**BEN-1**

**(Declaration by the beneficial owner who holds or acquires significant beneficial ownership in shares)**

**&**

**BEN-2**

**(Return to the Registrar in respect of declaration under section 90)**

**Source:**

MCA amendment rules i.e. Companies (Significant Beneficial Owners) Amendment Rules, 2019 dated 08.02.2019 which is applicable w.e.f date of their publication in the Official Gazette.

**Link:**

[Companies (Significant Beneficial Owners) Amendment Rules, 2019](http://www.mca.gov.in/Ministry/pdf/CompaniesOwnersAmendmentRules_08020219.pdf)

**Applicability:**

A person having significant beneficial owner (SBO) shall file a declaration in Form BEN-1 to the reporting company.

**“ Significant Beneficial Owner (SBO)”** means in relation to a reporting company means an individual referred to in sub section (1) of section 90, who acting alone or together, or through one or more persons or trust, possesses one or more of the following rights or entitlements in such reporting company, namely:-

1. holds indirectly, or together with any direct holdings, not less than ten per cent. of the shares;
2. holds indirectly, or together with any direct holdings, not less than ten per cent. of the voting rights in the shares;
3. has right to receive or participate in not less than ten per cent. of the total distributable dividend, or any other distribution, in a financial year through indirect holdings alone, or together with any direct holdings;
4. has right to exercise, or actually exercises, significant influence or control, in any manner other than through direct holdings alone:

**Due Date:**

BEN-1 (shall be file by SBO to Company): Within 90 days from the date of notification i.e. on or before 08.05.2019

BEN-2 (shall be file by Company to ROC): Within 30 days from the date of receipt of declaration in Form No. BEN-1

***Remark: Currently Form BEN-1 & BEN-2 are not available on MCA Portal for filing with ROC.***