

# MANUPATRA WEEKLY WRAP

6th April - 11th April 2026



## Case Laws

### ADMINISTRATIVE

***Godrej Agrovet Ltd. vs. Food Safety and Standards Authority of India & Anr.,***  
Dated: 07.04.2026 (MANU/DE/2525/2026; 2026:DHC:2861-DB)

The Delhi High Court ruled that the Food Safety and Standards Authority of India **cannot regulate animal or cattle feed under the Food Safety and Standards Act, 2006**, as the law applies only to food meant for human consumption. A bench allowed a plea by Godrej Agrovet Ltd. and struck down Note (c) to Regulation 2.5.2 of the 2011 Regulations (as amended in 2021).

### CIVIL

***M.V. Ramachandrasas (since deceased), represented by legal heirs vs. M/s Mahendra Watch Company, represented by its partners & Ors.,*** Dated: 10.04.2026 (MANU/SC/0344/2026; 2026 INSC 348)

The Supreme Court has observed that a partnership arrangement cannot be used as a device to disguise unlawful transfer of possession, holding that **courts may pierce the veil of partnership to determine whether it is merely a cover for unauthorized sub-letting**. A bench made the observation while hearing an appeal against a Karnataka High Court order that had overturned a trial court's eviction decree.

**Delhi High Court:** Food Safety and Standards Authority of India cannot control animal feed, law applies only to human food.

**Supreme Court:** Courts may pierce veil of partnership to uncover illegal sub-letting arrangements

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**Supreme Court:** Title suit barred by constructive *res judicata* if not raised in earlier injunction case

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**Supreme Court:** Difference between pensioners' dearness relief and employees' dearness allowance held arbitrary, violative of Article 14

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**Supreme Court:** Elections of independent cooperative societies not amenable to writ jurisdiction, as they are not 'State' under Article 12

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**Supreme Court:** Allotment of public contracts through flawed or biased process, even once, breaches guarantee to equality under Article 14.

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**Chhattisgarh High Court:** Minor's voluntary elopement with lover does not constitute kidnapping

***Channappa (D) through LRs. vs. Parvatewwa (D) through LRs., Dated: 09.04.2026 (MANU/SC/03382026; 2026 INSC 343)***

The Supreme Court has clarified that a later suit seeking declaration of title is barred under Explanation IV to Section 11 of the Code of Civil Procedure (constructive *res judicata*) **if the plaintiff failed to claim such relief in an earlier suit** for permanent injunction where title was already in dispute. The Court held that the issue ought to have been raised in the first suit and cannot be re-litigated later.

## CONSTITUTION

***The State of Kerala vs. M. Vijayakumar & Ors., Dated: 10.04.2026 (MANU/SC/0340/2026; 2026 INSC 352)***

The Supreme Court has held that providing higher **dearness allowance (DA) to serving employees while granting lower dearness relief (DR) to pensioners is arbitrary and violates Article 14**, noting that both benefits share the same purpose of offsetting inflation. A bench dismissed appeals by the State of Kerala and KSRTC, upholding the Kerala High Court's ruling striking down the differential rates.

***Ram Chandra Choudhary & Ors. vs. Roop Nagar Dugdh Utpadak Sahakari Samiti Ltd. & Ors., Dated: 10.04.2026 (MANU/SC/0341/2026; 2026 INSC 347)***

The Supreme Court ruled that District Milk Unions are autonomous co-operative societies and **their election matters are not amenable to writ jurisdiction**. The Court observed that the Rajasthan High Court wrongly entertained petitions against the bye-laws, noting that the unions are not "State" under Article 12 and function as member-driven bodies.

***Save Mon Region Federation & Anr. vs. The State of Arunachal Pradesh & Ors., Dated: 06.04.2026 (MANU/SC/0311/2026; 2026 INSC 320)***

The Supreme Court directed the CBI to investigate claims of favoritism by Arunachal Pradesh CM Pema Khandu in the allotment of work contracts outside competitive bidding. The Court highlighted that under Article 14, the **State must ensure public contracts are awarded fairly and transparently**, and the proportion of related-party contracts does not diminish the obligation to prevent conflict of interest.

## CRIMINAL

***Deepak Vaishnav vs. State of Chhattisgarh, Dated: 09.04.2026 (MANU/CG/0763/2026; 2026:CGHC:16334-DB)***

The Chhattisgarh High Court ruled that **kidnapping charges do not stand where a minor girl willingly elopes with an accused**. The bench set aside the conviction of a 24-year-old man under the POCSO Act, noting that a 15-year-old girl had voluntarily accompanied him after leaving home for school, with no proof of inducement or coercion.

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### Delhi High Court:

Marriage with victim does not absolve accused of rape under POCSO Act

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### Supreme Court:

Concurrent imprisonment implies concurrent fine for multiple offences.

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### Jammu & Kashmir and Ladakh High Court:

PMLA bail cannot be cancelled in absence of supervening circumstances; wrong application of section 45 not sufficient

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### Supreme Court:

Proceedings can be quashed when trustworthy material demonstrates that allegations are unfounded.

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### Gujarat High Court:

State Election Commission lacks power to delete names from municipal rolls, must follow assembly list

**Gayassudin vs. State of NCT of Delhi**, Dated: 09.04.2026 (MANU/DE/2580/2026; 2026:DHC:2960)

The Delhi High Court has held that a subsequent marriage between a rape accused and a minor victim **does not absolve the accused of charges of repeated rape under the Protection of Children from Sexual Offences Act (POCSO Act)**. The Court made the observation while denying bail to an accused who had married the victim after she filed a criminal complaint. The Court also noted that the marriage does not erase earlier offences committed when the victim was a minor.

**Hem Raj vs. The State of Himachal Pradesh**, Dated: 08.04.2026 (MANU/SC/03302026; 2026 INSC 332)

The Supreme Court held that when **prison sentences for multiple offences run concurrently, fines imposed for those offences must also run concurrently**, preventing double payment. A bench granted relief to an appellant under the Narcotic Drugs and Psychotropic Substances Act, 1985.

**Assistant Director, Directorate of Enforcement vs. Yatin Yadav & Anr.**, Dated: 08.04.2026 (MANU/JK/0164/2026; 2026:JKLHC-JMU:985)

The Jammu & Kashmir and Ladakh High Court observed that an application for cancellation of bail under the Prevention of Money Laundering Act, 2002 **cannot succeed merely on the basis of incorrect appreciation of Section 45 by the trial court**. The Court emphasized that bail can be cancelled only upon proof of supervening circumstances such as breach of conditions, misuse of liberty, tampering with evidence, or fraud.

**Sajal Bose vs. The State of West Bengal & Ors.**, Dated: 06.04.2026 (MANU/SC/0312/2026; 2026 INSC 322)

The Supreme Court held that criminal proceedings **can be quashed where the prosecution fails to counter credible and unimpeachable evidence that undermines the complaint**. A bench set aside proceedings after CCTV footage contradicted the complainant's version, which remained unrebutted.

## ELECTION

**Varsha Mukeshbhai Katara vs. The State Election Commission through Secretary & Ors.**, Dated: 10.04.2026 (MANU/GJ/0973/2026; 2026:GUJHC:25332-DB)

The Gujarat High Court held that the State Election Commission has **no independent authority to add or remove names from electoral rolls** and is only empowered to replicate the Assembly constituency roll. It granted relief to a woman whose inclusion in the Ahmedabad Municipal Corporation electoral roll was denied for having been approved after the publication of the preliminary list, despite her application being accepted.

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**Supreme Court:** Weapon recovery alone doesn't prove crime, must link to offence under section 27 Evidence Act.

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**Bombay High Court:** Metro corporation office not restricted site; call recording by its officers not covered under Official Secrets Act as spying.

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**Allahabad High Court:** No prior police notice needed for property attachment under section 106 BNSS

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**Bombay High Court:** Delegation of refund powers to adjudicating officer not violative of RERA scheme

## EVIDENCE

**Gautam Satnami vs. State of Chhattisgarh**, Dated: 08.04.2026 (MANU/SC/0319/2026; 2026 INSC 325)

The Supreme Court has ruled that evidence obtained under Section 27 of the Evidence Act **must be firmly connected to the crime for conviction**. A bench set aside a murder conviction, observing that inconsistencies, hostile witnesses, and lack of forensic validation undermine the reliability of disclosure-based recovery.

## INFORMATION TECHNOLOGY

**Pravin Shyamrao Samarth vs. The State of Maharashtra & Anr.**, Dated: 08.04.2026 (MANU/MH/3455/2026; 2026:BHC-NAG:5513-DB)

The Bombay High Court held that recording a conference call between two officials of Maharashtra Metro Corporation Limited (MMCL) and sharing it with another officer **does not constitute “spying” under the Official Secrets Act, as the MMCL office is not a “prohibited place” under the Act**. However, the court observed that such conduct is unethical. The bench partly quashed an FIR against MMCL Assistant Manager Pravin Samarth, while upholding charges under Sections 43 and 66B of the Information Technology Act.

## PROPERTY

**Ashish Rawat vs. Union of India & Ors.**, Dated: 08.04.2026 (MANU/UP/0346/2026; 2026:AHC:78406-DB)

The Allahabad High Court observed that **police can attach property under Section 106 Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) without issuing prior notice**. Distinguishing it from Section 107, the Court noted that only the latter requires a Magistrate to provide notice, while Section 106 permits immediate seizure of property suspected to be stolen or connected to criminal activity.

## REAL ESTATE

**Marvel Landmarks Pvt. Ltd. vs. The State of Maharashtra & Ors.**, Dated: 07.04.2026 (MANU/MH/3314/2026; 2026:BHC-AS:16466)

The Bombay High Court has ruled that assigning the power to order refunds to an Adjudicating Officer does not violate the scheme of the Real Estate Regulatory Authority (RERA) Act. The Court noted that **Section 81 of the Act permits the Authority to delegate its powers and functions to its officers**. It distinguished between compensation, which must be decided solely by the Adjudicating Officer, and other reliefs such as refund, which can be delegated under the Act.

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**Supreme Court:** Courts cannot override discretionary powers of authorities; sets aside governor's direction

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**Supreme Court:** Gratuity can be withheld while criminal or disciplinary proceedings are ongoing

## SERVICE

***The State of Uttarakhand vs. Sarita Singh & Ors.***, Dated: 09.04.2026 (MANU/SC/0333/2026; 2026 INSC 337)

The Supreme Court has held that the grant of extraordinary pension under the Uttar Pradesh Civil Services (Extraordinary Pension) Rules, 1981, **lies within the discretionary power of the Governor**. A bench set aside the Uttarakhand High Court's order directing the State to grant such pension to the widow of a deceased doctor who died in harness, observing that the High Court could not usurp the Governor's discretion.

***Bikram Chand Rana vs. Himachal Pradesh Road Transport Corporation***, Dated: 07.04.2026 (MANU/SC/0322/2026; 2026 INSC 326)

The Supreme Court has held that an employer can lawfully withhold gratuity **when disciplinary or criminal proceedings are pending against an employee**. A bench dismissed an appeal by a former Himachal Pradesh Road Transport Corporation clerk whose gratuity was withheld owing to ongoing criminal proceedings.



## News

### CIVIL

The **Delhi High Court** has issued notice on a PIL challenging several provisions of the *Transgender Persons (Protection of Rights) Amendment Act, 2026*, which was signed into law by the President on March 30.

The **Punjab & Haryana High Court** has imposed Rs. 25,000/- cost on the Deputy Mayor of Mohali for filing a PIL to further a personal cause. The Court observed that a PIL cannot be entertained where the cause raised is, in fact, a personal cause presented as a public cause.

In *suo motu* proceedings regarding non-functional CCTV cameras in police stations, the **Supreme Court** has ordered the personal presence of the Union Home Secretary at the next hearing to assist in implementing effective CCTV monitoring across States. The Court also raised concerns over why other States have not adopted Kerala's model of live monitoring.

### CRIMINAL

The **Supreme Court** has directed the Ghaziabad Police Commissioner to appear in person in a case involving the rape and murder of a 4 year old child, highlighting lapses by the police in not invoking appropriate sexual assault provisions and raising concern over two private hospitals allegedly refusing treatment while the child was still alive.

The **Allahabad High Court** has observed that for a conviction under Section 34 of the IPC, it must be proven that the accused had prior agreement or collaboration with others in committing the crime.

The **Supreme Court** urged States and Union Territories to treat child trafficking with the utmost seriousness, emphasizing that the issue poses significant law and order challenges and demands immediate action from state authorities.

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08.04.2026

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07.04.2026

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06.04.2026

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10.04.2026

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09.04.2026

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08.04.2026

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06.04.2026

The **Supreme Court** has observed that unlicensed money lending against promissory notes, with or without additional security, is prohibited under state money lending laws. The court further observed that proceedings by unlicensed lenders should be dismissed immediately, without waiting for new legislation by states or union territories.

The **Delhi High Court** has issued a notice to the CBI on Arvind Kejriwal's application, requesting the recusal of Justice Swarana Kanta Sharma from hearing the CBI's petition against his discharge in the alleged liquor policy corruption case.

## EDUCATION

The **Supreme Court** has highlighted the non-implementation of the National Commission for *Allied and Healthcare Professions Act, 2021*, pointing out that regulations for paramedical courses under the Act have not been framed even five years after its enactment.

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07.04.2026

## ENVIRONMENT

The **Supreme Court** has dismissed a petition against the Environmental Clearance (EC) for the Kozhikode Wayanad tunnel in Kerala, stating the project is of national importance. The Court observed that it would provide a new lifeline to Kerala, addressing road congestion caused by high population density and land acquisition challenges.

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06.04.2026

## FAMILY

The **Supreme Court** dissolved the marriage of a couple who had been living separately for the past decade and had filed over 80 cases against each other.

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08.04.2026

## INSOLVENCY

The **Insolvency and Bankruptcy Code (Amendment) Act, 2026** has received Presidential assent on 6 April. The amendment aims to enhance the credibility, speed, and predictability of the insolvency process while balancing the interests of creditors, corporate debtors, and other stakeholders.

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06.04.2026

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10.04.2026

## LAW OF MEDICINE

The **Kerala High Court** has permitted two transgender individuals to continue their hormone replacement therapy, following claims that hospitals had halted their treatment after the *Transgender Persons (Protection of Rights) Amendment Bill, 2026* was enacted.

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06.04.2026

## PROPERTY

The **Supreme Court** has ordered the demolition of unauthorized setbacks on 859 properties in Meerut within two months, criticizing Uttar Pradesh authorities for allowing schools, hospitals, and banks to operate from illegal buildings.

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10.04.2026

## SERVICE

The **Supreme Court** has granted interim relief to a transgender petitioner by allowing her to apply for Delhi Government teaching posts under the transgender category, irrespective of the gender specified for the vacancy, while her plea seeking protection of employment rights remains under consideration.

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07.04.2026

## TRUST AND SOCIETIES

During the Sabarimala hearing, **Supreme Court** Justice B.V. Nagarathna observed that a woman cannot be considered *untouchable* for three days a month and then be free from such status on the fourth day, while discussing the application of Article 17.



## Notification Updates

### Reserve Bank of India

The Reserve Bank of India has released a **Discussion Paper** seeking public comments on implementing safeguards in digital payments to reduce fraud. This initiative aims to ensure the safety and security of digital transactions amidst the rapid growth of digital payments in India.

The Reserve Bank of India has issued **draft amendment** directions for branch authorisation across various banking sectors and is seeking public comments. The amendments aim to define delivery points, simplify criteria for engaging Business Correspondents, and standardize the BC ecosystem. Feedback is invited from stakeholders on or before May 05, 2026.

The Reserve Bank of India has released **draft directions for the Trade Receivables Discounting System** to improve financing for MSMEs by facilitating the conversion of trade receivables into liquid funds. The RBI is seeking feedback on these draft directions to harmonize and rationalize existing guidelines.

### Delhi Development Authority

The **Regulations for Transit Oriented Development (TOD) and Charges, 2026** in Delhi aim to promote high-density, mixed-use development within a defined influence zone (typically 500–800 meters) around mass transit corridors like metro stations to encourage public transport use and reduce reliance on private vehicles.

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**Press Release No. :**  
**2026-2027/57,**  
**Date : 09.04.2026,**  
MANU/RPRL/0217/2026

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**Press Release No.:**  
**2026-2027/27,**  
**Dated: 06.04.2026,**  
MANU/RPRL/0202/2026

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**Press Release No.:**  
**2026-2027/48,**  
**Dated: 08.04.2026,**  
MANU/RPRL/0214/2026

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**Notification No. :**  
**PLG/MP/0091/2022/F-20,**  
**Dated: 06.04.2026,**  
MANU/NMIC/0085/2026

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**Circular No.:**  
**HO/49/(17)2026-CFD-  
POD2/I/8965/2026,**  
**Dated: 08.04.2026,**  
MANU/SMIS/0035/2026

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**Circular No.:**  
**HO/49/14/14(13)2026-  
CFD-POD2/ I/8772/2026,**  
**Dated: 07.04.2026,**  
MANU/SMIS/0034/2026

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**Circular No.:**  
**IRDAI/GA&HR/CIR/MIS  
C/51/4/2026,**  
**Dated: 06.04.2026,**  
MANU/IRDA/0014/2026

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**Press Release No.:**  
**50/2026,**  
**Dated: 08.04.2026,**  
MANU/TRAI/0050/2026

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**Press Release No.:**  
**49/2026,**  
**Dated: 07.04.2026,**  
MANU/TRAI/0049/2026

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**Press Release No.:**  
**48/2026,**  
**Dated: 06.04.2026,**  
MANU/TRAI/0048/2026

## Securities and Exchange Board of India

SEBI has amended the **SEBI (Issue of Capital and Disclosure Requirements) Regulations, 2018**, to allow specified securities to be marked as "non-transferable" during the lock-in period. Depositories have updated their systems to support this, and all relevant parties must comply with the new mechanism for the lock-in of pledged shares.

SEBI has granted a one time relaxation from penal provisions for listed entities not complying with Minimum Public Shareholding (MPS) requirements due to market volatility from geopolitical tensions. This applies to entities with compliance due dates between April 1, 2026, and September 30, 2026, advising stock exchanges and depositories to refrain from penal actions during this period.

## Insurance Regulatory and Development Authority

The IRDAI has issued **revised Information and Cyber Security Guidelines for 2026** to help the insurance industry strengthen defenses and governance against emerging cyber threats. These guidelines set minimum standards for all regulated entities, including insurers and intermediaries, to ensure compliance.

## Telecom Regulatory Authority of India

The Telecom Regulatory Authority of India (TRAI) has released a consultation paper seeking **feedback on the framework for authorizing satellite communication networks and the assignment of spectrum to satellite network providers**. The paper aims to explore regulatory measures and guidelines for the efficient allocation and management of spectrum, addressing the growing demand for satellite-based communication services in India. Stakeholders are invited to provide their input on the proposed framework to help shape future policies in the sector.

The Telecom Regulatory Authority of India (TRAI) has released the draft **Telecom Consumer Protection (Thirteenth Amendment) Regulation, 2026**. The proposed amendments aim to strengthen consumer rights in the telecom sector, addressing issues such as service quality, billing transparency, and grievance redressal. TRAI has invited comments from stakeholders to ensure the regulation enhances consumer protection and promotes better practices within the industry.

The Telecom Regulatory Authority of India (TRAI) has released a Consultation Paper on the **formulation of a regulatory framework for Application-based Linear Television** Distribution (ALTD) Services, including Free Ad-Supported Streaming Television (FAST) Services.

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**Press Information  
Bureau,**

**Dated: 08.04.2026,**  
MANU/PIBU/0587/2026

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**Notification No.:**

**04/2026-2027,**  
**Dated: 06.04.2026,**  
MANU/DGFT/0065/2026

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**Press Information  
Bureau,**

**Dated: 07.04.2026,**  
MANU/PIBU/0578/2026

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**Press Information  
Bureau,**

**Dated: 07.04.2026,**  
MANU/PIBU/0577/2026

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**Public Notice No. :**  
**Policy-01/2/2025-CL-V-**  
**MCA-Part(2),**  
**Date : 08.04.2026,**  
MANU/DCAF/0014/2026

## Ministry of Environment, Forest and Climate Change

The Commission for Air Quality Management **imposed an environmental compensation** of approximately **Rs. 61.85 crore** on six thermal power plants near Delhi for **failing to comply with biomass co-firing norms**. This measure aims to promote the use of crop residue, reduce paddy straw burning, and mitigate air pollution in the region. The power plants were found non-compliant with the mandated use of biomass pellets alongside coal.

## Ministry of Commerce and Industry

The export policy for wood pellets and wood briquettes has been amended, changing their status from "*Prohibited*" and "*Free*" to "*Restricted*." Exports of these items now require a Restricted Export Authorization.

## Ministry of Statistics & Programme Implementation

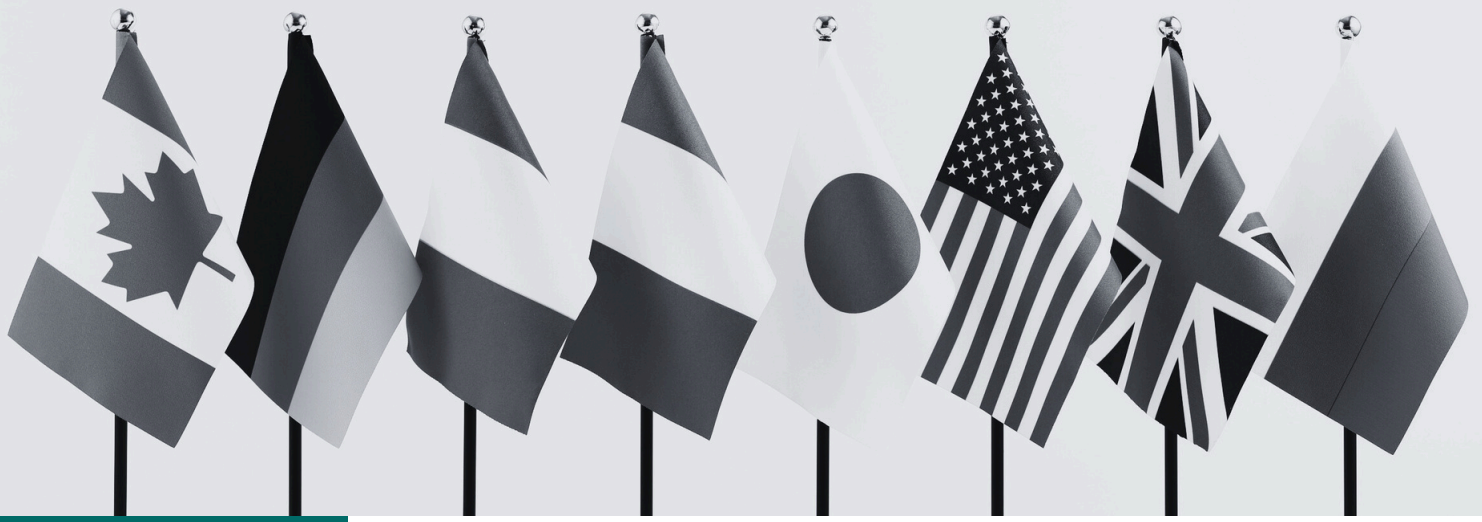
The Ministry of Statistics and Programme Implementation has released **draft guidelines for compiling Gross State Value Addition and District Domestic Product estimates** with a revised base year of 2022-23. These guidelines aim to improve data accuracy, consistency, and comparability across states and districts by integrating new data sources and refining estimation techniques. Feedback on the draft is invited from stakeholders.

## Ministry of Housing & Urban Affairs

The **regularization of unauthorized colonies in Delhi** on an "**As-is Where-is**" basis is a government initiative to grant legal recognition to properties in these colonies without requiring physical relocation or redevelopment. Under this scheme, residents will retain their properties, with basic infrastructure like roads, water, electricity, and sewage being improved or provided. The process involves verifying land ownership and collecting relevant fees, while ensuring no evictions.

## Ministry of Corporate Affairs

The Ministry of Corporate Affairs has proposed **draft amendments to the Companies (Incorporation) Rules, 2014** to strengthen the company incorporation process by introducing stricter verification of registered office addresses, enhanced disclosure requirements, and tighter compliance checks to curb shell companies, while also aiming to streamline digital filings and improve transparency; the draft is currently open for public consultation before being finalized.



## International Updates

### AUSTRALIA

#### BANKING

Parliament Approves  
New Exemptions for  
Foreign Financial Service  
Providers

The Federal Parliament has passed the *Treasury Laws Amendment (Genetic Testing Protections in Life Insurance and Other Measures) Bill 2026* on **1 April 2026**, introducing **key changes to Australia's foreign financial service provider (FFSP) regime**. The Bill updates the **exemptions available to offshore providers**, with changes set to take effect **12 months after Royal Assent (still pending)**, meaning the new framework is expected to commence **after 1 April 2027**. **Further guidance from ASIC** on the transition process is anticipated. Notably, **no changes have been made to the proposed FFSP exemptions** since the Bill was reintroduced. Once in force, FFSPs must **assess eligibility under updated exemptions, review cross-border marketing practices, and determine whether to rely on exemptions or obtain an Australian Financial Services License (AFSL)**.

#### COMPETITION & ANTITRUST

Control in Focus: Australia  
Introduces New Voting  
Power Triggers

Australia's new merger control regime will **capture more transactions** by introducing **voting power thresholds at 20% and 50%**, which can trigger notification requirements **even without gaining control**. Effective from 1 April 2026, these changes increase **ACCC oversight, compliance costs, and deal complexity**, impacting **stake-building, governance, and timelines**. Dealmakers must ensure **early merger analysis, accurate tracking of voting power, and strong internal controls** to avoid accidental threshold crossings. Overall, **careful planning and structured execution are now essential** to manage regulatory risks. The new rules also mean **even small increases in shareholding can have legal consequences**, making routine investments more sensitive. **Stake-building strategies will need to be slower and more deliberate**, especially in competitive deals

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## Construction

Alleging disruption is simple, but proving and measuring it can be challenging

Disruption claims often appear persuasive because they mirror real construction challenges—**halted work zones, idle equipment, disrupted workflows, and reduced productivity**. However, *CMA Assets Pty Ltd v John Holland Pty Ltd* highlights that **inefficiency alone does not justify compensation**; disruption must be **clearly proven, quantified, and linked to actual cost and causation**. The dispute arose from demolition and dredging works at an operational port, where CMA sought unpaid dues while John Holland counterclaimed costs incurred in clearing debris and disruption to its works. John Holland argued that excess concrete and rebar left by CMA in critical areas forced it to extend the use of specialized vessels and disrupted key activities like pile driving, leading to reduced efficiency. CMA denied these claims and contended that any such losses were limited to liquidated damages under the subcontract.

## Employment & Labor

Full Federal Court Clarifies How Sleepover Payments Work Under the SCHADS Award

The Full Federal Court in *Fair Work Ombudsman v Jats Joint Pty Ltd [2026] FCAFC 25* has clarified that **sleepovers are not part of a shift but a break between shifts** under the SCHADS Award. As a result, **employees are not entitled to night shift penalties for shifts immediately before or after a sleepover**. The Court emphasized that **penalty rates apply only to hours actually worked during a qualifying shift**. This decision goes against the earlier position taken by the Fair Work Ombudsman. Employers must note that **sleepovers do not convert adjacent shifts into night or afternoon shifts**. However, **any work performed during a sleepover must still be paid overtime**. Businesses may need to **review payroll systems and compliance practices**. Importantly, the legal position may change, as **proposed amendments to the SCHADS Award could alter this interpretation**.

## Energy & Natural Resources

Can Gas Be Considered Clean Energy?

Amid ongoing climate debates, the Federal Court's decision in *ACCR v Santos* examined whether describing natural gas and blue hydrogen as "clean energy" amounts to greenwashing. The Court ruled in favor of Santos, finding that its statements were **not misleading or deceptive** when viewed in context, particularly for an investor's audience. It held that "clean energy" was used **comparatively (cleaner than coal or diesel)**, not to imply zero emissions. Similarly, claims around blue hydrogen were accepted as **industry-style descriptions linked to carbon capture and storage**, rather than absolute zero-emission promises. The judgment highlights that **context, audience, and wording are critical** in assessing such claims. However, it does not settle the broader debate on gas as clean energy, which is likely to continue. The key takeaway is that **"clean energy" claims remain legally sensitive and context dependent**.

## IT & Data Protection

Draft Children's Online Privacy Code Open for Consultation

The Office of the Australian Information Commissioner (OAIC) has released a draft **Children's Online Privacy Code** for public consultation until **5 June 2026**, with final registration required by December 2026. The Code will apply broadly to online services like **social media, gaming, messaging, streaming, and educational platforms** accessed by children. It introduces key obligations such as **age verification, data minimization, and ensuring data use aligns with a child's best interests**. Platforms must also obtain **parental consent for users under 15** and provide **child-friendly privacy policies**. New rights include the ability to **request data deletion and greater transparency in data handling**. Overall, the Code will require **significant operational and compliance changes** for affected businesses.

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## Company & Commercial

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China Introduces Its First Comprehensive Rules on Industrial and Supply Chain Security

## Copyrights

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Copyright Compliance Takes Center Stage: A Case You Shouldn't Overlook

## Internet & Social Media

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Can Websites or Digital Platforms Link to Third-Party Content Without Permission?

## Patents

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How to File a Utility Model Patent in Taiwan, China: A Complete Guide

## CHINA

China's State Council has introduced new **Regulations on Industrial and Supply Chain Security**, effective immediately from 7 April 2026, creating a **unified, national security-focused framework** for supply chain oversight. The rules expand scrutiny to include **commercial decisions by multinational companies** that may impact China's supply chain stability, with broad terms giving authorities **wide discretion to investigate actions like exiting Chinese supply chains or limiting business with local partners**. Companies may face **conflicts between Chinese laws and foreign regulations like US or EU sanctions**, increasing both corporate and personal risks. Overall, the move signals China's shift toward **proactively controlling supply chain behavior and deterring external pressures**.

A recent controversy involving Chinese singer Shan Yichun performing a song without authorization highlights how **"unawareness" is often wrongly used as a defense in copyright cases**. With the rise of AI tools, creating and sharing content has become easier, but it has also increased the risk of **unintentional copyright infringement**. Many still assume that online or AI-generated content is free to use, which is a misconception under copyright law. Chinese law clearly requires **prior authorization and imposes liability even in cases of negligence**, with strict penalties for violations. Courts also assess whether reasonable care was taken, making ignorance an unreliable defense. The key takeaway is clear: **always obtain permission before use, ensure proper compliance checks, and treat copyright as a core responsibility**.

In China, simply providing a hyperlink to a third-party website is generally not considered copyright infringement, as a link itself does not contain content. The Supreme People's Court has clarified that internet service providers may be exempt from liability if they only provide links and are not involved in infringement. However, **deep linking**, where content is directly displayed without redirecting users, is treated differently. Courts often apply the **"server standard"** to assess whether infringement has occurred in such cases. Additionally, the **Anti-Unfair Competition Law** may be used alongside copyright law if the conduct is deemed improper. Overall, while basic linking is usually safe, **deep linking can raise legal risks**.

Utility model patents in Taiwan offer businesses a **fast and cost-effective way to protect innovations**, especially product improvements and structural designs. Applications can be filed directly or through the **Paris Convention route**, with key documents including specifications, claims, and drawings in traditional Chinese. Unlike invention patents, they undergo **formal examination only**, allowing approval typically within **6-12 months**, though they may still face invalidation challenges. Taiwan also allows **dual filing**, enabling companies to secure quick short-term protection alongside long-term invention patents. The protection lasts **10 years**, making it useful for fast-moving industries. Overall, a well-planned filing strategy and accurate documentation are essential for effective IP protection.

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## Banking

Bank Negara Malaysia  
Updates Its Policy on the  
Reference Rate  
Framework

## Company & Commercial

Personal Dishonesty as a  
Key Requirement in  
Fraudulent Trading under  
Section 304 of the  
Companies Act, 1965 and  
Section 540 of the  
Companies Act, 2016

## Arbitration & ADR

Singapore: A Premier  
Centre for International  
Arbitration (International  
Arbitration Laws and  
Regulations 2026)

## Aviation

Snapshot: Passenger  
Liability in International  
Air Carriage in Singapore

## MALAYSIA

**Bank Negara Malaysia (BNM)** has issued a **revised Reference Rate Framework policy**, effective **1 July 2026**, replacing the 2021 version and applying to **banks, Islamic banks, and financial institutions**. The update covers **retail loans and financing** (housing, vehicles, personal loans) and introduces **clearer roles for boards and senior management** to ensure **proper governance** and **fair customer treatment**. Key changes require **loan instalments to adjust** in line with **benchmark rates (SBR, BR, BLR)** with **shorter implementation timelines**. It also sets **clear rules on customer notification** and allows **limited exceptions** for unchanged instalments. Overall, the revisions aim to enhance **transparency, consistency, and consumer protection** in loan pricing.

The **Federal Court's dismissal** highlights that courts will respect **good faith in commercial decisions of directors** in reviving distressed companies. To prove **fraudulent trading**, a **high threshold** must be met—requiring **clear evidence of actual fraud** and **personal dishonesty**. Creditors cannot easily lift the **corporate veil** without proving this, assessed **both objectively and subjectively**, along with **specific misrepresentation** linked to the transaction. The **High Court and Court of Appeal rulings** also stress that creditors are bound by prior findings under **res judicata**, ensuring **finality in litigation**.

## SINGAPORE

Singapore remains a **leading global hub for arbitration**, supported by a **strong legal framework, pro-arbitration judiciary**, and institutions like the Singapore International Arbitration Centre. Its system emphasizes **minimal court intervention, party autonomy**, and **procedural flexibility**. It also allows **third-party funding** and grants **effective interim relief**, ensuring efficient dispute resolution. Arbitral awards are **final and binding**, enforceable under the New York Convention with **limited grounds for challenge**. Singapore's expanding network of treaties further strengthens its role in **international and investment arbitration**.

In Singapore, liability for passenger injury or death in international air carriage is mainly governed by the Montreal Convention and Warsaw Convention, with courts likely to interpret both in a similar manner. The Warsaw Convention is treated as the **exclusive basis of liability**, and a similar approach is expected for the Montreal Convention. Courts generally adopt a **purposive interpretation**, often relying on **foreign judgments as persuasive authority**. The term “carrier” may include **agents and servants** in certain contexts, especially liability limits. Defenses like **willful misconduct** require a **subjective awareness of wrongdoing**, while claims are subject to a strict **two-year limitation period**. Overall, Singapore courts emphasize **consistency, finality, and international alignment** in aviation liability cases.

## Banking

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Third Parties Take the Spotlight: MAS Ushers in a New Era of Oversight

## Banking

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Digital Assets & Blockchain Update

## Arbitration & ADR

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Shaping the Future: A Roundtable Discussion on Construction Arbitration

Interpreting “Transportation Worker”: SCOTUS Re-examines the Scope of the FAA Exemption

The Monetary Authority of Singapore (MAS) is introducing a **major structural shift** in managing **third-party risks**, expanding beyond **traditional outsourcing** to a **broader range of external relationships**. The framework aligns with global standards from the Financial Stability Board and Basel Committee on Banking Supervision, requiring **strong governance across the entire lifecycle** of third-party arrangements. It also grants MAS the power to **direct termination of service providers** in case of unresolved risks. Even where services are **exempt**, firms must maintain **business continuity and risk controls**. With a **tight six-month transition period**, financial institutions must **act quickly to update contracts, systems, and governance frameworks**.

## HONG KONG

The March 2026 edition of *The Payments Newsletter (Digital Assets & Blockchain)* highlights **major global regulatory, market, and industry shifts** across payments and crypto, including the **UK FCA’s regulatory priorities**, the **ECB’s digital euro pilot launch**, and **Delaware’s proposed bills on digital assets and stablecoin regulation**. It also captures strong momentum in **agentic payments, AI-driven commerce**, and **cross-border payment reforms** led by bodies like the FSB, alongside increasing regulatory focus on **fraud prevention, operational resilience, and third-party risk**, while still promoting innovation in **stablecoins and tokenized payments**. Key market participants such as **Mastercard, Visa, Santander, and Klarna** are actively experimenting with **AI-enabled and blockchain-based payment solutions**, reflecting a rapidly evolving ecosystem where **regulation and innovation are advancing together**.

## USA

Rising **cost pressures, supply chain disruptions, and decarbonization demands** are significantly reshaping construction projects and the disputes that arise from them. Experts highlight that **inflation, poor risk allocation, and evolving regulations** are leading to more **complex and early-stage disputes**, often long before arbitration begins. There is a clear move toward **data-driven claims**, with tribunals demanding **strong evidence, clear causation, and proper documentation**, rejecting weak or speculative arguments. At the same time, **AI and data analytics** are transforming dispute resolution by improving efficiency and accuracy, while **procedural innovations** like expedited hearings are reducing time and costs. The **energy transition** is further increasing dispute volume and technical complexity, especially in infrastructure and renewable projects. Additionally, **legal finance** is emerging as a key tool, enabling parties to pursue claims and shifting focus toward the **merits of the case**.

The U.S. Supreme Court is reconsidering the scope of the **FAA transportation worker exemption** in *Flowers Foods, Inc. v. Brock*, focusing on whether **local delivery drivers handling goods moving in interstate commerce** fall within the exemption. The key issue is whether eligibility depends on the **nature of the worker’s role (interstate vs intrastate work)** or the **overall interstate journey of the goods**. Earlier rulings like *Southwest Airlines Co. v. Saxon* and *Bissonnette v. LePage Bakeries Park Street, LLC* clarified that **workers need not be in the transportation industry but** left this specific question open. The debate now centers on **“crossing state lines” vs “final destination of goods”** as the defining test, with judges divided on adopting a **clear bright-line rule**. The outcome will significantly impact **the enforceability of arbitration agreements**, as a broader interpretation may expand the exemption, while a narrow one will preserve **FAA coverage for employers**.

6-11 April 2026

Manupatra Weekly Wrap

## Banking

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Blockchain Association Pushes Back Against Proposed Rules for Tokenized Markets

The Blockchain Association has opposed efforts by the U.S. Securities and Exchange Commission to regulate **tokenized market participants as traditional financial intermediaries**, arguing this misinterprets how the law applies to decentralized systems. It emphasized that **DeFi developers creating autonomous, non-custodial software are not “exchanged,” “brokers,” or “dealers”**, as they do not actively control transactions. The Association highlighted that **courts distinguish between passive technology and active financial intermediation**, citing cases like Coinbase’s wallet decision. It also warned that broad regulation could **unreasonably extend to tech providers like Nasdaq, Bloomberg, and others** simply support infrastructure. Further, it argued that **strict rulemaking requirements could delay innovation**, urging the SEC to rely on **flexible tools like exemptions and guidance** to support evolving financial technology.

OCC and FDIC Release Final Rule on Reputational Risk

On April 7, the Office of the Comptroller of the Currency and Federal Deposit Insurance Corporation issued a final rule removing **“reputation risk” as a supervisory factor**, aiming to reduce subjectivity and political influence in banking oversight. The rule **prohibits regulators from taking adverse actions or pressuring banks based on political, ideological, or social considerations**, ensuring fair treatment of customers. It also clarifies that **banks cannot be forced to close or deny accounts due to lawful but disfavored activities or beliefs**. This move aligns with **Executive Order 14331 on “fair banking”**, addressing concerns around **“debanking” practices**. While narrowing the definition of reputation risk, regulators emphasized continued focus on **core financial risks like credit, liquidity, and operational stability**, ensuring stronger and more objective supervision.

## Capital Markets

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Firm Resolves FINRA Charges Over Unauthorized and Unsuitable Leveraged Trading

A firm settled charges with Financial Industry Regulatory Authority over **unsuitable leveraged investment recommendations and unauthorized discretionary trading** by its representative. Regulators found the firm **ignored nearly 10,000 supervisory alerts**, including issues of **overconcentration in high-risk, leveraged securities**, often closing them without proper review. It also **altered customer risk profiles without consent**, suppressed **margin of call notices**, and allowed trading without required authorization. These failures led to **significant investor losses, forced liquidations, and margin calls** during market volatility. The firm was found to have violated **Rule 3110 (Supervision)** for lacking proper oversight systems. To settle, it agreed to **a \$3.25 million fine, censure, and over \$55 million in customer compensation**.

## Company & Commercial

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Iran War: Business Impacts and Strategic Implications

The **Iran War** is creating **major uncertainty for global business**, despite statements by Donald Trump suggesting a quick end. The **closure of the Strait of Hormuz** has severely impacted **global energy supply, supply chains, and key industries** like fertilizers and semiconductors. Ongoing attacks and escalation risks are forcing **businesses and governments to rethink investments and diversify supply chains**. Gulf economies are facing **rising risks of premiums, workforce shifts, and economic pressure**, though recovery is possible with de-escalation. Overall, the conflict shows that **even limited disruption can trigger wide global economic consequences**, with **long-term instability and further escalation still a real risk**.

## Energy & Natural Resources

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Proposed California Bill Seeks to Transform Land Use Approval Processes for Data Centers, Renewable Energy, and Storage Projects

Rising demand for AI has pushed California lawmakers, led by Gavin Newsom, to propose stricter rules for **data centers and renewable energy projects**, focusing on **environmental impact, electricity costs, and community involvement**. Key bills tighten California Environmental Quality Act review, **removing exemptions and increasing scrutiny**, which may delay approvals and raise compliance burdens. New rules also introduce **detailed reporting on energy and water usage**, and **higher public participation requirements**, especially near overburdened communities. Additional proposals include **special electricity tariffs for high-demand data centers** to prevent cost shifting to consumers. Overall, these changes signal a **major regulatory shift that could impact investment decisions, project timelines, and growth of AI infrastructure** in the state.



## AI in Use

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