

SERIES - 4

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THE INSOLVENCY AND BANKRUPTCY CODE, 2016

Insolvency and Bankruptcy Board of India (Model Bye-Laws and Governing Board of Insolvency Professional Agencies) Regulations, 2016

Q.1.Can Insolvency Professional Agencies amend their Bye-Laws:

- A No, insolvency professional agencies cannot amend their bye-laws
- B Yes, insolvency professional agencies can amend their bye-laws and without any prior approval from any authority
- C Yes, insolvency professional agencies can amend their bye-laws after an expiry of 1 year from the date of registration
- D Yes, Insolvency Professional Agencies can amend their bye-laws by a resolution passed by votes in favour being not less than three times the number of the votes, if any, cast against the resolution, by the directors.

Q.2.In how many days resolution authorizing amendment in Bye-laws of an Insolvency

Professional Agency shall be filed with IBBI:

- A Within 7 days from the date of its passing
- B Within 3 days from the date of its passing
- C Within 15 days from the date of its passing
- D Within 10 days from the date of its passing

Q.3.In how many days an Insolvency Professional Agency shall file the printed amended copy of their Bye-Laws with IBBI:

- A Within 14 days from the date when such amendment is made effective
- B Within 7 days from the date when such amendment is made effective
- C Within 30 days from the date when such amendment is made effective
- D Within 15 days from the date when such amendment is made effective

Q.4. When shall the amended bye-laws of an Insolvency Professional Agency come into effect:

- A On the fifth day of the receipt of approval from the Board
 - B On the second day of the receipt of approval from the Board
 - C On the seventh day of the receipt of approval from the Board
 - D On the tenth day of the receipt of approval from the Board
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Q.5. Who has the authority to amend bye-laws of an Insolvency Professional Agency:

- A Insolvency Professional
 - B Governing Board of Insolvency Professional Agency
 - C Advisory Board of Insolvency Professional Agency
 - D Shareholder of Insolvency Professional Agency
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Q.6. How many directors of the Governing Board of an Insolvency Professional Agency shall be Insolvency Professionals:

- A Not more than one-third of the directors
 - B Not more than one-fourth of the directors
 - C Not more than half of the directors
 - D Not more than three-fourths of the directors
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Q.7. How many directors of the Governing Board of an Insolvency Professional Agency shall be persons resident in India:

- A More than one-third of the directors
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- B More than half of the directors
- C All the directors
- D More than one-fourth of the directors

Q-8 How many directors of the Governing Board of an Insolvency Professional Agency shall be Independent Directors:

- A More than half of the directors
- B not less than managing Directors
- C not less than shareholder directors
- D All the directors

Q-9 How many Independent Directors are required to be present at the meeting of Governing Board of an Insolvency Professional Agency:

- A Atleast 1 independent director
- B Atleast 2 independent directors
- C Atleast 3 independent directors
- D Atleast 5 independent directors

Q-10 Who shall be the Chairperson of the Governing Board of an Insolvency Professional Agency:

- A Any Independent Director
- B Director with relevant expertise
- C Any Director who is resident of India
- D Any Insolvency Professional

Q-11 How many Membership Committees shall a Governing Board of an Insolvency Professional Agency constitutes:

- A 2 or more than 2
- B 1 or more than 1
- C 3 or more than 3

D 4 or more than 4

Q-12 What is the minimum threshold for the number of Members in Grievance Redressal Committee constituted by the Governing Board of an Insolvency Professional Agency:

A 3

B 4

C 5

D 6

Q-13 Who shall be the Chairperson of various committees (except Advisory Committee) constituted by the Governing Board of an Insolvency Professional Agency:

A Chairperson of Insolvency and Bankruptcy Board of India

B Independent Director of the Agency

C As per the discretion of Insolvency and Bankruptcy Board of India

D Any Insolvency Professional

Q-14 Atleast 1 member of Grievance Redressal Committee constituted by the Governing Board of an Insolvency Professional Agency shall be:

A Professional member of Agency

B Any Professional

C An advocate

D Any member from Insolvency and Bankruptcy Board of India

Q-15 No individual shall be enrolled as a professional member if he is not eligible to be registered as:

A An Insolvency Professional with the Board

B An advocate with the Bar Council of India

C A CS/CA/CWA with atleast 15 years of experience

D A CS/CA/CWA with ICSI/ICAI/ICWA

Q-16 What is the time period for preferring an appeal to Membership Committee of an Insolvency Professional Agency:

- A within 15 days from the receipt of such decision
- B within 45 days from the receipt of such decision
- C within 30 days from the receipt of such decision
- D within 90 days from the receipt of such decision

Q-17 To whom can an applicant can prefer an appeal against the decision of an Insolvency Professional Agency with regard to the Certificate of membership as a Professional member:

- A Insolvency and Bankruptcy Board of India
- B Membership Committee of the Agency
- C National Company Law Appellate Tribunal
- D Governing Board of Insolvency and Bankruptcy Board of India

Q-18 Who can inspect registers of professional members of an Insolvency Professional Agency:

- A Insolvency and Bankruptcy Board of India, Adjudicating Authority, Committee of creditors or any person who has obtained the consent of the member
- B ICSI, ICAI, ICWAI
- C Insolvency and Bankruptcy Board of India, Adjudicating Authority, ICSI, ICAI, ICWAI
- D Anyone with prior approval of the Insolvency and Bankruptcy Board of India

Q-19 Who of the following monitors the professional activities of the professional member of an Insolvency Professional Agency:

- A Code of conduct and Ethical standards
- B Oversight and monitoring cell
- C Ethical standards
- D Monitoring policy of Monitoring Committee

Q-20 In which form is the certificate of membership granted to a professional member of Insolvency Professional Agency:

- A Form A
- B Form C
- C Form B
- D Form D

Q.21. Monitoring policy of Monitoring Committee shall provide for:

- A Having due regard to the policy of members and be discriminatory
- B Confidentiality of information received and be discriminatory
- C Confidentiality of information received, be discriminatory and have due regard to the policy of members
- D Confidentiality of information received, except when disclosure of information is required by the Board or by law, be non- discriminatory and have due regard to the policy of members

Q-22 What is the time period within which name of a Professional Member of an Insolvency Professional Agency has to be struck off from the register of agency

pursuant to permanent surrender of his certificate of membership:

- A On completion of 15 days from the date of acceptance of such surrender
- B On completion of 30 days from the date of acceptance of such surrender
- C On completion of 45 days from the date of acceptance of such surrender
- D On completion of 60 days from the date of acceptance of such surrender

Q-23 What is the time period within which name of Professional member of an Insolvency Professional Agency has to be struck off from the register of agency pursuant

to temporary surrender of his certificate of membership:

- A On completion of 7 days from the date of application of temporary surrender
- B On completion of 30 days from the date of application of temporary surrender

- C** On completion of 7 days from the date of acceptance of temporary surrender
- D** On completion of 30 days from the date of acceptance of temporary surrender

Q-24 In case Professional member of Agency is aware of the fact of becoming Non - resident in India in the future, then he shall:

- A Intimate about the same to the Insolvency and Bankruptcy Board of India atleast 30 days in advance
- B Temporary surrender his certificate of membership atleast 30 days in advance
- C Intimate about the same to the Insolvency and Bankruptcy Board of India atleast 60 days in advance
- D Surrender his certificate of membership atleast 60 days in advance

Q-25 Intimation regarding the temporary surrender of membership as a professional member in case of taking new employment has to be given:

- A Atleast 10 days before he takes up employment
- B Atleast 30 days before he takes up employment
- C Atleast 45 days before he takes up employment
- D Atleast 90 days before he takes up employment

Q-26 Intimation regarding the temporary surrender of membership as a professional member in case of taking new business has to be given:

- A Atleast 10 days before he starts the business
- B Atleast 20 days before he starts the business
- C Atleast 30 days before he starts the business
- D Atleast 60 days before he starts the business

Q-27 How the independent Directors will be appointed in an Insolvency Professional Agency:

- A On the discretion of the Agency
- B On the discretion of the IBBI
- C Names to be proposed by the Board and selected by the agency
- D Names to be proposed by the agency and nominated by the agency

Q-28 How long an Individual may serve as an Independent Director in a IPA:

- A maximum of two terms of five years each or part thereof, or up to the age of Sixty years, whichever is earlier
- B maximum of two terms of three years each or part thereof, or up to the age of seventy years, whichever is earlier
- C maximum of two terms of five years each or part thereof, or up to the age of seventy years, whichever is earlier
- D maximum of two terms of three years each or part thereof, or up to the age of Sixty years, whichever is earlier

Q-29 What is the entry age for becoming Managing Director in IPA:

- A shall not be above the age of sixty-five years, which may be relaxed by the Governing Board up to sixty years, after recording reasons therefore;
- B shall not be above the age of Sixty years
- C shall not be above the age of fifty-five years, which may be relaxed by the Governing Board up to sixty years, after recording reasons therefore;
- D shall not be above the age of Fifty years

Q-30 Who shall approve the remuneration of Managing Director?

- A Governing Board
- B IBBI
- C Compensation Committee
- D All of the above

Q-31 Who shall be the ex-officio member of Membership Committee, Monitoring Committee, Grievance Redressal Committee and Disciplinary Committee?

- A Managing Director

B Shareholder Director

C Independent Directors

D All of the above

Q-32 What is the time limit of complying the Insolvency and Bankruptcy Board of India (Model Bye-Laws and Governing Board of Insolvency Professional Agencies) (Amendment) Regulations, 2018

A Immediately from the commencement of amendment

B Within 1 year from the date of such commencement

C Within 2 years from the date of such commencement

D Within 6 months from the date of such commencement

ANSWER SHEET

Insolvency and Bankruptcy Board of India (Model Bye-Laws and Governing Board of Insolvency Professional Agencies) Regulations, 2016

<u>Q.</u>	<u>Ans.</u>
1.	D
2.	A
3.	D
4.	C
5.	B
6.	B
7.	B
8.	C
9.	A
10.	A
11.	B
12.	A
13.	B
14.	A
15.	A
16.	C
17.	B
18.	A

19.	D
20.	A
21.	D
22.	B
23.	B
24.	B
25.	B
26.	C
27.	D
28.	B
29.	C
30.	C
31.	A.
32.	B