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## Notifications

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### RESERVE BANK OF INDIA

**Date:** Jun 27, 2014

#### **Inter-Governmental Agreement (IGA) with United States of America (US) under Foreign Accounts Tax Compliance Act (FATCA)- Registration**

**RBI/2013-14/668**  
**DBOD. AML. No. 20472/14.07.018/2013-14**

**June 27, 2014**

#### **The Chairpersons / CEOs of all Scheduled Commercial Banks (Excluding RRBs)/Local Area Banks / All India Financial Institutions**

Dear Madam/Sir,

#### **Inter-Governmental Agreement (IGA) with United States of America (US) under Foreign Accounts Tax Compliance Act (FATCA)- Registration**

Government of India (GoI), has advised that India and US have reached an agreement in substance on the terms of an Inter-Governmental Agreement (IGA) to implement FATCA and India is now treated as having an IGA in effect from April 11, 2014. However, IGA would be signed only after the approval of Cabinet.

2. In this regard, Indian Financial Institutions are advised to take note of the following:

- a. Indian Financial Institutions would have time upto December 31, 2014 to register with US authorities and obtain a Global Intermediary Identification Number (GIIN).
- b. Indian Financial Institutions having overseas branches in Model 1 jurisdictions, including those jurisdictions where an agreement under Model I has been reached in substance would have time upto December 31, 2014 to register with US authorities and obtain a GIIN. Since IGA would be signed after obtaining the approval of the Cabinet, such financial institutions having overseas branches in Model 1 jurisdictions should register only after the formal IGA is signed. This will be communicated in due course.
- c. Overseas branches of Indian Financial Institutions in a jurisdiction having IGA 2 agreement or in a jurisdiction that does not have an IGA but permits financial institutions to register and agree to an FFI agreement, may register with US authorities and obtain a GIIN before July 1, 2014, to avoid potential withholding under FATCA.
- d. Overseas branches of Indian Financial Institutions in jurisdiction that does not have a IGA and does not permit financial institutions to register and agree to an Foreign Financial Institution (FFI) agreement may not register and their overseas branches would eventually be subject to withholding under FATCA.
- e. GoI has further advised that if registration of the parent bank/ head office is a pre-requisite for a branch to register, such banks may register as per the time line indicated at (b) and (c) above.

3. Kindly acknowledge receipt of this circular.

Yours faithfully,

 (Lily Vadera)  
 Chief General Manager

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