

#### **CIRCULAR**

SEBI/HO/MIRSD/RTAMB/CIR/P/2021/601

July 23, 2021

To
All Recognized Stock Exchanges
All Recognized Depositories
Stock Brokers (Trading Members) through Recognized Stock Exchanges
Depository Participants through Depositories

Sir / Madam,

### **Nomination for Eligible Trading and Demat Accounts**

- 1. Section 73 of Companies Act, 2013 provides for nomination by a holder of securities.
- 2. Investors opening new trading and or demat account(s) on or after October 01, 2021, shall have the choice of providing nomination or opting out nomination, as follows;
  - a. The format for nomination form is given in **Annexure A** to this circular
  - b. Opt out of nomination through 'Declaration Form', as provided in **Annexure B** to this circular

These forms at Annexure – A or B, would also be applicable for any subsequent change / withdrawal of nomination.

- 3. In this regard, Trading Members and Depository Participants (hereinafter, **intermediaries**), shall activate new Trading and Demat accounts from October 01, 2021, only upon receipt of above formats.
- 4. The nomination and Declaration form shall be signed under wet signature of the account holder(s) and witness shall not be required. However, if the account holder(s) affixes thumb impression (instead of wet signature), then witness signature shall be required in the forms.
- 5. The on-line nomination and Declaration form may also be signed using e-Sign facility and in that case witness will not be required.
- 6. Intermediaries shall ensure that adequate systems are in place including for providing for eSign facility and also take all necessary steps to maintain confidentiality and safety of client records.



- 7. Further, all existing eligible trading and demat account holders shall provide choice of nomination as per the option given in paragraph 2 above, on or before March 31, 2022, failing which the trading accounts shall be frozen for trading and demat account shall be frozen for debits.
- 8. The Stock Exchanges, Depositories and intermediaries are directed to:
  - a. take necessary steps to implement the provisions of this circular, including making necessary amendment to the relevant bye-laws / business rules / regulations / operational instructions, as the case may be
  - b. bring the provisions of this circular to the notice of their respective constituents and also disseminate this circular on their websites
  - c. communicate to SEBI, the status of the implementation of the provisions of this circular in Monthly Development Report of the following month; and
  - d. monitor the compliance of this circular
- 9. This circular is issued in exercise of powers conferred under Section 11(1) of the Securities and Exchange Board of India Act, 1992, read with the provisions of SEBI (Stock Broker) Regulations, 1992 and SEBI (Depositories and Participants) Regulations, 2018, to protect the interests of investors in securities and to promote the development of, and to regulate the securities markets.
- 10. This circular is available on SEBI website at www.sebi.gov.in.

Yours faithfully,

Deepak Trivedi Chief General Manager Tel. no: 022-26449753 Email id: dtrivedi@sebi.gov.in



### **Nomination Form**

## [Annexure A to SEBI circular No. SEBI/HO/MIRSD/RTAMB/CIR/P/2021/601 dated July 23, 2021 on Mandatory Nomination for Eligible Trading and Demat Accounts]

TM / DP								FORM FOR NOMINATION																							
	N	ame	an	d Addı	ress				(To be filled in by individual applying singly or jointly)																						
Date D D M M Y Y					Y	Υ	Y	UCC	C/ DP ID	Ι		N							Client ID												
L	We wisl	n to 1	nal	ce a noi	mina	tion.	[As	per	r details given below]																						
N	Nomination Details																														
I/V of	I/We wish to make a nomination and do hereby nominate the following person(s) who shall receive all the assets held in my / our account in the event of my / our death.																														
Nomination can be made upto three nominees in the account.				9	Details of 1st Nominee						Details of 2 <sup>nd</sup> Nominee							Details of 3 <sup>rd</sup> Nominee													
1	Name	of th	ıe ı	nomine	e(s)	(Mr./	/M:	s.)																							
2	each				Equally [If not equally,				% %										%												
	Nominee		ee		please specify percentage]			Any odd lot after division shall be transferred to the first nominee mentioned in the form.																							
3	3 Relationship With the Applicant (If Any)					t																									
4 Address of Nominee(s)																															
City / Place: State & Country:																															
					PIN	l Cod	le																								
5 Mobile / Telephone No. of nominee(s)				of				•																							
6 Email ID of nominee(s)																															
7 Nominee Identification details – [Please tick any one of following and provide details of same]																															
Photograph & Signature □ PAN     Aadhaar □ Saving Bank     account no. □ Proof of Identity □     Demat Account ID				ζ																											
Sr. N	los. 8-14	sho	uld	be fill	ed or	aly if	no	min	ee(	(s) is a	minor:				_																
8 Date of Birth {in case of minor nominee(s)}				r																											
9 Name of Guardian (Mr./Ms.) {in case of minor nominee(s) }				1																											
10 Address of Guardian(s)																															



	City / Place: State & Country:							
		PIN Code						
11	Mobile / Tele Guardian	ephone no. of						
12	Email ID of Guar	rdian						
13	Relationship of nominee	Guardian with						
14	Guardian Identif [Please tick any of and provide detail	one of following						
	☐ Photograph & S☐ PAN ☐ Aadha account no. ☐ Pr☐ Demat Account	ar Saving Bank oof of Identity						
			Name(s) of ho	lder(s)	Signature(s) of holder*			
Solo	e / First Holder (Mr	./Ms.)						
Se	cond Holder (Mr./N	Ms.)						
Th	ird Holder (Mr./Ms	s.)						

### Note:

This nomination shall supersede any prior nomination made by the account holder(s), if any.

The Trading Member / Depository Participant shall provide acknowledgement of the nomination form to the account holder(s)

<sup>\*</sup> Signature of witness, along with name and address are required, if the account holder affixes thumb impression, instead of signature



# Declaration Form for opting out of nomination [Annexure B to SEBI circular No. SEBI/HO/MIRSD/RTAMB/CIR/P/2021/601 dated July 23, 2021 on Mandatory Nomination for Eligible Trading and Demat Accounts]

То	Date		D	D	M	M	Υ	Υ	Υ	Υ
Trading Member/Participant's Name										
Trading Member/Participant's Address										
UCC/DP ID	_	Ν								
Client ID (only for Demat account)										
Sole/First Holder Name				•	•			•	•	
Second Holder Name										
Third Holder Name										
I / We hereby confirm that I / We do not w	ish t	о арро	int any	/ nom	inee(s)	) in my	/ our	tradir	ng / d	emat
account and understand the issues involved	l in b	non-app	oointm	nent o	f nomi	inee(s)	and f	urther	are a	ware
that in case of death of all the account holder(s), my / our legal heirs would need to submit all the										ll the
requisite documents / information for claiming of assets held in my / our trading / demat account,										ount,
which may also include documents issued by Court or other such competent authority, based on the										
value of assets held in the trading / demat account.										
Name and Signature of Holder(s)*										
12					3					

<sup>\*</sup> Signature of witness, along with name and address are required, if the account holder affixes thumb impression, instead of signature