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SECURITIES AND EXCHANGE BOARD OF INDIA

NOTIFICATION

Mumbai, the 26th June, 2006

SECURITIES AND EXCHANGE BOARD OF INDIA

(FOREIGN INSTITUTIONAL INVESTORS) (AMENDMENT) REGULATIONS, 2006

S.O No. 948(E). In exercise of the powers conferred by section 30 of the Securities and Exchange Board of India Act, 1992 (15 of 1992), the Board hereby makes the following Regulations to further amend the Securities and Exchange Board of India (Foreign Institutional Investors) Regulations, 1995, namely :-

1. These Regulations may be called the Securities and Exchange Board of India (Foreign Institutional Investors) (Amendment) Regulations, 2006.
2. They shall come into force on the date of their publication in the Official Gazette.
3. In the Securities and Exchange Board of India (Foreign Institutional Investors) Regulations, 1995,

(i) in regulation 8, for the words “five years”, the words “three years” shall be substituted;

(ii) In regulation 15,-

(a) in sub-regulation (1), after clause (e), the following clause shall be inserted, namely:-

“(f) security receipts.”

(b) in sub-regulation (2), after the third proviso, the following provisos shall be inserted, namely:-

“Provided further that the conditions mentioned in sub-regulation (2) shall not apply to investments made by foreign institutional investors in security receipts issued by securitisation companies or asset reconstruction companies under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 and the rules made there under:

Provided further that no foreign institutional investor shall invest in security receipts on behalf of its sub account.”

- (c) in sub-regulation (3), in clause (c), after the fifth proviso, the following proviso shall be inserted, namely:-

“Provided further that nothing contained in clause (c) shall apply to purchase or sale of security receipts by a foreign institutional investor.”

- (d) after sub-regulation (8), the following Explanation be inserted, namely:-

“Explanation: For the purposes of this regulation, the words ‘security receipt’, ‘asset reconstruction’, ‘securitisation company’ and ‘reconstruction company’ shall have the meanings respectively assigned to them under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.”

- (iii) in the Second Schedule –

- (a) in paragraph (1), for the letters and figures “US \$ 5,000/-“ the letters and figures “US \$ 10,000/-“ shall be substituted;

- (b) in paragraph (2A), for the letters and figures “US \$ 1,000/-“, the letters and figures “US \$ 2,000/-“ shall be substituted.

[SEBI/LAD/DOP/69520/2006]

M. DAMODARAN

CHAIRMAN

Footnotes:

1. The Securities and Exchange Board of India (Foreign Institutional Investors) Regulations, 1995 was published in the Gazette of India on November 14, 1995 vide No.SEBI/LE/918(E).
2. The Securities and Exchange Board of India (Foreign Institutional Investors) Regulations, 1995 was subsequently amended –
 - a. on October 9, 1996 by the Securities and Exchange Board of India (Foreign Institutional Investors) (Amendment) Regulations, 1996 vide S.O. No.702(E).
 - b. on November 19, 1996 by the Securities and Exchange Board of India (Foreign Institutional Investors) (Second Amendment) Regulations, 1996 vide S.O. No.799(E).
 - c. on February 12, 1997 by the Securities and Exchange Board of India (Foreign Institutional Investors) (Amendment) Regulations, 1997 vide S.O. No.105(E).
 - d. on July 10, 1997 by the Securities and Exchange Board of India (Foreign Institutional Investors) (Second Amendment) Regulations, 1997 vide S.O. No.495(E).
 - e. on December 5, 1997 by the Securities and Exchange Board of India (Foreign Institutional Investors) (Third Amendment) Regulations, 1997 vide S.O. No.823 (E).
 - f. on April 20, 1998 by the Securities and Exchange Board of India (Foreign Institutional Investors) (Amendment) Regulations, 1998 vide S.O. No.333(E).
 - g. on May 18, 1998 by the Securities and Exchange Board of India (Foreign Institutional Investors) (Second Amendment) Regulations, 1998 vide S.O. No.417(E).
 - h. on June 30, 1998 by the Securities and Exchange Board of India (Foreign Institutional Investors) (Third Amendment) Regulations, 1998 vide S.O. No.545 (E).
 - i. on April 16, 1999 by the Securities and Exchange Board of India (Foreign Institutional Investors) (Amendment) Regulations, 1999 vide S.O. No.263(E).
 - j. on August 26, 1999 by the Securities and Exchange Board of India (Foreign Institutional Investors) (Second Amendment) Regulations, 1999 vide S.O. No.688(E).
 - k. on February 29, 2000 by the Securities and Exchange Board of India (Foreign Institutional Investors) (Amendment) Regulations, 2000 vide S.O. No.180(E).
 - l. on March 28, 2000 by the Securities and Exchange Board of India (Appeal to the Securities Appellate Tribunal) (Amendment) Regulations, 2000 vide S.O. No.278(E).
 - m. on October 20, 2000 by the Securities and Exchange Board of India (Foreign Institutional Investors) (Second Amendment) Regulations, 2000 vide S.O. No.946(E).
 - n. on February 13, 2001 by the Securities and Exchange Board of India (Foreign Institutional Investors) (Amendment) Regulations, 2001 vide S.O. No.128(E).
 - o. on May 29, 2001 by the Securities and Exchange Board of India (Investment Advice by Intermediaries) (Amendment) Regulations, 2001 vide S.O. No.476(E).
 - p. on September 27, 2002 by the Securities and Exchange Board of India (Procedure for Holding Enquiry by Enquiry Officer and Imposing Penalty) Regulations, 2002 vide S.O. No.1045(E).

- q. on December 10, 2002 by the Securities and Exchange Board of India (Foreign Institutional Investors) (Amendment) Regulations, 2002 vide No. S.O. 1292 (E).
- r. on May 14, 2003 by the Securities and Exchange Board of India (Foreign Institutional Investors) (Amendment) Regulations, 2003 vide No. S.O. 548 (E).
- s. on August 28, 2003 by the Securities and Exchange Board of India (Foreign Institutional Investors) (Second Amendment) Regulations, 2003 vide No S.O. 990 (E).
- t. on January 27, 2004 by the Securities and Exchange Board of India (Foreign Institutional Investors) (Amendment) Regulations, 2004 vide F. No. SEBI/LAD/DOP/19023/2004.
- u. on February 19th, 2004 by the Securities and Exchange Board of India (Foreign Institutional Investors) (Second Amendment) Regulations, 2004 vide F. No. SEBI/LAD/DOP/3349/2004.
- v. on March 10th, 2004 by the Securities and Exchange Board of India (Criteria for Fit and Proper Person) Regulations, 2004 vide S.O. No. 398(E).