



THE INSTITUTE OF Company Secretaries of India

भारतीय कम्पनी सचिव संस्थान

IN PURSUIT OF PROFESSIONAL EXCELLENCE

Statutory body under an Act of Parliament

(Under the jurisdiction of Ministry of Corporate Affairs)

December 12, 2024

ADVISORY ON REGISTRATION AS INVESTMENT ADVISERS WITH SEBI

Dear Professional Colleague,

With the Securities and Exchange Board of India (Investment Advisers) Regulations, 2013 (IA Regulations), the regulator established the framework for advisers who act in a fiduciary capacity towards their clients, thereby protecting the interest of the investors and the integrity of the market.

The term “investment adviser” under the IA Regulations means any person, who for consideration, is engaged in the business of providing investment advice to clients or other persons or group of persons and includes any person who holds out himself as an investment adviser, by whatever name called.

In accordance with Regulation 3(1) read with Regulation 4 of the IA Regulations, no person shall act as an investment adviser or hold itself out as an investment adviser unless he has obtained a certificate of registration from SEBI under these regulations. However, where a member of the Institute provides investment advice to their clients’ incidental to their professional services, they have been exempted from seeking certificate of registration under the IA Regulations.

Consequent to the above, where a member of the Institute is engaged in providing investment advisory services in securities as an activity or business to clients or investors which is not incidental to their main activity then they are required to get registration as an Investment Adviser.

For any clarity you may refer to the IA Regulations and FAQs at www.sebi.gov.in.

It is hereby advised that the Members of the Institute should observe strict compliance with the said requirement in order to avoid any violation under the Regulations.

Regards,

CS B. Narasimhan
President, ICSI