

**ANNEXURE****FORM OF APPLICATION FOR PERMISSION TO SET UP A FINANCE COMPANY/ FINANCE UNIT (FC/FU) AT IFSC UNDER SECTION 3 OF INTERNATIONAL FINANCIAL SERVICES CENTRES AUTHORITY (FINANCE COMPANY) REGULATIONS, 2021, DATED MARCH 25, 2021.**

By Registered Post AD/ Hand Delivery

(TICK ✓ WHICHEVER IS APPLICABLE)**FINANCE COMPANY (FC)** **FINANCE UNIT (FU)** **SPECIFIC ACTIVITY LIST****Specialized Activity** **Core Activity** **Non-core Activity** Name of the Applicant entity¹ (in block letters):_

Address of Registered Office:

To,
The Head of Department,
Banking Division,
International Financial Services Centres Authority,
2nd & 3rd Floor, Savvy Pragya, Gujarat International Finance Tec-City,
Gandhinagar, Gujarat - 382355

Dear Sir,

Application for Certificate of Registration to commence the business of a Finance Company /Unit (Strike whichever is not applicable)

We make this application in terms of Regulation 3(4) of the International Financial Services Centres Authority (Finance Company) Regulations, 2021, dated March 25, 2021, for issue of a Certificate of Registration (CoR). The required documents/ information as per the instructions are furnished.

2. We hereby request you to kindly issue the necessary CoR to enable our company/unit to commence the business of an FC/FU limited to the list of activities proposed by us in the application form.

3. We solemnly declare that to the best of our knowledge and belief, the information furnished in this application and the annex hereto and statements enclosed are correct, complete and true. We are aware that if any of the information furnished herein is found to be incorrect/ incomplete/ untrue, the application for grant of CoR is liable to be rejected and the CoR if granted, is liable to be cancelled.

Yours faithfully,

(Signature of Authorized Official)

Name :

¹ In case of Finance Units – the parent entity will be the applicant entity.



Information to be provided by Finance Companies/Finance Units (FC/FU) desirous of establishing presence in GIFT SEZ IFSC

Sr. No	Particulars	Comments by the Applicant	Remarks by IFSCA
A) Purpose			
1)	Application for registration in IFSC (tick the relevant box) a) Finance Company <input type="checkbox"/> b) Finance Unit <input type="checkbox"/>		
Proposed activity: Tick the relevant activity and mention the name of the activity in the space provided.			
2)	a) Core Activity <input type="checkbox"/>	b) Specialized Activity <input type="checkbox"/>	c) Non-Core Activity <input type="checkbox"/>
B) Basic Corporate information			
1)	Name of the applicant entity (parent entity in case of Finance Unit)		
2)	Place and date of incorporation of the applicant entity.		
3)	Legal form of the applicant entity.		
4)	Address of Head office of the applicant entity.		
5)	Address of Corporate office of the applicant entity.		
6)	Registration details of the applicant entity, with regulatory authority(ies) in other jurisdiction(s)(Must include name of the regulator, registration number date of incorporation address and other relevant information)		
7)	Whether the applicant entity and its promoters are from FATF compliant jurisdiction.	Yes/No	
8)	Board Resolution for setting up the Finance Company/Finance Unit in IFSC.		
9)	Contact details of the primary coordinator(s) of the applicant entity: a) Name: b) Contact Number and; c) E-mail:		
10)	Certified copies of Constitutional documents (such as Memorandum and Articles of Association/Partnership Deed, Trust Deed etc.) of the applicant entity.		
C) Business plan			
1)	Proposed sources for meeting the minimum capitalization by the applicant entity.		
2)	Number of officials proposed to be posted in FC/FU.		
3)	Details about products and business projections which shall include the projected balance sheet and profit and		



	loss account for three consecutive years of the applicant entity in the IFSC (along with the assumptions made)		
D)	Ownership and management of applicant entity (i.e. parent entity in case of Finance Unit)		
1)	<p>a) List of names and addresses of promoters of the applicant entity.</p> <p>(i) If the promoter is a natural person – the Income Tax Return for past three years or the Net Worth Certificate dated not earlier than three months from the date of application, for each promoter.</p> <p>(ii) If the promoter is a not a natural person - the last 3 years audited balance sheet, profit and loss statement and Auditor reports shall be submitted for each such promoter.</p> <p>b) Duly filled ‘Information on Management’ (IOM) for the promoters of the applicant entity (for assessment of compliance with the fit and proper criteria for the promoters/directors) as per attached format. (Refer Annex I)</p>		
2)	<p>a) List the names of directors of the applicant entity.</p> <p>b) Duly filled ‘Information on Management’ (IOM) for the directors of the applicant entity (for assessment of compliance with the fit and proper criteria for the promoters/directors) as per attached format.</p>		
3)	Name & designation of the senior official/key personnel responsible for operation of the proposed FC/FU		
4)	In case of FU, name & designation of senior official/key personnel of parent entity (at the Headquarters), who will be responsible for the operations.		
5)	In case of FU, date of commencement of business of parent entity in other jurisdictions. (Mention the name of the jurisdiction and date of commencement of business).		
E)	Group Structure		
1)	<p>a) The group structure (vertical) of the applicant entity (represented diagrammatically), indicating percentage of holding at each level and their country of incorporation.</p> <p>b) Whether all the group entities are functioning only in FATF compliant jurisdictions, if No, kindly provide details.</p> <p>c) Details of activities undertaken by the companies in the group structure (vertical).</p> <p>d) Kindly provide details of any group entity, if listed in any jurisdiction.</p> <p>(The group structure shall include each of the subsidiaries/associates/group companies/related parties of the applicant entity)</p>		
F)	Financial Information		
1)	<p>a) In case of FC, amount of Owned Funds (as defined under Chapter I section 2, sub-section 1(i) of IFSCA (Finance Company) Regulations, dated March 25, 2021): (USD million)</p> <p>b) In case of FU, amount of Owned Fund (as specified at</p>		



	Chapter II, section 3, subsection 5(ii) of IFSCA (Finance Company) Regulations, dated March 25, 2021. (USD million)		
2)	In case of FU, details of applicant entity (parent):		
	a) Total Assets (USD million)		
	b) Total Liabilities (USD million)	Equity capital (Owned fund): in USD million	
		Borrowed capital: in USD million	
G)	Supervisory arrangement in Home country		
1)	Home regulator / supervising authority (This field is must for Finance Units and for Finance Company if any group company is undertaking financial services activity in any jurisdiction).		
2)	In case of FU, details of supervisory arrangements to which the applicant entity is subject to including prudential norms.		
3)	a) In case of FC, state the instances where the promoter has been subject to any refusal or restriction on the right to carry on business requiring a license, registration or other permission from any regulator/supervisor, in the last three years. b) In case of FU, state the instances where the applicant entity (parent) has been subject to any refusal or restriction on the right to carry on business requiring a license, registration or other permission from any regulator/supervisor, in the last three years.		
H)	Track record		
1)	Whether the applicant entity has accepted public deposits ² in the past? If yes, please specify	Yes/No	
	a) The provisions of law for acceptance of public deposit.		
	b) Period and the quantum of public deposits outstanding as on the date of this application c) Whether it defaulted in the repayment of the public deposits, if yes the amount of default.		
2)	Is the applicant entity created out of mergers and acquisition, if any, with/of other companies?	Yes/No	
	If yes, please furnish information about the merger/acquisition and the names of the earlier company(ies) which merged to form the applicant entity.		
3)	Are there any pending civil or criminal cases against the applicant entity?	Yes/No	
	If yes, give information about the case and the court(s) in which it is pending.		

² The term “public deposit” is defined under Chapter 1 section 2, sub-section 1(j) of IFSCA Finance Company regulations, dated 25th March 2021, as “Public deposit”, for the purposes of these regulations shall mean an amount raised from a resident or a non-resident, in any form which is repayable on demand or is a term deposit and includes such other amount as may be specified by the Authority from time to time;



4)	Declaration: I Mr./ Ms. _____ director of (Name of the applicant entity) confirm on behalf of the entity that the entity has adequate infrastructure and is capable to electronically submit data/returns through internet as and when required by IFSCA (Tick <input type="checkbox"/> if complied)														
I) Additional Information (to be submitted by Global/Regional Corporate Treasury Centre applicants only)															
Details of the Group Entities to be served:															
1)	<table border="1"> <thead> <tr> <th data-bbox="165 521 276 555">S. No</th> <th data-bbox="276 521 1075 555">Name and Address of Group Entity</th> <th data-bbox="1075 521 1532 555">Jurisdiction of Incorporation</th> </tr> </thead> <tbody> <tr> <td data-bbox="165 555 276 651"></td> <td data-bbox="276 555 1075 651"></td> <td data-bbox="1075 555 1532 651"></td> </tr> </tbody> </table>	S. No	Name and Address of Group Entity	Jurisdiction of Incorporation											
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J) Payment Details:															
<p>Fees: As applicable</p> <p>Bank account details of IFSCA:</p> <table border="1"> <tr> <td data-bbox="215 797 560 869">Account Number and Name</td> <td data-bbox="560 797 1375 869">970105000174 – INTERNATIONAL FINANCIAL SERVICES CENTRES AUTHORITY</td> </tr> <tr> <td data-bbox="215 869 560 916">Customer ID</td> <td data-bbox="560 869 1375 916">88100814</td> </tr> <tr> <td data-bbox="215 916 560 965">Type of Account</td> <td data-bbox="560 916 1375 965">Current A/C</td> </tr> <tr> <td data-bbox="215 965 560 1014">SWIFT Code</td> <td data-bbox="560 965 1375 1014">ICICINAAXXX</td> </tr> <tr> <td data-bbox="215 1014 560 1189">Branch Name and Address</td> <td data-bbox="560 1014 1375 1189">ICICI Bank Ltd IFSC Banking Unit, Unit No. 408, 4th Floor Brigade International Financial Centre GIFT Multi Service SEZ GIFT CITY Gandhinagar – 382355, Gujarat, India</td> </tr> <tr> <td data-bbox="215 1189 560 1326">Nostro Details</td> <td data-bbox="560 1189 1375 1326">BOFAUS3N Bank of America, N.A. New York Branch Account Number: 6550491848</td> </tr> </table>				Account Number and Name	970105000174 – INTERNATIONAL FINANCIAL SERVICES CENTRES AUTHORITY	Customer ID	88100814	Type of Account	Current A/C	SWIFT Code	ICICINAAXXX	Branch Name and Address	ICICI Bank Ltd IFSC Banking Unit, Unit No. 408, 4 th Floor Brigade International Financial Centre GIFT Multi Service SEZ GIFT CITY Gandhinagar – 382355, Gujarat, India	Nostro Details	BOFAUS3N Bank of America, N.A. New York Branch Account Number: 6550491848
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Nostro Details	BOFAUS3N Bank of America, N.A. New York Branch Account Number: 6550491848														
Details of the Authorised Official of the applicant entity															
Signature															
Name															
Designation															
Company Seal															
Date:		Place:													



ANNEX I

Information on the Management (IOM)*

(Separate form should be submitted in respect of each of the Promoters and Directors)

Sr. No.	Particulars	Response	Remarks by IFSCA
1)	Name		
2)	Director Identification Number (DIN)		
3)	Designation in company		
4)	Nationality. If not an Indian citizen, please specify country and Passport Number and copy of the Passport	Country:	
		Passport Number:	
5)	Date of Birth	DD\MM\YYYY	
	Age as on the date of application	Age: -- Yrs.	
6)	Business Address (along with Phone, Fax and Email)		
7)	Residential Address (along with Phone, Fax and Email) with supporting document		
8)	Permanent Account Number (PAN) under Income Tax Act, if applicable		
9)	Educational/professional qualifications		
10)	Experience if any, in the Financial Services Sector. (Details such as name of the company, designation held, experience in years etc. should be provided)		
11)	Is the promoter/director associated with any other entity in any capacity? If yes, please furnish the name(s) of other organizations or entities or associations or unincorporated entities in which the person has held the post of Chairman or Managing Director or Director or Chief Executive Officer or associated with the above entities in any other capacity indicating the activity of the company and regulators, if any.	Yes/No	
12)	Declaration: I, Mr./ Ms. _____ promoter/director of (Name of applicant company) confirm that I have not accepted public deposit ³ as defined in the Regulations		

³ The term “public deposit” is defined under Chapter 1, section 2, sub-section 1(j) of IFSCA Finance Company regulations, dated 25th March 2021, as “Public deposit”, for the purposes of these regulations shall mean an amount raised from a resident or a non-resident, in any form which is repayable on demand or is a term deposit and includes such other amount as may be specified by the Authority from time to time;

* Response (details, if any) to any of the questions herein, may not necessarily impair our assessment towards fitness and propriety of the applicant. However, deliberately withholding information or providing false or misleading information may be viewed adversely.



13)	Has the promoter/director or any relative of the director or the companies/entities in which the director is/was associated with, are in default or have defaulted in the past in respect of credit facilities obtained from any entity or bank? If yes, please furnish information about the default and the name of the lending institution.	Yes/No	
14)	Whether the promoter/director has been disqualified to act as promoter/director under any law in any jurisdiction where the applicant entity or the group companies of the applicant entity are operating	Yes/No	
15)	Name/s of the companies, firms, partnership firms, in which the promoter/director holds substantial interest.		
16)	Whether the company or any of its promoter(s)/director(s) was/is involved in any investigation /disciplinary action /legal or regulatory violations /criminal case by any law enforcement /regulatory agencies? If yes, please furnish details.	Yes/No	
17)	Whether any order has been passed by any bankruptcy / resolution authority against any company with which the promoter(s)/director(s) are associated? If yes, please furnish details.	Yes/No	
18)	Credit report/ Information / Score (Adverse remarks, if any to be incorporated)		
	Signature:		
	Name:		
	Designation		
	Company Seal:		
	Date: Place:		



ANNEX II

Details / Checklist of documents to be submitted by applicant entity.

The following documents must be attached with this application. Mark the appropriate response cell with a “tick” to confirm that these attachments are enclosed with the application form.

Sr. No	Particulars	Yes	No	N/A
1)	Board Resolution for setting up the Finance Company/ Finance Unit.			
2)	Contact details of the primary coordinator of the FC/FU (for processing the application).			
3)	No-Objection Certificate from the home country regulator for setting up a Finance Company/ Finance Unit in IFSC Gandhinagar, if applicable.			
4)	SEZ Approval Letter			
5)	Provisional Allotment of office space in IFSC Gandhinagar			
6)	Permanent Account Number (PAN) or any Tax Identification document and address proof of the applicant entity.			
7)	Proof of payment of the application fees paid by the applicant entity (Details of SWIFT MT 103 or UTR of the transaction)			
8)	Copy of power of attorney or authorization granted to its authorized signatories of the applicant entity for signing the application and to transact on its behalf (if applicable)			
9)	Certified copies of the following, for the applicant entity.			
	a) Certificate of Incorporation			
	b) Memorandum of Association			
	c) Articles of Association and;			
	d) Last 3 years audited consolidated financial statements, wherever applicable.			
	e) other constitutional documents as applicable			
10)	Certified copies of the promoter as specified at point D 1(a)(ii) of the application form.			
	a) Certificate of Incorporation			
	b) Memorandum of Association			
	c) Articles of Association			
	d) Last 3 years audited consolidated financial statements.			
11)	Last 3 year Income Tax Return or Net Worth certificate for promoters as specified at point D 1(a)(i) of the application form.			
12)	Group structure of the applicant entity as per section E of the application form.			
13)	'Information on Management' for all promoters and directors (Annex I of the application form)			
14)	Business plan and projections as per section C of the application form.			
15)	An undertaking by the applicant that it shall fulfill the owned fund requirement before entering into any permissible activity as mentioned in the IFSCA (Finance Company) Regulations, 2021, or within such timeline as may be prescribed by the Authority, whichever is earlier.			



16)	<p>Board Resolution stating that:</p> <p>a) The applicant has not accepted any public deposit⁴, in the past /does not hold any public deposit as on date and will not accept the same in future without the prior approval of IFSCA.</p> <p>b) The Unincorporated body in the group where the directors / key persons/promoters hold substantial interest or otherwise has not accepted any public deposit in the past/ does not hold any public deposit as on date and will not accept the same in the future.</p>			
17)	<p>A Declaration cum Undertaking by the Applicant that -</p> <p>(a) the information provided in the application (including the attachments), is complete and true;</p> <p>(b) it shall notify the IFSCA immediately of any material change in the information provided in the application;</p> <p>(c) it shall comply with and be bound by the guidelines, directions and regulations issued by IFSCA, as amended from time to time; and</p> <p>(d) it shall abide by such operational instructions/directives as may be issued by the IFSCA from time to time, as a condition of authorization.</p> <p>(e) it shall seek specific registration for any category of activity, if so prescribed by IFSCA.</p> <p>(f) (to be submitted by Global/Regional Corporate Treasury Centre applicants only) we shall notify the IFSCA immediately of additional group entity/ies to be served from IFSC, if any.</p>			

⁴ As defined in section 2(1)(j) under Chapter 1 of the IFSCA (Finance Company) Regulations, 2021, dated March 25, 2021.