



Who is a Valuer?

- A person having such qualifications and experience, registered as a valuer and being a member of an organisation recognised, in such manner, on such terms and conditions



Eligibility Criterion

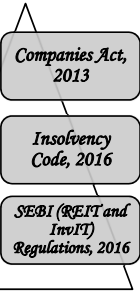


A person shall be eligible to be a registered valuer if he -

- is a valuer member of a registered valuers organization
- is recommended by the registered valuers organization of which he is a valuer member for registration as a valuer
- has passed the valuation examination under rule 5 within three years preceding the date of making an application for registration under rule 6

Functions of a Valuer

- A valuer shall conduct valuation required under the Act as per these rules and he may conduct valuation as per these rules if required under any other law or by any other regulatory authority. As per this the Registered Valuers can do valuation under the following Acts/Regulations




- Companies Act, 2013
- Insolvency Code, 2016
- SEBI (REIT and InvIT) Regulations, 2016

Eligibility Criterion – Cont.

- possesses the qualifications and experience as specified in rule 4
- is not a minor
- has not been declared to be of unsound mind
- is not an undercharged bankrupt, or has not applied to be adjudicated as a bankrupt
- is a person resident in India
- has not been convicted in an offence involving moral turpitude
- Has not been penalised in the IT Act u/s 271(J)
- is a fit and proper person


Transitional Arrangement



Any person who may be rendering valuation services under the Act, on the date of commencement of these rules, may continue to render valuation services without a certificate of registration under these rules **upto 31st March, 2018**

Provided that if a company has appointed any valuer before such date and the valuation or any part of it has not been completed before 31st March, 2018, the valuer shall complete such valuation or such part within three months thereafter.

Qualifications & Experience



- post-graduate degree or post-graduate diploma, in the **specified discipline**, from a 'University or Institute established, recognised or incorporated by law in India and at least three years of experience in the specified discipline thereafter;
- a Bachelor's degree or equivalent, in the specified discipline, from a 'University or Institute established, recognised or incorporated by law in India and at least five years of experience in the specified discipline thereafter; or
- Membership of a professional institute established by an Act of Parliament enacted for the purpose of regulation of a profession with at least three years' experience after such membership and having qualification mentioned at clause (a) or (b)

Note: It is mandatory for all eligible persons to pass the Valuation examination for being Registered as a Valuer under these rules.

Educational Qualifications


Asset Classes	Qualification	Experience	Valuation Examination
Land and Building	Graduate in Civil Engineering, Architecture or Town Planning of a recognised university	5 year of experience in discipline after completing graduation	As per Rule 5.
	Post Graduate in Civil Engineering, Architecture or Town Planning of a recognised university	3 year of experience in discipline after completing post-graduation	As per Rule 5.
Plant and Machinery	Graduate in a discipline specified by the Authority for a RVO in its conditions of recognition and Post Graduate in Valuation of land and building or real estate from a recognised university	5 year of experience in discipline after completing post-graduation	As per Rule 5.
	Graduate in Mechanical or Electrical Engineering of a recognised university	5 year of experience in discipline after completing graduation	As per Rule 5.
Securities or Financial Assets	Post Graduate in Mechanical or Electrical Engineering of a recognised university	3 year of experience in discipline after completing post-graduation	As per Rule 5.
	Graduate in any stream and Member of Professional Institute (CA/ICSI/ICMA) or UBS/ICSI/ICMA specialisation in finance or Post graduate degree in Finance	3 year of experience in discipline after completing graduation	As per Rule 5.
	Any other graduate or post graduate level qualification as may be specified by Authority	5 year and 3 year of experience in case of graduate level degree and post graduate level degree respectively	As per Rule 5.

Conditions of Registration

- Maintenance of Records:** maintain records of each assignment undertaken by him for at least three years from the completion of such assignment
 - (a) at all times possess the eligibility and qualification and experience criteria as specified under rule 3 and rule 4
 - (b) at all times comply with the provisions of the Act, these rules and the Bye-laws or internal regulations, as the case may be, of the respective registered valuers organisation
 - (c) in his capacity as a registered valuer, not conduct valuation of the assets or class(es) of assets other than for which he has been registered by the authority
 - (d) take prior permission of the authority for shifting his/ its membership from one registered valuers organisation to another
 - (e) take adequate steps for redressal of grievances
 - (g) comply with the Code of Conduct (as per Annexure-I of these rules) of the registered valuers organisation of which he is a member

Valuation Examination

(1) The authority shall, either on its own or through a designated agency, conduct valuation examination for one or more asset classes, for individuals, who possess the qualifications and experience as specified in rule 4, and have completed their educational courses as member of a registered valuers organisation, to test their professional knowledge, skills, values and ethics in respect of valuation



(2) The authority shall determine the syllabus for various valuation specific subjects or assets classes for the valuation examination on the recommendation of one or more Committee of experts constituted by the authority in this regard.


REGISTERED VALUER

Standards

Conduct of Valuation

(1) The registered valuer shall, while conducting a valuation, comply with the valuation standards as notified or modified under rule 18: Provided that until the valuation standards are notified or modified by the Central Government, a valuer shall make valuations as per-

- (a) internationally accepted valuation standards;
- (b) valuation standards adopted by any registered valuers organisation.




Application for Certificate of Registration



An individual eligible for registration as a registered valuer under rule 3 may make an application to the authority in **Form-A** of Annexure-II along with a non-refundable application fee of **five thousand rupees** in favour of the authority.

Contents of Valuation Report



- (a) background information of the asset being valued
- (b) purpose of valuation and appointing authority
- (c) identity of the valuer and any other experts involved in the valuation
- (d) disclosure of valuer interest or conflict, if any
- (e) date of appointment, valuation date and date of report
- (f) inspections and/or investigations undertaken
- (g) nature and sources of the information used or relied upon
- (h) procedures adopted in carrying out the valuation and valuation standards followed
- (i) restrictions on use of the report, if any
- (j) major factors that were taken into account during the valuation
- (k) conclusion; and
- (l) caveats, limitations and disclaimers to the extent they explain or elucidate the limitations faced by valuer, which shall not be for the purpose of limiting his responsibility for the valuation report.