Depositories Act, 1996

Schedule 1 - SCHEDULE- FORMS

FORM A Application for grant of certificate of registration as depositorySecurities and Exchange Board of India Mittal Court, 'B' Wing, 1st Floor Nariman Point, Mumbai 400021-India INSTRUCTIONS i. This form is meant for use by each person acting as the sponsor of a depository. ii. The applicant should complete this form, and submit it, along with all supporting documents to the Board at its head office at Mumbai. iii. This application form should be filled in accordance with the regulations. iv. Application for grant of certificate of registration as depository, will be considered provided it is complete in all respects. v. All answers must be typed. vi Information which needs to be supplied in more detail may be given on separate sheets which should be attached to the application form. vii. The application must be signed and all signatures must be original. viii. The application must be accompanied by an application fee as specified in the Second Schedule to these regulations and by the draft bye-laws. ix. Every page of the form and every additional sheet must be initialled by the authorised signatory of the applicant. x. All copies of documents should be attested as true by an authorised notary. Items 1-6 pertain to an applicant acting as sponsor 1. Name, address of the registered office, address for correspondence, telephone number(s), fax number(s), telex number(s) and the name of the contact person of the sponsor. 2. Please indicate the name of the depository which is to be sponsored by the applicant. 3. Please indicate the names of other depositories, if any, which have been sponsored by the applicant, or in which the applicant is acting as participant. 4. Please indicate the category to which the sponsor belongs as perregulation 6- 5. Please provide the following details of each person acting as sponsor: (a) Date of incorporation or establishment, and the statute, if any, under which established (enclose certificate of incorporation, memorandum and articles of association or statutory provisions, if any). (b) Objects of the applicant. (c) Details of the nature of activities carried on by the applicant. (d) Details of affiliates and subsidiaries, and activities carried on by them. (e) Details of registration with the Securities and Exchange Board of India, the Reserve Bank of India or with any foreign regulatory authority of the applicant, its affiliates and its subsidiaries (enclose documents supporting such registration). (f) Net worth of the applicant (enclose a copy of the latest audited financial state- ments). (g) Percentage and amount of the paid-up capital of the proposed depository which the applicant is to hold. 6. Declaration statement (to be given as below) by each person acting as sponsor. We hereby agree and declare that the information supplied in the application, including the attachment sheets, is complete and true. And we further agree that, we will notify Securities and Exchange Board of India immediately any change in the information provided in the application. We further agree that we shall comply with, and be bound by theSecurities and Exchange Board of India Act, 1992-, and Securities and Exchange Board of India (Depositories and Participants) Regulations, 1996, and such other guidelines/instruc- tions which may be announced by the Securities and Exchange Board of India from time to time. We further agree that as a condition of registration, we shall abide by such operational instructions/directives as may be issued by the Securities and Exchange Board of India from time to time. For and on behalf of... (Name of the applicant) Authorised signatory.................... .... (Name) (Signature) Date: Place: Items 7-14 pertain to the depository, and should be filled in accordingly. 7. Name, address of the registered office, address for correspondence, telephone number(s), fax number(s), telex number(s) and the name of the contact person of the applicant. 8. Date of incorporation of the depository (enclose certificate of incorporation and memorandum and articles of association) (a) Objects (main and ancillary) of the depository. (b) Authorised, issued subscribed and paid-up capital of the depository. (c) Proposed networth of the depository. (d) Details of proposed shareholding of each person acting as sponsor. 9. The following details may be given for each director of the depository, and for its principal officer. (a) Name, age, nationality. (b) Details of educational and other qualifications. (c) Details of experience. (d) Details of other directorships held. (e) Details of any litigation connected with the securities market which has an adverse bearing on the business of the depository, involving the director or principal officer; and details of any conviction of the director or principle officer for a crime involving moral turpitude or of any economic office for which the director or principal officer has been found guilty. 10. Please indicate the details of staff and organisation structure that is proposed to be set up prior to commencement of business. 11. Details of infrastructure such as premises and automatic data processing, storage and back up systems and procedures, communication systems that are proposed to be set up prior to commencement of business. 12. Internal evaluation and monitoring systems that are proposed to be set up prior to the commencement of business. 13. Arrangements for indemnification of beneficial owners that are proposed to be put in place, including details of insurance cover proposed to be taken prior to the commencement of business. 14. Declaration statement (to be given as below). We hereby agree and declare that the information supplied in the application including the attachment sheets, is complete and true. And we further agree that, we will notify Securities and Exchange Board of India immediately any change in the information provided in the application. We further agree that we shall comply with, and be bound by theSecurities and Exchange Board of India Act, 1992-, and Securities and Exchange Board of India (Depositories and Participants) Regulations, 1996, and such other guidelines/instruc- tions which may be announced by the Securities and Exchange Board of India from time to time. We further agree that as a condition of registration, we shall abide by such operational instructions/directives as may be issued by the Securities and Exchange Board of India from time to time. For and on behalf of .... (Name of the applicant) Authorised signatory .... (Name) Date: Place: (Signature)FORM B SECURITIES AND EXCHANGE BOARD OF INDIA (DEPOSITORIES AND PARTICIPANTS) REGULATIONS, 1996Certificate of registration as depository I. In exercise of the powers conferred by sub-section (1A) ofsection 12 of the Securities and Exchange Board of India Act, 1992 (15 of 1992)-read with the regulations made thereunder and with the Depositories Ordinance, 1996 (17 of 1996) the Board hereby grants a certificate of registration to as a Depository subject to the conditions specified in the Act, the Depositories Ordinance and the regulations made thereunder. II. Registration Number for the Depository is IN/SD/ / / Date: Place: Mumbai By Order Sd/- For and on behalf of Securities and Exchange Board of IndiaFORM C SECURITIES AND EXCHANGE BOARD OF INDIA (DEPOSITORIES AND PARTICIPANTS) REGULATIONS, 1996Application for grant of certificate of commencement of business as depository Securities and Exchange Board of India Mittal Court, 'B' Wing, 1st Floor Nariman Point, Mumbai 400021-India INSTRUCTIONS i. This form is meant for use by a depository granted a certificate of registration by the Securities and Exchange Board of India. ii. The applicant should complete this form, and submit it, along with all supporting documents to the Board at its head office at Mumbai. iii. This application form should be filled in accordance with the regulations. iv. Application for grant of certificate of commencement of business will be consid- ered provided it is complete in all respects. v. All answers must be typed. vi. Information which needs to be supplied in more detail may be given on separate sheets which should be attached to the application form. vii. The application must be signed and all signatures must be original. viii. Every page of the form and every additional sheet must be initialled by the authorised signatory of the applicant. ix. All copies of documents should be attested as true by an authorised notary. 1. Name and registration number of the applicant. 2. Date of grant of certificate of registration to the applicant. 3. Please indicate whether bye-laws have been approved by SEBI. 4. Please indicate the details of staff and organisation structure that has been set up. 5. Please indicate the background and experience of key personnel. 6. Internal evaluation and monitoring systems including details of background and experience of personnel involved that have been set up (enclose copies of risk manage- ment and operations manuals). 7. Please provide the following details of the automatic data processing and communi- cations systems: (a) details of hardware, software and communications systems, their capability, function and location; (b) details of data storage and back up procedures and sites, their capability, function and location; (c) details of disaster recovery systems and procedures. 8. Please indicate whether premises and automatic data processing and communica- tions systems are owned, leased or rented (enclose copies of title lease or rental agreements). 9. Please indicate arrangements that have been put in place in order to indemnify beneficial owners. 10. Please enclose copy of insurance cover that has been taken. 11. Please enclose a copy of the participation agreement to be entered into with different categories of participants. 12. Please enclose a copy of the agreement to be entered into with the issuer, or with the issuer and his registrar. 13. Please enclose a copy of the agreement to be entered into between the participant, as the depository's agent, and the beneficial owners. 14. Declaration statement (to be given as below) : We hereby agree and declare that the information supplied in the application, including the attachment sheets, is complete and true. And we further agree that, we will notify Securities and Exchange Board of India immediately any change in the information provided in the application. We further agree that we shall comply with, and be bound by theSecurities and Exchange Board of India Act, 1992-, and Securities and Exchange Board of India (Depositories and Participants) Regulations, 1996, and such other guidelines/instruc- tions which may be announced by the Securities and Exchange Board of India from time to time. We further agree that as a condition of registration, we shall abide by such operational instructions/directives as may be issued by the Securities and Exchange Board of India from time to time. For and on behalf of .... (Name of the applicant) Authorised signatory................. (Name) (Signature) Date: Place:FORM D SECURITIES AND EXCHANGE BOARD OF INDIA (DEPOSITORIES AND PARTICIPANTS) REGULATIONS, 1996Certificate of commencement of business as depository In exercise of the powers conferred bysection 3 of the Depositories Ordinance, 1996(17 of 1996)read with the regulations, the Board hereby grants a certificate of commence- ment of business to as a depository subject to the conditions specified in the Act, the Depositories Ordinance and the regulations made thereunder. Date: Place: Mumbai By order Sd/- For and on behalf of Securities and Exchange Board of IndiaFORM E SECURITIES AND EXCHANGE BOARD OF INDIA (DEPOSITORIES AND PARTICIPANTS) REGULATIONS, 1996Application for grant of certificate of registration as participant Securities and Exchange Board of India Mittal Court, 'B' Wing, 1st Floor Nariman Point, Mumbai 400 021-India INSTRUCTIONS i. This form is meant for use by an applicant for grant of registration as participant. ii. The form should be filled in by the applicant and submitted to the depository in which it is acting as participant, who shall forward it, along with all supporting documents to the Board at its head office at Mumbai. iii This application form should be filled in accordance with the regulations. iv. Application for grant of registration as participant or renewal of such registration, as the case may be, will be considered provided it is complete in all respects. v. All answers must be typed. vi. Information which needs to be supplied in more detail may be given on separate sheets which should be attached to this application form. vii The application must be signed and all signatures must be original. viii The application must be accompanied by an application fee as specified in the Second Schedule to these regulations. ix. Every page of the form and every additional sheet must be initialled by the authorised signatory of the applicant. x. All copies of documents should be attested as true by an authorised notary. 1. Name, address of the registered office, address for correspondence, telephone number(s), fax number(s), telex number(s) of the applicant and the name of the contact person. 2. Please indicate to which of the categories under sub-regulation (a) ofregulation 19-, the applicant belongs. 3. (a) Date and place of incorporation or establishment and date of commence- ment of business (enclose certificate of incorporation, memorandum and articles of association or statutory provisions, if any). (b) Details of the activities carried on by the applicant, in India or overseas. (c) Details of affiliates and subsidiaries of the applicant operating in India, and activities carried on by them. (d) Details of registration with the Securities and Exchange Board of India, the Reserve Bank of India or with any regulatory authority overseas of the applicant, and of its affiliates and subsidiaries operating in India. (e) Date of commencement of business in India and overseas (please enclose copies of the Reserve Bank of India's permission, and if applicable copies of approvals from the Central Government to carry on activities mentioned above). (f) Type and number of beneficial owners on whose behalf the applicant proposes to act as participant (Financial Institutions, Mutual Funds, Foreign Institutional Investors, Portfolio Managers, Non-Banking Finance Compa- nies, Stock Brokers, Corporates, Individuals, or for own account). 4. Please give the name and SEBI registration number of the depository in which the applicant is to act as participant. 5. Please indicate the names and SEBI registration numbers of all other depositories in which the applicant is acting as participant and the applicant's SEBI registration number as participants in such depositories. 6. Please state whether the applicant, his partner, director or principal officer is involved in any litigation connected with the securities market which has an adverse bearing on the business of the applicant; or has at any time been convicted for any moral turpitude or at any time has been found guilty of any economic offence. 7. Please also state whether there has been any instance of violation or non- adherence to the securities laws, code of ethics/conduct, code of business rules, for which the applicant, or its parent or holding company or affiliate may have been subject to economic, or criminal, liability, or suspended from carrying out its operations, or the registration revoked temporarily. 8. Please indicate the net worth and paid-up capital in Rs. crore as per the latest audited financial statements of the applicant (enclose copy) 9. Please indicate services that the applicant is already providing to beneficial owners on whose behalf the applicant proposes to act as participant, and services proposed to be provided to beneficial owners. 10. Please provide the following details regarding staff involved in activities as participant. (i) organisation structure; (ii) experience and background of key personnel. 11. Please provide the following details regarding safekeeping and security systems and procedures: (i) risk control and operations manuals (enclose copies); (ii) give details of independent internal control mechanisms for monitoring, evaluation and review of accounting, and reporting systems and procedures. 12. Please provide the following details regarding automatic data processing systems and record keeping: (i) details of hardware, software and communications systems, their capability, function and location; (ii) details of data storage and back up procedures and sites, their capability, function and location; (iii) details of disaster recovery systems and procedures. 13. Details of insurance cover to be taken up. 14. Please indicate the applicant's shareholding for each depository in which it has such shareholding and whether any shareholding is proposed to be acquired in the depository through which this application is being made. 15. Please enclose a copy of an undertaking from the depository in which the applicant is to act as participant that (a) the applicant is eligible to act as participant in the depository through which this application is being submitted to SEBI, and meets with the eligibility criteria for participants specified in these regulations and in the depository's bye-laws; (b) the applicant has adequate automatic data processing systems, adequate and competent staff, risk management systems, procedures and manuals, disaster recovery procedures, secure data storage and off site back up facilities, adequate communications links and insurance; to enable the applicant to fulfil its obligations as participants to the satisfaction of the depository; and (c) the agreement to be entered into between the participant and beneficial owners has been submitted to the depository is in accordance with the depository's bye-laws. 16. Declaration statement (to be given as below). We hereby agree and declare that the information supplied in the application, including the attachment sheets, is complete and true. And we further agree that, we will notify Securities and Exchange Board of India immediately any change in the information provided in the application. We further agree that we shall comply with, and be bound by theSecurities and Exchange Board of India Act, 1992-, and Securities and Exchange Board of India (Depositories and Participants) Regulations, 1996, and such other guidelines/instruc- tions which may be announced by the Securities and Exchange Board of India from time to time. We further agree that as a condition of registration, we shall abide by such operational instructions/directives as may be issued by the Securities and Exchange Board of India from time to time. For and on behalf of .... (Name of the applicant) Authorised signatory.. (Name) (Signature) Date: Place:FORM F SECURITIES AND EXCHANGE BOARD OF INDIA (DEPOSITORIES AND PARTICIPANTS) REGULATIONS, 1996Certificate of Registration as participant I. In exercise of the powers conferred by sub-section (1A) ofsection 12 of the Securities and Exchange Board of India Act, 1992 (15 of 1992)-read with the regulations made thereunder and with the Depositories Ordinance, 1996 (17 of 1996) the Board hereby grants a certificate of registration to as a participant subject to the conditions specified in the Act, the Depositories Ordinance and the regulations made thereunder. II. Registration Number for the participant is IN/DP/ / / III. Unless renewed, the certificate of registration is valid from to Date: Place: Mumbai By order Sd/- For and on behalf of Securities and Exchange Board of India