

Distributor ARN / RIA#		Distributor Name		Sub-Distributor ARN		Internal Sub-Broker/ Employee Code		EJIN	
ARN/RIA-	6 4 9 1 7			ARN-				E	4 3 4 5 6 3

#By mentioning RIA code, I/We authorize you to share with the SEBI Registered Investment Advisor the details of my/our transactions in the scheme(s) of Motilal Oswal Mutual Fund.

**Investors applying under Direct Plan must mention "Direct" in ARN Column**

**Upfront commission shall be paid directly by the investor to the AMFI registered distributor based on the investor's assessment of various factors including the service rendered by the distributor.**

I/We hereby confirm that the EJIN box has been intentionally left blank by me/us as this is an "execution-only" transaction without any interaction or advice by the employee/relationship manager/sales person of the above distributor or notwithstanding the advice of in-appropriateness, if any, provided by the employee/relationship manager/sales person of the distributor and the distributor has not charged any advisory fees on this transaction.

First Holder

Second Holder

Third Holder

**1 UNIT HOLDER INFORMATION**

Mr.  Ms.  M/s

Existing Folio Number  Existing UMRN

Name  F I R S T  M I D D L E  L A S T

**2 SYSTEMATIC INVESTMENT PLAN DETAILS**

Scheme name	Plan	Option *Growth (Default Option)	Dividend Frequency	SIP Installment Amount	SIP Booster details	SIP Booster Amount	SIP Booster Frequency	SIP Maximum SIP limit amount
Motilal Oswal	<input type="checkbox"/> Regular <input type="checkbox"/> Direct	<input type="checkbox"/> Growth <input type="checkbox"/> Dividend Payout <input type="checkbox"/> Dividend Reinvestment		(₹) <input type="text"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No	SIP Booster amount minimum ₹ 100	<input type="checkbox"/> Quarterly <input type="checkbox"/> Half Yearly <input type="checkbox"/> Yearly	(₹) <input type="text"/>

**SIP Frequency and Date\***

Fortnightly  1<sup>st</sup>-14  \*7<sup>th</sup>-21<sup>st</sup>  14<sup>th</sup>-28<sup>th</sup>

Annual SIP  D D M M Y Y Y Y Y Y

Any Day/  
Date SIP  Weekly - Any Day of Transfer \_\_\_\_\_ (Monday to Friday)

Monthly SIP- Any date of the month  D  D except (29th, 30th and 31st)

Quarterly SIP- Any date of the month for each quarter (i.e. January, April, July, October)  D  D except (29th, 30th and 31st)

\*Incise if no date is selected, 7th would be the default SIP Date.

**SIP Period**

From  M M Y Y Y Y Y Y To  M M Y Y Y Y Y Y

or  Perpetual SIP

SIP cheque No.  SIP cheque Date  D D M M Y Y Y Y Y Y

**3 DECLARATION AND SIGNATURE** (To be signed by ALL UNIT HOLDERS if mode of holding is 'joint')

This is to confirm that the declaration/instruction has been carefully read, understood. I/We have understood that I/we are authorized to cancel/amend this mandate by appropriately communicating the cancellation/amendment request to the User entity or the bank where I have authorized the debit and express my willingness and authorize to make payments through participation in NACH/ECS/Direct Debit/Standing Instructions. I/We hereby confirm adherence to the terms of NACH/ECS (Debits)/Direct Debits/Standing Instructions. Authorization to Bank: This is to inform that I/We have registered for ECS / NACH (Debit Clearing) / Direct Debit / Standing instructions facility and that my/our payment towards my/our investment in Motilal Oswal Mutual Fund shall be made from my/our bank account with your Bank. I/We authorize the representatives Motilal Oswal Mutual Fund carrying this mandate form to get it verified and executed.

(Please attach a cancelled cheque/cheque copy)

First / Sole Applicant / Guardian / Authorised Signatory	Second Applicant	Third Applicant
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(To be signed by all holders if mode of operation of Bank Account is 'Joint')

**MOTILAL OSWAL** Mutual Fund **OTM Debit Mandate form NACH/ ECS/ Direct Debit** [Applicable for Lumpsum Additional Purchases as well as SIP Registrations]

UMRN  For Official Use  Date  D D M M Y Y Y Y Y Y

Tick (✓)  Create  Modify  Cancel

Sponsor Bank Code  C I T I O O O P I G W Utility Code  N A C H O O O O O O O O O O 2 2 8 0 6

I/We hereby authorize  Motilal Oswal Mutual Fund To Debit (to tick ✓)  SB  CA  CC  SB-NRE  SB-NRO  Other

Bank a/c number

with Bank  Bank name and branch IFSC  Or MICR

an amount of Rupees  ₹

FREQUENCY  Mthly  Qly  H.Yrly  Yrly  As & when presented DEBIT TYPE  Fixed Amount  Maximum Amount

Reference 1  Folio No.  Mob. No.

Reference 2  Application No.  Email ID

I agree for the debit of mandate processing charges by the bank whom I am authorizing to debit my account as per latest schedule of charges of the bank.

Period From  D D M M Y Y Y Y Y Y To  3 1 1 2 2 0 9 9 Or  Until cancelled

1. Sign  2. Sign  3. Sign

Name as in bank record (mandatory) Name as in bank record (mandatory) Name as in bank record (mandatory)

This is to confirm that the declaration has been carefully read, understood & made by me/us. I am authorizing the User entity/ Corporate to debit my account based on the instruction as agreed and signed by me. I have understood that I am authorized to cancel/ amend this mandate by appropriately communicating the cancellation/amendment request to the User entity/ corporate or the bank where I have authorized the debit

**ACKNOWLEDGMENT SLIP** (To be filled by the investor) Application No.

Folio No.  Investor Name

Scheme Name  Plan  Option

SIP Period From  D D M M Y Y Y Y Y Y To  D D M M Y Y Y Y Y Y  Perpetual SIP

Stamp & Signature

# FATCA & CRS Instructions

## FATCA Instructions & Definitions Individual

### FATCA & CRS TERMS & CONDITIONS

Note: The Guidance Note/notification issued by the CBDT shall prevail in respect to interpretation of the terms specified in the form)  
Details under FATCA & CRS: The Central Board of Direct Taxes has notified Rules 114F to 114H, as part of the Income- tax Rules, 1962, which Rules require Indian financial institutions such as the Bank to seek additional personal, tax and beneficial owner information and certain certifications and documentation from all our account holders. In relevant cases, information will have to be reported to tax authorities/appointed agencies.

Should there be any change in any information provided by you, please ensure you advise us promptly, i.e., within 30 days. Please note that you may receive more than one request for information if you have multiple relationships with Motilal Oswal Mutual Fund or its group entities. Therefore, it is important that you respond to our request, even if you believe you have already supplied any previously requested information.

FATCA & CRS Indicia observed (ticked)	Documentation required for Cure of FATCA/ CRS Indicia
<b>U.S. place of birth</b>	1. Self-certification that the account holder is neither a citizen of United States of America nor a resident for tax purposes; 2. Non-US passport or any non-US government issued document evidencing nationality or citizenship (refer list below); and 3. Any one of the following documents: Certified Copy of "Certificate of Loss of Nationality or Reasonable explanation of why the customer does not have such a certificate despite renouncing US citizenship; or Reason the customer did not obtain U.S. citizenship at birth
<b>Residence/mailling address in a country other than India</b>	1. Self-certification that the account holder is neither a citizen of United States of America nor a tax resident of any country other than India; and 2. Documentary evidence (refer list below)
<b>Telephone number in a country other than India</b>	If no Indian telephone number is provided: 1. Self-certification that the account holder is neither a citizen of United States of America nor a tax resident of any country other than India; and 2. Documentary evidence (refer list below) If Indian telephone number is provided along with a foreign country telephone number: 1. Self-certification that the account holder is neither a citizen of United States of America nor a tax resident for tax purposes of any country other than India; OR 2. Documentary evidence (refer list below)

List of acceptable documentary evidence needed to establish the residence(s) for tax purposes:

- Certificate of residence issued by an authorized government body\*
  - Valid identification issued by an authorized government body\* (e.g. Passport, National identity card, etc.)
- \*Government or agency thereof or a municipality of the country or territory in which the payee claims to be a resident.

### FATCA & CRS INSTRUCTIONS

If you have any questions about your tax residency, please contact your tax advisor. If you are a US citizen or resident or green card holder, please include United States in the foreign country information field along with your US Tax Identification Number.

It is mandatory to supply a TIN or functional equivalent if the country in which you are tax resident issues such identifiers. If no TIN is yet available or has not yet been issued, please provide an explanation and attach this to the form.

In case customer has the following Indicia pertaining to a foreign country and yet declares self to be non-tax resident in the respective country, customer to provide relevant Curing Documents as mentioned below:

## FATCA Instructions & Definitions Non-Individual

(Note: The Guidance Note/notification issued by the CBDT shall prevail in respect to interpretation of the terms specified in the form)

The Central Board of Direct Taxes has notified Rules 114F to 114H, as part of the Income-tax Rules, 1962, which Rules require Indian financial institutions such as the Bank to seek additional personal, tax and beneficial owner information and certain certifications and documentation from all our account holders. In relevant cases, information will have to be reported to tax authorities/appointed agencies. Towards compliance, we may also be required to provide information to any institutions such as withholding agents for the purpose of ensuring appropriate withholding from the account or any proceeds in relation thereto.

Should there be any change in any information provided by you, please ensure you advise us promptly, i.e., within 30 days.

If any controlling person of the entity is a US citizen or resident or green card holder, please include United States in the foreign country information field along with the US Tax Identification Number.

It is mandatory to supply a TIN or functional equivalent if the country in which you are tax resident issues such identifiers. If no TIN is yet available or has not yet been issued, please provide an explanation and attach this to the form.

1 (i) **Financial Institution (FI)** - The term FI means any financial institution that is a Depository Institution, Custodial Institution, Investment Entity or Specified Insurance company, as defined.

(ii) **Depository institution:** is an entity that accepts deposits in the ordinary course of banking or similar business.

(iii) Custodial institution is an entity that holds as a substantial portion of its business, holds financial assets for the account of others and where it's income attributable to holding financial assets and related financial services equals or exceeds 20 percent of the entity's gross income during the shorter of:

- The three financial years preceding the year in which determination is made; or
- The period during which the entity has been in existence, whichever is less.

(iv) Investment entity is any entity;

(a) That primarily conducts a business or operates for or on behalf of a customer for any of the following activities or operations for or on behalf of a customer

- Trading in money market instruments (cheques, bills, certificates of deposit, derivatives, etc.); foreign exchange; exchange, interest rate and index instruments; transferable securities; or commodity futures trading; or Individual and collective portfolio management; or
- Investing, administering or managing funds, money or financial asset or money on behalf of other persons;

or

(b) The gross income of which is primarily attributable to investing, reinvesting, or trading in financial assets, if the entity is managed by another entity that is a depository institution, a custodial institution, a specified insurance company, or an investment entity described above. An entity is treated as primarily conducting as a business one or more of the 3

activities described above, or an entity's gross income is primarily attributable to investing, reinvesting, or trading in financial assets of the entity's gross income attributable to the relevant activities equals or exceeds 50 percent of the entity's gross income during the shorter of:

- The three-year period ending on 31 March of the year preceding the year in which the determination is made; or
- The period during which the entity has been in existence. The term "Investment Entity" does not include an entity that is an active non-financial entity as per codes 04, 05 and 06 and 07- refer point 2c.)

(v) Specified Insurance Company: Entity that is an insurance company (or the holding company of an insurance company) that issues, or is obligated to make payments with respect to, a Cash Value Insurance Contract or an Annuity Contract.

(vi) FI not required to apply for GIIN: Refer Rule 114F(5) of Income Tax Rules, 1962 for the conditions to be satisfied as "non-reporting financial institution and Guidance issued by CBDT in this regard.

### A. Reasons why FI not required to apply for GIIN:

Code	Sub-category
01	Governmental Entity, International Organization, or Central Bank
02	Treaty Qualified Retirement Fund; a Broad Participation Retirement Fund; a Narrow Participation Retirement Fund; or a Pension Fund of a Governmental Entity, International Organization or Central Bank
03	Non-public fund of the armed forces, an employees state insurance fund, a gratuity fund or provident fund
04	Entity is an Indian FI solely because it is an investment entity
05	Qualified credit card issuer
06	Investment Advisors, Investment Managers & Executing Brokers
07	Exempt collective investment vehicle
08	Trust

(Continued overleaf)

## SYSTEMATIC INVESTMENT PLAN DETAILS

- The Mandate will be registered under the best suited mode i.e. NACH or ECS or Direct Debit at the discretion of its appointed payment Aggregator through whom the mandate will be registered for the SIP debit facility.
- Unit holder(s) need to provide along with the mandate form an original cancelled cheque (or a copy) with name and account number pre-printed of the bank account to be registered for registration of the mandate failing which registration may not be accepted. The Unit holder(s) cheque/ bank account details are subject to third party verification.
- Where the cancelled cheque or a copy of the cheque does not mention the bank account holder's name(s), Investor should provide self-attested bank pass book copy / bank statement / bank letter to substantiate that the first unit holder is one of the joint holder of the bank account. In case of a mismatch, it will be deemed to be a 3rd party payment and rejected except under the following exceptional circumstances.
  - Payment by parents / grand-parents / related person on behalf of a minor in consideration of natural love and affection or as gift provided the purchase value is less than or equal to '50,000/-' and KYC is completed for the registered Guardian and the person making the payment. However, single subscription value shall not exceed above '50,000/-' (including investment through each regular purchase or single SIP instalment). However, this restriction will not be applicable for payment made by a guardian whose name is registered in the records of Mutual Fund in that folio. Additional declaration in the prescribed format signed by the guardian and parents/grand - parents/related person is also required along with the application form.
  - Payment by an Employer on behalf of employee under Systematic Investment plans through Payroll deductions provided KYC is completed for the employee who is the beneficiary investor and the employer who is making the payment. Additional

declaration in the prescribed format signed by employee and employer is also required along with the application form  
c) Custodian on behalf of an FI or a Client provided KYC is completed for the investor and custodian. Additional declaration in the prescribed format signed by Custodian and FI/ Client is also required along with the application form.

Please note that in the event of a minor mismatch between the bank account number mentioned in the application form and as appearing in the cheque leaf submitted, bank account number would be updated based on the cancelled cheque leaf provided the name(s) of the investor/applciant appears in the cheque leaf.

### AUTHORISATION BY BANK ACCOUNT HOLDER(S)

- Please indicate the name of the bank & branch, bank account number.
- If the mode of operation of bank account is joint, all bank account holders would need to sign at the place marked.
- Applications incomplete in any respect are liable to be rejected. AMC/ Service Provider shall have absolute discretion to reject any such Application forms.
- AMC or other service providers shall not be responsible and liable for any damages / compensation for any loss, damage etc. The investor assumes the entire risk of using this facility and takes full responsibility.

### DECLARATION & SIGNATURES

This section need to be signed by the applicant(s) / unit holder(s) at the places marked as per the mode of holding recorded with us (i.e. "Single", "Anyone or Survivor" or "Joint").

## TERMS AND CONDITIONS FOR ECS (Debit Clearing)

- The cities/banks/ branches in the list may be modified / updated / changed / removed at any time in future entirely at the discretion of Motilal Oswal Mutual Fund without assigning any reasons or prior notice. If any city / bank/ branch is removed, SIP instructions for investors in such city/bank/branch via (ECS) (Debit Clearing) Direct Debit route will be discontinued without prior notice.
- Applications for SIP Auto Debit (ECS/ Direct Debit) Facility would be accepted only if the bank branch participates in local MICR/ECS clearing. In case the investor's bank chooses to cross verify the auto debit mandate with him/ her as the bank's customer, investor would need to promptly act on the same. AMC/ Service Provider will not be liable for any transaction failures due to rejection of the transaction by investor's bank/ branch or its refusal to register the SIP mandate or any charges that may be levied by the Bank/ Branch on investor / applicant.

### List of Banks for SIP Direct Debit Facility:-

Allahabad Bank, Axis Bank, Bank of Baroda, Bank of India, Citi Bank, Corporation Bank, Federal Bank, ICICI Bank, IDBI Bank, IndusInd Bank, Kotak Mahindra Bank, Punjab National Bank, South Indian Bank, State Bank of India, State Bank of Patiala, UCO Bank, Union Bank of India, United Bank of India

## INSTRUCTIONS TO FILL THE OTM Debit Mandate form NACH/ ECS/ Direct Debit

- UMRN Code, Sponsor Code, and Utility Code are for official use only. Please do not write anything in these boxes/spaces.
  - The following information has to be mandatorily filled in the Mandates. In case any of these fields are not filled, the mandate is liable for rejection.
    - Please tick the Appropriate Account Type and furnish the Bank Account Number from which the SIP installment/s is/are to be debited.
    - Please mention the Bank Name, 11 Digit IFSC code, 9 Digit MICR Code of your Bank in the appropriate boxes provided for the purpose. The MICR code is the number appearing next to the cheque number on the MICR band at the bottom of the cheque. In the absence of these information, Mandate registration is liable to be rejected.
  - Please mention the maximum amount that can be debited using this mandate. The amount needs to be mentioned both in words as well as numbers.
    - Please mention your Mobile Number and Email Id on the mandate form.
    - Please provide the Start and End date for the period which the Mandate should be active. If you do not wish to provide an End date, please tick the check box for 'Until Cancelled'.
- SIGNATURES**  
The mandate needs to be signed by all the account holders in line with the mode of holding recorded with the investor's bank. The Account holder's names have to be mentioned as per their mode of holding in Account.

Key Partner / Agent Information (Investors applying under Direct Plan must mention "Direct" in ARN No. column.)

Distributor ARN / RIA#	Distributor Name	Sub-Distributor ARN	Internal Sub-Broker/ Employee Code	EUIN
ARN/RIA- 6 4 9 1 7		ARN-		E 4 3 4 5 6 3

#By mentioning RIA code, I/We authorize you to share with the SEBI Registered Investment Advisor the details of my/our transactions in the scheme(s) of Motilal Oswal Mutual Fund.

**Investors applying under Direct Plan must mention "Direct" in ARN Column**

**Upfront commission shall be paid directly by the investor to the AMFI registered distributor based on the investor's assessment of various factors including the service rendered by the distributor.**

I/We hereby confirm that the EUIN box has been intentionally left blank by me/us as this transaction is executed without any interaction or advice by the employee/relationship manager/sales person of the above distributor/sub broker or notwithstanding the advice of in-appropriateness, if any, provided by the employee/relationship manager/sales person of the distributor/sub broker.

First / Sole Applicant / Guardian	Second Applicant	Third Applicant	Power of Attorney Holder
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Folio No  Name of Sole / First Holder

PAN/PERN (mandatory)  Enclosed  PAN/PEKRN Proof  KYC Complicane

**SYSTEMATIC TRANSFER PLAN (STP/DTP AND NAV APPRECIATIONS)**

Please arrange for STP with the following options

From Scheme  Plan

Option  Growth /  Dividend-Payout /  Dividend - Reinvest

To Scheme  Plan

Option  Growth /  Dividend-Payout /  Dividend - Reinvest Dividend Frequency (In case of Dividend option)

Fixed Amount (Min amount ₹ 500 - (Daily, Weekly, Fortnightly, Monthly)  
(Min amount ₹ 1,500 for Quarterly)

STP Frequency:  Daily  Weekly  Fortnightly  
 Monthly  Quarterly

STP Amount:

STP Dates:  1<sup>st</sup>  7<sup>th</sup>  14<sup>th</sup>  21<sup>st</sup>  28<sup>th</sup>

STP Period: Start:

\*For Daily STP Minimum Installments 12  
For Other Frequency Minimum Installments 6

End:

Dividend Transfer Plan (Minimum ₹ 1000)

Except Daily Dividend

STP Dates:  1<sup>st</sup>  7<sup>th</sup>  14<sup>th</sup>  21<sup>st</sup>  28<sup>th</sup>

STP Period: Start:

End:

NAV Appreciation (Minimum ₹ 1000)

Only in case of Growth Option

STP Dates:  1<sup>st</sup>  7<sup>th</sup>  14<sup>th</sup>  21<sup>st</sup>  28<sup>th</sup>

STP Period: Start:

End:

**SYSTEMATIC WITHDRAWAL PLAN (SWP)**

(Please mention the PAN/PERN without which, this application form will be considered incomplete and is liable to be rejected.)

Please arrange for SWP with the following options - Fixed Amount

Rs. (in figures)  Rs. (in words)

SWP Frequency:  Weekly  Fortnightly  Monthly  Quarterly  Annualy SWP Date:  1<sup>st</sup>  7<sup>th</sup>  14<sup>th</sup>  21<sup>st</sup>  28<sup>th</sup>

SWP Period: Start:     End:

From Scheme

Plan  Option  Growth  Dividend-Payout  Dividend - Reinvest

Dividend Frequency (In case of Dividend option)  \*Minimum No. of SWP Installments 12 - (monthly/weekly/fortnightly)

\*Minimum No. of SWP Installments 4 - instalments (quarterly)

\*Minimum No. of SWP Installments 1- (annual)

Having read and understood the contents of the Scheme Information Document of the Scheme(s), I / We hereby apply for units of the Scheme(s) and agree to abide by the terms, conditions, rules and regulation governing the Scheme(s). I / We hereby declare that the amount invested in the Scheme(s) is through legitimate sources only and does not involve and is not designed for the purpose of the contravention of any Act, Rules, Regulations, Notifications or Directions to the provisions of the Income Tax Act, Anti Money Laundering Laws, Anti Corruption Laws or any other applicable laws enacted by the Government of India from time to time. I / We have understood the details of the Scheme(s) and I / We have not received nor have been induced by any rebate or gifts, directly or indirectly in making this investment. I / We confirm that the funds invested in the Scheme(s), legally belong to me / us. In the event "Know Your Customer" process is not completed by me / us to the satisfaction of the Mutual Fund, I / We hereby authorize the Mutual Fund, to redeem the funds invested in the Scheme(s), in favour of the applicant, at the applicable NAV prevailing on the date of such redemption and undertake such other action with such funds that may be required by the Law.

The ARN holder has disclosed to me/us all the commissions (in the form of trail commission or any other mode), payable to him for the different competing Schemes of various Mutual Funds from amongst which the Scheme is being recommended to me / us.

For NRIs only: I / We confirm that I am / we are Non Residents of Indian nationality / origin and that I / We have remitted funds from abroad through approved banking channels or from funds in my / our Non-Resident External / Non-Resident Ordinary / FCNR account.

I / We confirm that details provide by me / us are true and correct.

First / Sole Applicant / Guardian	Second Applicant	Third Applicant	POA Holder

**ACKNOWLEDGMENT SLIP**

Application No.

From

Systematic Transfer Plan  Dividend Transfer Plan  Nav Appreciation Facility  Systematic Withdrawal Plan

Stamp & Signature

## FATCA Instructions & Definitions Non-Individual

(Note: The Guidance Note/notification issued by the CBDT shall prevail in respect to interpretation of the terms specified in the form)

09	Non-registering local banks
10.	FFI with only Low-Value Accounts
11.	Sponsored investment entity and controlled foreign corporation
12.	Sponsored, Closely Held Investment Vehicle

### 2. Active Non-financial entity (NFE) - Foreign entity that is not a financial institution: (any one of the following): Refer Explanation (A) to 114F(6) of income Tax Reule, 1962 for details.

Code	Sub-category
01	Less than 50 percent of the NFE's gross income for the preceding financial year is passive income and less than 50 percent of the assets held by the NFE during the preceding financial year are assets that produce or are held for the production of passive income;
02	The stock of the entity is regularly traded on an established securities market or the non-financial entity is a related entity of an entity, the stock of which is regularly traded on an established securities market.
03	The NFE is a Governmental Entity, an International Organization, a Central Bank, or an entity wholly owned by one or more of the foregoing;
04	Substantially all of the activities of the NFE consist of holding (in whole or in part) the outstanding stock of, or providing financing and services to, one or more subsidiaries that engage in trades or businesses other than the business of a Financial Institution, except that an entity shall not qualify for this status if the entity functions as an investment fund, such as a private equity fund, venture capital fund, leveraged buyout fund, or any investment vehicle whose purpose is to acquire or fund companies and then hold interests in those companies as capital assets for investment purposes;
05	The NFE is not yet operating a business and has no prior operating history, but is investing capital into assets with the intent to operate a business other than that of a Financial Institution, provided that the NFE shall not qualify for this exception after the date that is 24 months after the date of the initial organization of the NFE;
06	The NFE was not a Financial Institution in the past five years, and is in the process of liquidating its assets or is reorganizing with the intent to continue or recommence operations in a business other than that of a Financial Institution;
07	The NFE primarily engages in financing and hedging transactions with, or for, Related Entities that are not Financial Institutions, and does not provide financing or hedging services to any Entity that is not a Related Entity, provided that the group of any such Related Entities is primarily engaged in a business other than that of a Financial Institution;
08	Any NFE that fulfills all of the following requirements: <ul style="list-style-type: none"> <li>• It is established and operated in India exclusively for religious, charitable, scientific, artistic, cultural, athletic, or educational purposes; or it is established and operated in India and it is a professional organization, business league, chamber of commerce, labor organization, agricultural or horticultural organization, civic league or an organization operated exclusively for the promotion of social welfare;</li> <li>• It is exempt from income tax in India;</li> <li>• It has no shareholders or members who have a proprietary or beneficial interest in its income or assets;</li> </ul> The applicable laws of the NFE's country or territory of residence or the NFE's formation documents do not permit any income or assets of the NFE to be distributed to, or applied for the benefit of, a private person or non-charitable Entity other than pursuant to the conduct of the NFE's charitable activities, or as payment of reasonable compensation for services rendered, or as payment representing the fair market value of property which the NFE has purchased; and The applicable laws of the NFE's country or territory of residence or the NFE's formation documents require that, upon the NFE's liquidation or dissolution, all of its assets be distributed to a governmental entity or other non-profit organization, or escheat to the government of the NFE's country or territory of residence or any political subdivision thereof. <p>Explanation.- For the purpose of this sub-clause, the following shall be treated as fulfilling the criteria provided in the said sub-clause, namely:-</p> <ul style="list-style-type: none"> <li>(i) an Investor Protection Fund referred to in clause (23EA);</li> <li>(ii) a Credit Guarantee Fund Trust for Small Industries referred to in clause 23EB; and</li> <li>(iii) an Investor Protection Fund referred to in clause (23C), of section 10 of the Act;</li> </ul>

### 3. Other definitions:

- (i) Related entity  
An entity is a 'related entity' of another entity if either entity controls the other entity, or the two entities are under common control for this purpose, control includes direct or indirect ownership of more than 50% of the votes and value in an entity.
- (ii) Passive NFE  
The term passive NFE means  
(i) any non-financial entity which is not an active non-financial entity; or  
(ii) an investment entity defined in clause 1 (iv) (b) of these instructions  
(iii) a withholding foreign partnership or withholding foreign trust;
- (iii) Passive income  
The term passive income includes income by way of:
- (1) Dividends,
  - (2) Interest,
  - (3) Income equivalent to interest,
  - (4) Rents and royalties, other than rents and royalties derived in the active conduct of a business conducted, at least in part, by employees of the NFE
  - (5) Annuities
  - (6) The excess of gains over losses from the sale or exchange of financial assets that gives rise to passive income
  - (7) The excess of gains over losses from transactions (including futures, forwards, options and similar transactions) in any financial assets,
  - (8) The excess of foreign currency gains over foreign currency losses
  - (9) Net income from swaps
  - (10) Amounts received under cash value insurance contracts

But passive income will not include, in case of a non-financial entity that regularly acts as a dealer in financial assets, any income from any transaction entered into in the ordinary course of such dealer's business as such a dealer.

#### (iv) Controlling persons

Controlling persons are natural persons who exercise control over an entity and includes a beneficial owner under sub-rule (3) of rule 9 of the Prevention of Money-Laundering (Maintenance Records) Rules, 2005.

In determining the beneficial owner, the procedure specified in the following circular as amended from time to time shall be applied, namely:-

- (i) DBOD, AML. BC. No.71/14.01.001/2012-13, issued on the 18th January, 2013 by the Reserve Bank of India, or
- (ii) CIR/MIRSD/2/2013, issued on the 24th January, 2013 by the Securities and Exchange Board of India, or
- (iii) IRDA/SOD/GDL/CIR/019/02/2013, issued on the 4th February, 2013 by the Insurance Regulatory and Development Authority.

In the case of trust, the controlling person means the settlor, the trustees, the protector (if any), the beneficiaries or class of beneficiaries, and any other natural person exercising ultimate effective control over the trust, and in the case of a legal arrangement other than a trust, the said expression means the person in equivalent or similar position;(A) Controlling Person Type:

Code	Sub-category:
01	CP of legal person-ownership
02	CP of legal person-other means
03	CP of legal person-senior managing official
04	CP of legal arrangement - trust-settlor
05	CP of legal arrangement - trust-trustee
06	CP of legal arrangement - trust-protector
07	CP of legal arrangement - trust-beneficiary
08	CP of legal arrangement - trust-other
09	CP of legal arrangement - Other-settlor equivalent
10	CP of legal arrangement - Other-trustee equivalent
11	CP of legal arrangement - Other-protector equivalent
12	CP of legal arrangement - Other-beneficiary equivalent
13	CP of legal arrangement - Other-other equivalent
14	Unknown

#### (v) Specified U.S. person - A U.S person other than the following:

- (i) a corporation the stock of which is regularly traded on one or more established securities markets;
- (ii) any corporation that is a member of the same expanded affiliated group, as defined in section 1471(e)(2) of the U.S. Internal Revenue Code, as a corporation described in clause (i);
- (iii) the United States or any wholly owned agency or instrumentality thereof;
- (iv) any State of the United States, any U.S. Territory, any political subdivision of any of the foregoing, or any wholly owned agency or instrumentality of any one or more of the foregoing;
- (v) any organization exempt from taxation under section 501(a) of the U.S. Internal Revenue Code or an individual retirement plan as defined in section 7701(a)(37) of the U.S. Internal Revenue Code;
- (vi) any bank as defined in section 581 of the U.S. Internal Revenue Code;
- (vii) any real estate investment trust as defined in section 856 of the U.S. Internal Revenue Code;
- (viii) any regulated investment company as defined in section 851 of the U.S. Internal Revenue Code or any entity registered with the U.S. Securities and Exchange Commission under the Investment Company Act of 1940 (15 U.S.C. 80a-64);
- (ix) any common trust fund as defined in section 584(a) of the U.S. Internal Revenue Code;
- (x) any trust that is exempt from tax under section 664©) of the U.S. Internal Revenue Code or that is described in section 4947(a)(1) of the U.S. Internal Revenue Code;
- (xi) a dealer in securities, commodities, or derivative financial instruments (including notional principal contracts, futures, forwards, and options) that is registered as such under the laws of the United States or any State;
- (xii) a broker as defined in section 6045©) of the U.S. Internal Revenue Code; or
- (xiii) any tax-exempt trust under a plan that is described in section 403(b) or section 457(g) of the U.S. Internal Revenue Code.

#### (vi) Direct reporting NFE

A direct reporting NFFE means a NFFE that elects to report information about its direct or indirect substantial U.S. owners to the IRS.

#### (vii) Exemption code for U.S. persons (Refer 114F(9) of Income Tax Rules, 1962 for details).

Code	Sub-category
A	An organization exempt from tax under section 501(a) or any individual retirement plan as defined in section 7701(a)(37)
B	The United States or any of its agencies or instrumentalities
C	A state, the District of Columbia, a possession of the United States, or any of their political subdivisions or instrumentalities
D	A corporation the stock of which is regularly traded on one or more established securities markets, as described in Reg. section 1.1472-1(C)(1)(i)
E	A corporation that is a member of the same expanded affiliated group as a corporation described in Reg. section 1.1472-1(c)(1)(i)
F	A dealer in securities, commodities, or derivative financial instruments (including notional principal contracts, futures, forwards, and options) that is registered as such under the laws of the United States or any state
G	A real estate investment trust
H	A regulated investment company as defined in section 851 or an entity registered at all times during the tax year under the Investment Company Act of 1940
I	A common trust fund as defined in section 584(a)
J	A bank as defined in section 581
K	A broker
L	A trust exempt from tax under section 664 or described in section 4947(a)(1)
M	A tax exempt trust under a section 403(b) plan or section 457(g) plan