

LIST OF SERVICES REQUIRING COMMUNICATION TO THE PREVIOUS INCUMBENT

The Council of the Institute in its 299th Meeting held on 23rd August, 2023 amended the mandatory list of services wherein a Company Secretary in Practice is required to communicate to the previous incumbent before accepting the assignment in terms of Clause (8) of Part I of the First Schedule to the Company Secretaries Act, 1980. The Council has decided to restrict the list of assignments requiring communication to the previous incumbent before accepting the assignment, to the areas which are exclusive domain of the Company Secretary in Practice.

Accordingly, the amended list is placed hereunder:

- (i) Signing of Annual Return in Form MGT-7 under Section 92(1) of the Companies Act, 2013 and rule 11(1) of the Companies (Management and Administration) Rules, 2014.
- (ii) Certification of Annual Return in Form MGT-8 under Section 92(2) of the Companies Act, 2013 and rule 11(2) of the Companies (Management and Administration) Rules, 2014.
- (iii) Issuance of Secretarial Audit Report in terms of Section 204 of the Companies Act, 2013.
- (iv) Issue of Secretarial Audit Report to material unlisted subsidiaries of listed entities under Regulation 24A(1) of SEBI (Listing Obligations & Disclosure Requirements) Regulations, 2015.
- (v) Issue of Annual Secretarial Compliance Report to Listed entities under Regulations 24A(2) of SEBI (Listing Obligations & Disclosure Requirements) Regulations, 2015.
- (vi) Certification under SEBI (Listing Obligations & Disclosure Requirements) Regulations, 2015 that none of the directors on the board of the company have been debarred or disqualified from being appointed or continuing as directors of companies by the Board/Ministry of Corporate Affairs or any such statutory authority under Schedule V, Part C, Clause(10) (i).
- (vii) Certification under Regulation 40(9) of SEBI (Listing Obligations & Disclosure Requirements) Regulations, 2015 certifying that all certificates have been issued within thirty days of the date of lodgement for transfer, sub-division, consolidation, renewal, exchange or endorsement of calls/allotment monies.
- (viii) Acting as Compliance auditor under Third Party certification/ Audit Scheme (Amendment), 2018 in the State of Haryana and similar recognitions in other states.

SAMPLE FORMAT OF COMMUNICATION TO PREVIOUS INCUMBENT

CS.....

Address.....

Dear Sir / Madam,

Sub.: Intimation in terms of Clause 8 of the First Schedule to the Company Secretaries Act, 1980.

I, CS /We, M/s....., Company Secretary in Practice / Firm of Company Secretaries have been approached by the management of M/s..... Limited to..... (list of professional services) for the FY vide their letter No. dated.....

We understand that earlier the abovementioned professional services were being rendered by your goodself / firm to M/s. Limited during the Financial Year.....

I / We request you to kindly take this communication as an intimation to be given to the previous incumbent in terms of Clause 8 of the First Schedule to the Company Secretaries Act, 1980.

Regards,

CS.....

Membership No. ACS / FCS.....

CoP No.....

For.....& Co. / & Associates,

Company Secretaries Firm

Unique Code.....

Date:

Place: