RESERVE BANK OF INDIA
(FOREIGN EXCHANGE DEPARTMENT)
CENTRAL OFFICE
MUMBAI 400 001

Notification No. FEMA 11(R)/2015-RB **December 29, 2015**

Foreign Exchange Management (Possession and Retention of Foreign Currency) Regulations, 2015

In exercise of the powers conferred by clause (a) and clause (e) of Section 9, clause (d) and clause (g) of sub-section (2) of Section 47 of the Foreign Exchange Management Act, 1999 (42 of 1999), and in supersession of Notification No. FEMA 11/2000-RB dated May 3, 2000, as amended from time to time, the Reserve Bank of India makes the following regulations, namely :-

1. Short title & commencement:-

i) These regulations may be called as Foreign Exchange Management (Possession and Retention of Foreign Currency) Regulations, 2015.

2. Definitions:-

In these Regulations, unless the context requires otherwise –

i) 'Act' means Foreign Exchange Management Act, 1999 (42 of 1999).

ii) 'To possess' or 'to retain' means to possess or to retain in physical form and the words 'possession' or 'retention' shall be construed accordingly.

iii) The words and expressions used but not defined in these regulations shall have the same meaning respectively assigned to them in the Act.

3. Limits for possession and retention of foreign currency or foreign coins:-

For the purpose of clause (a) and clause (e) of Section 9 of the Act, the Reserve Bank specifies the following limits for possession or retention of foreign currency or foreign coins, namely :-

i) Possession without limit of foreign currency and coins by an authorised person within the scope of his authority;

ii) Possession without limit of foreign coins by any person;

iii) Retention by a person resident in India of foreign currency notes, bank notes and foreign currency travellers' cheques not exceeding US$ 2000 or its equivalent in aggregate, provided that such foreign exchange in the form of currency notes, bank notes and travellers cheques;

(a)was acquired by him while on a visit to any place outside India by way of payment for services not arising from any business in or anything done in India; or
(b)was acquired by him, from any person not resident in India and who is on a visit to India, as honorarium or gift or for services rendered or in settlement of any lawful obligation; or
(c)was acquired by him by way of honorarium or gift while on a visit to any place outside India; or
(d)represents unspent amount of foreign exchange acquired by him from an authorised person for travel abroad.

4. Possession of foreign exchange by a person resident In India but not permanently resident therein:-

Without prejudice to clause (iv) of Regulation 3, a person resident in India but not permanently resident therein may possess without limit foreign currency in the form of currency notes, bank notes and travellers cheques, if such foreign

currency was acquired, held or owned by him when he was resident outside India and, has been brought into India in accordance with the regulations made under the Act.

Explanation : for the purpose of this clause, 'not permanently resident' means a person resident in India for employment of a specified duration (irrespective of length thereof) or for a specific job or assignment, the duration of which does not exceed three years.

(B P Kanungo)
Principal Chief General Manager

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