolice India Pvt. Ltd, Dated: 11.11.2025, (MANU/DE/8601/2025; 2025:DHC:9845)* The **Delhi High Court** has observed that post-dated cheques issued as security can attract Section 138 of the Negotiable Instruments Act, 1881, if they are dishonoured after the liability materialises. The court observed that such cheques secure payment for unfulfilled liabilities.
Consumer	
Supreme Court: Companies can't hide behind consumer laws for business software deals	*M/S Poly Medicure Ltd. Vs. M/S Brillio Technologies Pvt. Ltd, Dated: 13.11.2025, (MANU/SC/1536/2025; 2025 INSC 1314)* The **Supreme Court** has observed that individuals or entities buying products for commercial purposes linked to profit generation cannot qualify as consumers under the Consumer Protection Act, 1986.

NEWS

Criminal	
14.11.2025	A Delhi judge held a 2:25 AM hearing at her residence to consider an Enforcement Directorate (ED) plea for 14 days' remand of an accused in a money laundering case.
12.11.2025	The **Delhi High Court** has dismissed a PIL challenging the Bharatiya Nyaya Sanhita (BNS) provisions that criminalize waging war against the Government of India.
11.11.2025	The **Madras High Court** directed trial courts to expedite criminal cases against sitting and former MPs and MLAs, prohibiting unnecessary adjournments in cases pending over five years, and ordered swift trials where no stay has been granted by higher courts.
10.11.2025	The **Supreme Court** has highlighted the need for strict measures to curb violence in court premises. The court emphasized that hardened criminals, even if disguised in lawyers' robes, must face firm, swift action, while individual liberty can be safeguarded through appropriate directions. The **Punjab & Haryana High Court** observed that cyber fraud is a systemic offense undermining public trust and the digital economy, and therefore, such cases cannot be quashed merely based on a compromise or settlement between the complainant and the accused.

Civil	
15.11.2025	The Union Government rejects trans man's request to preserve eggs, claims Assisted Reproductive Technology (Regulation) Act, 2021 does not apply to transgender individuals.
14.11.2025	The Bar Council of India published the Rules on Enrolment and Practice of Foreign Nationals, 2025, in the official gazette. The **Supreme Court** reiterated its disapproval of Trial Courts directly sending letters to request time extensions for trials, stating that such communications should go through the High Court.
13.11.2025	The **Supreme Court** has reserved its verdict on pleas demanding government compensation for alleged Covid vaccine-related deaths and formation of an expert panel to examine vaccination side effects. The **Supreme Court** issued a notice to the Central government in response to a petition filed by the father of Captain Sumeet Sabharwal, the pilot who was in charge of the Air India plane that crashed in Ahmedabad this past June. The **Supreme Court** described the situation as "very serious" and encouraged lawyers to attend the proceedings *via* video conference (VC) rather than appearing in person. The Mumbai Anti-Corruption Bureau (ACB) has filed a case against Additional Judge Ejazuddin Salauddin Kazi and court clerk Chandrakant Hanmant Vasudev for allegedly demanding and accepting a ₹15 lakh bribe to influence a commercial suit verdict. The **Delhi High Court** has raised concerns about the disciplinary process and penalty mechanism outlined in the Bar Council of India's 2022 Rules governing foreign lawyers and law firms in India.
12.11.2025	The **Supreme Court** expressed displeasure over Assam professor being charged for a social media post supporting Pakistan and posting obscene content about women, criticizing him for having a "perverted mind" and misusing the internet.

	The **Delhi High Court** refused to pass any interim orders allowing JNTL Consumer Health, the Indian subsidiary of American healthcare giant Johnson & Johnson, to sell its stock of ORSL Electrolyte Drink. A **Delhi court** dismissed Adani Enterprises Limited's plea seeking an urgent hearing on its request for an interim injunction to prevent five journalists from publishing allegedly defamatory material about the company.
10.11.2025	The **Kerala High Court** directed the Chief Police Co-ordinator to provide details of all officers serving in key positions at Sannidhanam and Pamba, including their tenure. The court issued this order while reviewing a Special Commissioner's report.

Environment	
13.11.2025	In the ongoing air pollution case in Delhi-NCR before the **Supreme Court**, a petition has been submitted urging that instances where the Air Quality Index (AQI) exceeds 250 to be classified as a 'disaster' under the Disaster Management Act, 2005.
12.11.2025	The **Supreme Court** has questioned the Punjab and Haryana governments about the steps taken to curb stubble burning, given the worsening air quality in Delhi.

Income Tax	
13.11.2025	The **Bombay High Court** declined interim relief to a same-sex couple challenging the constitutional validity of Section 56(2)(x) of the Income Tax Act, which provides tax exemption on gifts only to heterosexual couples while excluding same-sex partners from this benefit.

Education	
13.11.2025	The **Delhi High Court** stated that the government cannot ignore the lack of education for street children or destitutes who have migrated to the city.

Municipal Tax	
13.11.2025	The **Madras High Court** has recently ruled that hostels for working men and women cannot be classified as commercial properties for the purpose of levying property tax, water tax, and electricity charges.

Service	
10.11.2025	The Union Government informed the **Supreme Court** that the current Members of the National Green Tribunal (NGT) will continue in their roles and perform their duties until new appointments are made, and the appointees take charge.

Insolvency	
14.11.2025	The **Supreme Court** will handle administratively a petition seeking court-monitored probe into NCLAT member Justice Sharad Kumar Sharma's allegation that a senior judge approached him to influence a pending insolvency case.

Other Taxes	
14.11.2025	The **Supreme Court** rejected a challenge to the Calcutta High Court ruling that Eden Gardens stadium is not a "public place" for the purpose of advertisement tax under the Kolkata Municipal Corporation Act.

Intellectual Property Rights	
14.11.2025	The **Supreme Court** dismissed Bata India and five footwear firms' challenge to the Delhi HC order that upheld Crocs Inc.USA's right to sue them for design infringement and passing off.

Motor Vehicle	
10.11.2025	The **Madhya Pradesh High Court** held that permitting a minor to drive without a valid license constitutes a fundamental breach of the insurance policy. The court emphasized the duty of elders to prevent minors from engaging in acts, like driving, that require maturity and legal authorization.

Cyber Laws	
14.11.2025	The Government of India notified the Digital Personal Data Protection (DPDP) Rules, 2025, completing the implementation of the DPDP Act, 2023.

NOTIFICATION UPDATES

Ministry of Finance	
Notification No. : FX-4/2/2025-PR, Dated: 13.11.2025, MANU/FNSV/0018/2025	The Ministry of Finance has amended the investment options under the National Pension System and Unified Pension Scheme to include new life cycle funds, allowing more investment choices for Central Government employees. These include an Aggressive Life Cycle Fund with up to 75% equity exposure and a Balanced Life Cycle Fund with up to 50% equity exposure, tapering from age 45.
Press Information Bureau, Dated: 12.11.2025, MANU/PIBU/1222/2025	The Cabinet approved the Credit Guarantee Scheme for Exporters (CGSE), providing up to Rs. 20,000 crore in collateral-free credit with 100% guarantee through NCGTC. This initiative aims to enhance liquidity, market diversification, and global competitiveness for both MSME and non-MSME exporters, supporting India's export growth and economic stability.
Notification No. : 160/2025, Dated: 10.11.2025, MANU/CBDT/0116/2025	The Amending Protocol between India and Belgium updates their Double Taxation Avoidance Agreement (DTAA) to prevent double taxation and tax evasion. It includes provisions to ensure individuals and companies are not taxed twice on the same income, improves cooperation between tax authorities to combat tax evasion, and potentially revises withholding tax rates on dividends, interest, and royalties. Once ratified, the protocol aims to promote cross-border economic activity, enhance transparency, and simplify tax procedures for businesses and individuals in both countries.
Notification No. 44/2025-26, Dated: 10.11.2025, MANU/CUST/0088/2025	The Ministry of Finance has issued a notification discussing the synchronization of the ITC (HS) 2022 Schedule-1 (Import Policy) with the Finance Act 2025, detailing amendments to ITC (HS) codes and related policy conditions. It requests relevant authorities to inform their officers about these changes and to report any difficulties encountered.
Securities and Exchange Board of India	
Press Release No. : 71/2025, Dated: 10.11.2025, MANU/SPRL/0066/2025	The High-Level Committee on Conflict of Interest, Disclosures, and Related Matters for SEBI has submitted its report, recommending measures to improve transparency, manage conflicts of interest, and enhance disclosure practices for SEBI members and officials. Key suggestions include stricter rules on personal financial dealings and clearer guidelines to ensure impartiality and integrity in SEBI's decision-making.
Reserve Bank of India	
Notification No. : FMRD.DIRD.04/14.03.038/2025-2026, Dated: 11.11.2025, MANU/RMIC/0134/2025	The Reserve Bank of India has updated its directions on repurchase transactions (repo) to include Municipal Debt Securities as eligible securities. These directions, effective immediately, apply to repo transactions on recognized stock exchanges, electronic trading platforms, and over-the-counter markets, excluding those under the Liquidity Adjustment Facility and Marginal Standing Facility. The directions outline eligible securities, participants, trading venues, and settlement processes for repo transactions.

Notification No. : DoR.LIC.No.S5377/16.13.300/2025-2026, , Dated: 11.11.2025, MANU/RMIC/0135/2025	The notification regarding the Exclusion of a Bank from the Second Schedule to the Reserve Bank of India (RBI) Act, 1934 indicates that some banks has been removed from the list of scheduled banks under the Second Schedule of the RBI Act.
Ministry of Communications	
Press Information Bureau, Dated: 10.11.2025, MANU/PIBU/1215/2025	TRAI has released a consultation paper to review existing interconnection regulations, aiming to update the regulatory framework in line with technological advancements and changes in the telecommunications sector. The review will address issues related to IP-based interconnection, emerging platforms like satellite networks, and various interconnection charges. Stakeholders are invited to submit comments on the consultation paper.
Ministry of Health and Family Welfare	
Press Information Bureau, Dated: 10.11.2025, MANU/PIBU/1212/2025	The Ministry of Health and Family Welfare has amended the Transplantation of Human Organs and Tissues Rules to simplify corneal transplantation, removing the mandatory requirement for Clinical Specular equipment. This aims to enhance accessibility and boost cornea donation and transplantation services, especially in rural and semi-urban areas.
Ministry of Electronics & IT	
Press Information Bureau, Dated: 11.11.2025, MANU/PIBU/1217/2025	UIDAI is collaborating with Behavioural Insights Ltd to use behavioural insights to increase the adoption of Mandatory Biometric Update (MBU) for children in Aadhaar. The initiative aims to address barriers and promote timely updates, ensuring access to services linked to Aadhaar. UIDAI has waived charges for MBU for children aged 7-15 to encourage participation.
Ministry of Commerce and Industry	
Policy Circular No.: 07/2025-2026, Dated: 11.11.2025, MANU/DGFT/0158/2025	Ministry of Commerce and Industry has issued clarification on the redemption of Advance Authorizations affected by Rule 96(10) of the CGST Rules for imports between October 13, 2017, and January 09, 2019. It outlines conditions under which the Export Obligation Discharge Certificate will not be withheld, such as payment of IGST in cash, non-availing of duty exemptions, and compliance with pre-import conditions.
Ministry of Personnel, Public Grievances and Pension	
Notification No. : GSR833(E), 11.11.2025, MANU/PPGR/0063/2025	The Indian Police Service (Probationers Final Examination) Amendment Rules, 2025 introduce changes to the existing rules governing the final examination for probationers of the Indian Police Service (IPS).
Ministry of Agriculture & Farmers Welfare	
Press Information Bureau, Dated: 13.11.2025, MANU/PIBU/1228/2025	The government is seeking public comments on the Draft Seeds Bill, 2025, which aims to replace the Seeds Act, 1966, and the Seeds (Control) Order, 1983. The Bill focuses on ensuring quality seeds, protecting farmers' rights, and promoting ease of doing business. Stakeholders can submit their feedback by December 11, 2025.

Ministry of Road Transport and Highways	
Notification No. : GSR834(E), Dated: 11.11.2025, MANU/RDTH/0049/2025	The Central Motor Vehicles (Sixth Amendment) Rules, 2025 were notified by the Ministry of Road Transport and Highways (MoRTH). These amendments likely address various updates or changes to the Central Motor Vehicles Rules (CMVR), which govern the registration, licensing, and operation of motor vehicles in India.
Notification No. : GSR835(E), Dated: 11.11.2025, MANU/RDTH/0050/2025	The Central Motor Vehicles (Seventh Amendment) Rules, 2025 were notified by the Ministry of Road Transport and Highways (MoRTH). Similar to other amendments under the Central Motor Vehicles Rules (CMVR), the Seventh Amendment likely involves updates or changes aimed at improving road safety, vehicle standards, and traffic management, along with promoting new technologies.

INTERNATIONAL UPDATES

AUSTRALIA

Banking

No update on FFSP reform: A follow up to previous industry expectations

Foreign fund managers continue to face regulatory uncertainty as the anticipated reform for Foreign Financial Service Providers has stalled. The Bill that was meant to overhaul the Australian Financial Services Licence framework for foreign providers lapsed in March 2025 when Parliament was prorogued. The Australian Securities and Investments Commission has confirmed that there is still no update on how these laws will apply going forward. This leaves offshore managers unsure whether their services amount to carrying on a financial services business in Australia. Those who hold earlier passport exemptions may rely on them only until 31 March 2026. The regulator has indicated that any update on extensions will be announced closer to that deadline. The prolonged lack of clarity has significant implications for foreign investment flows into Australia.

Embedding sustainability into banking: A strategic imperative

Banks across the world are moving from treating environmental and social governance as a marketing theme to viewing climate and social risks as financial risks. Natural disaster losses in recent years have forced banks to integrate climate considerations into credit modelling and expected credit loss calculations. Institutions are recognising that sustainability is now directly tied to risk management, regulatory compliance and long term economic resilience. Political and regulatory reactions to environmental and social governance differ across jurisdictions, making the landscape more fragmented. Despite fatigue around the phrase environmental and social governance, the underlying economic impacts of climate change and social instability are becoming more pronounced. For businesses reliant on finance, treating sustainability as optional may expose portfolios to material losses.

Capital Market

Global survey of ESG regulations for asset managers: A comparative view

Asset managers operating across different countries are facing growing complexity as environmental and social governance rules diverge across jurisdictions. Regulators are demanding that managers accurately describe how environmental and social factors are incorporated into investment strategies and ensure that disclosures align with actual practice. Some countries rely on strict labelling requirements while others enforce existing prohibitions on misleading statements. Investor expectations also vary widely, making the compliance burden heavier for managers offering cross border products. The survey highlights that regulators in all regions insist on clarity and honesty about investment approaches. Asset managers are encouraged to monitor rulemaking developments closely and maintain robust documentation frameworks. The landscape is continuing to evolve rapidly as governments update sustainability requirements.

ASIC shines a spotlight on offshore outsourcing

The Australian Securities and Investments Commission has urged Australian Financial Services licensees to tighten their oversight of offshore service providers. A recent review revealed that many licensees had weak governance structures and inconsistent risk controls when outsourcing activities such as administration, transaction processing and client communication. While outsourcing is permitted, the regulator stressed that responsibility for compliance cannot be delegated. Concerns included inadequate protection of confidential information and poor adherence to Australian privacy laws. Some entities lacked any formal framework for

assessing offshore risks. Australian Financial Services licensees are expected to ensure that outsourced arrangements meet the same standards that apply to functions performed in house. Increased scrutiny of these practices is expected in the coming year.

ASX targets dilutive acquisitions in governance reform proposal

The Australian Securities Exchange has released a consultation paper proposing significant changes to the ASX Listing Rules relating to equity funded acquisitions. The proposal responds to investor concerns about dilutive transactions that reduce shareholder value without adequate oversight. One key reform would require shareholder approval before a dual listed entity can shift to the lighter obligations of ASX Foreign Exempt Listing status. Such transitions currently require only exchange approval under Listing Rule 18.9. The change aims to ensure that shareholders are aware of the reduced regulatory protections when oversight shifts to a foreign exchange. The proposals have been shaped by recent criticism of high profile cross border acquisitions. Submissions are open until 15 December 2025. The reform package could reshape governance expectations for complex corporate structures.

Competition and Antitrust

ACCC set to enforce mandatory toppling furniture safety standards

The Australian Competition and Consumer Commission has signalled that it will actively enforce the mandatory information standard for toppling furniture after a national sweep found widespread breaches. Over three thousand products were reviewed across more than one hundred and sixty businesses, with nine out of ten found to be non compliant on at least one product. The rules require suppliers to provide clear warnings and anchoring advice for furniture items such as wardrobes, chests of drawers and bookcases. The goal is to reduce injuries and deaths caused by furniture tip overs, especially among children. Online retailers and importers must comply with the same requirements as physical stores. The regulator has warned that enforcement action will follow repeated failures to meet safety obligations. Businesses are encouraged to review product information immediately.

Copyright

Accessory liability for tortious acts involving breach of intellectual property rights after Lifestyle Equities CV v Ahmed: A New Zealand perspective

The discussion revisits long standing principles on when a company director can be personally liable for a company's infringement of intellectual property rights. Earlier cases such as Inverness Medical Innovations Incorporated v MDS Diagnostics Limited illustrate how directors may be held responsible if they direct or procure infringing conduct. Courts also examine whether a director has effectively adopted the company's tortious acts as their own. These tests sit on the understanding that tortious liability arises from duties imposed by law rather than contract, and infringement of intellectual property rights qualifies as a tort. The precedent in Performing Right Society Limited v Ciryl Theatrical Syndicate Limited remains influential in determining whether the director's intention and involvement justify personal accountability. The principles continue to guide courts when analysing modern disputes involving accessories to infringement.

Energy and Natural Resources

AUKUS and the Australian Marine Complex: Key state and federal government updates

Western Australia is set to become a major centre for naval construction under several announcements tied to the AUKUS partnership between Australia, the United Kingdom and the United States. Investments include support for critical minerals, the development of defence supply chains and the expansion of the Australian Marine Complex. Funding arrangements include a substantial United States contribution to the gallium recovery project, which has strategic relevance for defence and semiconductor manufacturing. Additional federal

investment aims to help Australian firms qualify for the United States submarine supply chain. These initiatives reflect a broader plan to grow Western Australia's defence sector and position Henderson as a major maintenance hub. The developments are intended to support long term industry growth and create specialised jobs.

Parliament passes reform strengthening Australia's energy regulator

The Competition and Consumer Amendment (Australian Energy Regulator Separation) Bill 2025 has been passed, with the changes taking effect from 1 July 2026. The law formally separates the Australian Energy Regulator from the Australian Competition and Consumer Commission and establishes it as an independent Commonwealth entity. The reform implements earlier recommendations from the Vertigan Review and the Finkel Review, which noted the need for a governance structure that better reflects the regulator's expanded responsibilities. The new framework gives the Australian Energy Regulator control over its own staffing, budget and organisational direction. It will remain able to share services with the Australian Competition and Consumer Commission where efficient. The change is expected to provide clearer accountability and greater autonomy in overseeing Australia's transforming energy market.

Insolvency and Restructuring

Ex NF v Munneke: South Australian Supreme Court examines digital assets and corporate ownership

The judgment in *EX NF Pty Ltd (In Liquidation) and Another v Munneke and Others* [2025] SASC 165 offers detailed guidance on how traditional principles of corporate law apply to digital assets. The dispute related to Bitcoin and Ether held in pseudonymous wallets that were controlled by a company director. The director argued that possession of the private keys established beneficial ownership. The court rejected this, stating that the true inquiry focuses on the origin of the funds used to acquire the cryptocurrency. Evidence showed that the purchases were funded by the company's bank account. The court relied heavily on off chain financial records to trace the assets and found that the director breached duties owed to the company. The judgment confirms that established tracing and fiduciary principles apply equally to crypto assets held on behalf of corporate entities.

CANADA

Environment and Climate Change

Ontario introduces further amendments to Excess Soil Regulation

Ontario has enacted its tenth amendment to the On Site and Excess Soil Management Regulation under the Environmental Protection Act. The latest amendment, introduced through Regulation 235/25, responds to challenges raised by the construction industry as it adapts to the soil movement regime introduced in 2019. One key change delays the prohibition on depositing excess soil at landfill and dump sites until 1 January 2027. After that date, excess soil may only be accepted with a declaration of quality by a qualified person and must be used for specified site operations such as daily cover or construction of berms. The amendments are accompanied by updates to the Soil Rules and follow a public consultation process. The changes are intended to support compliance while maintaining environmental oversight.

Data Protection

Global privacy regulators launch enforcement sweep focused on children's data protection

The Global Privacy Enforcement Network has begun an international review of websites and mobile applications used by children. Regulators will assess whether these services collect children's information, provide clear privacy notices, and implement robust age verification systems. Authorities will also examine whether

unnecessary data collection is being minimised. The sweep comes as several jurisdictions, including the United States, strengthen their laws governing children's online safety. Recent enforcement actions by regulators such as the United States Federal Trade Commission demonstrate increasing scrutiny of compliance with the Children's Online Privacy Protection Act. Results of the sweep will be published in a joint report once the assessments are complete.

CHINA

Shipping and Transport

China adopts major amendments to Maritime Law, effective 1 May 2026

China has approved substantial amendments to its Maritime Law, marking the first major overhaul in more than thirty years. The revised law will take effect on 1 May 2026 after extensive public consultation. One of the key changes is the unification of legal treatment for both domestic and international carriage of goods by sea, resolving long standing inconsistencies under Article 2. Additional updates modernise provisions relating to passenger transport, vessel operations and maritime liability. The reform is part of a broader strategy to strengthen China's position as a global maritime centre and ensure its legal framework aligns with contemporary international practice. Businesses engaged in shipping and logistics are expected to adjust their contractual and compliance processes ahead of the implementation date.

Trade and Customs

BIS suspends Affiliates Rule for one year as part of the United States–China trade deal

The United States Department of Commerce's Bureau of Industry and Security has suspended the Affiliates Rule for one year. The rule expanded export controls to foreign entities owned at least fifty percent by parties listed on the Entity List, Military End User List or certain sanctions programs under Section 744.8 of the Export Administration Regulations. Although the rule is suspended until 9 November 2026, it will automatically come back into force unless further regulatory action is taken. During the brief period when the rule applied, Temporary General License Number 7 allowed certain transactions to proceed despite the extended restrictions. Companies are advised to use the suspension period to examine ownership structures, prepare for possible reinstatement and assess compliance processes to reduce future exposure.

HONG KONG

Banking

Hong Kong Court discharges proprietary injunction against Binance hot wallet in crypto theft case

The Hong Kong Court has set aside a proprietary injunction obtained ex parte against a Binance hot wallet in proceedings concerning the alleged theft of digital assets worth approximately one hundred and twelve million Hong Kong dollars. The plaintiff had traced stolen cryptocurrency to several wallet addresses, including an address linked to Binance, and sought both proprietary and worldwide Mareva injunctions. Binance challenged the order on the basis that the plaintiff failed to give full and frank disclosure and that there was no urgency justifying an ex parte application against the exchange. The court agreed that the ex parte process had been misused and discharged the proprietary injunction. The ruling provides clarity on the requirements for disclosure orders and interim remedies involving cryptocurrency exchanges.

Disputes

Hong Kong Court of Final Appeal clarifies cross border discovery of Mainland documents

The Court of Final Appeal has confirmed that Hong Kong courts may issue letters of request to Mainland courts to obtain documents held in Mainland China for use in Hong Kong proceedings. The judgment affirms that this assistance falls within the court's inherent jurisdiction. However, applicants must show that there is reason to believe the Mainland court will be receptive to the request. The court also noted that compliance may be subject to Mainland legal requirements, including regulations on data security and audit information. The decision interprets the Arrangement on Mutual Taking of Evidence in Civil and Commercial Matters in a flexible manner that supports practical cooperation. Parties involved in disputes with Mainland connections will need to factor in longer timelines and regulatory considerations when planning discovery.

MALAYSIA

Disputes

When is it too late to amend pleadings? Nautical Supreme Sdn Bhd v Azimuth Ship Management Sdn Bhd [2025] MLJU 3315

The High Court considered whether a defendant could amend its defence to introduce a counterclaim shortly before trial. The application was filed four and a half months before the scheduled trial date, despite the defendant having known the underlying facts for nearly a year. The court found that the delay was excessive and unexplained, particularly since the deadline for interlocutory applications had passed several months earlier. The proposed counterclaim was based on alleged inconsistencies arising from separate derivative proceedings, but the court concluded that this did not justify the late amendment. The application was dismissed with costs. The ruling highlights that parties must act promptly when seeking to expand the issues for trial and that unexplained lateness will weigh heavily against them.

NEW ZEALAND

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Accessory liability for tortious acts involving breach of intellectual property rights after Lifestyle Equities CV v Ahmed

The New Zealand perspective revisits long established principles concerning when company directors may be personally liable for intellectual property infringements committed by their company. Earlier cases such as Inverness Medical Innovations Incorporated v MDS Diagnostics Limited illustrate the two main tests used by courts: whether the director procured or directed the wrongful act, and whether they effectively made the company's act their own. These tests arise from tort law, which imposes duties independently of contractual arrangements. The Performing Right Society Limited v Ciryl Theatrical Syndicate Limited case remains an important authority for determining intention and involvement. The analysis underscores that directors cannot shield themselves behind the corporate entity where they have played a substantial role in the infringement.

SINGAPORE

Company and Commercial
Bahrain launches international commercial court with appeals to Singapore Bahrain has launched the Bahrain International Commercial Court, creating a cross border dispute resolution model where appeals may be heard by the International Committee of the Singapore International Commercial Court. The new court will hear disputes that are both international and commercial, including matters involving contracts for goods, services and distribution arrangements. Proceedings may be conducted in English, and parties may engage foreign lawyers. Appeals will ordinarily proceed to the International Committee of the Singapore International Commercial Court unless parties agree to use the Bahrain appellate body. Decisions of the International Committee will be enforceable as Bahraini judgments under section 13 of the Singapore International Commercial Court (International Committee) Act 2024. The model aims to attract complex international business disputes.

THAILAND

Employment And Labour
Thailand expands family leave rights and strengthens worker protections Thailand has amended the Labor Protection Act to widen leave entitlements for employees and extend protections to certain public sector contractors. Maternity leave has increased from ninety eight days to one hundred and twenty days, with paid leave extended to sixty days. Female employees may also take up to fifteen additional days to care for newborns with health complications, with half pay during this period upon presentation of a medical certificate. Male employees are now entitled to fifteen days of paid paternity leave that may be taken before or within ninety days after childbirth. The amendments reflect broader efforts to align workplace rights with modern family needs. Employers will need to update policies and employment contracts to ensure compliance by the effective date of December 2025.
Thailand introduces first parental leave alongside expanded maternity benefits A separate set of amendments to the Labour Protection Act confirms the country's first statutory parental leave entitlement. Employees may take up to fifteen days of paid leave to assist a legally married spouse who has given birth, and this applies equally following the legalisation of same sex marriage. Maternity leave has been extended to a maximum of one hundred and twenty days, with sixty days paid. An additional fifteen days of leave is available for caring for a newborn with medical complications, at half wages. The law takes effect on 8 December 2025. Employers are expected to amend their work rules and ensure that administrative teams understand the new obligations. The changes represent a significant shift in Thailand's approach to family friendly workplace rights.

VIETNAM

Energy and Natural Resources

Vietnam overhauls atomic energy legal framework focusing on safety, security, safeguards and liability

Vietnam has enacted Law Number 94/2025/QH15 on Atomic Energy, replacing the 2008 statute and creating a comprehensive regulatory system for peaceful nuclear activities. The law takes effect on 1 January 2026 and covers all aspects of radiation work, licensing, nuclear facility development and waste management. It provides detailed definitions of nuclear energy, nuclear facilities, radioactive waste and activities within the nuclear fuel cycle. The framework aligns with international obligations under treaties monitored by the International Atomic Energy Agency. State management responsibilities are assigned across government bodies to ensure strict oversight of radiation safety, security protocols and liability principles. The legislative reform is a central component of Vietnam's long term energy strategy.

USA

Consumer Protection

CFPB proposes major revision to Regulation B under the Equal Credit Opportunity Act

The Consumer Financial Protection Bureau has released a proposal that would eliminate disparate impact liability under the Equal Credit Opportunity Act and significantly narrow the definition of discouragement. The draft rule also introduces strict limits on the use of protected class characteristics in special purpose credit programs offered by for profit organisations. The proposal cites recent United States Supreme Court decisions and notes that the Equal Credit Opportunity Act does not contain language expressly recognising effects based liability. It also references the 2025 executive order calling for the removal of unlawful preferences in federal programs. Public comments will be accepted for thirty days after publication in the Federal Register. If adopted, the rule would represent the most substantial change to Regulation B in decades.

Capital Market

FINRA suspends broker for unapproved customer loans and false statements

The Financial Industry Regulatory Authority has suspended a broker for borrowing funds from customers without approval, providing false information during an examination and failing to disclose outside accounts. The broker received two separate loans totalling fifty thousand dollars, repaid only a small portion and falsely certified that no such arrangements existed. During a 2025 examination, the broker provided misleading explanations and later submitted fabricated documents. Investigators found that the broker also controlled accounts held in another person's name and used customer loan proceeds for personal transactions. The suspension reflects FINRA's continued focus on unauthorised financial arrangements and accuracy in member disclosures.

FINRA advances regulatory mission through artificial intelligence

FINRA has outlined how it is integrating artificial intelligence tools into its regulatory functions while maintaining controls over accuracy and data security. The organisation has long used automated systems to review large volumes of market events for signs of manipulation or fraud. Recent initiatives include the introduction of an internal language model called FILLIP, which assists staff with document review, comparisons and risk assessments. An internal governance committee oversees the development and deployment of new tools, with security reviews and staff training forming part of the process. The approach is intended to support efficient supervision without compromising regulatory responsibilities.

Employment and Labour

New Jersey courts may be limiting efforts to narrow independent contractor status

A recent appellate decision in New Jersey has rejected the state labor commissioner's interpretation of the second element of the ABC test for determining employment status. The commissioner had proposed regulations that would have made it significantly harder for businesses to demonstrate that workers are independent contractors. The appellate court held that the proposed interpretation conflicted with binding precedent from the New Jersey Supreme Court. The case arose from an audit of a business providing disc jockey services that was found liable for unpaid contributions due to misclassification. The ruling has been welcomed by stakeholders who argued that the proposed rules would have effectively eliminated the independent contractor model in many industries. Businesses continue to rely on structured compliance programmes to maintain lawful contractor arrangements.

Environment and Climate Change

EPA proposes changes to Toxic Substances Control Act PFAS reporting requirements

The United States Environmental Protection Agency has released a proposed rule that would narrow the scope of per and polyfluoroalkyl substances reporting under Section 8(a)(7) of the Toxic Substances Control Act. The proposal would exempt importers of articles containing these substances, introduce a de minimis concentration threshold of 0.1 percent and reinstate several standard Toxic Substances Control Act exemptions. These include exemptions for impurities, non isolated intermediates and substances manufactured incidentally or used solely for research and development. The Environmental Protection Agency is also seeking feedback on delaying the reporting window and on whether to set a production volume threshold. If finalised, the changes would significantly reduce the reporting burden on manufacturers and importers while maintaining core environmental objectives.

Hostels Not Commercial Units For Tax: Madras High Court Protects Working Residents

In ***M Divya v. The Senior Revenue Officer*** *(MANU/TN/4985/2025)*, the Madras High Court has held that hostels accommodating working men and women must be treated as **residential premises** for the purpose of property tax, water tax and electricity charges. Justice Krishnan Ramasamy observed that the financial burden created by a commercial tariff would ultimately fall on the residents, who use these rooms simply as sleeping and living spaces and not for any business activity.

The petitions challenged demand notices that converted earlier residential tariffs into commercial charges. The State and municipal authorities argued that hostel owners carry on a leasing business and therefore qualify as commercial establishments. Rejecting that view, the Court held that the correct test is the **nature of use by the recipient of the service,** not the revenue model of the owner.

The Court made it clear that hostel residents cannot be placed at a disadvantage when apartment tenants enjoy lower residential tariffs. Treating hostels as commercial units would result in an unreasonable burden on lower-income individuals, which was never the intention of the legislation.

Accordingly, the Court quashed the impugned notices and directed the authorities to levy only residential rates on the petitioners' hostels. It clarified, however, that the benefit of this judgment is not automatic for all hostels; each establishment must show that its rooms are used solely for residential purposes.

The petitioners were represented by Advocates Aparna Nandakumar, T. Saikrishnan, S. Senthil, N. K. Ponraj and Kingston Jerold. The respondent authorities were represented by Advocates P. Prithvi Chopda, D. Ferdinand, K. N. Umapathy, Najeeb Usman Khan, N. Velmurugan, V. Vijayalakshmi, D. R. Arunkumar and C. Selvara.

SCBA Seeks Supreme Court Intervention After Shocking Violations of Menstrual Privacy

The Supreme Court Bar Association (SCBA) has approached the Supreme Court highlighting serious and repeated violations of the privacy and dignity of women in institutional spaces. The petition has been filed through Advocate-on-Record Pragya Baghel. It centers on an incident at Maharshi Dayanand University, Rohtak, where three female sanitation workers were allegedly forced to send photographs of their used sanitary pads to prove that they were menstruating, after being called to work on a Sunday due to a gubernatorial visit.

The plea recounts several other instances of "period-shaming," including the 2017 Uttar Pradesh incident involving seventy girls who were stripped for checks, a 2020 Gujarat case where students were allegedly made to remove their underwear for inspection, and a July 2025 incident in Maharashtra involving physical checks following a principal scrutinising photographs of stains.

The SCBA submits that such acts violate **Article 21 of the Constitution of India**, which protects dignity, privacy, bodily integrity and the right to humane working conditions. The Petition also cites observations in the RG Kar Medical College and Hospital case regarding the need for secure working environments.

The SCBA has sought an inquiry into the Rohtak incident and the issuance of nationwide guidelines requiring institutions to uphold women's dignity, privacy and health, and to ensure that no woman is compelled to undergo degrading or intrusive procedures linked to menstruation.

Supreme Court Flags Risks of GenAI Misuse; PIL Seeks Framework for Use in Judiciary

During the hearing of a public interest litigation seeking regulation of Generative Artificial Intelligence (GenAI) within India's judicial and quasi-judicial bodies, Chief Justice of India B. R. Gavai remarked that members of the judiciary themselves have seen their digitally altered photographs, reflecting their awareness of such misuse. The Court then adjourned the matter for two weeks.

The petition, filed by Advocate Kartikeya Rawal, urges the Union government to create a statutory or policy framework to govern GenAI tools used in the justice system. It distinguishes between Artificial Intelligence and GenAI, cautioning that the latter can create fabricated content, including fictitious case laws, owing to its capacity to generate new data. The plea argues that such outputs may result in errors commonly termed "hallucinations," potentially leading to arbitrary reasoning and violations of **Article 14 of the Constitution of India.**

The petition also raises concerns regarding biased datasets, pointing out that GenAI systems may reproduce or intensify discriminatory patterns present in real-world data. According to the petitioner, the adoption of such systems without adequate safeguards could disadvantage marginalised groups and lead to faulty legal analysis.

It has therefore been submitted that any integration of GenAI into judicial functions must be accompanied by transparent data practices and strong accountability standards to ensure that judicial outcomes are not influenced by opaque or biased tools.