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| **Part IV: Annex VIII** | | | | | | |
| *(Formerly Annex - 11 of Master Circular on Foreign investment in India)* | | | | | | |
|  |  |  |  |  |  |  |
| **Form FOREIGN DIRECT INVESTMENT- LLP (I)** | | | | | | |
| **Report by the Limited Liability Partnerships (LLPs) receiving amount of consideration for capital contribution and acquisition of profit shares under the Scheme** | | | | | | |
|  |  |  |  |  |  |  |
| *(To be filed by the LLP through its Authorised Dealer Category – I bank, with the Regional Office of the Reserve Bank under whose jurisdiction the Registered Office of the Limited Liability Partnership making the declaration is situated, not later than 30 days from the date of receipt of the amount of consideration)* | | | | | | |
|  |  |  |  |  |  |  |
|  | Permanent Account Number (PAN) of the investee company given by the Income Tax Department | | | | |  |  |  |  |  |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | |  |  |  |  |  |  |  |  |  |  |  |  |  |  | | |
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| **No.** | **Particulars** | | | **(In Block Letters)** | | |
| 1 | Name of the Limited Liability Partnership | | |  | | |
| Address of the Registered Office | | |
| State | | |  | | |
| Fax | | |  | | |
| Telephone | | |  | | |
| e-mail | | |  | | |
| Identification number No.(LLPIN) issued by Office of Registrar for LLP | | |  | | |
| Date of Registration | | |
| Whether existing LLP or new LLP | | | Existing LLP / New LLP (strike off whichever is not applicable) | | |
|
|
| If existing LLP, give registration number allotted by RBI for FDI, if any | | |  | | |
|
|
| 2 | **Details of the foreign investor** | | | | | |
| Name | | | |  | |
| Designated Partner Identification No. (DPIN): | | | |
| Address | | | |
| Country | | | |
| Constitution / Nature of the investing Entity | | | |
| [Specify whether | | | |
| 1 | Individual | | |
| 2 | LLP | | |
| 3 | Company | | |
| 4 | Foreign Trust | | |
| 5 | Private Equity Fund | | |
| 6 | Pension / Provident Fund | | |
| 7 | Sovereign Wealth Fund (SWF)[1] | | |
| 8 | Partnership / Proprietorship Firm | | |
| 9 | Financial Institution | | |
| 10 | NRIs / PIO | | |
| 11 | Others (please specify)] | | |
| 3 | Date of receipt of funds | | | |  | |
| 4 | Amount | | | | In foreign currency | In Indian Rupees |
|
|  |  |
| 5 | Activity of the LLP | | | |  | |
|  | i) | Description of the main business activity | | |  | |
|  | NIC Code | | |
|  | ii) | It is confirmed that 100% FDI is allowed under automatic route as per FDI policy without any FDI-linked performance conditions | | | Yes/No | |
|  | iii) | Details of Government Approval (ref. no. of approval letter and date) | | |  | |
| 6 | Name of the AD bank through whom the remittance is received | | | |  | |
| 7 | Address of the AD bank | | | |  | |
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|  |  |  |  |  |  |  |
| (Authorised signatory of the investee LLP) | | | | | (Authorised signatory of the AD bank) | |
|  |  |  |  |  |  |  |
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|  |  |  |  |  |  |  |
| (Stamp) | | | | | (Stamp) | |
|  |  |  |  |  |  |  |
| **FOR USE OF THE RESERVE BANK ONLY:** | | | | | |  |
| **Unique Identification Number for the remittance received:** | | | | |  | |
|  |  |  |  |  |  |  |
| 18 SWF means a Government investment vehicle which is funded by foreign exchange assets, and which manages those assets separately from the official reserves of the monetary authorities. | | | | | | |
|  |  |  |  |  |  |  |
| **DECLARATION TO BE FILED BY THE AUTHORISED REPRESENTATIVE OF THE LIMITED LIABILITY PARTNERSHIP:** *(Delete whichever is not applicable and authenticate)* | | | | | | |
| We hereby declare that: | | | | | | |
| 1) | We comply with the procedure for capital contribution and profit shares as laid down under the Notification No. FEMA 20/2000-RB dated 3rd May 2000, as amended from time to time. | | | | | |
| 2) | Capital contribution /profit shares have been issued to the non-resident investor in terms of FIPB approval No.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ dated \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | | | | | |
| 3) | We enclose the following documents in compliance with to Notification No. FEMA 20/2000-RB dated 3rd May 2000, as amended from time to time: | | | | | |
|  | (i) | A certificate from our designated partner certifying that | | | | |
|  |  | (a) | all the requirements of the LLP Act, 2008 have been complied with; | | | |
|  |  | (b) | terms and conditions of the Government approval, have been complied with; | | | |
|  |  | (c) | the LLP is eligible to issue capital contribution /profit shares under these Regulations; and | | | |
|  |  | (d) | the LLP has all original certificates issued by authorised dealers in India evidencing receipt of amount of consideration in accordance with Notification No. FEMA 20/2000-RB dated 3rd May, 2000, as amended from time to time. | | | |
|  | (ii) | A certificate from the Chartered Accountant/Cost Accountant/ approved valuer from the panel maintained by the Central Government, indicating the manner of arriving at the fair price of the capital contribution/profit shares issued to the persons resident outside India. | | | | |
| 4) | The foreign investment received and reported now will be utilized in compliance with the provisions of the Prevention of Money Laundering Act, 2002 (PMLA) and Unlawful Activities (Prevention) Act, 1967 (UAPA). We confirm that the investment complies with the provisions of all applicable Rules and Regulations. | | | | | |
| 5) | Unique Identification Numbers given for all the remittances received so far as consideration for capital contribution and acquisition of profit shares (details as above), by Reserve Bank. | | | | | |
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|  |  |  |  |  |  |  |
| (Signature of the Applicant)\*   : | | | | | | |
| (Name in Block Letters)           : | | | | | | |
| (Designation of the signatory) : | | | | | | |
| Place: | |  |  |  |  | Date: |
| (\* To be signed by Designated Partner/Authorised Signatory of the LLP) | | | | | | |
|  |  |  |  |  |  |  |
| **CERTIFICATE TO BE FILED BY THE DESIGNATED PARTNER/ AUTHORISED SIGNATORY OF THE LIMITED LIABILITY PARTNERSHIP ACCEPTING THE INVESTMENT:** | | | | | | |
| In respect of the abovementioned details, we certify the following : | | | | | | |
| 1 | All the requirements of the Limited Liability Partnership Act, 2008 have been complied with. | | | | | |
| 2 | Terms and conditions of the Government approval, if any, have been complied with. | | | | | |
| 3 | The LLP is eligible to issue capital contribution/profit shares under these Regulations. | | | | | |
| 4 | The LLP has all original certificates issued by AD Category – I banks in India, evidencing receipt of amount of consideration in accordance with provisions of Notification No. FEMA 20/2000-RB dated May 3, 2000. | | | | | |
|  |  |  |  |  |  |  |
|  |  |  | (Name & Signature of the Company Secretary)  (Seal) | | | |
|  |  |  |  |  |  |  |
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| **FOR USE OF THE RESERVE BANK ONLY:** | | | | | | |
| **Registration Number for the FOREIGN DIRECT INVESTMENT-LLP:** | | | | |  | |
| **Unique Identification Number allotted to the Company at the time of reporting receipt of remittance.** | | | | | R | |