



# **AMC Repo Clearing Limited**

## **DATA RETENTION AND ARCHIVAL POLICY**

**Version 1.1**

## 1 INTRODUCTION

This policy deals with the retention and archival of the corporate records of AMC Repo Clearing Limited (hereinafter referred to as **“ARCL”** or **“the Company”**).

Regulation 9 of the Securities Exchange Board of India (Listing Obligation and Disclosure Requirements) Regulations, 2015 (hereinafter referred to as **“SEBI LODR Regulations 2015”**) requires the Company to frame a policy on preservation of documents. Further, Regulation 30(8) of SEBI LODR Regulations 2015 requires the Company to frame a Policy on website disclosure and archival of such disclosures. As per Regulations 40 of Securities Contracts (Regulation) (Stock Exchanges and Clearing Corporations) Regulations, 2018 (hereinafter referred to as **“SECC Regulations”**), every recognised clearing corporation is required to maintain book of accounts and other documents for a minimum period of eight years.

## 2 PURPOSE

The purpose of this policy is to establish the framework needed for effective management of the documents and set principles for the Company’s approach to preserving them. In order to efficiently conduct its business, the storage, retrieval and management of documents is critical.

## 3 OBJECTIVE

This policy sets the standard for classifying, managing and storing of records of the Company. The Purpose of this policy is to establish a framework for effective record management and the process or subsequent archival of such records.

## 4 PRESERVATION OF DOCUMENTS

To bring more clarity to the policy, records /documents need to be categorized in different bucket of retention period in alignment with the provisions contained in various statutory /regulatory guidelines, nature of documents and operational /legal /administrative requirements etc. It will also provide better understanding and convenience to employees while defining retention period for records pertaining to their area of operations. Retention period prescribed hereunder for other than ‘permanent’ category is minimum period of retention. ARCL may consider preserving the record for longer retention period depending upon operational/legal requirements.

The Company shall maintain two categories of documents to be preserved as specified hereunder: -

### Category (A)

Documents whose preservation shall be permanent in nature shall be maintained and preserved permanently by the Company subject to the modifications, amendments, addition, deletion or any changes made therein from time to time.

#### List of documents to be permanently preserved: -

- i. All documents and Information originally filed with ROC for Incorporation of Company.
- ii. Memorandum of Association, Articles of Association, Bye Laws, Rules and Regulations as originally filed and updated from time to time.
- iii. Shareholder Agreement executed with shareholders.

- iv. Agreements executed with depositories, clearing banks, stock exchanges, recognized clearing corporations and various other entities providing services to ARCL.
- v. Holding Statements from RTA, Minutes of Annual General Meeting / Extra-ordinary General Meeting.
- vi. Minutes of Board Meeting.
- vii. Minutes of various Committee Meetings.
- viii. Registers viz. Loans/Investments/Guarantees/Security, Contracts in which Directors are interested and Charges.
- ix. Any other document as may be required to maintain in terms of applicable law(s), maintained and preserved from time to time.

Provided that all such modifications, amendments, addition or deletion in the documents shall also be preserved permanently by the Company.

### Category (B)

#### Documents with preservation period of not less than eight years after completion of the relevant transactions:

The documents of the company to be maintained and preserved for specified time period after completion of the relevant transactions as listed below shall be preserved by the Company for the term not less than eight years after completion of the relevant transactions subject to the modifications, amendments, addition, deletion or any changes made therein from time to time: -

- i. Books of Accounts
- ii. Annual Return(s)
- iii. Holding Statement from RTA, if any.
- iv. Register of Directors and Key Managerial Personnel and their shareholdings.
- v. Tax related records and documents
- vi. Any other document as may be required to maintain in terms of applicable law(s), maintained and preserved from time to time
- vii. Record of clearing members showing their full names, addresses and details of bank and depository accounts for settlement purposes;
- viii. Transaction records;
- ix. Record of security deposits;
- x. Margin deposits book;
- xi. Client margin collection details;
- xii. Bank account statement;
- xiii. Such other books of accounts and documents as may be specified by the Board from time to time.
- xiv. Provided that all such modifications, amendments, addition or deletion in the documents shall also be preserved for a term not less than eight years.

### Category (C)

#### Documents not falling under the aforesaid Category A or Category B

Records for which retention period is not prescribed by statute, Records and Registers where transactions are internal in nature and not included in Category A and B shall be preserved for a term not less than 8 years.

## Mode of Retention or Preservation

Subject to the provisions of this policy, Acts, Regulations and the applicable laws, the documents may be preserved in physical or in electronic form.

## Mode of destruction

Subject to the provisions of this Policy, Act, Regulations and the applicable law and with the prior approval of the Board, the Company may destroy agreements, registers, returns and other documents which do not fall under Category A or Category B.

## 5 PROCEDURE FOR DISPOSAL OF DOCUMENTS

After the expiry of the period of preservation of documents as mentioned in this policy, the relevant documents may be destroyed by the Company. The details of the documents proposed to be destroyed shall be circulated by the respective functional head to the Company Secretary, prior to such disposal, in a format as prescribed under Schedule A. The Company Secretary shall (a) place the details of documents so destroyed at the ensuing Board meeting of the Company for noting and (b) record the details in the Register (defined below).

## 6 DATA ARCHIVAL

The Company shall disclose on its website all such events and information which needs to be disclosed under Regulation 30 of the Listing Regulations. Such disclosures shall be posted on the website of the Company for a period of eight years.

After eight years, such disclosures shall be removed from the Company's website and preserved by the Company. Such disclosures shall be preserved in a logical manner viz. as per nature/date of the disclosure, etc. to facilitate easy retrieval as and when required. The disclosures shall be preserved in a non-editable format for a further period of eight years ("Preservation Period"). After the Preservation Period, such archives would be deleted/removed after obtaining approval of the Chairman & Managing Director.

## 7 AMENDMENT

Any change in the Policy shall be approved by the Board of Directors of the Company. The Board of Directors shall have the right to withdraw and/or amend any part of this Policy or the entire Policy, at any time, as it deems fit, or from time to time, and decision of this respect shall be final and binding.

## SCHEDULE A

### Register for Destruction of Records:

| Sr. No. | Particulars of documents destroyed | Date and mode of destruction | Authenticated by: Signature, Name & Designation |
|---------|------------------------------------|------------------------------|---|
|         |                                    |                              |   |
|         |                                    |                              |   |