

**RESERVE BANK OF INDIA
(FOREIGN EXCHANGE DEPARTMENT)
CENTRAL OFFICE
MUMBAI**

Notification No. FEMA 187 /2009-RB.

February 3, 2009

**Foreign Exchange Management (Guarantees)
(Amendment) Regulations, 2008**

In exercise of the powers conferred by clause (j) of sub-section (3) of section 6, and sub-section (2) of 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 (Guarantee) Regulations, 2000 ([Notification No. FEMA. 8/ 2000 - RB](#) dated May 3, 2000), namely:-

2. Short title and commencement

- (a) These Regulations may be called the Foreign Exchange Management (Guarantees) (Amendment) Regulations, 2009.
- (b) They shall be deemed to have come into force from the dates specified in these regulations.

3. Amendment of regulation 5

In the Foreign Exchange Management (Guarantees) Regulations, 2000 ([Notification No. FEMA 8/2000-RB](#)) dated May 3, 2000, in regulation 5, after clause (c), the following new clause shall be inserted and shall be deemed to have been inserted with effect from the 11th July, 2008, namely,-

“(d) a bank which is an authorised dealer may, subject to the directions issued by the Reserve Bank in this behalf, permit a person resident in India or on behalf such person to issue guarantee in favour of an overseas lender or security trustee to secure an external commercial borrowing availed under the provisions of the Foreign Exchange Management (Borrowing or Lending in Foreign Exchange) Regulations, 2000 ([Notification No FEMA 3/2000-RB](#), dated 3-5-2000).”

(Salim Gangadharan)
Chief General Manager–in-Charge

Foot Note:

- i) Certified that no person shall be adversely affected by the retrospective effect given to such Regulations.
- ii) The Principal Regulations were published in the Official Gazette vide G.S.R No. 391 (E) dated May 5, 2000 in Part II, Section 3, Sub-Section (i) and subsequently amended vide:
 - i) G.S.R No 575 (E) dt 19-8-2002
 - ii) G.S.R No 745 (E) dt 16-11-2004
 - iii) G.S.R No 61(E) dt 9-2-2005
 - iv) G.S.R No 196 (E) dt 14-3-2007

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Sub-Section (i) dated 01.05.2009 - G.S.R.No. 300(E)**