

## **FAQ on one Person Company**

### **1. What is one Person Company?**

One person Company means a company has only one person has a member.

### **2. Who is not eligible to incorporate OPC?**

A Minor, Foreign citizen, Indian Non resident, a person incapacitate to contract are restricted from Forming a One Person Company.

### **3. How Many OPC'S can one Person Incorporate?**

A person cannot incorporate more than one, OPC.

### **4. What if a member of an OPC becomes a member in another OPC by virtue of being a nominee in that other OPC?**

Where a natural person, being member in One Person Company becomes a member in another OPC by virtue of his being a nominee in that OPC, then such person shall meet the eligibility criteria of being a member in only one OPC within a period of one hundred and eighty days, i.e., he/she shall withdraw his membership from either of the OPCs within one hundred and eighty days.

### **5. Who is eligible to act as an member of OPC?**

Only a natural person who is an Indian citizen and resident in India shall be eligible to act as a member and nominee of an OPC. The term "resident in India" means a person who has stayed in India for a period of not less than one hundred and eighty two days during the immediately preceding one financial year.

### **6. Can a One Person Company converted into Private Limited Company?**

Yes, it can be converted into Private Limited Company, if the One Person Company has exceeded the threshold limit by filing necessary forms.

### **7. How many Directors can we have in One Person Company?**

A minimum of one is required while starting a One Person Company, but you can have up to 15 Directors for your OPC.

### **8. Can OPC become a member of another private Limited company?**

Yes, there is no restriction with respect to OPC becoming a member of private limited company.

### **9. How to inform ROC about change in membership of OPC?**

The company shall file form INC-4 in case of cessation of member of OPC on account of death, incapacity to contract or change in ownership. In the same form, user needs to provide details of the new member of the OPC.

### **10. What is the time limit for filing of Form INC-6?**

Form INC-6 shall be filed within 30 days in case of voluntary conversion and within six months of mandatory conversion.