

**RESERVE BANK OF INDIA
(FOREIGN EXCHANGE DEPARTMENT)
CENTRAL OFFICE
MUMBAI - 400 001**

Notification No. FEMA 22(R)(1)/2018-RB

August 31, 2018

Foreign Exchange Management (Establishment in India of a branch office or a liaison office or a project office or any other place of business) (Amendment) Regulations, 2018

In exercise of the powers conferred by sub section (6) of Section 6 of the Foreign Exchange Management Act, 1999 (42 of 1999), the Reserve Bank makes the following amendments to the Foreign Exchange Management (Establishment in India of a branch office or a liaison office or a project office or any other place of business) Regulations, 2016, [Notification No. FEMA 22\(R\)/2016-RB dated March 31, 2016](#), namely:

1. Short Title and Commencement: -

(i) These regulations may be called the Foreign Exchange Management (Establishment in India of a branch office or a liaison office or a project office or any other place of business) (Amendment) Regulations, 2018.

(ii) These regulations shall come into force from the date of their publication in the Official Gazette.

2. Amendment to Regulation 5:

In the Foreign Exchange Management (Establishment in India of a branch office or a liaison office or a project office or any other place of business) Regulations, 2016 ([Notification No. FEMA 22\(R\)/2016-RB dated March 31, 2016](#)), in the Regulation 5,

(A) The existing sub-regulation d. shall be substituted by the following namely:

d. the applicant is a Non-Government Organisation, Non-Profit Organisation, Body/ Agency/ Department of a foreign government. However, if such entity is engaged, partly or wholly, in any of the activities covered under Foreign Contribution (Regulation) Act, 2010 (FCRA), they shall obtain a certificate of registration under the said Act and shall not seek permission under this regulation.

3. Amendment to Form FNC (Annex C):

In the Foreign Exchange Management (Establishment in India of a branch office or a liaison office or a project office or any other place of business) Regulations, 2016 ([Notification No. FEMA 22\(R\)/2016-RB dated March 31, 2016](#)), in the existing form FNC (Annex C), in Part –II, under the heading ‘Declaration’, in clause (ii), at the end of the existing sentence, the following shall be added, namely:

“We will not undertake either partly or fully, any activity that is covered under Foreign Contribution Regulation Act, 2010 (FCRA) and we understand that any misrepresentation made or false information furnished by us in this behalf would render the approval granted under the Foreign Exchange Management (Establishment in India of a branch office or liaison office or a project office or any other place of business)

Regulations, 2016, automatically as *void ab initio* and such approval by the Reserve Bank shall stand withdrawn without any further notice”.

(R. K. Moolchandani)
Chief General Manager

Foot Note:-

The Principal Regulations were published in the Official Gazette vide G.S.R.No.384 (E) dated March 31, 2016 in Part II, Section 3, sub-Section (i).

[G.S.R. No. 827\(E\) dated 31.08.2018.](#)