

## **Frequently Asked Question – Authorisation for Assignment (AFA)**

### **1. Who is required to obtain AFA and what is the eligibility criterion for obtaining AFA?**

**Ans.** An Insolvency Professional Member is required to obtain an AFA. For the purpose of obtaining AFA, the Insolvency Professional Member has to submit application with his IPA in Form AA (online mode only) and has to strictly adhere to the following eligibility requirements **as on the date of application:**

- (a) He is registered with the Board as an IP;
- (b) He is a fit and proper person in terms of the Explanation to clause (g) of regulation 4 of the Insolvency and Bankruptcy Board of India (Insolvency Professionals) Regulations, 2016;
- (c) He is not in any employment;
- (d) He is not debarred by any direction or order of the Agency or the Board;
- (e) He has not attained the age of seventy years;
- (f) He has no disciplinary proceeding pending against him before the Agency or the Board;
- (g) He has no criminal/disciplinary proceeding pending against him under any law;
- (h) He complies with requirements with respect to-
  - payment of fee to the Agency and the Board;
  - filings and disclosures to the Agency and the Board;
  - continuous professional education; and
  - other requirements, as stipulated under the Code, regulations, circulars, directions or guidelines issued by the Agency and the Board, from time to time.

### **2. How can I apply for Authorisation for Assignment (AFA)?**

**Ans.** Please visit <https://www.ibbi.gov.in/> and click on **IP Login** button on the right side of home page. Enter your log in credentials (**already been mailed to you by IBBI**) and proceed for application for issuance of AFA via Form AA.

### **3. I have not yet received the log in credentials. To whom should I contact for the same?**

**Ans.** Please send an e-mail to [ipeg@ibbi.gov.in](mailto:ipeg@ibbi.gov.in) from your e-mail ID registered with IBBI while stating your full name and registration number.

### **4. Is there any User Manual available for filling up the application for issuance of AFA?**

**Ans.** Yes, a Step by Step Guide to AFA is available at IBBI Online Portal and same can be viewed on the Top of the dashboard, once you log in to your account.

**5. In the online application for AFA, what data is to be entered at Enrolment Date and Enrolment Number?**

**Ans.** Please refer to the 'Certificate of Membership' issued to you by your IPA. Accordingly, enter the date of your enrolment with your IPA and enrolment number allotted to you by IPA. For any assistance, contact your IPA immediately. *Please do not enter IBBI registration number and date of IBBI registration here.*

**6. In the online application for AFA, which information is to be updated in 'Continuous Professional Education' tab?**

**Ans.** Please refer to the IBBI (Continuing Professional Education for Insolvency Professionals) Guidelines, 2019 issued on 6<sup>th</sup> August 2019. These Guidelines provide that an IP shall undertake a minimum of 10 credit hours of CPE each calendar year and a minimum of 60 credit hours of CPE in each rolling block of three calendar years. AFA shall not be issued or renewed to an IP who fails to comply with these Guidelines. **These will come into force with effect from 1<sup>st</sup> January 2020.** These shall not apply to IPs who have completed the age of 65 years. *Please update the information, if applicable.* Hence, for this time you can leave the box blank or write NA.

**7. In the online application for AFA, when the 'copy of CIN/LLPIN/Certificate of Registration of the Corporate Debtor' becomes applicable?**

**Ans.** Only in cases, where you are a whole-time director / managing director in any company, this document is to be attached.

**8. The credit score has to be availed from which agency?**

**Ans.** CIBIL score report downloaded from any RBI registered Credit Information Company is acceptable and the same should not be older than three months.

**9. Whether any fee is required to be paid under Clause 12A (3) while filing Form AA. If not, then whether the check box should be left unticked?**

Ans. Presently no fee is prescribed **under Clause 12A (3). Box should be left unticked till any further instructions.**

**10. Can I edit my application for AFA, once submitted through DSC/ESC?**

Ans. No. It can not be edited. Please go through the online application format once, keep all the documents ready and fill the form accordingly. You may save it as draft before submission to enable you to check and correct your application before final submission.

**11. I have successfully submitted my online application for AFA, how shall I receive my certificate of AFA?**

Ans. Upon submission of your online application through DSC/ESC, the application is received and examined by your IPA. Once, IPA approves the same, the online certificate of AFA is generated and the same becomes available in your dashboard. You can then view/print your Certificate of AFA.

**12. Whether I will receive any physical copy of my Certificate of AFA?**

Ans. No, Certificate of AFA shall be issued only through online mode.

**13. My application for AFA has been rejected. What should I do now?**

Ans. In case, your application is rejected by your IPA, click on Appeal Button and submit your online appeal (attach relevant documents) to the Membership Committee of your IPA against the rejection of your application. *Appeal must be made to your IPA within 7 days of date of rejection.*

**14. I have failed to file the appeal and time period for filing the appeal has expired. What should I do know?**

Ans. In case, you failed to file an appeal within stipulated time frame and the time period for filing appeal gets expired, the existing application procedure for obtaining AFA will be closed. After expiry of 7 days, you may submit a fresh application for obtaining AFA through the same procedure.

**15. What shall be the validity period of my AFA?**

Ans. AFA shall be valid for a period of one year from the date of its issuance or till the date on which you attain the age of 70 years, whichever is earlier.

**16. Whether all the attachment provided in the Form are mandatory?**

Ans. The attachment is required wherever it is applicable and is not mandatory in nature.

**17. I am presently handling one assignment under IBC, 2016. Do I need to apply for AFA?**

**Ans.** No, AFA is not required for current assignment, but is required to be obtained for any fresh assignment after 31<sup>st</sup> December, 2019. Please refer to the proviso to Regulation 7A of the IBBI (Insolvency Professionals) Regulations, 2016, which, inter alia, provides that the said Regulation shall not apply to an assignment which you are undertaking as on 31<sup>st</sup> December, 2019.

**18. Is the AFA to be obtained for every assignment?**

**Ans.** No. It is a 'Certificate of Authorization for Assignment' having validity of one year from the date of its issuance or till the date on which you attain the age of 70 years, whichever is earlier.

**19. Where can I get more information about AFA?**

**Ans.** Please refer to IBBI (Model Byes of Insolvency Professional Agencies) Regulation, 2016 as amended from time to time which is available at <https://www.ibbi.gov.in/legal-framework/updated>. You may also contact your IPA for seeking clarifications, if any.

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