5TH OCT-10TH OCT, 2026

# Manupatra Weekly wrap

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## CASE LAWS

### CIVIL

**Supreme Court: Converting civil disputes into criminal cases is a widespread practice**

***Sudha Rakesh Vs. The State of Karnataka & Anr.,*** *Dated:05.10.2026, (MANU/SC/1123/2026; 2026 INSC 1086)*

The Supreme Court has observed that a **purely civil dispute cannot be converted into criminal prosecution unless the essential ingredients of the alleged offences are established,** while quashing proceedings against a power-of-attorney holder arising from a failed land sale agreement.

### CONSTITUTION

**Kerala High Court: Headmistress' churidar cannot bar entry, clothing choice is a fundamental right**

***Sindhu S Nair Vs. Secretary, General Education Department & Ors.,*** *Dated: 05.10.2026 (MANU/KE/3305/2026;* 2026:KER:76813)

The Kerala High Court has observed that *"What dress one wears is ordinarily a matter of personal choice of every citizen of this country. No one or society as a whole can dictate how a citizen should dress without the backing of the law. This is a part of the fundamental rights of every citizen."*

## CONTEMPT OF COURT

### Bombay High Court punishes two lawyers for contempt over threats to trial judge

***Sajiduzzaman Mhammad Hanif Shahid Vs. Sagar Durgadas Rathod & Ors.,*** *Dated: 05.10.2026 (MANU/MH/6476/2026;* 2026:BHC-NAG:13168-DB)

The Bombay High Court convicted two lawyers of **criminal contempt for shouting at and threatening a trial judge in open court,** holding that such conduct amounts to grave misconduct and that obstruction of the judicial process by advocates cannot be tolerated.

## CRIMINAL

### Supreme Court: Failure to explain seizure cannot implicate accused

***Ramkrushna Prahllad Dongardive Vs. The State Of Maharashtra,*** *Dated:08.10.2026, (MANU/SC/1143/2026; 2026 INSC 1099)*

The Supreme Court has observed that the **accused's failure to explain a seizure made at his premises cannot, by itself, be treated as incriminating evidence. T**he burden of proving the legality and validity of the seizure rests with the prosecution.

### Supreme Court: Robbery must be proved for conviction under S. 394 IPC, 1860

***Appa Vs. The State of Maharashtra,*** *Dated:07.10.2026, (MANU/SC/1133/2026; 2026 INSC 1091)*

The Supreme Court has observed that a conviction under Section 394 of the IPC or Section 309(6) of the BNS cannot be sustained unless the **prosecution proves that robbery or an attempt to commit robbery took place.**

### Delhi High Court: No material showing Delhi police compromised the 2020 riots probe

***Shaikh Mujtaba Farooq & Ors. Vs. Union of India & Ors.,*** *Dated:05.10.2026, (MANU/DE/7580/2026; 2026:DHC:8710-DB)*

The Delhi High Court has found **no material showing that Delhi Police compromised the investigation into the 2020 riots** and declined to hold that the entire police machinery was institutionally incapable of conducting a fair and impartial probe.

### P&H High Court: Demolition after lawyer flagged corruption appears aimed at silencing him

***Nikhil Saraf Vs. State of Punjab and Others,*** *Dated:05.10.2026, (MANU/PH/6709/2026; 2026:PHHC:183914-DB)*

The Punjab and Haryana High Court has observed that **demolition action against an advocate's farm** stay, initiated **soon after he alleged corruption by senior State officials, appeared unnatural** and raised doubts about the intent of high-ranking officers.

**Patna High Court: Template arrest memo cannot satisfy Article 22 grounds disclosure rule**

***Sarfaraz @ Muzaffar Ahmad Wani Vs. The Union of India,*** *Dated: 06.10.2026, (MANU/BH/1403/2026)*

The Patna High Court has observed that *"The constitutional mandate and the statutory mandate as contained under Article 22 of the Constitution of India and Section 50 of the CrPC leave no room for doubt that it would be necessary for the investigating agency/arresting authority, that a copy of the written grounds of arrest is furnished to the arrested person as a matter of course and without exception."*

**J&K&L High Court: quashes bail in 24-Kg ganja case despite no misuse of liberty**

***Union Territory of J&K Vs. Shabir Ahmad Dar,*** *Dated: 05.10.2026, (MANU/JK/0879/2026)*

The J&K and Ladakh High Court has ruled that **bail may be annulled if the order granting it is legally unsustainable, perverse or violates a statutory requirement**, even without misuse of liberty, as this differs from cancellation for later misconduct.

## DIRECT TAXATION

**Supreme Court: Subsidy taxability depends on its purpose under the Income Tax Law**

***M/S. Mepco Industries Ltd. Vs. Commissioner of Income Tax, Madurai,*** *Dated: 07.10.2026, (MANU/SC/1134/2026; 2026 INSC 1090)*

The Supreme Court has ruled that an **electricity subsidy tied to an industrial undertaking's power expenditure is a taxable revenue receipt** if intended to ease operating costs rather than finance capital investment, affirming tax on the Rs.16,20,745 subsidy.

## ELECTION

**Supreme Court: Election petition under Representation of the People Act, 1951 must be filed personally by petitioner**

***V. Pon. Paneerselvam Vs. S. Regupathy and Others,*** *Dated:07.10.2026, (MANU/SC/1137/2026; 2026 INSC 1092)*

The Supreme Court has ruled that an **election petition under the Representation of the People Act, 1951 must be presented personally by the petitioner,** affirming dismissal of a challenge to a Tamil Nadu MLA's election as it was filed by counsel.

## NARCOTICS

**Bombay High Court: Accused must be produced before court on plea to extend investigation period**

***Bhimaji Parshuram Sabale Vs. Union of India & Anr.,*** *Dated: 05.10.2026, (MANU/MH/6666/2026)*

The Bombay High Court has observed that **merely informing an undertrial through the Jail Superintendent about a plea to extend the NDPS investigation period does not amount to production before court**, while granting bail to eight accused in a mephedrone seizure case.

## OTHER TAX

### Supreme Court: Tax classification depends on Goods' form at sale, not their end use

***Addl. Commr. Commercial Tax & Ors. Vs. Cadila Health Care Ltd & Anr.,*** *Dated:05.10.2026, (MANU/SC/1121/2026; 2026 INSC 1078)*

The Supreme Court has observed that **tax classification must depend on the form in which goods are sold, not their eventual use.** Products sold as powder or biscuits cannot be classified as non-alcoholic beverages merely because they may later be mixed with milk or water.

## SERVICE

### Supreme Court: Exam marks cannot substitute mandatory qualification under recruitment rules

***Santosh B. Naik vs. State of Goa & Ors.,*** *Dated:06.10.2026, (MANU/SC/1126/2026; 2026 INSC 1089)*

The Supreme Court held that **exam marks cannot overcome the absence of a mandatory qualification under Recruitment Rules.** Merit can be assessed only among eligible candidates, and mere recognition of a qualification does not establish equivalence with the prescribed qualification.

### Supreme Court: Daily-wage status cannot deny annual increment after regularisation

***Chhaganbhai Kohyabhai Pateliya and Others Vs. The State of Gujarat and Others,*** *Dated:05.10.2026, (MANU/SC/1128/2026; 2026 INSC 1088)*

The Supreme Court has observed that **workers regularised from daily-wage service and granted regular pay scales, and retirement benefits cannot be denied an annual increment** due after retirement solely because they were initially engaged as daily wagers.

## TRUST AND SOCIETIES

### Madras High Court upholds FCRA denial to zen trust over religious exclusivity concerns

***Kanzeon Public Charitable Trust Vs. Union of India,*** *Dated:06.10.2026, (MANU/TN/3234/2026)*

The Madras High Court affirmed **denial of Foreign Contribution Regulation Act, 1010 (FCRA) registration to a charitable trust for failing to properly state its religious identity,** noting that the trust itself described its beliefs as Zen Buddhist philosophy, a branch of Mahayana Buddhism.

# NEWS IN BRIEF

## CIVIL

**10.10.2026** A **Delhi court** has observed that the press and the public have the right to question the government in a democracy, and that elected representatives must listen to opinions that differ from their own.

**08.10.2026** The **Supreme Court** has directed the Union Government to constitute a committee to recommend statutory regulations aimed at curbing unethical marketing practices by pharmaceutical companies.

**06.10.2026** The **Madhya Pradesh High Court** has ruled that a prior Revenue Authority decision does not preclude a civil suit under Section 257 of the MP Land Revenue Code, 1959 when civil rights are involved, holding that such a decision cannot operate as res judicata.

**05.10.2026** The **Bombay High Court** has ordered confiscation of a man's mobile phone and imposed Rs. 10,000 costs for recording court proceedings, observing that incidents of litigants recording and misusing courtroom videos are increasing.

The **Calcutta High Court** has directed the West Bengal government to compensate a tea garden worker with Rs. 5.36 lakh for remaining in custody for 60 days beyond his entitlement to release following grant of bail.

## CONSTITUTION

**05.10.2026** The **Rajasthan High Court** has quashed UCO Bank's order transferring a thalassemia patient's caregiver 1,000 kilometres away, holding that mechanically applying the transfer policy without reasonable consideration is inhumane and violates Article 21.

## CONTEMPT OF COURT

**11.10.2026** The **Supreme Court** has observed that a prima facie case of contempt of court is made out over the alleged violation of its October 9 directions restricting metro and railway services in Delhi during the October 10 protests.

## CRIMINAL

**08.10.2026** The **Supreme Court** has questioned the MP High Court for reducing a wife's murder conviction under Section 302 IPC to culpable homicide under Section 304 Part II IPC, 1860 citing its casual assessment of evidence and failure to consider a key witness testimony.

The **Madhya Pradesh High Court** observed that the Arms Act and Rules prima facie do not permit converting a firearm license from sports to self-defense, clarifying that Section 17 of Arms Act, 1959 allows variation of license conditions, not its category.

**07.10.2026**

The **Punjab and Haryana High Court** has rejected a second regular bail plea in a Narcotics Control Bureau case involving over 1.37 crore psychotropic tablets, ruling that prolonged custody alone, without supervening circumstances, does not justify reconsideration.

**06.10.2026**

The **Delhi High Court** has observed that the youthful age of an accused and minor, coupled with their consensual romantic association, may be considered mitigating circumstances in a bail application under the Protection of Children from Sexual Offences Act, while granting bail.

The **Madras High Court** has advised the Enforcement Directorate to prioritize public money, corruption and national-level scams over private disputes while invoking the Prevention of Money Laundering Act.

The **Uttarakhand High Court** has overturned a POCSO court's order closing a blind accused's cross-examination opportunity, directing accessible testimony and affirming that *"furnishing material in an accessible form is intrinsically connected with the accused's right to a fair trial"*.

**05.10.2026**

The **Supreme Court** has issued binding directions to strengthen preventive policing, beat patrolling, cab driver verification, and public transport security in Delhi-NCR during ongoing suo motu proceedings initiated following recent rape cases, including the rape of a teenager at a public park.

The **Supreme Court** has quashed proceedings against six persons accused of abetment of suicide, ruling that a breakup culminating in suicide cannot automatically be treated as abetment, and refusal to marry alone does not attract Section 306 IPC.

The **Calcutta High Court** has ordered fresh DNA tests of two children in an alleged baby-swap case, holding that the matter concerns not only criminal investigation but also the children's right to know their biological identity.

The **Punjab and Haryana High Court** has refused bail to a woman accused of siphoning Municipal Corporation, Panchkula funds, holding that economic offences cannot be viewed lightly merely because they involve no physical violence.

## CYBER LAW

**08.10.2026**

The **Delhi High Court** has held that providing email services constitutes a commercial activity and does not amount to performing a public function merely because the services are widely used or essential for business operations.

## FAMILY

**05.10.2026**

The **Supreme Court** has observed that declining to marry a live-in partner does not, by itself, amount to abetment of suicide. Holding that intentional instigation or knowledge that the refusal would trigger suicide must be established.

The **Madhya Pradesh High Court** has refused to quash a cruelty FIR against a husband and his relatives, holding that a 14-month delay does not make it a counterblast, as the wife's conduct indicated efforts to reconcile and preserve the marriage.

## INTELLECTUAL PROPERTY RIGHTS

**07.10.2026**

The **Delhi High Court** has directed the disabling of 125 websites and domain names allegedly infringing Reliance Industries Limited's registered Jio trademark by promoting lottery, gaming and related services, holding that the threshold for identifying rogue websites was prima facie met.

## LAW OF MEDICINE

**05.10.2026**

The **Delhi High Court** has allowed a 16-year-old sexual assault survivor, abandoned by her parents, to undergo medical termination of her 26-week pregnancy, directing LNJP Hospital to perform it with prescribed safeguards.

## MOTOR VEHICLE

**06.10.2026**

The **Karnataka High Court** has criticised the Public Service Commission and Transport Department for recruitment irregularities involving certificates claiming repair experience with petrol-engine heavy goods and passenger vehicles, which have not existed in India for decades.

## RIGHT TO INFORMATION

**07.10.2026**

The **Delhi High Court** has observed that public expenditure on government employees' benefits does not automatically justify disclosing their personal information under the RTI Act, 2005 upholding the denial of Directorate General of Civil Aviation employee details.

## SERVICE

**07.10.2026**

The **Bombay High Court** has held that students have the right to agitate against suspected irregularities in public examinations, stressing that the State must ensure MPSC recruitment exams are conducted impartially and free from malpractice.

# NOTIFICATION UPDATES

# CENTRAL

## RESERVE BANK OF INDIA

**Notification No.: DOR.MRG.REC.No.241/00-00-001/2026-2027 RBI/2026-2027/285, Dated: 07.10.2026, MANU/RMIC/0453/2026**

**The Reserve Bank of India has issued the Commercial Banks - Miscellaneous Amendment Directions, 2026**, which will take **effect from 01.04.2027**. These amendments involve the **deletion of Sub-section D of Chapter IV from the 2025 Directions**, following a review and in accordance with the Banking Regulation Act, 1949.

**Notification No.: DOR.MRG.REC.No.245/21-01-002/2026-2027 RBI/2026-2027/289, Dated: 07.10.2026, MANU/RMIC/0454/2026**

**The Reserve Bank of India has issued the Fifth Amendment Directions, 2026**, to align the prudential norms on capital adequacy for All India Financial Institutions with international standards. The amendment specifies a **2% risk weight for trade exposure to Qualified Central Counterparties for certain transactions**.

**Notification No.: DoR.RET.REC.239/12.01.001/2026-2027, RBI/2026-2027/283, Dated: 07.10.2026, MANU/RMIC/0455/2026**

**The Reserve Bank of India** has increased the **Bank Rate by 25 basis points to 5.75%, affecting penal interest rates on shortfalls in CRR and SLR requirements.** The revised penal interest rates are now linked to the updated Bank Rate.

**Press Release No.: 2026-2027/1265, Dated: 07.10.2026, MANU/RPRL/0581/2026**

**The Reserve Bank of India** plans to enhance customer convenience by **implementing interoperability among NBFC-Account Aggregators**, allowing **customers to access and share financial information across providers**. Additionally, a Technical Consultative Committee for Financial Markets will be established to engage with market participants on policy and operational matters.

## SECURITIES AND EXCHANGE BOARD OF INDIA

**Circular No.: HO/17/11/24(8)2026-DDHS-POD1/I/23125/2026, Dated: 07.10.2026, MANU/SSMD/0009/2026**

The Securities and Exchange Board of India has **revised the provisions related to the International Securities Identification Number (ISIN) for debt securities issued on a private placement basis.** The changes include **increasing the maximum number of ISINs maturing in a financial year to enhance ease of fundraising and asset liability management by issuers.** Specific limits and exclusions for different types of debt securities have been outlined, and the provisions are effective immediately.

**Circular No.: HO/17/11/22(1)2026-DDHS-POD1, Dated: 07.10.2026, MANU/SSMD/0008/2026**

The Securities and Exchange Board of India (SEBI) has introduced a **"Credit Risk-o-Meter" as a mandatory disclosure tool for debt securities to help investors assess credit risk through a color-coded visualization**. This tool will be included in **offer documents, prospectuses, advertisements, and online platforms, mapping credit ratings to six risk levels with corresponding color codes**. The framework aims to enhance transparency and investor protection in the securities market.

**Circular No.: HO/17/11/24(7)2026-DDHS-POD1/ I/23122/2026, Dated: 07.10.2026, MANU/SSMD/0010/2026**

The Securities and Exchange Board of India (SEBI) has **relaxed the requirement for appointing a mandatory merchant banker for debt issued through private placement by certain listed issuers**. This **exemption applies if issuers meet specific conditions**, such as being regulated by a **financial sector regulator, having no pending fines, and maintaining a high credit rating**. The aim is to enhance the ease of issuing debt securities and expand access to high-rated securities for retail investors.

## MINISTRY OF FINANCE

**Notification No.: 134/2026, Dated: 08.10.2026, MANU/CBDT/0140/2026**

The **Income-tax (Sixth Amendment) Rules, 2026**, introduced by the **Central Board of Direct Taxes, amends the Income-tax Rules, 2026, including changes to rule 231 and the substitution of FORM NO. 161 for waiver of penalty applications under section 440(2)** of the Income-tax Act, 2025.

**Instruction No.: 19/2026-Customs, Dated: 05.10.2026, MANU/CUST/0054/2026**

The document outlines the **procedure for authentication and forwarding of Export Declaration Forms (EDFs) at non-EDI Customs locations as per the Foreign Exchange Management Regulations, 2026**. It mandates that **authenticated EDFs be forwarded to the respective Authorised Dealers, preferably electronically, to minimize misuse**. The Commissioners of Customs are instructed to ensure the implementation of this mechanism and maintain records of the authenticated EDFs.

**Notification No.: 05(3)-B(PD)/2023, Dated: 07.10.2026, MANU/EAFF/0043/2026**

The Ministry of Finance has fixed the **interest rate for the Special Deposit Scheme at 7.1% for Non-Government Provident, Superannuation, and Gratuity Funds** from 01.10.2026, to 31.12.2026.

## MINISTRY OF CORPORATE AFFAIRS

**Notification No.: GSR863(E), Dated: 06.10.2026, MANU/DCAF/0025/2026**

The document outlines the **Indian Corporate Law Service Rules, 2026** detailing **recruitment methods, service conditions, and structure, including eligibility criteria, appointment restrictions**, and provisions for reservations and promotions within the service.

## MINISTRY OF LAW AND JUSTICE

**Notification No.: GSR869(E), Dated: 07.10.2026, MANU/LAFF/0008/2026**

**The India International Arbitration Centre Amendment Rules, 2026**, modifies the **recruitment criteria for various posts, including Registrar and Counsel, by specifying essential and desirable qualifications and experience.** It also introduces provisions for resignation and termination of officers and employees.

## MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY

**Order No.: SO5458(E), Dated: 06.10.2026, MANU/EINT/0031/2026**

**The Digital Personal Data Protection (Removal of Difficulties) Order, 2026**, addresses **textual ambiguities** in the Digital Personal Data Protection Act, 2023, by **clarifying language related to consent for processing data of children and persons with disabilities, and specifying "data audit"** to prevent interpretive ambiguities.

## MINISTRY OF COMMERCE AND INDUSTRY

**Order No.: SO5438(E), Dated: 05.10.2026, MANU/INDP/0045/2026**

The Air Conditioner and its related Parts, Hermetic Compressor and Temperature Sensing Controls (Quality Control) Second Amendment Order, 2026, issued by the Ministry of Commerce and Industry, amends the 2019 order to include **provisions for scroll or rotary hermetic compressors and exempts certain domestically manufactured or imported goods from the order under specific conditions.** The amendment aims to **regulate quality control while allowing manufacturers to manage existing stock and maintain records for compliance**.

## MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION

**Order No.: SO5461(E), Dated: 06.10.2026, MANU/CAFF/0268/2026**

The Central Government has **reduced the sugar stock holding period for dealers to 15 days and set a stock ceiling of 1,000 quintals,** with exceptions for Kolkata, its metropolitan areas, and Assam, where the limit is 2,000 quintals.

**Notification No.: HQ-PUB015/1/2020-PUB-BIS (1612), Dated: 05.10.2026, MANU/CAFF/0266/2026**

The Bureau of Indian Standards has established amendments to several Indian standards, including **specifications for barium sulphate pigments, asbestos cement sheets, methods for water and wastewater testing, steel cord conveyor belts, and abbreviations of homeopathic drugs**. These amendments will remain in force until March 2027.

**Notification No.: HQ-PUB017/1/2020-PUB-BIS (1613), Dated: 05.10.2026, MANU/CAFF/0265/2026**

The Bureau of Indian Standards has cancelled several Indian standards related to food safety, fertilizers, microbiological specifications, steel sections, and agricultural irrigation equipment. These standards have been withdrawn as per the Bureau of Indian Standards Rules, 2018.

# STATE

## WEIGHTS AND MEASURES DIVISION, AGRICULTURE

**Notification No.: W&M(Central Lab)-17/2026/539, Dated: 06.10.2026, MANU/SNBH/0243/2026**

**The Bihar Legal Metrology (Enforcement) Amendment Rules, 2026**, mandate **electronic registration for manufacturers, repairers, and dealers of weights and measures, replacing prior licensing**. It introduces **perpetual validity, mandatory quarterly returns, and strict record-keeping**. Affected entities should register via the official portal and maintain compliant quarterly filings.

## HOUSING AND ENVIRONMENT

**Notification No.: RULE/170/2025-HOUSING, Dated: 07.10.2026, MANU/SNCH/0244/2026**

**The amended Chhattisgarh Bhumi Vikas Niyam, 1984** adopts a **permissible-unless-prohibited land use framework across all zoning categories**, **clarifying operational boundaries for real estate and commercial enterprises.** Affected entities should verify their intended business activities against the specific prohibited lists for their target land-use category before acquiring property.

**Notification No.: RULE/170/2025-HOUSING, Dated: 07.10.2026, MANU/SNCH/0245/2026**

**The amended Chhattisgarh Real Estate (Regulation and Development) Rules, 2017**, explicitly quantifies **penalties for specific violations at 10% of a project's estimated cost.** This substantially increases financial exposure for non-compliant real estate promoters. Affected entities should rigorously audit project compliance to avoid severe monetary penalties.

## LAW AND LEGISLATIVE AFFAIRS

**Notification No.: 2020/D.125/21-A/Pra./C.G./26, Dated: 05.10.2026, MANU/SNCH/0243/2026**

**The Chhattisgarh Rent Control (Amendment) Act, 2026, redefines tenancy by capping security deposits at three months' rent, formalizing property manager roles, and mandating notarized agreements with police intimation within seven days.** Affected entities should immediately update tenancy agreements to comply with these new statutory deposit limits and eviction timelines.

## AUSTRALIA

### Arbitration and Alternative Dispute Resolution

**Federal Court of Australia examines unfair arbitration clauses in consumer contracts**

The Full Court of the Federal Court of Australia examined a mandatory arbitration clause in *Plus500AU Pty Ltd v AghaeiRad* [2026] FCAFC 125. The dispute concerned an investor who lost AUD 111,948 trading contracts for difference through Plus500AU Pty Ltd. The Court considered whether the arbitration clause created a **significant imbalance** under the Australian Consumer Law, Schedule 2 to the Competition and Consumer Act 2010 (Commonwealth). The case highlights that arbitration clauses must be **fair, transparent and clearly disclosed**, particularly where they restrict access to courts.

### Environmental And Climate Change

**High Court of Australia clarifies assessment of Scope 3 emissions in mining approvals**

In *MACH Energy Australia Pty Ltd v Denman Aberdeen Muswellbrook Scone Healthy Environment Group Inc* [2026] HCA 35, the High Court of Australia clarified the assessment of greenhouse gas emissions in mining approvals. The Court interpreted section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979 (New South Wales) and clause 2.20(1)(c) of the State Environmental Planning Policy (Resources and Energy) 2021. By a 3:2 majority, it held that relevant authorities must consider measures to minimise **Scope 3 emissions to the greatest extent practicable** when assessing covered projects.

## CANADA

### Arbitration And Alternative Dispute Resolution

**Supreme Court of Canada to resolve conflicting standards for reviewing arbitration awards**

The Supreme Court of Canada agreed to hear appeals in *Buffalo Point First Nation v Buffalo Point Cottage Owners Association Inc.*, 2025 MBCA 72, and *Vancouver School District No. 39 v Kingsgate Property Ltd.*, 2026 BCCA 98. The cases concern whether courts should apply **reasonableness or correctness** when reviewing questions of law in commercial arbitration. Earlier decisions, including *Sattva Capital Corp v Creston Moly Corp*, 2014 SCC 53, and *Canada (Minister of Citizenship and Immigration) v Vavilov*, 2019 SCC 65, provide relevant guidance. The outcome may clarify the extent of judicial intervention in arbitration.

**Alberta Court maintains a high threshold for setting aside arbitration awards**

In Medicine Hat (City) v Fieldcore Service Solutions Canada Company, 2026 ABKB 447, the Alberta Court of King's Bench dismissed a challenge to a domestic arbitration award. The City of Medicine Hat alleged inadequate reasons and procedural unfairness following a dispute concerning turbine damage. The Court considered sections 44(1) and 45(1)(f) of Alberta's Arbitration Act, Revised Statutes of Alberta 2000, chapter A-43. The decision confirms that procedural unfairness and inadequate reasons must satisfy the applicable statutory threshold before a court will intervene.

## Intellectual Property

**Canadian Federal Court jurisdiction depends on statutory authority**

Canadian Federal Courts exercise jurisdiction granted by federal legislation rather than inherent jurisdiction. In *ITO-International Terminal Operators Ltd v Miida Electronics Inc*, [1986] 1 SCR 752, the Supreme Court of Canada established a 3-part test requiring a statutory grant of jurisdiction, an essential body of federal law and a matter based on a law of Canada. Section 101 of the Constitution Act, 1867 provides the constitutional basis for establishing federal courts. Parties must establish **the correct statutory basis for jurisdiction** before bringing intellectual property, competition or tax proceedings.

# SINGAPORE

## Banking

**Singapore High Court clarifies remedies for cryptocurrency investors**

In *Parastate Labs, Inc v Wang Li and others* [2026] SGHC 178, the Singapore High Court dismissed claims seeking **recovery of cryptocurrency investment losses.** The Court found insufficient grounds to establish that the service provider held assets on trust or owed fiduciary duties to the investor. Without an underlying fiduciary breach, the claim for **dishonest assistance** against the founder could not succeed. The decision highlights the importance of establishing the legal relationship between investors and cryptocurrency service providers before pursuing proprietary remedies.

## Tax

**Singapore tax authority clarifies transfer pricing treatment of share-based compensation**

The Inland Revenue Authority of Singapore clarified that share-based compensation must be included in the cost base when calculating transfer pricing mark-ups under the Transactional Net Margin Method with a full cost mark-up. This applies even when a related company does not recharge the expense and the amount is recorded only as a notional expense. The guidance affects service providers operating under cost-plus arrangements. Eligible taxpayers should review their calculations and the **15 November 2026 submission deadline** for regularising earlier years.

# SOUTH KOREA

## Designs And Trade Secrets

**South Korea expands criminal liability for trade secret misappropriation**

On 20 August 2026, South Korea's National Assembly passed an amendment to the Unfair Competition Prevention and Trade Secret Protection Act. The amendment expressly recognises **hacking** as a means of unlawfully acquiring trade secrets and introduces penalties for persons who facilitate or induce misappropriation. It also addresses the use and disclosure of unlawfully acquired information. Businesses should strengthen confidentiality agreements, access controls and recruitment safeguards to protect **trade secrets and technical information**.

# THAILAND

## Energy And Natural Resources

### Thailand revises investment promotion procedure for data centre projects

Thailand's Board of Investment revised the application procedure for data centre projects through Notification S.3/2569, dated 15 July 2026, replacing the earlier Notification S.2/2569. Applicants no longer need an advance confirmation letter from the Office of the Energy Regulatory Commission. Instead, they must obtain **prior approval from the designated screening subcommittee**. The change applies to specified data centre categories, certain pending applications and qualifying project amendments involving an increase in information technology load exceeding 30%.

# VIETNAM

## Copyright And Intellectual Property Law

### Supreme People's Court approves 3 intellectual property precedents

On 24 September 2026, the Council of Judges of Vietnam's Supreme People's Court approved 3 intellectual property precedents concerning software copyright damages, proof of copyright ownership and criminal infringement of industrial property rights. The precedents draw on Appellate Judgments No. 07/2023/KDTM-PT and No. 66/2023/KDTM-PT, and First-instance Judgment No. 04/2026/HS-ST. The development is expected to improve **consistency in intellectual property disputes**, although the final texts require confirmation once officially published.

## Information Technology and Data Protection

### Vietnam's data centre expansion raises electricity and regulatory concerns

Vietnam's growing digital economy is increasing demand for data centres supporting artificial intelligence, cloud computing, digital banking and other technology services. Establishing these facilities involves investment approvals, land rights, construction, environmental regulation, cybersecurity, data protection and taxation. **Reliable electricity supply** remains a major consideration for large-scale projects. Investors should assess power availability, infrastructure capacity and regulatory requirements before committing to data centre developments.

# USA

## Banking

### Securities and Exchange Commission proposes broader retail access and revised custody rules

On 30 September 2026, the United States Securities and Exchange Commission proposed changes to expand retail access to alternative investment strategies and revise rules governing regulated funds. The proposals address performance-based compensation, interval funds and multiple share classes. On 1 October 2026, the Commission separately proposed a framework for the custody of cryptocurrency assets by investment advisers and regulated funds. These proposals remain subject to consultation and may affect **investor eligibility, fees, fund structures and digital asset custody**.

**Proposed investment reforms could increase competition between retail and institutional funds**

The Securities and Exchange Commission's proposed reforms could encourage fund managers to offer private-market strategies through retail-facing and evergreen investment vehicles. The proposals would permit performance-based compensation for certain regulated funds and revise rules governing interval funds and eligible closed-end funds. Institutional investors may face increased competition for investment opportunities and changes in fund liquidity and allocation practices. Market participants should monitor the proposals for potential effects on **fund terms, capital allocation and investment strategies**.

## Competition And Antitrust

**Federal Trade Commission settlement signals renewed scrutiny of discriminatory pricing**

The United States Federal Trade Commission proposed a settlement with Southern Glazer's Wine and Spirits LLC concerning alleged discriminatory pricing between large retail chains and smaller independent businesses. The case involved the Robinson-Patman Act of 1936, which restricts certain forms of price discrimination that harm competition. The proposed order includes pricing restrictions, independent monitoring and a mechanism for addressing qualifying violations. Subject to judicial approval, the settlement could signal closer scrutiny of **discounts, rebates and pricing justifications** involving suppliers serving businesses of different sizes.

## AI in Use

Extracting text from images and PDFs sounds easy... until you actually try doing it.

Most professionals still do this the hard way:
Typing line by line from images
Dealing with formatting errors
Wasting time fixing small mistakes

**How Manuworks makes it easier**

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*https://www.manuworks.ai/dashboard*