

Branch:

 Date
Sub: Application for Overseas Investment in foreign entity

1.	Applicant Name (Indian Party) & Address	
2.	Name of Foreign Entity & Address	
3.	Route	<input type="checkbox"/> Approval/ <input type="checkbox"/> Automatic
4.	UIN	(If fresh remittance, mention NA) (Details of Financial commitment to be added as per Annexure I)
5.	Currency	
6.	Amount	
7.	Type of Financial Commitment (tick as applicable)	<input type="checkbox"/> Equity / <input type="checkbox"/> Debt / <input type="checkbox"/> Guarantee / <input type="checkbox"/> Pledge or Charge creation
8.	Activity of Overseas Company and reason for investment in foreign entity (Applicable only for initial Investment)	
9.	Prima Facie viability of the foreign entity	
10.	Expected time frame to hold investment	
11.	Indian Party/ Resident Individual expectation of return from these investments	
12.	How these investments will help Indian Party/ Resident Individual	
13.	Any previous exports done to the said country/ purpose of investment in the said country by Indian Party/ Resident Individual.	
14.	Number of shares being bought / number of units in this transaction (Only in case financial commitment is in the form of Equity contribution)	

You are requested to please debit our account number for transaction amount along with your charges under advice to us.

With reference to the strict compliance to Notification No. FEMA 400/2022-RB dated August 22, 2022, Foreign Exchange Management (Overseas Investment) Rules, 2022, Foreign Exchange Management (Overseas Investment) Regulations, 2022, Foreign Exchange Management (Overseas Investment) Directions, 2022 as amended from time to time, we confirm that:

1. We are eligible to make Overseas Direct Investment in the foreign entity and the foreign entity is in bonafide business activities abroad. The regulations pertaining to 'Ceiling of Investment', 'Valuation of Shares', 'Method of Funding' etc. in respect of Overseas Direct Investment being made by me/us.
2. The amount of proposed financial commitment is within the prescribed limit as per our Board Resolution dated(Not Applicable if Indian Party is resident Individual)
3. I/our company am/is not on the Reserve Bank's Exporters Caution List/List of Defaulters to the banking system as circulated by the Reserve Bank of India / the Credit Information Bureau (India) Ltd (CIBIL) or under investigation by any investigation/enforcement agency or regulatory body.
4. I/We undertake to route all transactions relating to the said foreign entity through RBL Bank Ltd.
5. I/We undertake to submit the Annual Performance Report (Form APR), along with audited financials of the overseas entity and duly filled in and signed by authorized signatory (ies) of the company and certified by the Statutory Auditor to your Bank on or before 31ST December every year.
6. I/We have filed the Annual Return on Foreign Liabilities (FLA) and Assets as per A.P. (DIR Series) Circular No.37 dated June 28, 2019, with RBI by July 15th of each year for all the remittances received under FDI/ overseas investments made in the previous year(s) including the current year directly to RBI. Last FLA submitted on acknowledgement is attached. (Strike off if not applicable)

7. The financial commitment towards loans is duly backed by a loan agreement and the rate of interest shall be charged on an arm's length basis.
8. Our foreign entity will not engage in any prohibited activity/activities and I/we will repatriate to India, all dues receivable from the foreign entity, like dividend, royalty, technical fees etc., within 90 days of its falling due, or such further period as the Reserve Bank may permit. Also, we will ensure to report details of such disinvestment through your Bank within 30 days from date of disinvestment and sale proceeds of shares/securities, if any, shall be repatriated to India immediately on receipt thereof and in any case not later than 90 days from the date of sale of the shares / securities.
9. I/We confirm that any change in share holding pattern/formation of stepdown subsidiary/subsidiaries in the forthcoming Annual Performance Report required to be forwarded annually to the Reserve Bank
10. This is the first remittance to the foreign entity being made in Equity capital. No remittance was sent earlier through any other AD Bank, and no UIN is obtained from RBI. (Not Applicable for subsequent remittances)
11. The financial commitment in a foreign entity that has invested or invests into India at the time of making such financial commitment or at any time thereafter, either directly or indirectly, resulting in a structure with two layers of subsidiaries is in accordance with rule 19(3) of the OI Rules and no further layer of subsidiary or subsidiaries shall be added to any structure existing with two or more layers of subsidiaries post notification of the OI Rules/Regulations. We also confirm that, the sources of funds are from legitimate business income and bonafides business activity. Also, for overseas direct investment in startup in accordance with rule 19(2) of OI Rules shall not be made from funds borrowed from others.
12. As I/we will submit share certificates or any other document as evidence of investment in the foreign entity to the satisfaction of the Reserve Bank within six months, or such further period as Reserve Bank may permit, from the date of effecting remittance or the date on which the amount to be capitalized became due or the date on which the amount due was allowed to be capitalized.
13. I/We certify that no delay in reporting is pending for regularization as required under Regulation 12 of OI Regulations.
14. I/We confirm that funds raised on the strength of SBLC issued on behalf of foreign entity will be used for bonafide activity of overseas foreign entity and will not be used for any direct/indirect investment in India. (Not Applicable if Indian Party is resident Individual)
15. I/We hereby agree that in case of attempted cancellation or revocation of transaction after its submission to the bank, RBL Bank is authorized to debit any exchange losses incurred as a result such cancellation/ revocation to my/our current account or CC/OD account, if any. Furthermore, I/ We acknowledge and agree that after the funds are remitted by RBL Bank to its correspondent bank and/or to the beneficiary bank, RBL Bank shall not be held liable for any delays in the credit of such funds into the beneficiary account for any reason whatsoever. We confirm and agree that if the transaction is rejected by the beneficiary bank for any reason, beneficiary bank/ Correspondent Bank may withhold and deduct charges, costs and refund lesser amount than the amount remitted by RBL Bank. Further, RBL Bank shall credit only the equivalent INR after converting the relevant foreign currency received at the spot rate of exchange on the date of credit. I/We further confirm, agree and undertake that any charges, costs levied by correspondent bank/ beneficiary bank to be debited to my/our current account or CC/OD account, if any.
16. I/We also declare that the transaction does not have linkage with any Specially Designated Nationals and Blocked Persons (SDN)/countries listed under OFAC in any manner. If the transaction involves linkage with any Specially Designated Nationals and Blocked Persons (SDN)/countries listed under OFAC in any manner, I/we undertake not to hold RBL Bank Limited responsible for any of its action or inaction in respect of the OFAC-linked transactions.

Declaration-Cum-Undertaking under FEMA 1999

I/We hereby declare that the transactional details which are specifically declared in this request letter does not involve and is not premeditated for the purpose of any contravention or evasion of the provisions of the aforesaid Act or of any rules, regulation, notification, direction or order made thereunder. I /We also hereby agree and undertake to give such information/documents as will reasonably satisfy you about this transaction in terms of the above declaration. I/We also understand that if I/We refuse to comply with any such requirement or make only unsatisfactory compliance therewith, the bank shall refuse in writing to undertake the transaction and shall if it has reason to believe that any contravention/evasion is contemplated by me/ us and would report the matter to Reserve Bank of India. I/We further declare that the undersigned has/have the authority to give this declaration and undertaking on behalf of the company.

In case of any queries, please feel free to contact the following authorized person/s of the company.

Thanking you.

Yours Sincerely,

Authorized Signatory

Name:

Designation:

Email ID:

Cell No:

Annexure I

Details of remittances processed as on date including propose remittance under the UIN _____ are given below.

Additional details to be shared in excel sheet,

Sr.NO.	Date of Remittance	CCY	Amount	Purpose