

NSE Clearing Limited

Circular

DEPARTMENT: COMPLIANCE

Download Ref No.: NCL/CMPL/62376

Date: June 07, 2024

Circular Ref. No: 22/2024

To All Members

Sub: Membership Compliance – Revision/Updates to the New Membership/Ongoing Membership Compliances

This is with reference to NCL circular on Membership Compliance – Revision/Updates to the Ongoing Membership Compliances issued vide Circular No. NCL/CMPL/61314 dated March 26, 2024, and Master circular for Clearing Members of NSE Clearing Ltd. issued vide Circular No. NCL/CMPL/61844 dated April 30, 2024.

Members are hereby informed to take note of following Revision/Updates to the New Membership/Ongoing Membership Compliances:

- A. Initial Membership Security Deposits with New Membership applications.
- B. Change in the deposit requirement for Self-Clearing Members in Capital Market Segment.
- C. Prior approval for change in Designated Directors/ Non-designated Directors for Banks and Primary Dealers.

A. Initial Membership Security Deposits with New Membership applications.

NCL has decided that initial membership security deposits will be applicable to all new membership registration at NCL. The New membership applicants shall furnish deposits in the form of Physical FDR amounting to Rs. 5,00,000/- lien marked to NCL with the new membership application, subject to inter-alia, the compliance of the following:

- i. Applicants shall furnish initial membership security deposits in the form of Physical FDR amounting to Rs. 5,00,000/- lien marked to NCL with the application for membership
- ii. The FDR issued in physical form should have validity of minimum 1 year and shall be returned to the applicant after enablement of membership with NCL.

NSE Clearing Limited

- iii. The FDR should be issued in favour of "NCL A/c APPLICANT NAME" to be deposited with NCL.
- iv. Applicant is required to issue a letter to NCL agreeing that the Clearing Corporation has an irrevocable authority to encash the FDR and to withdraw the FDR amount (including accrued interest) at any time, even prior to maturity of FDR without notice to the applicant, for recovery/adjustment of SEBI/Clearing Corporation dues. The formats of the letter are given as **Annexure A** - 'Format of letter by applicant for submission of FDR to Clearing Corporation'.
- v. Applicant is required to submit a letter from the bank issuing the FDR to the Clearing Corporation in the formats given in **Annexure B**- 'Format of letter to be provided by Bank issuing FDR to the Clearing Corporation'
- vi. The FDR should be issued by any of the branches of approved banks and should be payable in the cities of: Mumbai, New Delhi, Chennai, Kolkata, Ahmedabad and Hyderabad of the Approved Banks. Applicant may refer to the Consolidated Circular issued by NCL for the List of Approved Banks
- vii. Clearing Corporation shall not accept FDRs from applicant, which are issued by the applicant themselves or banks who are associate of applicant. For this purpose, 'associate' shall have the same meaning as defined under Regulation 2 (b) of SECC Regulations 2012.

B. Change in the deposit requirement for Self-Clearing Members in Capital Market Segment.

The current deposit structure for Clearing/ Self Clearing/ Professional Clearing members is as follows:

(in lakhs)

Segment	Type of Membership	Corporate /LLP		Individual/Partnership Firms*	
		Cash Deposit	Non-Cash Deposit	Cash Deposit	Non-Cash Deposit
Capital Market	Self -Clearing	15	25	6	17.5
	Clearing (including PCMs)	25	25	10	17.5

*PCM membership is not applicable for Individual/Partnership Firms.

NSE Clearing Limited

In this regard, NCL has decided to discontinue non-cash deposit requirements in Capital Market Segment from Self Clearing Members only.

The New deposit structure for Clearing/ Self Clearing/ Professional Clearing members is as follows:

(in lakhs)

Segment	Type of Membership	Corporate /LLP		Individual/Partnership Firms*	
		Cash Deposit	Non-Cash Deposit	Cash Deposit	Non-Cash Deposit
Capital Market	Self -Clearing	15	0	6	0
	Clearing (including PCMs)	25	25	10	17.5

*PCM membership is not applicable for Individual/Partnership Firms

This circular shall be applicable w.e.f. **July 01, 2024**.

Further, members may request for release of Non-Cash Deposits in Capital Market segment in the manner provided in Consolidated Circular of Capital Market Segment of NCL (Part B - Liquid Assets/Releases of Liquid Assets)

C. **Prior approval for change in Designated Directors/ Non-designated Directors for Banks and Primary Dealers.**

It is to be noted that the members of the CC which are Banks and Primary Dealers are also regulated by RBI and comply with 'Fit and Proper' requirement prescribed by RBI. Thus, exemption from seeking Fee Clearance/Prior Approval of the CC for change in Designated Directors/Non-designated Directors is hereby provided to all the Banks & Primary Dealers whose Directors meets the Fit & Proper criteria laid down by RBI.

Further, Banks and Primary Dealers have to mandatorily ensure that the newly appointed Designated Directors/Non-designated Directors are 'Fit & Proper' as per Schedule II of SEBI (Intermediaries) Regulations, 2008.

NSE Clearing Limited

All members are advised to take note of the above and strictly comply.

**For and on behalf of
NSE Clearing Limited**

Jinal Shah
Associate Vice President

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