

INTERNATIONAL FINANCIAL SERVICES CENTRES AUTHORITY
NOTIFICATION

Gandhinagar, the 23rd March, 2022

INTERNATIONAL FINANCIAL SERVICES CENTRES AUTHORITY
(PERFORMANCE REVIEW COMMITTEE) REGULATIONS 2022

[As amended up to September 29, 2025]

In exercise of the powers conferred by sub-section (1) of Section 28 read with sub-section (4) of Section 17 of the International Financial Services Centres Authority Act, 2019, the International Financial Services Centres Authority hereby makes the following regulations for constitution, governing the information to be provided, provision of adequate resources and discharge of functions by the Performance Review Committee, namely:

CHAPTER I
PRELIMINARY

1. SHORT TITLE AND COMMENCEMENT

- (1) These regulations may be called International Financial Services Centres Authority (Performance Review Committee) Regulations, 2022.
- (2) These Regulations shall come into force from the date of its publication in the official gazette.

2. DEFINITIONS

- (1) In these regulations unless the context otherwise requires:
 - (a) “Act” means the International Financial Services Centres Authority Act, 2019 (50 of 2019);
 - (b) “Authority” means the International Financial Services Centres Authority established under sub-section (1) of section 4 of the Act;
 - (c) “Board” means the collective body of the members appointed under sub-section (1) of section 5 of the Act;
 - (d) “Chairperson” means the Chairperson of the Authority;
 - (e) “Committee” means the Performance Review Committee constituted under sub section (1) of section 17 of the Act;
 - (f) “International Financial Services Centre” or “IFSC” shall have the same meaning as assigned to it under clause (g) of sub-section (1) of section 3 of the Act.
- (2) Words and expressions used and not defined in these regulations but defined in the Act or

Acts mentioned in the First Schedule to the Act, or any rules or regulations made thereunder shall have the same meanings respectively assigned to them in those Acts, rules or regulations or any statutory modification or re-enactment thereto, as the case may be.

CHAPTER II

OPERATION AND FUNCTIONS OF THE PERFORMANCE REVIEW COMMITTEE

3. CONSTITUTION AND COMPOSITION OF THE COMMITTEE

- (1) The Authority shall constitute a Performance Review Committee in accordance with sub section (1) of section 17 of the Act, which shall comprise of the following:
 - (i) ¹[At least two] members of the Authority as nominated by the Board; and
 - (ii) Up to two independent experts ²[***] shall be nominated by the Board, from the panel of names approved by the Chairperson.
- (2) The Board shall nominate the independent experts on the basis of the following:
 - (i) Relevant experience and skills in relation to the specific area of review; and
 - (ii) Absence of any direct and substantial conflict of interest, which could influence performance of their duties and responsibilities.

³[*Provided* that no person shall be nominated as an independent expert, in case such person-

 - (a) has completed the age of seventy-five years on the date of appointment as Member;
 - (b) has been at any time, adjudged as an insolvent;
 - (c) has been convicted of an offence which is punishable with an imprisonment for a term of one hundred and eighty days or more;
 - (d) is physically or mentally incapable of discharging his duties; or
 - (e) has a material conflict of interest and is unable to resolve such conflict.]
- (3) The members, including the independent experts, of the Committee shall be nominated for a period of three years and shall not be eligible for re-nomination before expiry of a period of two years. If a vacancy arises in the Committee, the Board shall nominate another member or expert, as the case may be, for the residual period.
- (4) ⁴[A member of the Committee may resign from the Committee, at any time before the expiry of his tenure under sub-regulation (3), by giving to the Board, a written notice of not less than six weeks, and on the acceptance of the resignation by the Board, he shall cease to be a Member of the Committee.]

¹ Substituted for the words “two members” by the IFSCA (Performance Review Committee) (Amendment) Regulations, 2025, w.e.f. 29th September 2025.

² Omitted by the IFSCA (Performance Review Committee) (Amendment) Regulations, 2025, w.e.f. 29th September 2025. Prior to omission, it read as under:
“for each review function”

³ Inserted by the IFSCA (Performance Review Committee) (Amendment) Regulations, 2025, w.e.f. 29th September 2025

⁴ Inserted by the IFSCA (Performance Review Committee) (Amendment) Regulations, 2025, w.e.f. 29th September 2025.

⁵[3A. CODE OF CONDUCT FOR MEMBERS

- (1) Every member of the Committee shall sign a declaration as specified in the Schedule.
- (2) The following code aims at providing broad guidance to Members of the Committee on their ethical conduct, which shall help enhance public trust.
 - (i) Members shall act in a manner consistent with the integrity, dignity and reputation of their office.
 - (ii) Members shall disclose any conflict of interest with regard to any matter that comes up for decision or otherwise to the Board and, if necessary, recuse themselves from the specific proceedings.
 - (iii) Members shall ensure that all information received by them as a Member of the Committee shall be kept confidential and shall not be revealed to any person either knowingly or unknowingly.
 - (iv) Members shall maintain the highest standard of probity, consistent with public office.]

4. SCOPE OF REVIEW BY THE COMMITTEE

The Committee shall review the functioning of the Authority at least once in every financial year in following areas:-

- (i) Compliance with the provisions of the applicable laws while exercising powers or performing functions under the Act by the Authority;
- (ii) Promotion of transparency and best practices of governance through the regulations made by the Authority;
- (iii) Risk management by the Authority in relation to its functions.

5. COMPLIANCE AND GOVERNANCE

- (1) The Committee shall review the compliance and governance functions of the Authority to assess as to whether the Authority has adhered to the provisions of the applicable laws and has promoted transparency and best practices of governance while exercising powers or performing its functions under the Act.
- (2) The review of compliance and governance functions shall be conducted by examining as to whether the regulations made by the Authority-
 - (i) comply with the applicable laws;
 - (ii) reduces compliance burden of stakeholders and promote transparency and best practices of governance;
 - (iii) are fair and non-discriminatory to the stakeholders and easily accessible;
 - (iv) are clear, understandable and provide regulated entities with the predictability

⁵ Inserted by the IFSCA (Performance Review Committee) (Amendment) Regulations, 2025, w.e.f. 29th September 2025.

and necessary guidance to comply with regulations.

6. RISK MANAGEMENT

The review of risk management shall be conducted to ensure that the Authority is managing risk to its functioning in a reasonable manner, and it shall be performed by:

- (i) reviewing the adequacy and effectiveness of the risk monitoring measures for its activities;
- (ii) reviewing whether the risk identification measures are appropriate and assure the safety and soundness of the operations of the Authority while ensuring that any possible harm is mitigated and risks are categorised; and
- (iii) reviewing the monitoring and evaluation process and maintenance of record of any breach.

CHAPTER III ACCESS TO INFORMATION AND MEETINGS

7. INFORMATION

- (1) The Committee shall have access to all the relevant records for the purposes of performing its functions;
- (2) The Committee may require attendance of any employee of the Authority to perform its functions; and
- (3) No person other than the Chairperson or a person authorized by him shall interact or share information with any person including media about the deliberations and decisions taken by the Committee.

8. ⁶[MEETINGS, QUORUM AND COORDINATION]

- (1) The Committee shall meet at least ⁷[once] in a financial year;
- (2) ⁸[The quorum necessary for the transaction of business shall be half of the total strength of the Committee, wherein the presence of at least one member of the Authority and one independent expert shall be mandatory;]
⁹[(2A) Each Member of the Committee shall have one vote and in the event of equality of votes, the Chairperson of the Committee shall have the casting vote.]
- (3) The notice, place and agenda for the meetings shall be circulated at least seven

⁶ Substituted for the words “MEETINGS AND COORDINATION” by the IFSCA (Performance Review Committee) (Amendment) Regulations, 2025 w.e.f. 29th September 2025.

⁷ Substituted for the words “twice” by the IFSCA (Performance Review Committee) (Amendment) Regulations, 2025 w.e.f. 29th September 2025.

⁸Substituted by the IFSCA (Performance Review Committee) (Amendment) Regulations, 2025 w.e.f. 29th September 2025. Prior to substitution, it read as under:

“The quorum necessary for the transaction of business shall be half of the total strength of the Committee, wherein presence of at least one member and one independent expert dealing with each review function shall be mandatory;”

⁹ Inserted by the IFSCA (Performance Review Committee) (Amendment) Regulations, 2025 w.e.f. 29th September 2025.

working days in advance by the Secretary to the Committee;

- (4) The minutes of the meeting shall be recorded in such form and manner as may be considered appropriate by the chair of the Committee;
- (5) The Secretary of the Authority shall also act as Secretary to the Committee;
- (6) The Committee shall be provided with the adequate resources for carrying out its functions effectively.

9. COMPLAINT HANDLING SYSTEM

- ¹⁰[(1)] Any incidence mentioned in clause (a) to (d) of sub-section (3) of Section 17 of the Act, may be submitted to the Committee in writing by any person in such form as may be specified by the Authority;
- ¹¹[(2)] All complaints received by the Committee shall be registered and assigned a number, as per the procedure determined by the Committee;
- ¹²[(3)] The Committee may seek requisite information or confirmation, as may be considered necessary, from the complainant for examining the complaint and shall submit report with its findings to the Authority;
- ¹³[(4)] The Authority after examining the complaint and the report, if satisfied that no *prima-facie* case is made out, may dismiss the complaint under intimation to the complainant and the Committee;
- ¹⁴[(5)] In case the Authority is of the view that *prima-facie* the complaint has some merit, it may forward the same to the authority concerned, for appropriate action in accordance with the applicable laws.

10. REPORTING REQUIREMENTS

- (1) The Committee shall submit a consolidated report to the Authority,¹⁵[***] in the fixed month of every year.
- (2) The Authority shall take action on the report under sub-regulation (1) in accordance with ¹⁶[sub-section (2) of section 17] of the Act.

¹⁰ Substituted for the figure and mark “a”, by the IFSCA (Performance Review Committee) (Amendment) Regulations, 2025 w.e.f. 29th September 2025.

¹¹ Substituted for the figure and mark “b”, by the IFSCA (Performance Review Committee) (Amendment) Regulations, 2025 w.e.f. 29th September 2025.

¹² Substituted for the figure and mark “c”, by the IFSCA (Performance Review Committee) (Amendment) Regulations, 2025 w.e.f. 29th September 2025.

¹³ Substituted for the figure and mark “d”, by the IFSCA (Performance Review Committee) (Amendment) Regulations, 2025 w.e.f. 29th September 2025.

¹⁴ Substituted for the figure and mark “e”, by the IFSCA (Performance Review Committee) (Amendment) Regulations, 2025 w.e.f. 29th September 2025.

¹⁵ Omitted by the IFSCA (Performance Review Committee) (Amendment) Regulations, 2025, w.e.f. 29th September 2025. Prior to omission, it read as under:

“containing the findings of each review area,”

¹⁶ Substituted for the word and figures “section 17 (2)” by the IFSCA (Performance Review Committee) (Amendment) Regulations, 2025 w.e.f. 29th September 2025.

¹⁷[Schedule
(see regulation 3A)]

FORM OF DECLARATION OF FIDELITY AND SECRECY

I, _____, on becoming a member of the Committee, do solemnly and sincerely declare that I will faithfully perform the duties to the best of my ability and that I will uphold the dignity of the position and that I will observe secrecy and will not directly communicate or divulge any of the matters or any information which may come to my knowledge in the discharge of my duties, except when required or authorised to do so by these regulations or by law.

Date

(Signature)]

K. Rajaraman, chairperson

[ADVT. _____]

¹⁷ Inserted by the IFSCA (Performance Review Committee) (Amendment) Regulations, 2025 w.e.f. 29th September 2025.