

Monthly GAAP Bulletin

January 2021



Introduction

Dear reader,

Grant Thornton Bharat is delighted to present Monthly GAAP Bulletin, which summarises significant accounting, auditing and related updates. This publication has been compiled to meet the needs of dynamic Indian businesses and focuses on key developments in India and across the globe.

To access the source of information and complete details, you can click the hyperlinked text below each update.

We would be pleased to receive your valuable feedback. Please write to us at npsg@in.gt.com with your comments, questions or suggestions.

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A. India updates - Effective

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a. Auditing updates

1. CARO 2020 applicability deferred by a year

The Ministry of Corporate Affairs (MCA) has issued the Companies (Auditor's Report) Second Amendment Order, 2020 (the second amendment order) to defer the applicability of the Companies (Auditor's Report) Order, 2020 (CARO 2020) by a year, i.e. from financial years (FY) commencing on or after **1 April 2020** to ones commencing on or after **1 April 2021**.

Accordingly, CARO 2020 will be applicable from FY22 onwards.

Click [here](#) for the second amendment order.

The Institute of Chartered Accountants of India (ICAI) has also issued an announcement in this respect. Click [here](#) for the announcement.

2. One-time relaxation for compliance of UDIN requirements by CBDT

The Central Board of Direct Taxes (CBDT) came out with the functionality of mentioning Unique Document Identification Number (UDIN) in income-tax forms at the e-filing portal from 27 April 2020 onwards. The CBDT, vide its press release dated 26 November 2020, stated that the UDINs provided for the audit reports/certificates submitted by the Chartered Accountants (CAs) in the e-filing portal will be required to be validated online with the ICAI at the time of upload of tax audit reports. The press release further stated that UDIN must be generated within 15 calendar days from the date of the form submission on the income-tax e-filing portal and that the form would now be treated as valid by e-filing only if the validation of UDIN is done and the taxpayer has accepted it.

Click [here](#) for the press release.

The CBDT also provided relaxation for the forms/audit reports that were uploaded on the e-filing portal between 27 April 2020 and 26 November 2020. It allowed a second extension for updating UDINs on all such forms latest by **15 February 2021** (an earlier extension was given till 31 December 2020). It has been further clarified that for the current upload of the income-tax forms, the UDIN must be updated within 15 days of such uploading.

Click [here](#) for the announcement dated 1 January 2021.

3. One-time condonation scheme to regularise UDINs

As a one-time condonation scheme to regularise the non-generation of UDIN, the ICAI has issued an announcement dated 28 December 2020 to allow the members to generate the earlier missed UDINs for the documents signed between **1 February 2019 and 31 December 2020**. The scheme will be made available from **1 January 2021 till 31 January 2021**.

- This one-time condonation scheme will not be applicable for the documents/forms where the respective regulators or other stakeholders require UDIN in real-time or as per their specified requirement;
- The UDINs generated under this scheme must be communicated to management or those charged with governance for dissemination to the stakeholders;
- The UDINs generated would be treated as UDINs generated without any violation of the Gazette dated 2 August 2019 read with a 15-day window allowed for exceptional circumstances.

Click [here](#) for the announcement.

4. Report on audit quality review (2019-20)

The quality review board (QRB) of the ICAI has issued a report highlighting the key findings observed in the audit quality reviews (AQR) conducted during FY20 for 69 entities in India. The report gives graphical presentations of the areas in which non-compliances were identified during such AQRs across various applicable auditing and accounting standards, and other relevant laws and regulations, apart from highlighting the common themes and root causes of such non-compliance.

Click [here](#) for the report.



b. Regulatory updates

Companies Act updates

1. Companies (Compromises, Arrangements and Amalgamations) Second Amendment Rules, 2020

The MCA has issued the Companies (Compromises, Arrangements and Amalgamations) Second Amendment Rules, 2020 (amended rules) to amend the Companies (Compromises, Arrangements and Amalgamations) Rules, 2016 (principal rules). These amended rules have introduced the following changes:

- a. Introduced a new definition of **corporate action**, which means any action taken by the company relating to the transfer of shares and all the benefits accruing on such shares, namely, bonus shares, split, consolidation, fraction shares, and right issue to the acquirer.
- b. Inserted a new rule 26A, **purchase of minority shareholding held in demat form**, which provides the detailed manner in which transfer of shares of minority shareholders to be acquired by the acquirer should take place.

These amended rules came into force from 17 December 2020.

Click [here](#) for the amended rules.

2. Extension of timelines for compliances under Companies Act, 2013

The MCA has provided an extension of timelines for the below mentioned regulatory compliances under the Companies Act, 2013:

- **Suspension of initiation of corporate insolvency resolution process (CIRP)**

The central government issued the Insolvency and Bankruptcy Code (Second Amendment) Act, 2020 on 5 June 2020. The Act introduced new Section 10A, **suspension of initiation of the corporate insolvency resolution process**, which suspended initiation of CIRP of a corporate debtor for any default arising on or after 25 March 2020 for six months or such further period, not exceeding one year from such date, as may be notified.

The government, vide notification dated 24 September 2020, notified a further period of three months from 25 September 2020 for Section 10A.

Click [here](#) for the notification dated 24 September 2020.

The MCA has now issued a notification dated 22 December 2020 extending such timeline for a further period of three months from 25 December 2020.

Click [here](#) for the notification dated 22 December 2020.

- **EGMs through videoconferencing or any other audio-visual means**

The MCA, vide circulars dated 8 and 13 April 2020, introduced relaxations/clarifications on holding extraordinary general meetings (EGMs). Companies were allowed to conduct their EGMs on or before 30 June 2020 through videoconferencing (VC)/other audio-visual means (OAVM) or transact items through the postal ballot in accordance with the framework provided in the aforementioned circulars.

Click [here](#) for the circular dated 8 April 2020.

Click [here](#) for the circular dated 13 April 2020.

The MCA then issued circulars dated 15 June and 28 September 2020, extending the time limit of 30 June 2020 (specified above) to 30 September 2020 and then to 31 December 2020, respectively.

Click [here](#) for the circular dated 28 September 2020.

The MCA has now issued another circular dated 31 December 2020 to allow companies to conduct their EGMs through VC or OAVM or transact items through the postal ballot in accordance with the specified framework up to **30 June 2021**.

Click [here](#) for the circular dated 31 December 2020.

- **Board meeting through videoconferencing or OAVMs**

The MCA issued Companies (Meeting of Board and its Powers) Amendment Rules, 2020 on 19 March 2020, whereby it allowed meetings for approval of annual financial statements, board report, prospectus, matters related to restructuring, etc. and the Audit Committee Meetings for consideration of financial statements, to be held through VC or OAVM till 30 June 2020.

Click [here](#) for the notification dated 19 March 2020.

The MCA then issued Companies (Meeting of Board and its Powers) Second Amendment Rules, 2020 and Companies (Meetings of Board and its Powers) Third Amendment Rules, 2020 on 23 June 2020 and 28 September 2020, respectively, further extending the time limit of holding meetings on aforementioned matters to 30 September 2020 and then to 31 December 2020, respectively.

Click [here](#) for the notification dated 23 June 2020.

Click [here](#) for the notification dated 28 September 2020.

The MCA has now issued Companies (Meetings of Board and its Powers) Fourth Amendment Rules, 2020 which has further extended the timeline to 30 June 2021.

Click [here](#) for the notification dated 30 December 2020.

Further, the MCA has clarified that post 31 December 2020, an additional fee will be applicable for delayed filings of e-form MGT-7 (annual return) and AOC-4/ AOC-4 XBRL/ AOC-4 CFS/ AOC-4 NBFC for FY20 with effect from 1 January 2021, as the extension was provided to all the companies for conducting the AGM and not for filing the form. And the due date for filing of these forms for levy of additional fee will, therefore, be computed based on the actual date of AGM or due date/extended due date of AGM, as the case may be, even if such date falls before 31 December 2020.

3. Relaxation of additional fees and extension of the last date of filing of Form CRA-4 for FY20

The MCA, vide circular dated 10 September 2020, extended the last date for submission of the cost audit report by the cost auditor to the board of directors of the company for FY20 to 30 November 2020 (as against the existing time limit of 180 days from the closure of financial year). Consequently, form CRA-4 (form for filing of the cost audit report) for FY20 could be filed within 30 days from the date of receipt of the copy of the cost audit report, in case the extension of time to conduct the annual general meeting (AGM) is not availed (and in case extension of time to conduct AGM is availed, within the resultant extended period of filing financial statements under Section 137 of the Companies Act, 2013).

Click [here](#) for the circular dated 10 September 2020.

The MCA has now issued another circular dated 1 December 2020, extending the last date for submission of the cost audit report by the cost auditor to the board of directors of the company for FY20 to 31 December 2020 without levy of an additional fee. And it has been clarified that the other requirements as mentioned in the circular dated 10 September 2020 will remain unchanged.

Click [here](#) for the circular dated 1 December 2020.

SEBI updates

1. Clarification on the framework for the issue of depository receipts

The Securities and Exchange Board of India (SEBI) issued a circular dated 10 October 2019, which laid down a detailed framework for the issue of depository receipts (DRs), wherein it was clarified that only a company incorporated in India and listed on a recognised stock exchange in India (listed company) may issue permissible securities, or their holders may transfer permissible securities for the issue of DRs.

Click [here](#) for the circular dated 10 October 2019.

SEBI has now issued a circular dated 18 December 2020, wherein it has provided clarifications for the provisions stated in the aforesaid framework. Also, this circular introduces a revised definition of the **permissible holder**.

Click [here](#) for the circular dated 18 December 2020.

2. Extension of timelines for creation of security in the issuance of listed debt securities and due diligence by debenture trustee(s)

SEBI issued amendments to the SEBI (Issue and Listing of Debt Securities) Regulations, 2008 (ILDS Regulations) and SEBI (Debenture Trustees) Regulations, 1993 (DT Regulations) in October 2020.

Click [here](#) for the amendment to ILDS Regulations.

Click [here](#) for the amendment to DT Regulations.

To give effect to these amendments, SEBI had issued a circular dated 3 November 2020 to specify the requirements with regard to the creation of security in the issuance of listed debt securities and due diligence to be carried out by debenture trustee(s), which were applicable from 1 January 2021.

Click [here](#) for the circular dated 3 November 2020.

SEBI has now issued another circular dated 31 December 2020 extending the implementation date of the provisions of the earlier circular dated 3 November 2020, from 1 January 2021 to **1 April 2021**.

Click [here](#) for the circular dated 31 December 2020.

Other updates

1. FAQs on resolution framework for COVID-19-related stress

The Reserve Bank of India (RBI) issued a resolution framework for COVID-19-related stress, vide its notification dated 6 August 2020, to ease the financial stress caused by the pandemic. Through this framework, a window has been provided under the RBI (Prudential Framework for Resolution of Stressed Assets) Directions, 2019, dated 7 June 2019 (Prudential Framework), enabling lending institutions to implement a resolution plan for personal loans and corporate exposures, without requiring a change in ownership while continuing to classify such exposures as standard assets. The resolution framework had also broadened the ambit of lenders to include all non-banking financial companies (NBFCs) and housing finance companies.

RBI has now issued frequently asked questions (FAQs) on the framework for COVID-19-related stress, clarifying the operational issues.

Click [here](#) for the FAQs.

2. Clarifications on provisions of Direct Tax Vivad se Vishwas Act, 2020

The CBDT issued clarifications in the form of 55 FAQs, vide its circular dated 22 April 2020, on the provisions of Direct Tax Vivad se Vishwas Act, 2020, i.e. issues related to eligibility, computation of amount payable, procedure and consequences under Vivad se Vishwas scheme.

Click [here](#) for the circular dated 22 April 2020.

The CBDT now issued another circular dated 4 December 2020 with additional 34 FAQs on the provisions of Direct Tax Vivad se Vishwas Act, 2020 in continuation of the circular dated 22 April 2020.

Click [here](#) for the circular dated 4 December 2020.

3. Extension of timelines related to Income-tax Act, 1961

The Taxation and Other Laws (Relaxation of Certain Provisions) Ordinance, 2020 was issued on 31 March 2020 which, inter alia, extended time limits for meeting the statutory and regulatory compliances by the taxpayers due to the COVID-19 pandemic.

The due dates for filing of income-tax returns and due dates for furnishing various audit reports including tax audit report under Income-tax Act, 1961 were extended for the FY20 (AY21), vide notification dated 24 June 2020, and then, vide notification dated 29 October 2020.

There has been another extension of the time limits, inter alia, for furnishing of income tax returns, tax audit reports and declaration under Vivad se Vishwas scheme as follows:

Particulars	Earlier last extended due date	Revised extended due date
Furnishing of income tax returns for AY21 for the taxpayers who are required to get their accounts audited and companies for whom the due date as per the Income-tax Act, 1961 was 31 October 2020	31 January 2021	15 February 2021
Furnishing of income tax returns for the AY21 for the taxpayers who are required to furnish report in respect of international/specified domestic transactions, for whom the due date as per the Income-tax Act, 1961 was 30 November 2020	31 January 2021	15 February 2021

Particulars	Earlier last extended due date	Revised extended due date
Furnishing of income tax returns for AY21 for other taxpayers for whom the due date as per the Income-tax Act, 1961 was 31 July 2020	31 December 2020	10 January 2021
Furnishing of various audit reports, including tax audit report and report in respect of international/specified domestic transaction for the AY21	31 December 2020	15 January 2021
Declaration under Vivad se Vishwas scheme	31 December 2020	31 January 2021

The due date for furnishing of annual return under Section 44 of the Central Goods and Services Tax Act, 2017 for FY20 has been extended from 31 December 2020 to 28 February 2021.

Click [here](#) for the press release.

4. Advisory to follow the ICAI Valuation Standards 2018 while conducting valuation engagement

The ICAI had issued the ICAI Valuation Standards 2018 (the standards) to ensure consistent, uniform and transparent valuation policies for the members of the ICAI undertaking the valuation assignments. The 2018 standards lay down a framework to ensure uniformity in approach and quality of valuation output.

The ICAI issued an advisory dated 21 December 2020, advising all its members to follow the standards while conducting any type of valuation engagement to ensure uniformity and transparency. The standards are mandatorily applicable for all valuation engagements for members of the ICAI undertaking such engagements under the Companies Act, 2013. In respect of valuation engagements under other statutes/laws, these are applicable on a recommendatory basis. The standards are effective for the valuation reports issued on or after 1 July 2018.

Click [here](#) for the advisory.



B. India updates - Proposed

a. Accounting updates

b. Regulatory updates

a. Accounting updates

1. Exposure drafts issued by the ICAI

The Accounting Standards Board of the ICAI has issued an exposure draft of amendments to Ind AS 117, **Insurance Contracts**, which proposes amendments corresponding to amendments to IFRS 17, **Insurance Contracts** issued by the International Accounting Standards Board (IASB).

The last date for submission of comments is 24 January 2021.

Click [here](#) for the announcement.

Click [here](#) for the exposure draft.

Further, the Digital Accounting and Assurance Board of the ICAI has invited comments on the following exposure drafts of the new Forensic Accounting and Investigation Standards (FAIS):

- Exposure draft on FAIS 250, Communication with Stakeholders.
Click [here](#) for the exposure draft.
- Exposure draft on FAIS 360, Reporting Results.
Click [here](#) for the exposure draft.
- Exposure draft on FAIS 370, Testifying Before a Competent Authority.
Click [here](#) for the exposure draft.
- Exposure draft on FAIS 510, Applying Data Analysis.
Click [here](#) for the exposure draft.

- Exposure draft on FAIS 520, Evidence Discovery in Digital Domain.
Click [here](#) for the exposure draft.
- Exposure draft on FAIS 530, Loans and Borrowings.
Click [here](#) for the exposure draft.
- Exposure draft on FAIS 540, Related and Connected Parties.
Click [here](#) for the exposure draft.

The last date for submission of comments on the exposure drafts of these FAIS is 28 January 2021.

b. Regulatory updates SEBI updates

1. SEBI board meeting decisions

SEBI, in its meeting dated 16 December 2020, inter alia, took the following decisions:

- a. Amendment to **SEBI (Mutual Funds) Regulations, 1996**:
Basis the recommendations of the working group, i.e. Mutual Fund Advisory Committee, SEBI has decided to introduce certain amendments, some of which are as stated below:
 - Eligibility criteria for sponsoring a mutual fund
 - Net worth of the asset management company (AMC):
An AMC will be required to maintain minimum net worth on a continuous basis and the manner of computation of net worth will be streamlined. Also, all the assets and liabilities of each scheme will be segregated and ring-fenced from other schemes of the mutual fund.
 - Dispensing with the requirement to issue physical unit certificates.
 - Reducing the timeline for payment of dividend, permitting other modes for payment of dividend, providing clarity with respect to payment of interest and penalty in case of delay in dividend payment, etc.
- b. Recalibration of **minimum public shareholding (MPS) norms** for listed companies going through the CIRP.

- c. Amendment to **SEBI (Issue of Capital and Disclosure Requirements) Regulations, 2018**: To remove the applicability of minimum promoters' contribution and subsequent lock-in requirements for issuers making a further public offer (FPO) of specified securities subject to fulfilment of certain conditions as mentioned in the press release.

Click [here](#) for the press release.

2. Consultation paper on re-classification and disclosure of the promoter/ promoter group entities in the shareholding pattern

Regulation 31A of SEBI (Listing Obligations and Disclosure Requirements) Regulations, 2015 (LODR Regulations) provides for conditions with respect to re-classification of any person as promoter/public. SEBI received feedback regarding cases where promoters had desired re-classification but found it difficult under the current regulatory regime.

SEBI has issued a consultation paper in November 2020, proposing certain changes to the abovementioned provisions, some of which are relating to:

- Condition about the minimum threshold of voting rights;
- Period between board and shareholders' meeting;
- Reclassification pursuant to an order/direction of government/regulator;
- Reclassification of existing promoter pursuant to open offer;
- Period for listed companies to place the reclassification request before the board;
- Disclosure of names of promoter group entities in the shareholding pattern;

The last date for submission of comments was 24 December 2020.

Click [here](#) for the consultation paper.



C. International updates – Effective

a. Auditing updates

a. Auditing updates

1. Statement on Standards for Attestation Engagements (SSAE) No. 22

The Auditing Standards Board of the American Institute of CPAs (AICPA) issued **Statement on Standards for Attestation Engagements (SSAE) No. 22, Review Engagements**, to supersede SSAE No. 18, Attestation Standards: Clarification and Recodification, as amended, section 210 of the same title.

SSAE No. 22 describes the types of procedures a practitioner may perform in a review engagement and:

- Clarifies for practitioners that the objective of a review engagement is to obtain limited assurance – as opposed to it being an exercise in performing analytical procedures and inquiries;
- Results in more transparent reporting by requiring that the practitioner disclose, in the review report, the procedures performed in order to obtain limited assurance;
- Allows the practitioner to issue a report containing an adverse review conclusion when the subject matter is materially and pervasively misstated.

SSAE No. 22 is effective for practitioners' review reports dated on or after 15 June 2022. Early implementation is permitted only if the practitioner also implements early the amendments to AT-C Section 105, Concepts Common to All Attestation Engagements, included in SSAE No. 21, Direct Examination Engagements.

Click [here](#) for the press release.

Click [here](#) for SSAE No. 22.

2. Quality management standards

The International Auditing and Assurance Standards Board (IAASB), on 17 December 2020, released its three quality management standards.

The suite of standards includes:

- International Standard on Quality Management (ISQM) 1, **Quality Management for Firms that Perform Audits or Reviews of Financial Statements, or Other Assurance or Related Services Engagements**. It replaces ISQC 1, Quality Control for Firms that Perform Audits and Reviews of Financial Statements and Other Assurance and Related Services Engagements;
- ISQM 2, **Engagement Quality Reviews**; and
- International Standard on Auditing 220 (Revised), **Quality Management for an Audit of Financial Statements**.

These standards will be effective on 15 December 2022.

Click [here](#) for the news alert.

Click [here](#) for ISQM 1.

Click [here](#) for ISQM 2.

Click [here](#) for ISA 220 (Revised).



D. International updates - Proposed

a. IFRS updates

b. US GAAP updates

a. IFRS updates

1. Comments invited by ICAI on the exposure draft of the proposed amendment to IFRS 16, Leases: Lease Liability in a Sale and Leaseback

The IASB has issued an exposure draft of the proposed amendment to IFRS 16, Leases: Lease Liability in a Sale and Leaseback to specify the method a seller-lessee uses in initially measuring the right-of-use asset and liability arising in a sale and leaseback transaction and add subsequent measurement requirements for sale and leaseback transactions.

Click [here](#) for the news.

Click [here](#) for the exposure draft.

ICAI has invited comments on the exposure draft issued by IASB latest by 15 February 2021.

Click [here](#) for ICAI's announcement.

2. Discussion paper on business combinations under common control

IASB has issued a discussion paper to propose amendments to IFRS 3, **Business Combinations**, which proposed to introduce new accounting requirements for mergers and acquisitions involving companies within the same group – business combinations under common control. This discussion paper aimed to reduce diversity in the practice relating to the reporting requirements involving transfers of businesses between companies within the same group.

This discussion paper has proposed that companies should provide similar information about similar business combinations when the benefits of that information to investors outweigh the costs of providing it. Specifically, it has proposed that fair-value information should be provided when a business combination under common control affects shareholders outside the group. This proposal is consistent with the existing requirements in IFRS 3 for mergers and acquisitions between unrelated companies. In all other cases, it has been proposed that book-value information should be provided using a single approach to be specified in IFRS Standards.

The last date for submission of comments is 1 September 2021.

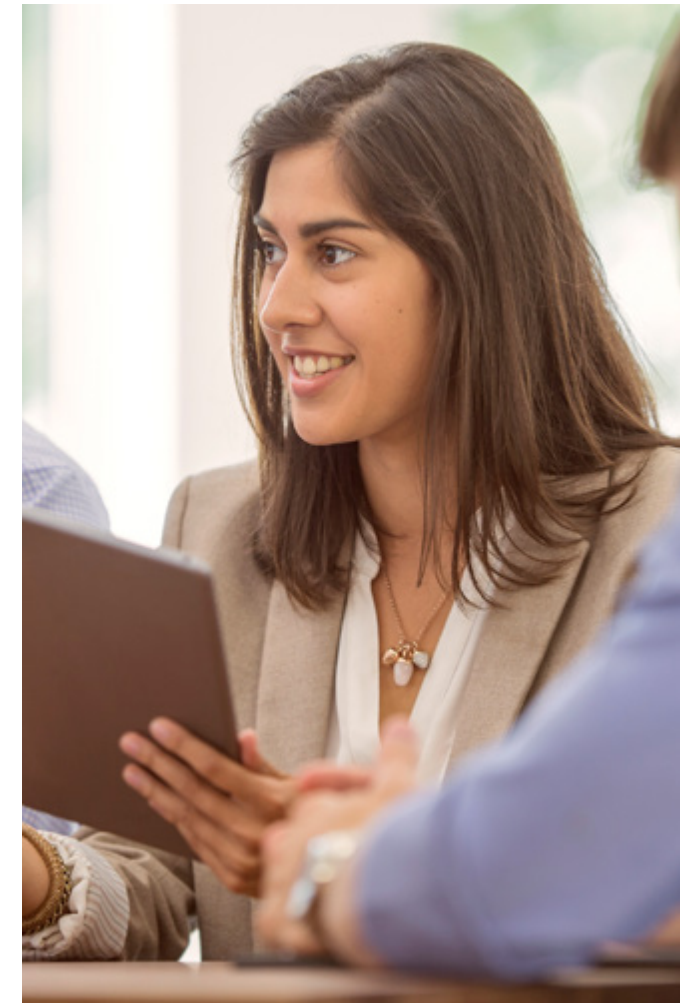
Click [here](#) for the news.

Click [here](#) for the exposure draft.

3. Publication: Third instalment of anti-money laundering educational series

International Federation of Accountants (IFAC) with the Institute of Chartered Accountants in England and Wales (ICAEW) has released its third instalment of six-month educational series on anti-money laundering, which explains that how professional accountants can apply a risk-based approach in the company formation process, identify key red flags, and know when to walk away and/or file a suspicious activity report.

Click [here](#) for the publication.



b. US GAAP updates

1. Proposed ASU: Business Combination (Topic 805) - Accounting for contract assets and contract liabilities from contracts with customers

Financial Accounting Standards Board (FASB) has issued proposed Accounting Standards Update (ASU) to improve the accounting for revenue contracts with customers which are acquired in a business combination in respect of the following:

- Recognition of an acquired contract liability;
- Payment terms and their effect on subsequent revenue recognised by the acquirer.

Current GAAP guides on when to recognise and how to measure assets and liabilities in a business combination but does not provide guidance specific to contract assets and contract liabilities arising from revenue contracts with customers and other similar contracts that are accounted for in accordance with Topic 606, Revenue from Contracts with Customers.

The proposed ASU proposes to guide on how to recognise and measure those contract assets and contract liabilities acquired in a business combination in accordance with Topic 606, Revenue from Contracts with Customers. Generally, this would result in an acquirer recognising and measuring the acquired contract assets and contract liabilities consistent with how they were recognised and measured in the acquiree's financial statements before the acquisition.

The proposed amendments would also apply to contract assets and contract liabilities from other contracts that apply the provisions of Topic 606, such as contract liabilities from the sale of non-financial assets within the scope of Subtopic 610-20, Other Income—Gains and Losses from the Derecognition of Nonfinancial Assets.

The last date for submission of comments is 15 March 2021.

Click [here](#) for the news.

Click [here](#) for the proposed ASU.

2. Proposed ASU: Intangibles - Goodwill and Other: Accounting alternative for evaluating triggering events

FASB has issued a proposed ASU intended to provide an accounting alternative that would reduce the complexity for certain private companies and not-for-profit organisations when performing the goodwill triggering event evaluation.

Under current GAAP, goodwill must be tested for impairment when a triggering event occurs that indicates that it is more likely than not that the fair value of the reporting unit is below its carrying value. Companies and organisations are required to monitor for and evaluate goodwill triggering events as they occur throughout the year.

The ASU proposes an accounting alternative that would allow private companies and not-for-profit organisations that only report goodwill (or accounts that would be affected by a goodwill impairment such as retained earnings and net income) on an annual basis to perform goodwill-triggering event assessment, and any resulting test for goodwill impairment, on the annual reporting date only. It would eliminate the requirement for companies and organisations that elect this alternative to perform this assessment during interim reporting periods, limiting it to the annual reporting date only.

The last date for submission of comments was 20 January 2021.

Click [here](#) for the news.

Click [here](#) for the proposed ASU.



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