

Incorporation of a Limited Liability Partnership

[03 Easy Steps to start business]

A Limited Liability Partnership (LLP) is a form of business having status of a legal entity separate from its partners and have perpetual succession. Any two or more persons, associated for carrying on a lawful business with a view to profit, may form an LLP after registration with the Commission as per the Limited Liability Partnership Act, 2017 (the “Act”) and the Limited Liability Partnership Regulations , 2018 (the “Regulations”). The following are the steps for registration of LLP:

Step 1: Name Reservation

First step towards incorporation of an LLP is to submit an application (either online or in physical form) to the registrar as per LLP-Form-I [Part-1] provided in the Regulations, for the reservation of name along with fee i.e Rs. 100 (in case of online submission)/ Rs. 200 (in case of offline/physical submission)

Three names are to be proposed fulfilling the criteria specified in Section 6 of the Act and shall have the acronym “LLP” as the last letters of its name. The proposed name of the LLP shall not contain words and combinations thereof which are prohibited in Regulation 4 of the Regulations.

The registrar, if satisfied, that the proposed name fulfills the criteria specified in the Section 6 of the Act and the Regulations may allow the name as per LLP- Form-I [Part II] for a period of 30 days from the date of availability of name.

The availability of name shall stand cancelled where the applicant fails to file an application for the incorporation of LLP along with the payment of fee within the aforesaid period.

Step 2: LLP Incorporation

The applicant within 30 days of the receipt of the name reservation from the registrar, submit an application (either online or in physical form) to the registrar as per LLP-Form-III provided in the Regulations, for incorporation of LLP along with a fee i.e Rs. 1000 (in case of online submission)/ Rs. 2000 (in case of offline/physical submission). Incorporation documents shall include:

- (a) copies of National Identity Card (NIC) of the partners/ designated partners/ in case of physical application of witness to the documents and in case of foreigner, a copy of passport;
- (b) attested copy of LLP agreement duly executed by the partners, witnessed and notarized;
- (c) consent of designated partner (if any);
- (d) In case of physical application, original bank challan evidencing the payment of fee as specified in Fee Schedule attached with the LLP regulations;
- (e) Authority letter signed by all the partners in favour of the person who has been authorized to file documents;
- (f) Copy of name availability letter

Step 3: Get a Certificate of Incorporation

On registration of the incorporation documents, the registrar shall issue a Certificate of Incorporation.

Step 4: Start your business

Once the certificate of incorporation is received, an LLP can start its business.