

**Reserve Bank of India
Foreign Exchange Department
Central Office
Mumbai-400 001**

Notification No.FEMA. 198 /2009-RB

Dated September 24, 2009

Foreign Exchange Management (Remittance of Assets) (Amendment) Regulations, 2009

In exercise of the powers conferred by sub-section (2) Section 47 of the Foreign Exchange Management Act, 1999 (42 of 1999), the Reserve Bank of India hereby makes the following amendments in the Foreign Exchange Management (Remittance of Assets) Regulations, 2000 ([Notification No.FEMA.13/2000-RB dated May 3, 2000](#)), namely :-

1. Short Title and Commencement:-

- (i) These Regulations may be called the Foreign Exchange Management (Remittance of Assets) (Amendment) Regulations, 2009.
- (ii) They shall come into force from the date of their publication in the Official Gazette.

2. Amendment of Regulation 6. - In the Foreign Exchange Management (Remittance of Assets) Regulations, 2000 (Notification No.FEMA.13/2000-RB dated May 3, 2000), in regulation 6 in sub-regulation (1) in clause (iii), in the Proviso, for clauses "C" and "D", the following shall be substituted, namely :-

- "(C) no-objection or tax clearance certificate from income-tax authority for the remittance;
- (D) confirmation from the applicant that no legal proceedings in any Court in India are pending and there is no legal impediment to the remittance ; and

(E) a report from the Registrar of Companies regarding compliance with the provisions of the Companies Act, 1956, in case of winding up of the office in India"

(Salim Gangadharan)
Chief General Manager-in-charge

Foot Note:- The Principal Regulations were published in the Official Gazette vide G.S.R. No 396 (E) dated May 5, 2000 in part II, Section 3, Sub-section (i) and subsequently amended vide:

- (a) G.S.R. No. 576 (E) dated August 19, 2002;
- (b) G.S.R. No. 630 (E) dated August 4, 2003;
- (c) G.S.R. No. 699 (E) dated September 1, 2003;
- (d) G.S.R. No. 493 (E) dated August 4, 2004;
- (e) G.S.R. No. 400 (E) dated May 30, 2007. and
- (f) G.S.R.No. 90 (E) dated February 15, 2008.

**Published in the Official Gazette of Government
of India – Extraordinary – Part-II, Section 3,
Sub-Section (i) dated 23.11.2009 - G.S.R.No.837(E)**