



APAC & ASSOCIATES LLP
Company Secretaries

ONE CONCEPT ONE SLIDE

Web Series –Nov. 2019_12

Topic: Incorporation

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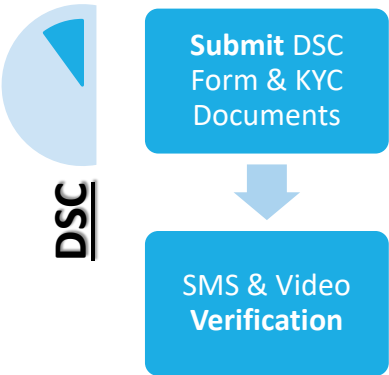
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Company Incorporation (Public, Private, OPC)



SPICe+ Part A (Name reservation)

Online submission for reservation of name

Criteria-

1. not **resembling** too nearly with name of existing company
2. not **undesirable**

Validity -
20 days from the date of approval

Resembling too nearly includes the plural or singular form of words, type and case of letters, spacing between letters, punctuation marks special characters used, different tenses, different phonetic spellings, the order of words.

Undesirable includes prohibited, offensive, contains the words 'British India', implies association or connection with an embassy or consulate of a foreign government, connection with or patronage of a national hero.

SPICe+ (Incorporation)

Single application
reservation of name, incorporation, DIN allotment of PAN, TAN, EPFO, ESIC

Critical attachments
Declaration (Professional, subscribers & Directors)
KYC (Subscribers & Directors)
Particulars of interest (Directors), if any
Address for correspondence (Verification of Registered Office to be filed with the Registrar till 30 days of incorporation.)

Sectoral Regulator approval if required, shall be taken before pursuing such objects, and a declaration in this behalf shall be submitted at the stage of incorporation.

MoA & AOA

Linked form with SPICe+
SPICe MOA (INC-33) & AOA (INC-34)

Exceptions
(pdf to be attached)

- Subscribers ≤ 7
- Subscribers are non-individual & based outside India
- Foreign Nationals not having valid DIN
- Foreign National not having Business VISA,

Certificate of Incorporation shall be issued by Registrar in form INC-11 and shall mention permanent account number (PAN) of the company

AGILE Pro

Linked form with SPICe+
Single application – Goods and Services Tax Identification Number, Employee State Insurance corporation registration, Provident Fund organisation registration

Opening of bank account
Professional tax registration (Maharashtra)

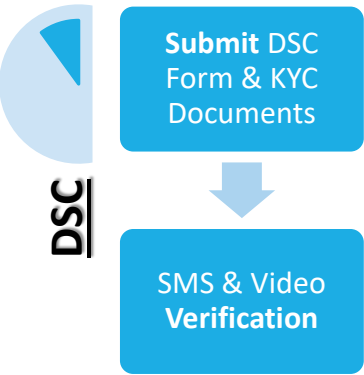
Additional points

1. DIN application in SPICe+ for ≤ 3 directors.
2. Name application in SPICe+ for 1 proposed name
3. At least 1 director – Resident
4. Declaration within 180 days of incorporation for commencement of business.

Name provided in the SPICe+ Part A facility may be approved or rejected by Registrar CRC after allowing one resubmission, within fifteen days, for rectification of the defects.



Company Incorporation (Public, Private, OPC)



Online submission for reservation of name
Criteria-

1. not **resembling** too nearly with name of existing company
2. not **undesirable**

Validity -
20 days from the date of approval

RUN (Name reservation)

Resembling too nearly includes the plural or singular form of words, type and case of letters, spacing between letters, punctuation marks special characters used, different tenses, different phonetic spellings, the order of words.

Undesirable includes prohibited, offensive, contains the words 'British India', implies association or connection with an embassy or consulate of a foreign government, connection with or patronage of a national hero.

Single application
reservation of name, incorporation, DIN allotment of PAN and TAN

Critical attachments
Declaration (Professional, subscribers & Directors)
KYC (Subscribers & Directors)
Particulars of interest (Directors), if any
Address for correspondence (Verification of Registered Office to be filed with the Registrar till 30 days of incorporation.)

SPICE (Incorporation)

Sectoral Regulator approval if required, shall be taken before pursuing such objects, and a declaration in this behalf shall be submitted at the stage of incorporation.

Linked form with SPICE
SPICE MOA (INC-33) & AOA (INC-34)

Exceptions
(pdf to be attached)

- Subscribers ≤ 7
- Subscribers are non-individual & based outside India
- Foreign Nationals not having valid DIN
- Foreign National not having Business VISA,

MoA & AOA

Certificate of Incorporation shall be issued by Registrar in form INC-11 and shall mention permanent account number (PAN) of the company

Linked form with SPICE
Single application – Goods and Services Tax Identification Number, Employee State Insurance corporation registration, Provident Fund organisation registration

AGILE (GST, EPF, ESI)

Additional points

1. DIN application in SPICE for ≤ 3 directors.
2. Name application in SPICE for 1 proposed name
3. At least 1 director – Resident
4. Declaration within 180 days of incorporation for commencement of business.

Name provided in the RUN facility may be approved or rejected by Registrar CRC after allowing one resubmission, within fifteen days, for rectification of the defects.



OTHER VIDEOS - APAC

1. IEPF (Aug.'19)

2. Board Governance (Sept.'19)

3. SBO (Sept.'19)

4. #startup (Sept.'19)

5. Secretarial Standard – 1 (Sept.'19)

6. Secretarial Standard – 2 (Sept.'19)

7. Board's Report (Oct.'19)

8. TReDS (Oct.'19)

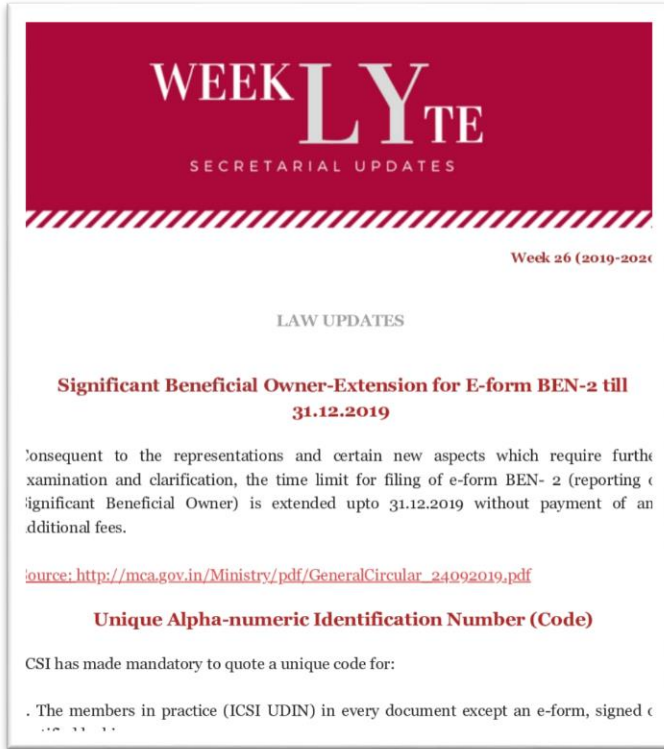
9. Corporate Social Responsibility (CSR) (Oct.'19)

10. Related Party Transactions (RPT) (Oct.'19)

11. Statutory Registers (Nov.'19)



Weekly Updates:



WEEKLYTE
SECRETARIAL UPDATES

Week 26 (2019-2020)

LAW UPDATES

Significant Beneficial Owner-Extension for E-form BEN-2 till 31.12.2019

Consequent to the representations and certain new aspects which require further examination and clarification, the time limit for filing of e-form BEN- 2 (reporting of Significant Beneficial Owner) is extended upto 31.12.2019 without payment of an additional fees.

Source: http://mca.gov.in/Ministry/pdf/GeneralCircular_24092019.pdf

Unique Alpha-numeric Identification Number (Code)

CSI has made mandatory to quote a unique code for:

The members in practice (ICSI UDIN) in every document except an e-form, signed c

Monthly Updates:



Private Circulation On

MONTHLYTE
Secretarial Updates August 2019

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A. Re-Shaping of Law

1.0 CSR Recommendations of High-Level Committee (HLC)

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B. Regulatory Changes

1.2 Companies (Amendment) Act, 2019- Enforcement

1.5 IEPF Compliance-Amendment

Regular Online Updates



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YOU!

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