

ULTIMATE BENEFICIAL OWNERS (UBOS)



Identification, obtaining, and maintenance of information and reporting to SECP

1.	Send a notice to the company's members	<p>The company shall send notice to every member who directly holds at least twenty-five percent (25%) of shares or voting rights in the company or to the representative of every legal person or legal arrangement which holds at least twenty-five percent (25%) of shares or voting rights in the company.</p> <p>This notice was required to be sent to such members within 3 months of coming into force of section 123A. The objective of this notice is to identify and obtain the information of its ultimate beneficial owners (UBO)</p> <p>Definition of UBO – UBO means a natural person who ultimately owns or controls a company, whether directly or indirectly, through at least twenty-five percent (25%) shares or voting rights or by exercising effective control in that company through such other means, as may be specified.</p>	Form 42
2.	Obtain a declaration from UBOs	<p>This declaration is required to be received by the company within fourteen days of the notice.</p> <p>This declaration shall indicate the name, address, and other particulars to identify the UBO.</p> <p>Note: Any person becoming a new member subsequently shall also, within a period of fourteen days of his name being entered in the register of members, submit this declaration to the company.</p>	Form 43
3.	Change in particulars of UBOs	<p>Where any change occurs in the particulars of UBO or his ownership of the company, such person (UBO) shall, within a period of fourteen days from the date of any change, submit a declaration to the company, stating the nature of change and other particulars as mentioned therein</p>	Form 44

4.	Maintain a register of UBOs	<p>The following particulars and any change in such particulars are required to be timely and accurately recorded and updated in the register of UBOs:</p> <p>(i) Name (ii) Father's Name/Spouse's Name (iii) CNIC/NICOP/Passport No. along with the date of issue (iv) Nationality</p> <p>(v) Country of origin (in case of foreign national or dual national)</p> <p>(vi) Usual residential address (vii) Email address</p> <p>(viii) Date on which shareholding, control, or interest acquired in the company</p> <p>(ix) Date on which shareholding, control, or interest acquired in the company from a former UBO</p> <p>(x) In case of indirect shareholding, control, or interest being exercised through intermediary companies, entities, or other legal persons or legal arrangements in the chain of ownership or control, the company shall take reasonable measures to obtain names and particulars of the ultimate beneficial owner of the legal persons or arrangements, as specified below. If there is no natural person, it should obtain the particulars of the relevant natural person who holds the position of senior managing official</p> <p>(xi) Any other information incidental to or relevant to enable the company to evaluate this matter</p>	
5.	Provide a declaration to SECP of compliance with the provisions of section 123A	<p>Every company required to maintain a register of UBOs shall, within fifteen days from the receipt of the declaration, and thereafter along with its annual return, submit to the registrar concerned a declaration of compliance in pursuance</p> <p>Note: The board of directors of the company shall authorize its CEO or one of its directors or officers to provide to the registrar for verification purposes:</p> <ul style="list-style-type: none"> • the information required by the above authorities, • further assistance as may be required, and <p>The name and particulars of such an officer shall be furnished to the registrar along with the declaration specified hereinabove</p>	Form 45
Penalty for noncompliance		<ul style="list-style-type: none"> • Director or any officer of the company can be penalized to a fine that may extend to Rs. one million rupees; and • The company can be penalized with a fine that may extend to Rs. ten million rupees. 	