

Ace Derivatives and Commodity Exchange Limited

CHANGE IN NAME

PARTNERSHIP FIRM / LIMITED LIABILITY PARTNERSHIP FIRM

CHECKLIST

| Sr. No. | Annexure | Particulars | Compliance (Yes / No) |
|---------|----------|--|-----------------------|
| 1. | B1 | Intimation Letter for change in name by the Member | |
| 2. | B2 | Undertaking cum indemnity by the Member on Stamp Paper of Rs.300/- and to be duly Notarised | |
| 3. | | Certified true copy of PAN card in the new name | |
| 4. | B3 | Business Undertaking | |
| 5. | B4 | Undertaking for stamp duty | |
| 6. | B5 | Intimation of change in name in Members Own Account, Client Accounts and Settlement Accounts (To be submitted after the No Objection Certificate from the Exchange) | |
| 7. | B6 | Intimation of change in name in Depository accounts (To be submitted after the No Objection Certificate from the Exchange) | |
| 8. | B7 | Letter from Bank for change of name in Collaterals (To be submitted after the No Objection Certificate from the Exchange) | |
| 9. | | Certified Copy of the Rectification / Supplementary Deed for name change | |
| 10. | | Certified copy of the Approval received from Registrar of Firm approving change of name | |
| 11. | | Original copy of Membership certificated issued in the old name to be returned | |
| 12. | | Processing fees of Rs. 5000/- plus service tax as per Circular No:- ACE /MEM-007/2010/050 dated 29/12/2010 | |

Please feel free to call /write to us for queries, if any:

Membership Department
Ace Derivatives and Commodity Exchange Limited
 6th Floor- Zone II, Kotak Infinity, Building No. 21,
 Infinity IT Park, General A K Vaidya Marg,
 Dindoshi, Malad (E), Mumbai – 400 097
 E-mail: membership@aceindia.com

(Draft of letter of intimation of change in name to be given by the member on the Letterhead)

To,

Membership Department
Ace Derivatives and Commodity Exchange Limited
6th Floor- Zone II, Kotak Infinity, Building No. 21,
Infinity IT Park, General A K Vaidya Marg,
Dindoshi, Malad (E), Mumbai – 400 097

Dear Sir,

Sub: Change in name from _____ to _____

Please take note that the name of our Partnership Firm has been changed from _____ to _____ with effect from _____. A certified true copy of certificate of modification issued by Registrar of Companies is enclosed for your record.

We request you to kindly effect the said change in your system/records and enable us to continue our trading and related activities on the Exchange in our new name and entity. We hereby certify that this change of name of our entity is not accompanied by / associated with a change in Designated Partner / sharing pattern/ management / control / dominant promoter group and the required network is maintained by us as per the norms of the Exchange. Further we undertake to comply with the formalities and documentation as may be required by the Exchange to record the said change in its records.

We undertake to forward a letter from _____(name and address of bank) confirming the securities issued in our earlier name and their enforceability pursuant to the change as aforesaid after approval of change of name by the Exchange. Please also find our undertaking cum indemnity favoring the Exchange in this regard.

Thanking you,

Yours faithfully,

Signature and seal of the member

Signature and seal of the member

Authorised Signatory

Authorised Signatory

Place: _____

Date: _____

(Undertaking should be stamped as an Agreement on Non-Judicial stamp paper of Rs.300/- or the value prevailing in your state, whichever is higher-Must be notarized & signed at each page)

From:
Name of Member (New Name)
Regd. Office Address

To

Membership Department
Ace Derivatives and Commodity Exchange Limited
6th Floor- Zone II, Kotak Infinity, Building No. 21,
Infinity IT Park, General A K Vaidya Marg,
Dindoshi, Malad (E), Mumbai – 400 097

Undertaking cum Indemnity

WHEREAS we are the member of Ace Derivatives and Commodity Exchange Limited under the name and style of “_____”. And whereas we have changed our name from _____ to _____ and have requested you to effect the said change in your records accordingly, for all purposes and to enable us to continue to function as members of the Exchange under our new name and style.

In consideration of our request for effecting change of name in your records, we hereby submit an unconditional irrevocable undertaking in favour of Ace Derivatives and Commodity Exchange Limited (hereinafter referred to as the “Exchange “) that

1. We will honour all the past and present liabilities and obligations of M/s._____ (Old Name of the Member), a registered Partnership firm under Indian Partnership Act, 1932/ Limited Liability Partnerships registered under the Limited Liability Partnership Act, 2008 in respect of our trades on the Exchange platform, including all liabilities and obligations that may arise in future which could be appropriated by the Exchange from the deposits, bank guarantees and relevant bank accounts of _____ (New Name of the Member).
2. We shall not misuse our old name or entity and shall not mislead or misrepresent the Exchange or any other person whosoever pursuant to the said change in name.
3. We shall remain bound by all our actions, trades, deeds and representations whatsoever in relation to the Exchange or its affiliates, carried out or done by us in our erstwhile entity/name and/or new entity/name and shall not hold the Exchange responsible in any manner whatsoever for such acts, deeds, trades and representations.

Signature and seal of the member

Signature and seal of the member

Authorised Signatory

Authorised Signatory

4. We undertake to keep all our clients or constituents informed of the said change in name and agree and undertake to the Exchange that we shall continue to be responsible for all our actions done for and/or on behalf of our said clients or on our own behalf, in our erstwhile name/entity and shall be bound by the Byelaws, Rules and Business Rules of the Exchange in respect of all such actions and representations as if the same were and are done by us in our present name and style.

5. We undertake to notify the Bank whose guarantee has been provided as security on our behalf, as to the said change in our name and the rights of the Exchange by virtue of the said Bank Guarantee/s shall not in any way get affected by the said change and the subject bank Guarantee shall continue to be enforceable.

6. We shall indemnify the Exchange in case of any claims including that of third parties whatsoever arising out of or by virtue of our change in name as above and we hereby authorize the Exchange to hold and exercise any of its rights on all our monies and/or securities including Bank Guarantees held by the Exchange in our erstwhile name and style and to apply such monies or securities wherever necessary as if the same are held in our present name and style and we shall not dispute any such action of the Exchange in any manner whatsoever.

Signed on this _____ day of _____, 200_

For M/s _____

Signature and seal of the member

Signature and seal of the member

Authorised Signatory

Authorised Signatory

Signed in my presence,

Notary

(On the letterhead of the member)

To,
Membership Department
Ace Derivatives and Commodity Exchange Limited
6th Floor- Zone II, Kotak Infinity, Building No. 21,
Infinity IT Park, General A K Vaidya Marg,
Dindoshi, Malad (E), Mumbai – 400 097

Dear Sir,

We _____ (Name of the Designated Partner) _____ (Name of the Designated Partner), Partner(s) of _____ (Name of the Member) hereby confirm/undertake on behalf of the firm as under:

We confirm/undertake that neither we do/nor we intend to carry any business in share/stocks/securities in future under the name of _____ (Name of the Member)

We also confirm/undertake that we only intend to carry a business related to commodities and commodity related derivatives/futures trading only.

Yours faithfully,

Signature and seal of the member

Signature and seal of the member

Authorised Signatory

Authorised Signatory

Place: _____

Date: _____

(On the letterhead of the member)

To

Membership Department
Ace Derivatives and Commodity Exchange Limited
6th Floor- Zone II, Kotak Infinity, Building No. 21,
Infinity IT Park, General A K Vaidya Marg,
Dindoshi, Malad (E), Mumbai – 400 097.
Fax No 022 6708 0391

Dear Sir,

We, _____ (Name of the Member) hereby confirm that stamp duty and other taxes recovered from the clients have been deposited in the relevant Government account/treasury.

Thanking you,

Yours Faithfully

Signature and seal of the member

Signature and seal of the member

Authorised Signatory

Authorised Signatory

Place: _____

Date: _____

(Letter to be given by the issuing Bank to ACE on its Letterhead)

Date:

To,

Clearing & Settlement Department
ACE Derivatives and Commodity Exchange Limited
6th Floor- Zone II, Kotak Infinity, Building No. 21,
Infinity IT Park, General A K Vaidya Marg,
Dindoshi, Malad (E), Mumbai – 400 097.
Fax No 022 6708 0391

Dear Sir,

Subject:- Change in Name – M/s _____

This is to certify that the title of the following accounts has been changed pursuant to the change in the name of the account – holder

from _____ (old name/ entity) to
_____ (new name / entity):

| Sr. No. | Title of Account | Account Number |
|---------|--|----------------|
| 1. | (New name of the applicant) - ACE Client A/c | |
| 2. | (New name of the applicant) – ACE Settlement A/c | |

Thanking you,

For _____ Bank,

Authorised Signatory
Seal of the Bank

**Letter to be given by the Member for intimating the Depository Details
(On the letterhead of the Member)**

Date:

To

Membership Department
Ace Derivatives and Commodity Exchange Limited
6th Floor- Zone II, Kotak Infinity, Building No. 21,
Infinity IT Park, General A K Vaidya Marg,
Dindoshi, Malad (E), Mumbai – 400 097

Dear Sir/Madam,

Sub: Depository CM Pool Account Details (NEW / REVISED)

Clearing Member Code (CMID): _____

Clearing Member Name: _____

You are requested to please update my depository CM Pool account details as follows:

| | DP Name | Pool Account ID |
|-------------------|---------|-----------------|
| CDSL Pool Account | | |

Please find attached herewith account opening confirmation letter (Client Master List) as received from DP. You are requested to note our above mentioned details.

Yours faithfully,

Authorized Signatory

Note:

- 1) The letter is to be submitted on the letterhead of the member.
- 2) The letter is to be duly signed by the member.
- 3) The letter has to be complete in all respects (as per format).

(Letter to be given by the Bank to Ace on its Letterhead)**Date:**

To,

Clearing & Settlement Department
ACE Derivatives and Commodity Exchange Limited
 6th Floor- Zone II, Kotak Infinity, Building No. 21,
 Infinity IT Park, General A K Vaidya Marg,
 Dindoshi, Malad (E), Mumbai – 400 097

Dear Sir,

We invite your reference to the following Fixed Deposit/Bank Guarantee issued in favor of ACE Derivatives & Commodity Exchange Limited on behalf of M/s.
 _____ (Member Name in full).

| Sr. No | FDR No/ BG NO. | Issue Date | Maturity Date | Claim Date | Amount |
|--------|----------------|------------|---------------|------------|--------|
| | | | | | |
| | | | | | |

We wish to inform you that the Company has intimated us their change in constitution/name from _____ (Old name) to _____ (New name/entity) and have requested us to confirm to you the continuation of the above stated FDR's and Bank Guarantees in their name issued in your favor. We therefore, hereby confirm that the FDRs and Bank Guarantees referred above and issued by us on behalf of _____ (Old name) shall be deemed to have been issued for and in the name of _____ (New name/entity) and shall continue to be valid and enforceable inspite of the change in constitution/name as above and we undertake to honour any claim or demand from you on account of _____ (New name) either in the name of _____ (old name) or _____ (new name /entity).

Thanking You

For _____ (Bank Name)

Authorised Signatory

Seal of the Bank