### Annexure 43: Customer request Letter for Advance Payment towards Import of Goods

For Office Use

|  |  |  |
| --- | --- | --- |
| Date & Time of Receipt  | Tracking Reference No.  | Bill Ref. No.  |
|   |   |   |

(To be filled in by Branch)

(This letter needs to be taken from customer on their letter head, if taken on plain paper then For seal of the customer needs to be affixed at all the places it is signed)

## CUSTOMER REQUEST LETTER FOR ADVANCE PAYMENT TOWARDS

**IMPORT OF GOODS**

The Branch Manager,

 ICICI Bank Limited, Date:

----------------------------------- Branch

Dear Sir / Madam,

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  |  |  |  |  |  |  |  |  |  |  |

Account Number

We wish to make advance payment against import of the following commodities.

|  |  |  |
| --- | --- | --- |
| 1  | Commodity  |   |
| 2  | Type of goods (Tick √)  | { } Capital { } Non Capital  |
| 3  | Dealing as a: Tick √  | { } Trader { } Manufacturer  |
| 2  | H.S.Code  |   |
| 3  | I.E Code No  |   |   |   |   |   |   |   |   |   |   |
| 4  | PAN No  |   |   |   |   |   |   |   |   |   |   |

We hereby request you to remit / issue Demand Draft for the amount as per the details given below:-

|  |  |  |
| --- | --- | --- |
| 1 | Amount to be remitted (in foreign currency and in words)  |  |
| 2 | Value date (applicable only if value date in the swift message is to be mentioned other than today)  |  |
| 3 | Remitter’s name & address |  |
| 4 | Beneficiary’s Name and Address |  |
| 5 | Is the Beneficiary same as the Overseas Supplier  | Y/N (Strike off whichever is not applicable) |
| 6 | Beneficiary’s bank account no., Banker’s name & address along with swift code |  |
| 7  | Beneficiary’s Bank’s Correspondent Bank’s Name, Address along with SWIFT code   |   |
| 8  | Purpose of remittance ( the details to be mentioned in swift message beneficiary’s information)  |      |
| 9  | Foreign Bank Charges (Kindly tick whichever is applicable)  |   To our account Beneficiary’ account   |
| 10  | Deal ID  |   |
| 11  | Is the remittance being made for merchanting trade transaction? If yes please follow the process for MTT transactions as per import circular    | Yes/ No (Strike off whichever is not applicable  |
| 12  | Part Payment of the total shipment  | Yes/ No (Strike off whichever is not applicable)  |

|  |
| --- |
| Import Particulars Contract/Performa Invoice Harmonised Country Country Mode Date  |
| No Amt and Date  |  |  | System of of origin from of of  |
| Classification\* of  | which shipm shipm goods ent ent are (air, (if not consign sea know ed\* post, n  rail approriver, xi- transp mate  |
|  | goods\*  |
|     |   |   |   |   |   |
| Debit Authorization:  |

|  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  |  |  |  |  |  |   |  |  |  |  |  |

We request you to debit our current/EEFC/ Cash credit account no: for an amount of ………………..and the

 balance amount to our Current Account / Cash Credit account no:

 along with your charges as applicable as per bank guidelines).

The details of forward contract(s), if any, booked against this payment is/are as follows:

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Forward no. & date  | contract  | Forward amount  | contract  | Amount to utilized for remittance  | be this  | Due date contract  | of  | the  |
|   |  |   |  |    |  |   |  |  |

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DECLARATION-CUM-UNDERTAKING

**Section-A Declaration for physical import of goods and submission of documentary evidence of Import.**

We hereby undertake and declare that the physical import of the said goods into India will be made within six months (three years in case of capital goods) from the date of remittance and shall furnish the documentary evidence of import within fifteen days from the close of the relevant period. In the event of non-import of goods, the amount of advance remittance shall be repatriated to India or shall be utilized for any other purposes for which release of exchange is permissible under the FEMA 1999 and the Rules or Regulations made thereunder.

### Section - B (FEMA DECLARATION)-

(Under Section10 (5), Chapter III of The Foreign Exchange Management Act, 1999)

I / We hereby declare that the transaction the details of which are specifically mentioned in the schedule hereunder does not involve, and is not designed for the purpose of any contravention or evasion of the provisions of the aforesaid act of any rule, regulation, notification, direction or order made thereunder.

 I/ We also hereby agree and undertake to give such information/ documents as will reasonably satisfy you about this transaction in terms of the above declaration.

I/ We also understand that if I/ We refuse to comply with any such requirements or make only unsatisfactory compliance therewith, the bank shall refuse in writing to undertake the transaction and shall if it has reason to believe that any contravention /evasion is contemplated by me /us report the matter to Reserve Bank Of India.

SCHEDULE: Details of the foreign transaction are given herein this request letter.

### Section - C (NNL-Non Negative List declaration)

We hereby affirm, declare and undertake that: Tick √ as applicable out of below.

{ } The goods being imported by us are not covered under Negative list, Restricted category and the items reserved for State Trading Enterprises (STEs)/ Nominated Agencies as per the latest Foreign Trade Policy ( as amended till date) notified by Government of India, Ministry of Commerce & Industry, Department of Commerce, Directorate General of Foreign Trade , New Delhi. Accordingly, we are eligible to import the above mentioned goods under the said Foreign Trade Policy (FTP). We shall comply with the provisions contained in the said policy. Or

{ } The goods being imported by us are covered under Restricted category as per the latest Foreign Trade Policy ( as amended till date) notified by Government of India, Ministry of Commerce & Industry, Department of Commerce, Directorate General of Foreign Trade , New Delhi and the Import License/Authorization under which the goods imported/being imported, is enclosed. We shall comply with the conditions and provisions of said license and also the said policy.

 Or

{ } The goods being imported by us are covered under the category of items reserved for State Trading Enterprises (STEs)/ Nominated Agencies as per the latest Foreign Trade Policy ( as amended till date) notified by Government of India, Ministry of Commerce & Industry, Department of Commerce, Directorate General of Foreign Trade , New Delhi and accordingly we are eligible to import the above mentioned goods under the current Foreign Trade Policy in place and we shall comply with the provisions of the said policy.

I/We also hereby agree and undertake to give such information/documents as will reasonably satisfy you about this transaction in terms of the above declaration. I/We also understand that if I/We refuse to comply with any such requirement or make only unsatisfactory compliance therewith, the bank shall refuse in writing to undertake the transaction and shall if it has reason to believe that any contravention/evasion is contemplated by me/us report the matter to Reserve Bank of India.

\*I/We further declare that the undersigned has/have the authority to give this declaration and undertaking on behalf of the company.

\*Applicable when the declaration /undertaking is signed on behalf of the firm / company

\* The necessary document for processing the transaction to be shared along with this customer request letter

 **Declaration for Advance Import remittance**

I/ We …………………………………….. (ordering/importing party) hereby confirm that the underlying transaction for which funds are being remitted does not involve:

a) any sanctioned/designated/restricted/blocked person or entity (Beneficiary/ Shipping line/ Vessel etc.);

b) any comprehensive sanctioned country/region (Iran, Sudan, Syria, Cuba, Crimea Region of Ukraine and North Korea); and

c) goods which have been sourced or originated from a comprehensive sanctioned country (Iran, Sudan, Syria, Cuba, Crimea Region of Ukraine and North Korea).

I/We confirm that the said transaction does not violate any of the provisions of U.S. OFAC / UK HMT / UNSC/ EU / India and any other sanctions as may be applicable based on the jurisdiction handing the said transaction.

We also confirm that the goods/commodities involved in the said trade are not restricted within/among the countries involved.

|  |  |  |
| --- | --- | --- |
| **S. No.** | **Transaction details** | **Name**  |
| 1 | Country of Origin of goods\*\* (**See Note below)** | E.g. China |
| 2 | Country of loading of goods \*\* | E.g. Busan / South Korea |
| 3 | Port of loading of goods\*\*\* | E.g. Shanghai Port  |
| 4 | Port and country of discharge of goods (if other than India) \*\* |  |
| 5 | Country of trans-shipment (if any) | E.g. South Korea |
| 6 | Name of the transport vessel/airline etc. | E.g. Panama NV |

(\*\* mandatory)

 \*\*\* Port of Loading is mandatory only if the country of loading (S. No. 2) is Russia. In such cases the port of loading to be specifically mentioned.

**Note:** Country of origin of goods is different from the port or country of shipment/loading of goods, and refers to the country where the goods have been manufactured/ sourced/ originated from. As an example, where the goods have been procured from a trader, it is required for the customer ordering the goods to ascertain that the trader has not in turn sourced the goods being supplied, from any comprehensive sanctioned country. An incorrect declaration in this regard will be viewed seriously and may lead to a recall of the credit facility, as this could have implications for a sanctions violation.

**Yours faithfully,**

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**Authorized Signatory**

**(For seal of the company / firm to be affixed at the place of signature)**

Guidelines/checklist for the customer to ensure speedy and error-free remittance towards advance payment for import

1. Request letter to be signed by authorized signatory of the Company.
2. Ensure that all columns are filled in the request letter.
3. Declaration cum undertaking is required under sec.10 (5), chapter iii of FEMA 1999), mentioned in the Request letter.
4. Proforma invoice issued by the supplier should ask for advance payment.
5. Advance payment of USD 200,000 and above can be made only against an unconditional, irrevocable standby letter of credit or a bank guarantee issued by an international bank of repute situated outside India or a guarantee of an AD Category -1 bank in India, if such guarantee is issued against the counter guarantee of an international bank of repute situated outside India as acceptable to ICICI bank. If bank guarantee is not available and amount is below USD 5.0 million, you may speak to Branch Manager.
6. Advance remittance for import of rough diamonds, aircraft, helicopter, aviation related purchases and for import of services are guided by different RBI regulations (please contact Branch Manager for further details on this).
7. Wherever the commodity being imported is covered under restricted list, original import license should be produced to the bank.
8. Post implementation of import data processing and monitoring system (IDPMS), the importer should either submit the importer copy of Bill of entry or the details of Bill of Entry in the prescribed bank format as evidence of import.
9. Under FEMA 1999, actual import should take place within 6 / 36 months (Raw material / Capital goods respectively) from the date of remittance.
10. On submission of duly completed request letter along with enclosures, please obtain the tracking reference no. from the branch which should be quoted for any further query/ correspondence on this remittance.