भारतीय प्रतिभूति और विनिमय बोर्ड
Securities and Exchange Board of India

CIRCULAR

HO/38/14/(18)2026-MIRSD-POD2/I/25560/2026 **November 11, 2026**

To,
All Intermediaries registered with SEBI
All Stock Exchanges
All Depositories

Dear Sir/Madam,

Sub: Reporting requirement under Foreign Account Tax Compliance Act (FATCA) and Common Reporting Standard (CRS) revised through Income-Tax Act, 2025 read with Income-Tax Rules, 2026

1. SEBI, vide Circular no. CIR/MIRSD/2/2015 dated August 26, 2015, Circular no. CIR/MIRSD/3/2015 dated September 10, 2015 and Circular no. SEBI/HO/MIRSD/SECFATF/P/CIR/2024/12 dated February 20, 2024, informed all intermediaries registered with Board regarding reporting requirements and due diligence under Foreign Account Tax Compliance Act ("***FATCA***") and Common Reporting Standards ("***CRS***"). The aforesaid circulars were issued in terms of Section 285BA of the Income-Tax Act, 1961, read with Rule 114F to 114H, and Form 61B of the Income-Tax Rules, 1962.

2. With recent changes in the Income Tax regime, the Income Tax Act, 2025, read with the Income Tax Rules, 2026 (hereinafter referred to as "***IT Rules, 2026***"), has replaced the Income Tax Act, 1961, read with the Income Tax Rules, 1962, with effect from April 1, 2026. The reporting requirements under the Automatic Exchange of Information ("***AEOI***") framework for reportable accounts under FATCA/CRS reporting have been revised in terms of Section 508 of the Income Tax Act, 2025, read with Rules 238, 239, and 240, and Form 166 of the IT Rules, 2026.

3. In terms of Rule 239(12)(a) of the IT Rules, 2026, the regulator is required to issue instructions or guidelines to its regulated financial institutions to incorporate the reporting and due diligence procedures specified under Rules 238 to 240, prescribe the manner and procedure for maintaining account information, and ensure its availability to satisfy reporting obligations.

4. The reporting obligations apply to entities that qualify as Reporting Financial Institutions ("***RFIs"***). "RFI" is defined in Rule 238(8) of the IT Rules, 2026, and "Financial Institution" is defined in Rule 238(3) of the IT Rules, 2026."

5. Accordingly, all registered intermediaries, who are RFI, shall take the necessary steps to ensure compliance with Rules 238 to 240 of the IT Rules, 2026, and are advised to refer to the Guidance Note on FATCA and CRS issued by the Central Board of Direct Taxes.

   5.1. IT Rules, 2026 are available at https://www.incometaxindia.gov.in/income-tax-rule-2026

5.2. Guidance Note on FATCA and CRS dated July 24, 2026, providing guidance to Reporting Financial Institutions (RFIs), is available at https://www.incometaxindia.gov.in/documents/d/guest/e-book-crs-and-fatca-guidance-note-faqs-pdf

6. Registered intermediaries shall incorporate AEOI reporting and due diligence requirements into their customer onboarding and Know Your Customer (KYC) frameworks, and maintain the information required to meet their obligations under the IT Rules, 2026. Registered intermediaries shall, *inter alia*, review and update the following in accordance with the IT Rules, 2026:

   6.1. Self-certification collection procedures to capture the validity indicator;

   6.2. Controlling Person identification systems to capture roles (settlor/trustee/ protector/beneficiary/other);

   6.3. Account classification systems to capture account type and pre-existing/new status;

   6.4. Form 166 XML generation software to include all new mandatory fields. Failure to include required fields will result in validation errors on the Income Tax portal.

7. Registered intermediaries shall upload the FATCA and CRS certification obtained from clients onto the systems of the KYC Registration Agencies (KRAs).

8. The onus of obtaining and reporting the FATCA and CRS certification and related compliances shall lie solely with the respective intermediaries.

9. This circular is issued in exercise of powers conferred under Section 11(1) of Chapter IV of the Securities and Exchange Board of India Act, 1992 read with Rule 239(12)(a) of the Income-tax Rules, 2026, 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 under the category: 'Legal → Circulars'.

Yours faithfully,

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