

Response to Stakeholder / Public comments on the proposed amendments to PFRDA (Trustee Bank) Regulations, 2015

[The Pension Fund Regulatory and Development Authority (Trustee Bank) (Amendment) Regulations, 2023 have been notified in the Gazette of India on 09.02.2024]

S. No.	Subject Matter	Stakeholder / Public comments	Response to stakeholder / public comments
1	<p>Disclosure of Information</p> <p>“The applicant shall submit to the Authority any material changes in the information furnished during pendency of the application, within seven days of occurrence of such changes.”</p>	<p>seven days may be considered as seven working days</p>	<p>Calendar days have been preferred over Working days considering uniformity and standardization across different regions or entities. It simplifies the understanding of timeframes as working days might vary based on local customs, holidays, or norms. Further, calendar days provide an unambiguous measure of time.</p>
2	<p>Submission of a certificate evidencing compliance with eligibility conditions. Such certificate to be put up before board.</p> <p>“For this purpose, the trustee bank shall submit a certificate evidencing compliance with eligibility conditions. Such certificate shall be placed before its board and its observations, if any, along with explanation thereon, shall be submitted to the Authority, within sixty days from the end of the financial year or for such period determined by the Authority”</p>	<p>Clarification required with respect to the point 'resolution remarks on its Board's observations'.</p>	<p>The regulation provides for submission of a certificate evidencing compliance with eligibility conditions, Further, it also provides that such certificate shall be placed before its board and its observations, if any, along with explanation thereon, shall be submitted to the Authority, within sixty days from the end of the financial year or for such period determined by the Authority.</p>

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3	<p>Payment of Compensation to subscribers by Trustee Bank</p> <p>“Provided that there shall be no requirement of any loss or inconvenience to be proved on the part of the subscriber.”</p>	<p>Clarification required with respect to the clause, as both parties should be given equal chance of representation.</p>	<p>The regulation concerns the payment of compensation by the Trustee Bank in cases where it fails to meet the service standards outlined in the service level agreement or any guidelines issued by the Authority. According to this agreement, compensation is already specified for instances where timelines are not met for specific activities. In these cases, the compensation should be paid without requiring proof of loss or inconvenience to the subscriber.</p>
4	<p>“The Trustee Bank shall file with National Pension System Trust</p> <p>(a) Bio-data of all its directors along with their interest in other companies within fifteen days of their appointment; and(b) any change in the interests of directors at every six months.”</p>	<p>If this can be discontinued</p>	<p>To have transparency and to avoid potential conflict of interest, the regulation has been retained.</p>

"Note: The information and statements provided in the above document are tentative, all concerned are advised to refer to the amendment to regulations notified in the Official Gazette, for further guidance on the matter."