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| <p><b>AMABWIRIZA RUSANGE N° 57/2023 YO KU WA 27/03/2023 AGENA IBIGENDERWAHO MU GUTANGA URUHUSHYA N'IBINDI BISABWA IBIGO BY'IMARI ICIRIRITSE BYAKIRA AMAFARANGA ABITSWA</b></p> <p><b><u>UMUTWE WA MBERE:</u> INGINGO RUSANGE</b></p> <p><b><u>Ingingo ya mbere:</u> Icyo aya mabwiriza agamije</b></p> <p><b><u>Ingingo ya 2:</u> Isobanura</b></p> <p><b><u>UMUTWE WA II:</u> IBIGENDERWAHO MU GUTANGA URUHUSHYA</b></p> <p><b><u>Icyiciro cya mbere:</u> Ibisabwa mu gutanga uruhushya</b></p> <p><b><u>Ingingo ya 3:</u> Imari shingiro itagibwa munsu</b></p> <p><b><u>Ingingo ya 4:</u> Imiterere y'imari shingiro</b></p> <p><b><u>Ingingo ya 5:</u> Ibyihariye Banki Nkuru yibandaho mu gutanga uruhushya</b></p> <p><b><u>Icyiciro cya 2:</u> Uburyo bukoreshwa mu gutanga uruhushya</b></p> | <p><b>REGULATION N° 57/2023 OF 27/03/2023 ESTABLISHING LICENSING REQUIREMENTS AND OTHER CONDITIONS FOR DEPOSIT-TAKING MICROFINANCE INSTITUTIONS</b></p> <p><b><u>CHAPTER ONE:</u> GENERAL PROVISIONS</b></p> <p><b><u>Article one:</u> Purpose of this regulation</b></p> <p><b><u>Article 2:</u> Interpretation</b></p> <p><b><u>CHAPTER II:</u> REQUIREMENTS FOR LICENSING</b></p> <p><b><u>Section One:</u> Licensing conditions</b></p> <p><b><u>Article 3:</u> Minimum paid up capital</b></p> <p><b><u>Article 4:</u> Capital structure</b></p> <p><b><u>Article 5:</u> Specific considerations by the Central Bank in licensing</b></p> <p><b><u>Section 2:</u> Licensing procedures</b></p> | <p><b>RÈGLEMENT N° 57/2023 DU 27/03/2023 PORTANT CONDITIONS D'AGRÈMENT ET AUTRES EXIGENCES AUX INSTITUTIONS DE MICROFINANCE DE DÉPÔT</b></p> <p><b><u>CHAPITRE PREMIER:</u> DISPOSITIONS GÉNÉRALES</b></p> <p><b><u>Article premier:</u> Objet du présent règlement</b></p> <p><b><u>Article 2:</u> Interprétation</b></p> <p><b><u>CHAPITRE II:</u> EXIGENCES D'AGRÈMENT</b></p> <p><b><u>Section première:</u> Conditions d'agrément</b></p> <p><b><u>Article 3:</u> Capital libéré minimum</b></p> <p><b><u>Article 4:</u> Structure du capital</b></p> <p><b><u>Article 5:</u> Considérations spécifiques de la Banque Centrale en matière d'agreements</b></p> <p><b><u>Section 2:</u> Procédures d'agrément</b></p> |
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| <b><u>Ingingo ya 6:</u></b> Gusaba uruhushya                                                                 | <b><u>Article 6:</u></b> Application for a license                                                 | <b><u>Article 6:</u></b> Demande d'agrément                                                             |
| <b><u>Ingingo ya 7:</u></b> Amakuru n'inyandiko bisabwa                                                      | <b><u>Article 7:</u></b> Information and supporting documents                                      | <b><u>Article 7:</u></b> Information et documents d'appui                                               |
| <b><u>Ingingo ya 8:</u></b> Ibisabwa byihariye kuri sosiyete yabyawe n'indi y'inyamahanga                    | <b><u>Article 8:</u></b> Specific required information for a subsidiary of the foreign institution | <b><u>Article 8:</u></b> Informations spécifiques requises pour une filiale d'une institution étrangère |
| <b><u>Ingingo ya 9:</u></b> Kumenyesha kwakirwa k'ubusabe                                                    | <b><u>Article 9:</u></b> Notice of acknowledgement                                                 | <b><u>Article 9:</u></b> Avis de réception                                                              |
| <b><u>Ingingo ya 10:</u></b> Isesengura ry'ubusabe                                                           | <b><u>Article 10:</u></b> Analysis of the application                                              | <b><u>Article 10:</u></b> Analyse de la demande                                                         |
| <b><u>Ingingo ya 11:</u></b> Igihe cyo gusubiza uwasabye n'icyemezo cya Banki Nkuru                          | <b><u>Article 11:</u></b> Period to respond to the applicant and the Central Bank decision         | <b><u>Article 11:</u></b> Délai pour répondre au demandeur et la décision de la Banque Centrale         |
| <b><u>Ingingo ya 12:</u></b> Ibisabwa by'inyongera                                                           | <b><u>Article 12:</u></b> Additional requirements                                                  | <b><u>Article 12:</u></b> Exigences supplémentaires                                                     |
| <b><u>Ingingo ya 13:</u></b> Igenzura ry'aho ikigo cy'imari iciriritse cyakira amafaranga abitswa kizakorera | <b><u>Article 13:</u></b> Onsite visit of premises                                                 | <b><u>Article 13:</u></b> Visite sur les lieux abritant l'activité                                      |
| <b><u>Ingingo ya 14:</u></b> Igihe uruhushya rumara no kurumanika ahagaragara                                | <b><u>Article 14:</u></b> Duration and display of license                                          | <b><u>Article 14:</u></b> Durée et affichage de l'agrément                                              |
| <b><u>Ingingo ya 15:</u></b> Guhindura amazina n'ibirango                                                    | <b><u>Article 15:</u></b> Change of corporate name and logo                                        | <b><u>Article 15:</u></b> Changement des noms et de logo                                                |
| <b><u>Ingingo ya 16:</u></b> Amafaranga atangwa ku ruhushya no ku bugenzuzi                                  | <b><u>Article 16:</u></b> License and supervision fee                                              | <b><u>Article 16:</u></b> Frais d'agrément et de supervision                                            |

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| <p><b>UMUTWE WA III: IBINDI BISABWA IBIGO BY'IMARI ICIRIRITSE BIFITE URUHUSHYA RWO GUKORA</b></p> <p><b><u>Icyiciro cya Mbere:</u></b> Ibisabwa mu miterere imigabane igaragara n'iyegukana ry'ikigo</p> <p><b><u>Ingingo ya 17:</u></b> Imiterere y'imigabane</p> <p><b><u>Ingingo ya 18:</u></b> Isaba rikozwe na Sosiye y'imari iciriritse yakira amafaranga abitswa ryo kongera, kwegukana cyangwa guhererekanya imigabane</p> <p><b><u>Ingingo ya 19:</u></b> Impamvu zituma Banki Nkuru yanga ubusabe bwo kongera, kwegukana cyangwa guhererekanya imigabane</p> <p><b><u>Ingingo ya 20:</u></b> Inshingano zigomba kubahirizwa n'abafite imigabane igaragara</p> <p><b><u>Ingingo ya 21:</u></b> Kubuzwa kuvana imigabane muri koperative y'imari iciriritse yakira amafaranga abitswa</p> <p><b><u>Ingingo ya 22:</u></b> Ibubujijwe ku mikoreshereze y'imigabane y'ikigo cy'imari iciriritse cyakira amafaranga abitswa nk'ingwate</p> | <p><b>CHAPTER III: OTHER REGULATORY REQUIREMENTS FOR LINCENSED DEPOSIT-TAKING FINANCIAL INSTITUTIONS</b></p> <p><b><u>Section One:</u></b> Requirements for significant shareholding and acquisition</p> <p><b><u>Article 17:</u></b> Shareholding structure</p> <p><b><u>Article 18:</u></b> Application of deposit-taking microfinance company for an increase, acquisition or transfer of shares</p> <p><b><u>Article 19:</u></b> Grounds for rejection by Central Bank of an application for an increase, acquisition or transfer of shares</p> <p><b><u>Article 20:</u></b> Obligations imposed on shareholders with significant shareholding</p> <p><b><u>Article 21:</u></b> Prohibition to withdraw shares from a deposit taking microfinance cooperative</p> <p><b><u>Article 22:</u></b> Restriction on the use of deposit-taking microfinance institution shares as a collateral</p> | <p><b>CHAPITRE III: AUTRES EXIGENCES RÉGLEMENTAIRES APPLICABLES AUX INSTITUTIONS FINANCIÈRES DE DÉPÔT AGRÉÉES</b></p> <p><b><u>Section première:</u></b> Exigences d'actionnariat important et acquisition</p> <p><b><u>Article 17:</u></b> Structure de l'actionnariat</p> <p><b><u>Article 18:</u></b> Demande de la société de microfinance de dépôt d'augmentation, d'acquisition ou de transfert d'actions</p> <p><b><u>Article 19:</u></b> Motifs de rejet par la Banque Centrale d'une demande d'augmentation, d'acquisition ou de transfert d'actions</p> <p><b><u>Article 20:</u></b> Obligations imposées aux actionnaires détenant des actions significatives</p> <p><b><u>Article 21:</u></b> Interdiction de retirer des actions d'une coopérative de microfinance de dépôt</p> <p><b><u>Article 22:</u></b> Restriction sur l'utilisation des actions comme garantie par l'institution de microfinance de dépôt</p> |
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| <b><u>Ingingo ya 23:</u></b> Kumenyesha ko amabwiriza atubahirijwe                            | <b><u>Article 23:</u></b> Disclosure of violation                                   | <b><u>Article 23:</u></b> Dénonciation de violation                                 |
| <b><u>Icyiciro cya 2:</u></b> Ibisabwa mu kwihuza cyangwa kwibumbira hamwe                    | <b><u>Section 2:</u></b> Requirements for merger or amalgamation                    | <b><u>Section 2:</u></b> Conditions de fusion                                       |
| <b><u>Ingingo ya 24:</u></b> Gusaba iyegukana, ukwibumbira hamwe cyangwa ikomatanya           | <b><u>Article 24:</u></b> Application for acquisition, amalgamation or merger       | <b><u>Article 24:</u></b> Demande de fusion et acquisition                          |
| <b><u>Ingingo ya 25:</u></b> Isuzuma ribanziriza kwemererwa                                   | <b><u>Article 25:</u></b> Pre-approval assessment                                   | <b><u>Article 25:</u></b> Évaluation préalable à l'approbation                      |
| <b><u>Ingingo ya 26:</u></b> Kwemerera iyegukana, ikomatanya cyangwa ukwibumbira hamwe        | <b><u>Article 26:</u></b> Final approval of the acquisition, merger or amalgamation | <b><u>Article 26:</u></b> Approbation définitive de l'acquisition ou de fusion      |
| <b><u>Ingingo ya 27:</u></b> Ibisabwa nyuma y'iyegukana, ikomatanya cyangwa ukwibumbira hamwe | <b><u>Article 27:</u></b> Post acquisition, merger or amalgamation requirements     | <b><u>Article 27:</u></b> Conditions exigées après l'acquisition ou fusion          |
| <b><u>Icyiciro cya 3:</u></b> Ibisabwa ku gufungura no gufunga ahakorerwa ubucuruzi           | <b><u>Section 3:</u></b> Requirements for opening and closing a place of business   | <b><u>Section 3:</u></b> Exigences d'ouverture et de fermeture d'un lieu d'activité |
| <b><u>Ingingo ya 28:</u></b> Gufungura ahakorerwa ubucuruzi                                   | <b><u>Article 28:</u></b> Opening a place of business                               | <b><u>Article 28:</u></b> Ouverture d'un lieu d'activité                            |
| <b><u>Ingingo ya 29:</u></b> Kwimura cyangwa gufunga aho gukorera ibikorwa                    | <b><u>Article 29:</u></b> Relocation or closure of a place of business              | <b><u>Article 29:</u></b> Déménagement ou fermeture d'un lieu d'activité            |
| <b><u>Ingingo ya 30:</u></b> Kunanirwa gutangira ibikorwa                                     | <b><u>Article 30:</u></b> Failure to commence operations                            | <b><u>Article 30:</u></b> Incapacité de débiter les activités                       |
| <b>UMUTWE WA IV: INGINGO ZINYURANYE N'IZISOZA</b>                                             | <b>CHAPTER IV: MISCELLANEOUS AND FINAL PROVISIONS</b>                               | <b>CHAPITRE IV: DISPOSITIONS DIVERSES ET FINALES</b>                                |

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| <b><u>Ingingo ya 31:</u></b> Guhindura imiterere y'ikigo cy'imari iciriritse cyakira amafaranga abitswa | <b><u>Article 31:</u></b> Transformation of a deposit-taking microfinance institution | <b><u>Article 31:</u></b> Transformation d'une institution de microfinance de dépôt |
| <b><u>Ingingo ya 32:</u></b> Inyandiko zigomba kumenyeshwa Banki Nkuru                                  | <b><u>Article 32:</u></b> Documents requiring notification to the Central Bank        | <b><u>Article 32:</u></b> Documents exigeant la notification à la Banque Centrale   |
| <b><u>Ingingo ya 33:</u></b> Kubahiriza imari shingiro nshyashya                                        | <b><u>Article 33:</u></b> Compliance with the new minimum paid up capital             | <b><u>Article 33:</u></b> Conformité au nouveau niveau du capital minimum libéré    |
| <b><u>Ingingo ya 34:</u></b> Guha agaciro ibyakozwe mbere y'aya mabwiriza rusange                       | <b><u>Article 34:</u></b> Validation of actions performed before this regulation      | <b><u>Article 34:</u></b> Validation des actions réalisées avant ce règlement       |
| <b><u>Ingingo ya 35:</u></b> Ingingo y'ururimi                                                          | <b><u>Article 35:</u></b> Language provision                                          | <b><u>Article 35:</u></b> Disposition linguistique                                  |
| <b><u>Ingingo ya 36:</u></b> Ingingo ivanaho                                                            | <b><u>Article 36:</u></b> Repealing provision                                         | <b><u>Article 36:</u></b> Disposition abrogatoire                                   |
| <b><u>Ingingo ya 37:</u></b> Gutangira gukurikizwa                                                      | <b><u>Article 37:</u></b> Entry into force                                            | <b><u>Article 37:</u></b> Entre en vigueur                                          |

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| <p><b>AMABWIRIZA RUSANGE N° 57/2023 YO KU WA 27/03/2023 AGENA IBIGENDERWAHO MU GUTANGA URUHUSHYA N'IBINDI BISABWA IBIGO BY'IMARI ICIRIRITSE BYAKIRA AMAFARANGA ABITSWA</b></p> <p><b>Banki Nkuru y'u Rwanda;</b></p> <p>Ishingiye ku Itegeko n° 48/2017 ryo ku wa 23/09/2017 rigenga Banki Nkuru y'u Rwanda nk'uko ryahinduwe kugeza ubu, cyane cyane mu ngingo zaryo, iya 6, iya 6bis, iya 8, iya 9, iya 10 n'ya 15;</p> <p>Ishingiye ku Itegeko n° 072/2021 ryo ku wa 05/11/2021 rigenga ibigo by'imari iciriritse byakira amafaranga abitswa, cyane cyane mu ngingo zaryo, iya 5, iya 6, iya 8, iya 18, iya 99 n'ya 100;</p> <p>Isubiye ku mabwiriza rusange n° 02/2009 yo ku wa 27/05/2009 yerekeye imitunganyirize y'imikorere y' ibigo by'imari iciriritse;</p> <p><b>ISHYIZEHO AMABWIRIZA RUSANGE AKURIKIRA:</b></p> | <p><b>REGULATION N° 57/2023 OF 27/03/2023 ESTABLISHING LICENSING REQUIREMENTS AND OTHER CONDITIONS FOR DEPOSIT-TAKING MICROFINANCE INSTITUTIONS</b></p> <p><b>The National Bank of Rwanda;</b></p> <p>Pursuant to Law n° 48/2017 of 23/09/2017 governing the National Bank of Rwanda as amended to date, especially in Articles 6, 6 bis, 8, 9, 10 and 15;</p> <p>Pursuant to Law n° 072/2021 of 05/11/2021 governing deposit-taking microfinance institutions, especially in Articles 5, 6, 8, 18, 99 and 100;</p> <p>Having reviewed regulation n° 02/2009 of 27/05/2009 on the organisation of microfinance activity;</p> <p><b>ISSUES THE FOLLOWING REGULATION:</b></p> | <p><b>RÈGLEMENT N° 57/2023 DU 27/03/2023 PORTANT CONDITIONS D'AGRÈMENT ET AUTRES EXIGENCES AUX INSTITUTIONS DE MICROFINANCE DE DÉPÔT</b></p> <p><b>La Banque Nationale du Rwanda;</b></p> <p>Vu la Loi n° 48/2017 du 23/09/2017 régissant la Banque Nationale du Rwanda telle que modifiée à ce jour, spécialement en ses articles 6, 6bis, 8, 9, 10 et 15;</p> <p>Vu la Loi n° 072/2021 du 05/11/2021 régissant les institutions de microfinance de dépôt, spécialement en ses articles 5, 6, 8, 18, 99 et 100;</p> <p>Revue le règlement n° 02/2009 du 27/05/2009 relatif a l'organisation de l'activite de microfinance;</p> <p><b>ÉDICTE LE PRÉSENT RÈGLEMENT :</b></p> |
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| <b>UMUTWE WA MBERE: INGINGO<br/>RUSANGE</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>CHAPTER ONE: GENERAL<br/>PROVISIONS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <b>CHAPITRE PREMIER: DISPOSITIONS<br/>GÉNÉRALES</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
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| <p><b><u>Ingingo ya mbere:</u></b> Icyo aya mabwiriza agamije</p> <p>Aya mabwiriza rusange ashiraho ibisabwa n’uburyo Banki Nkuru iha usabye uruhushya rwo gukora nk’ikigo cy’imari iciriritse cyakira amafaranga abitswa.</p> <p><b><u>Ingingo ya 2:</u></b> Isobanura</p> <p>Muri aya mabwiriza rusange:</p> <p>(a) “Banki Nkuru” bivuga Banki Nkuru y’u Rwanda, urwego rw’ubugenzuzi;</p> <p>(b) “ikigo cy’imari iciriritse cyakira amafaranga abitswa” bivuga ikigo cy’imari iciriritse cyakira amafaranga y’abaturage cyangwa ay’abanyamuryango bacyo;</p> <p>(c) «isosiye y’imari iciriritse yakira amafaranga abitswa» bivuga isosiye</p> | <p><b><u>Article One:</u></b> Purpose of this regulation</p> <p>This regulation establishes requirements and procedures for the Central Bank to grant license to the applicant for operating as deposit-taking microfinance institution.</p> <p><b><u>Article 2:</u></b> Interpretation</p> <p>In this regulation:</p> <p>(a) “Central Bank” means the National Bank of Rwanda, the supervisory authority;</p> <p>(b) “deposit-taking microfinance institution” means a microfinance institution taking deposits from the public or its members;</p> <p>(c) “deposit-taking microfinance company” means a public company limited by</p> | <p><b><u>Article premier:</u></b> Objet du présent règlement</p> <p>Le présent règlement établit les exigences et les procédures à suivre pour que la Banque Centrale octroie l’agrément au requérant désirant opérer en tant qu’institution de microfinance de dépôt.</p> <p><b><u>Article 2:</u></b> Interprétation</p> <p>Dans le présent règlement:</p> <p>(a) «Banque Centrale» signifie la Banque Nationale du Rwanda, l’autorité de contrôle;</p> <p>(b) «institution de microfinance de dépôt» signifie une institution de microfinance qui accepte des dépôts du public ou de ses membres;</p> <p>(c) «société de microfinance de dépôt» signifie une société anonyme par</p> |

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| <p>ifite uburyozwe bugarukira ku migabane, yemerewe gukora imirimo yo kwakira amafaranga abitswa no gutanga inguzanyo;</p>                                                                 | <p>shares, licensed to undertake activities of accepting deposits and granting loans;</p>                                                                                | <p>actions, habilitée à exercer des activités d'acceptation de dépôts et d'octroi de crédits;</p>                                                                                    |
| <p>(d) «koperative y'imari iciriritse yakira amafaranga abitswa» bivuga koperative yemerewe gukora nka koperative yo kuzigama no kuguriza;</p>                                             | <p>(d) “deposit-taking microfinance cooperative” means a cooperative licensed as a savings and credit cooperative;</p>                                                   | <p>(d) «coopérative de microfinance de dépôt» signifie une coopérative agréée comme coopérative d'épargne et de crédit;</p>                                                          |
| <p>(e) “inyandiko z'imari zagenzuwe” bivuga inyandiko z'imari zerekana uko imari ihagaze mu kigo zagize icyo zivugwaho n'umugenzuzi wigenga;</p>                                           | <p>(e) “audited financial statements” means financial statements for which a professional opinion has been issued by an external auditor;</p>                            | <p>(e) «états financiers audités» signifie les états financiers pour lesquels une opinion professionnelle a été émise par un auditeur externe;</p>                                   |
| <p>(f) “uri mu nama y'ubutegetsi nshingwabikorwa” bivuga umwe mu bagize inama y'ubutegetsi unafite inshingano z'ubuyobozi mu kigo cy'imari iciriritse cyakira amafaranga abitswa;</p>      | <p>(f) “executive director” means a member of the board of directors who also has management responsibilities within the deposit-taking microfinance institution;</p>    | <p>(f) «administrateur exécutif» signifie membre du conseil d'administration qui a également des responsabilités de direction au sein de l'institution de microfinance de dépôt;</p> |
| <p>(g) “abagize ubuyobozi” bivuga abakozi bari mu buyobozi bukuru, bari ku rwego rwo hejuru cyangwa abakozi b'ingenzi b'ikigo cy'imari iciriritse cyakira amafaranga abitswa, harimo -</p> | <p>(g) “member of management” means the management personnel, which are the high-level or key executives of the deposit-taking microfinance institution, including –</p> | <p>(g) «membre de la direction» signifie le personnel de direction qui sont les cadres supérieurs de l'institution de microfinance de dépôt, y compris –</p>                         |

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| <p>(i) umuyobozi mukuru;</p> <p>(ii) abakozi bo mu buyobozi bukuru batanga raporo ku nama y'ubutegetsi cyangwa ku makomite y'inama y'ubutegetsi; na</p> <p>(iii) abakozi bo mu buyobozi bukuru batanga raporo ku muyobozi mukuru.</p> <p>(h) “uri mu nama y'ubutegetsi utari nshingwabikorwa” bivuga umwe mu bagize inama y'ubutegetsi ariko udafite inshingano z'ubuyobozi mu kigo cy'imari iciriritse cyakira amafaranga abitswa;</p> <p>(i) “isosiyete mbyeyi” bivuga isosiyete ifite imigabane cyangwa uburenganzira bwo gutora biri hejuru ya 50% mu kigo cy'imari iciriritse cyakira amafaranga abitswa;</p> | <p>(i) the chief executive officer (CEO) /Managing Director (MD);</p> <p>(ii) senior executives reporting to the board of directors or to the board committees; and</p> <p>(iii) senior executives reporting to the chief executive officer (CEO) or Managing Director (MD).</p> <p>(h) “non-executive director” means a member of the board of directors but who does not have management responsibilities within the deposit-taking microfinance institution;</p> <p>(i) “parent company” means a company, which holds more than 50% of shareholding or voting rights in a deposit-taking microfinance institution;</p> | <p>(i) le directeur général (DG);</p> <p>(ii) les cadres supérieurs répondant au conseil d'administration ou aux comités du conseil d'administration ; et</p> <p>(iii) les cadres supérieurs répondant au directeur général (DG).</p> <p>(h) «administrateur non-exécutif» signifie membre du conseil d'administration mais qui n'a pas des responsabilités de direction au sein de l'institution de microfinance de dépôt ;</p> <p>(i) «société mère» signifie une société qui détient plus de 50% des droits de participation ou de vote dans une institution de microfinance de dépôt ;</p> |
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| <p>(j) “aho gukorera ibikorwa” bivuga ishami, agashami, ahantu hatangirwa serivisi z'imari zimwe na zimwe, ahatangirwa serivisi z'imari hagendanwa, imodoka itangirwamo serivisi z'imari, imashini yikoresha mu kubikuza amafaranga mu buryo bw'ikoranabuhanga (ATM) cyangwa ahandi hose ikigo cy'imari iciriritse cyakira amafaranga abitswa gikorera bimwe cyangwa byose mu bikorwa;</p> <p>(k) “umuntu ufitanye isano n'ikigo” hakubiyemo, bitabangamiye ibiteganywa n'itegeko rigenga ibigo by'imari iciriritse byakira amafaranga abitswa:</p> <p>(i) umunyamigabane ufite imigabane igaragara, ugize inama y'ubutegetsi, uri mu buyobozi, umukozi ndetse n'uwo bashakanye, uwo bafitanye isano itaziguye cyangwa iziguye kugeza ku gisanira cya kabiri muri sosiyete y'imari iciriritse yakira amafaranga abitswa;</p> | <p>(j) “place of business” means a branch, a subbranch, outlet, mobile branch, mobile van, Automated Teller Machine (ATM) or any other place where a deposit-taking microfinance institution carries out some or all of its business;</p> <p>(k) “related party” includes, without prejudice to the provisions of law governing deposit taking microfinance institutions:</p> <p>(i) a significant shareholder, member of board of directors, member of management, staff and their spouse, family member on direct line or collateral line up to the second degree in a deposit-taking microfinance company;</p> | <p>(j) «lieu d'activité» signifie une branche, une sousbranche, un point de vente, une branche mobile, un véhicule mobile, un guichet automatique (ATM) ou tout autre endroit où une institution de microfinance de dépôt effectue une partie ou la totalité de ses activités ;</p> <p>(k) «personne apparentée» comprend, sans préjudice aux dispositions de la loi régissant les institutions de microfinance de dépôt:</p> <p>(i) dans une société de microfinance de dépôt: un actionnaire important, un directeur, un membre de la direction, un membre du personnel et son époux, parent en ligne directe ou collatérale jusqu'au deuxième degré;</p> |
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| <p>(ii) ugize inama y'ubutegetsi, ugize komite zatowe, uri mu buyobozi, umukozi ndetse n'uwo bashakanye, uwo bafitanye isano itaziguye cyangwa iziguye kugeza ku gisanira cya kabiri muri koperative y'imari iciriritse yakira amafaranga abitswa.</p> <p>(l) "uruhare rugaragara" bivuga ububasha bwo kugira uruhare mu gufata ibyemezo ku mikorere na politiki byerekeranye n'imari y'ikigo cy'imari iciriritse cyakira amafaranga abitswa;</p> <p>(m) "kugira imigabane igaragara" bivuga imigabane umuntu afite mu kigo cy'imari iciriritse cyakira amafaranga abitswa ku buryo butaziguye cyangwa buziguye, ari wenyine cyangwa ari kumwe n'abandi ihwanye nibura na gatanu ku ijana (5%) y'imari shingiro yacyo cyangwa by'uburenganzira bwo gutora cyangwa imuhesha ububasha bwo kugira uruhare mu ifatwa ry'ibyemezo mu micungire y'ikigo;</p> | <p>(ii) a member of board of directors, member of elected committees, member of management, staff and their spouse, family member on direct line or collateral line up to the second degree in a deposit-taking microfinance cooperative.</p> <p>(l) "significant influence" means the power to participate in operating and financial policy decisions of a deposit-taking microfinance institution;</p> <p>(m) "significant shareholding" means shareholding in a deposit-taking microfinance institution where a person, directly or indirectly, whether alone or in conjunction with others, holds at least five per cent (5%) of the equity capital or voting rights of such institution or has a holding that enables the person to exercise significant influence in the management of the institution;</p> | <p>(ii) dans une coopérative de microfinance de dépôt: un directeur, un membre du comité élu, un membre de la direction, un membre du personnel et son époux, parent en ligne directe ou collatérale jusqu'au deuxième degré.</p> <p>(l) «influence significative» signifie le pouvoir de participer aux décisions des opérations et de la politique financière d'une institution de microfinance de dépôt;</p> <p>(m) «tenue des actions significatives» participation dans une institution de microfinance de dépôt lorsqu'une personne, directement ou indirectement, soit seule ou conjointement avec d'autres, détient au moins cinq pour cent (5%) du capital ou des droits de vote de cette institution ou a une participation qui permet à cette personne d'exercer une influence significative dans la gestion de l'institution ;</p> |
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| <p>(n) “isosiyete yabyawe n’indi” bivuga isosiyete ikigo cy’imari iciriritse cyakira amafaranga abitswa gifitemo imigabane irenga 50% cyangwa uburenganzira bugaragara bwo gutora ndetse n’ububasha bwo kugenzura;</p> <p>(o) “guhindura imiterere” bivuga koperative y’imari iciriritse yakira amafaranga abitswa ihinduka isosiyete y’imari iciriritse yakira amafaranga abitswa.</p> | <p>(n) “subsidiary” means a company in which a deposit-taking microfinance institution has a shareholding of more than 50% or voting rights with controlling powers;</p> <p>(o) “transformation” means a deposit-taking microfinance cooperative changing into a deposit-taking microfinance company.</p> | <p>(n) «filiale» signifie une société dans laquelle une institution de microfinance de dépôt détient une participation de plus de 50% ou des droits de vote avec pouvoir de contrôle ;</p> <p>(o) «transformation» signifie changement d’une coopérative de microfinance de dépôt à une société de microfinance de dépôt.</p> |
| <p><b><u>UMUTWE WA II: IBIGENDERWAHO MU GUTANGA URUHUSHYA</u></b></p>                                                                                                                                                                                                                                                                                                                   | <p><b><u>CHAPTER II: REQUIREMENTS FOR LICENSING</u></b></p>                                                                                                                                                                                                                                               | <p><b><u>CHAPITRE II: EXIGENCES D’AGRÉMENT</u></b></p>                                                                                                                                                                                                                                                                        |
| <p><b><u>Icyiciro cya mbere: Ibisabwa mu gutanga uruhushya</u></b></p>                                                                                                                                                                                                                                                                                                                  | <p><b><u>Section One: Licensing conditions</u></b></p>                                                                                                                                                                                                                                                    | <p><b><u>Section première: Conditions d’agrément</u></b></p>                                                                                                                                                                                                                                                                  |
| <p><b><u>Ingingo ya 3: Imari shingiro itagibwa muni</u></b></p>                                                                                                                                                                                                                                                                                                                         | <p><b><u>Article 3: Minimum paid up capital</u></b></p>                                                                                                                                                                                                                                                   | <p><b><u>Article 3: Capital libéré minimum</u></b></p>                                                                                                                                                                                                                                                                        |
| <p>(1) Imari shingiro itagibwa muni isabwa ni:</p> <p>(i) 1.000.000.000 FRW kuri sosiyete y’imari iciriritse yakira amafaranga abitswa;</p>                                                                                                                                                                                                                                             | <p>The required minimum paid up capital must be:</p> <p>(i) FRW 1,000,000,000 for deposit-taking microfinance company;</p>                                                                                                                                                                                | <p>(1) Le capital libéré minimum requis est:</p> <p>(i) 1.000.000.000 FRW pour la société de microfinance de dépôt;</p>                                                                                                                                                                                                       |

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| <p>(ii) 100.000.000 FRW kuri koperative y'imari iciriritse yakira amafaranga abitswa.</p> <p>(2) Usaba uruhushya agaragaza ubushobozi afite bwo guhorana imari shingiro igihe cyose idahungabanywa n'igihombo ku gipimo cyagenwe kandi akubahiriza igipimo cy'imari shingiro ihagije kigenwa hakurikije aya mabwiriza rusange.</p> <p>(3) Usaba uruhushya atanga inyandiko zihamya inkomoko y'amafaranga agize imari shingiro.</p>          | <p>(ii) FRW 100,000,000 for a deposit-taking microfinance cooperative.</p> <p>(3) The applicant for license demonstrates the ability to maintain its capital at all time unimpaired by losses at the prescribed minimum regulatory capital and to comply with the ongoing capital adequacy ratio established in accordance with this regulation.</p> <p>(4) The applicant submits the supporting documents evidencing the sources of capital funds.</p> | <p>(ii) 100.000.000 FRW pour la coopérative de microfinance de dépôt.</p> <p>(2) Le requérant démontre sa capacité à maintenir son capital à tout moment sans subir de pertes au capital réglementaire minimum prescrit et à se conformer au ratio d'adéquation du capital établi conformément au présent règlement.</p> <p>(3) Le requérant présente les pièces justificatives attestant les sources de financement.</p> |
| <p><b><u>Ingingo ya 4: Imiterere y'imari shingiro</u></b></p> <p>(1) Mu miterere y'imari shingiro y'ikigo cy'imari iciriritse cyakira amafaranga abitswa gisaba kwemererwa gukora hagomba kugaragaramo ugukorera mu mucyo guhagije kugira ngo byoroherewe Banki Nkuru gusuzuma abanyamigabane cyangwa abanyamuryango bafite uruhare rugaragara, baba abayishoye ku buryo buziguye ndetse n'ubutaziguye, ndetse n'ibigo bigishamikiyeho.</p> | <p><b><u>Article 4: Capital structure</u></b></p> <p>(1) There shall be sufficient transparency in the capital structure of the proposed deposit-taking microfinance institution so as to enable the Central Bank to evaluate the institution's significant direct and indirect shareholders or membership and their corporate affiliations.</p>                                                                                                        | <p><b><u>Article 4: Structure du capital</u></b></p> <p>(1) La structure du capital de l'institution de microfinance de dépôt proposée doit être suffisamment transparente pour permettre à la Banque Centrale d'évaluer des actionnaires ou membres importants directs et indirects de l'institution et leurs affiliations.</p>                                                                                          |

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| <p>(2) Banki Nkuru isuzuma imirimo ya kera y'ubucuruzi, yakozwe n'abafite imigabane igaragara, ubudakemwa bwabo n'uburyo bahagaze mu rubuga rw'abacuruzi, n'ubushobozi mu by'imari abashoye imigabane myinshi bose bafite n'ubushobozi bafite bwo kongera gutanga indi nkunga y'imari, biramutse bikenewe.</p> | <p>(2) The Central Bank reviews the significant shareholders' past business ventures, their integrity and standing in the business community, as well as the financial strength and their ability to provide further financial support, should it be needed.</p> | <p>(2) La Banque Centrale examine les activités antérieures des actionnaires importants, leur intégrité et la réputation dont ils jouissent dans le domaine des affaires, ainsi que la solidité financière de tous les actionnaires importants et leur capacité à fournir un soutien financier additionnel, en cas de besoin.</p> |
| <p>(3) Dosiye isaba kwemererwa gukora, ariko umwe mu bafite imigabane igaragara akaba atujuje ibisabwa mu bijyanye n'ubunyangamugayo n'ubushobozi, ntiyemererwa.</p>                                                                                                                                           | <p>(3) An application, in which one of the significant shareholders does not satisfy the fit and proper person criteria, shall be rejected.</p>                                                                                                                  | <p>(3) Une demande dans laquelle l'un des actionnaires importants ne remplit pas les critères d'intégrité et de compétences, est rejetée.</p>                                                                                                                                                                                     |
| <p>(4) Inkomoko y'imari shingiro y'ibanze igomba gushorwa n'indi mari iteganywa gushorwa igomba kumenyeshwa Banki Nkuru, kimwe n'ijanjisha ry'imigabane rya buri munyamigabane wese.</p>                                                                                                                       | <p>(4) The source of the initial capital to be invested and that of any future funding, shall be disclosed to the Central Bank, as well as the percentage shareholding of each shareholder.</p>                                                                  | <p>(4) La source du capital initial à investir et celle de tout financement futur sont communiquées à la Banque Centrale, ainsi que le pourcentage de participation de chaque actionnaire.</p>                                                                                                                                    |
| <p>(5) Buri munyamigabane ufite uruhare rugaragara yaba ari umuntu ku giti cy cyangwa ikigo, agomba kwemeza ko umutungo wifuzwa gushorwa udaturuka mu bikorwa bitemewe</p>                                                                                                                                     | <p>(5) Each proposed significant individual and institutional shareholder shall declare a statement to the effect that the proposed capital of funding is not from illegal, criminal and suspicious</p>                                                          | <p>(5) Chaque actionnaire important individuel et institutionnel proposé doit faire une déclaration, indiquant que le capital de financement proposé ne provient pas d'activités illégales,</p>                                                                                                                                   |

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| <p>n'amategeko, mu byaha no mu bikorwa bikemangwa nk'uko biteganwa ku mugereka wa 4 w'aya mabwiriza rusange.</p> <p>(6) Banki Nkuru ikora iperereza ku nkomoko y'iyo mari kugira ngo yizere ko itakomotse mu bikorwa biteremewe n'amategeko, mu byaha no mu bikorwa bikemangwa.</p> <p><b><u>Ingingo ya 5: Ibyihariye Banki Nkuru yibandaho mu gutanga uruhushya</u></b></p> <p>Haseguriwe ibiteganywa mu ngingo ya 3 n'ya 4 z'aya mabwiriza rusange, Banki Nkuru yita no kuri ibi bikurikira mu gutanga cyangwa kudatanga uruhushya:</p> <p>(a) Ibyo usaba ateganya gukora mu gukemura ibibazo byagaragajwe mu cyiciro cyangwa urwego runaka rw'ubukungu ashaka kugiramo imishinga yifashishije ingamba zateguranywe ubushishozi ndeste n'uruhare mu bukungu by'u Rwanda;</p> | <p>activities as per annex 4 of this regulation.</p> <p>(6) The Central Bank investigates the source of such funds to ensure funds are not derived from illegal, criminal and suspicious activities.</p> <p><b><u>Article 5: Specific considerations by the Central Bank in licensing</u></b></p> <p>Subject to provisions of Articles 3 and 4 of this regulation, the Central Bank shall further take into account the following as the basis of issuing or not issuing the licence:</p> <p>(a) the expected role for the applicant in meeting identified needs for a particular area or sector of the economy to be served through a carefully conceived strategy as well as the overall contribution to the Rwandan economy;</p> | <p>criminelles ou suspectes comme indiqué a l'annexe 4 du présent règlement.</p> <p>(6) La Banque Centrale enquête sur l'origine de ces fonds pour s'assurer que ceux-ci ne proviennent pas d'activités illégales, criminelles ou suspectes.</p> <p><b><u>Article 5: Considérations spécifiques de la Banque Centrale en matière d'agreements</u></b></p> <p>Sous réserve des dispositions de l'article 3 et 4 du présent règlement, la Banque Centrale prend en compte les éléments suivants pour accorder l'agrément ou non:</p> <p>(a) contribution envisagée par le demandeur en constitution à la satisfaction des besoins identifiés dans un domaine ou un secteur donné de l'économie dans lequel elle entend intervenir au moyen d'une stratégie mûrement conçue ainsi que de sa contribution globale à l'économie rwandaise;</p> |
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| <p>(b) ingamba rusange usaba uruhushya ateganya kugira ngo agire amahirwe ku isoko zikubiye muri gahunda y'ibikorwa kugirango bifashe mu migendekere myiza y'ibikorwa n'isesengura ry'ibishobora gukorwa;</p> <p>(c) Ibicuruzwa birimo udushya cyangwa umurongo w'ubucuruzi mushya ugereraniye n'ibisanzwe ku isoko;</p> <p>(d) imiterere y'usaba mu bijyanye n'amategeko, ubuyobozi, imikorere n'imiterere y'imari shingiro ndeste n'itsinda usaba abarizwamo bitahungabanya ubugenzuzi bukwiye ku kigo ubwacyo ndetse no mu itsinda kibarizwamo;</p> <p>(e) gusuzuma niba imiterere y'usaba kwemererwa itabangamira ishyirwa mu bikorwa ry'ingamba zikosora zafatwa.</p> <p><b><u>Icyiciro cya 2: Uburyo bukoreshwa mu gutanga uruhushya</u></b></p> | <p>(b) the overall strategy of the applicant for succeeding in the market expressed into a business plan to support a comprehensive performance and viability analysis;</p> <p>(c) innovative products or a new business model compared to existing on the market;</p> <p>(d) the proposed legal, managerial, operational and shareholding structures of the applicant and its wider group will not hinder effective supervision on both a solo and a consolidated basis;</p> <p>(e) Determines that the applicant structures will not hinder effective implementation of corrective measures in the future.</p> <p><b><u>Section 2: Licensing procedures</u></b></p> | <p>(b) la stratégie globale du requérant visant à réussir sur le marché, exprimée dans un plan d'entreprise visant à soutenir une analyse complète de la performance et de la viabilité;</p> <p>(c) des produits innovants ou un nouveau modèle d'affaire par rapport à ceux existant sur le marché;</p> <p>(d) les structures juridiques, managériales, de gestion, opérationnelles et actionariat proposées du requérant et de son groupe élargi ne faisant pas obstacle à une supervision efficace, tant sur une base individuelle que consolidée;</p> <p>(e) Détermine que les structures du requérant n'empêcheront pas la mise en œuvre effective des mesures correctives à l'avenir.</p> <p><b><u>Section 2: Procédures d'agrement</u></b></p> |
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| <p><b><u>Ingingo ya 6: Gusaba uruhushya</u></b></p> <p>(1) Umuntu usaba uruhushya rwo gushinga ikigo cy'imari iciriritse cyakira amafaranga abitswa agomba gushyikiriza Banki Nkuru inyandiko yo gusaba uruhushya iteguwe hakurikijwe umugereka wa 1 w'aya mabwiriza rusange, kandi igaherekezwa n'inyandiko zishyigikira isaba zivugwa mu ingingo ya 7 y'aya mabwiriza rusange.</p> <p>(2) Dosiye isaba uruhushya igomba kugaragaza icyiciro cy'ikigo cy'imari iciriritse cyakira amafaranga abitswa kigiye gushingwa n'imirimo usaba ateganya gukora.</p> | <p><b><u>Article 6: Application for a license</u></b></p> <p>(1) A person applying for a license to establish a deposit-taking microfinance institution shall submit to the Central Bank a filled license application form set out in annex 1 of this regulation and shall be accompanied by the supporting documents specified in article 7 of this regulation.</p> <p>(2) An application for a licence must specify the category of deposit-taking microfinance institution to be established and activities that the applicant intends to carry out.</p> | <p><b><u>Article 6: Demande d'agrément</u></b></p> <p>(1) Le requérant d'agrément pour établir une institution de microfinance de dépôt doit présenter à la Banque Centrale un formulaire de demande d'agrément dûment rempli conformément à l'annexe 1 de ce règlement, et doit être accompagnée par les documents justificatifs spécifiés à l'article 7 du présent règlement.</p> <p>(2) Demande d'agrément doit préciser la catégorie d'une institution de microfinance de dépôt à établir et les activités que le demandeur envisage d'exercer.</p> |
| <p><b><u>Ingingo ya 7: Amakuru n'inyandiko bisabwa</u></b></p> <p>(1) Dosiye isaba uruhushya igomba kuba iherekejwe n'inyandiko zikurikira:</p> <p>(a) amakuru yerekeye usaba uruhushya n'aya buri wese mu bafite</p>                                                                                                                                                                                                                                                                                                                                       | <p><b><u>Article 7: Information and supporting documents</u></b></p> <p>(1) The application for a licence shall be accompanied by the following supporting documents:</p> <p>(a) information for the applicant and for each of its significant</p>                                                                                                                                                                                                                                                                                                          | <p><b><u>Article 7: Information et documents d'appui</u></b></p> <p>(1) La demande d'agrément doit être accompagnée des pièces justificatives suivantes:</p> <p>(a) information du requérant et pour chacun de ses actionnaires</p>                                                                                                                                                                                                                                                                                                                     |

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| <p>imigabane igaragara iyo ari ikigo nk'uko bikubiye mu ifishi y'amakuru iri ku mugereka wa 2 w'aya amabwiriza rusange;</p> <p>(b) amakuru kuri buri wese uteganyirizwa kuba mu bagize inama y'ubutegetsi, ugize komite zatowe, abagize ubuyobozi n'abafite imigabane igaragara iyo ari umuntu ku giti cye nk'uko asabwa mu mugereka wa 3 w'aya amabwiriza rusange;</p> <p>(c) imiterere y'imari shingiro iteganyijwe, uburyo imigabane igabanyijwe n'umwirondoro wuzuye w'abanyamigabane;</p> <p>(d) amakuru arambuye ku buryo bw'ikorabuhanga buzifashishwa;</p> <p>(e) gahunda y'ibikorwa biteganyijwe nibura mu myaka itatu (3) harimo n'igenamigambi, gahunda yayo y'ishyira mu bikorwa na gahunda y'imari iteganyijwe harimo</p> | <p>shareholders if legal entity as detailed in information sheet in annex 2 of this regulation;</p> <p>(b) information for each of the proposed director, member of elected committees, member of management and significant shareholder if it is an individual as per the personal declaration form set out in annex 3 of this regulation;</p> <p>(c) proposed capital structure, share allocation and complete identification of shareholders;</p> <p>(d) details of the proposed information communication technology;</p> <p>(e) the strategic plan for at least three (3) years comprising of annual business plan, action plan and financial projections including the assumptions</p> | <p>significatifs en cas de personne morale suivant la fiche d'information en annexe 2 du présent règlement;</p> <p>(b) information pour chaque administrateur, membre de comités élus, membre de la direction et actionnaire significatifs proposés en cas d'un individu, faite suivant le formulaire tel qu'il figure à l'annexe 3 du présent règlement;</p> <p>(c) la structure du capital proposée; la répartition des actions et l'identification complète des actionnaires;</p> <p>(d) les détails de la plate-forme de technologie de l'information proposée;</p> <p>(e) un plan stratégique pour au moins trois (3) ans y compris un plan d'affaires annuelle, plan d'action et des projections financières y compris les</p> |
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| <p>n'ibyashingiweho mu kubara imibare y'imari iteganyijwe hamwe n'isesengura ryumvikana kuri iyo mibare itandukanye y'agateganyo;</p> <p>(f) icyemezo cy'ishingwa, amasezerano n'amategako shingiro iyo ari sosiyete, cyangwa icyemezo cy'iyandikisha n'amategako shingiro iyo ari koperative;</p> <p>(g) kopi za raporo z'imari zagenzuwe mu myaka itatu ishize zashyizweho umukono na noteri kandi zateguwe hakurikijwe amahame y'ibaruramari asanzwe yemewe iyo ikigo gisanzwe gikora ndetse n'iz'abanyamigabane bafite imigabane igaragara;</p> <p>(h) kopi y'umwanzuro w'inama y'ubutegetsi yashyizweho umukono na noteri iyo usaba uruhushya ari isosiyete cyangwa n'inteko rusange iyo usaba uruhushya ari koperative, wemeza gutegura no gutanga dosiye isaba;</p> | <p>underlying the projections and a sensitivity analysis of the plan on varying assumptions;</p> <p>(f) the certificate of incorporation; the Memorandum and Articles of Association if company, or the certificate of registration and bylaws if cooperative;</p> <p>(g) certified copies of audited financial statements for the last three years prepared in accordance with generally accepted accounting principles for the entity if it was previously operating and those of its significant shareholders;</p> <p>(h) a certified copy of the resolution of the board of directors if the applicant is a company, or of the general assembly in case the applicant is a cooperative, authorizing the preparation and submission of the application;</p> | <p>hypothèses sous-jacentes aux projections et une analyse de sensibilité du plan sur des hypothèses variables;</p> <p>(f) le certificat d'enregistrement, l'acte constitutive et les statuts en cas d'une société, ou le certificat d'enregistrement et les statuts en cas d'une coopérative;</p> <p>(g) copies certifiées conformes des états financiers audités des trois dernières années et préparés selon les principes comptables généralement acceptés pour l'institution financière existante ainsi que ceux des actionnaires significatifs;</p> <p>(h) une copie certifiée de la résolution du conseil d'administration si le requérant est une société ou de l'assemblée générale si le requérant est une coopérative, autorisant la préparation et le dépôt de la demande;</p> |
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| <p>(i) indi nyandiko yose ikubiyemo amakuru yerekeye imikorere myiza y'ikigo giteganyijwe cyangwa ibindi bintu usaba uruhushya abona ko ari ngombwa;</p> <p>(j) gihamya y'uko hishyuwe amafaranga adasubizwa yo kwiga dosiye isaba uruhushya angana na 300.000 FRW kuri sosiyete y'imari iciriritse yakira amafaranga abitswa na 100.000 FRW kuri koperative y'imari iciriritse yakira amafaranga abitswa;</p> <p>(k) andi makuru Banki Nkuru ishobora gusaba.</p> <p>(2) Gutanga amakuru atari ukuri cyangwa ayobya aba impamvu ibuza kwemera ubusabe cyangwa kwamburwa uruhushya mu gihe rwari rwaratanzwe.</p> | <p>(i) any other document containing information relating to the viability of the proposed institution or other matters which the applicant may consider relevant;</p> <p>(j) a proof of payment of non-refundable application fee of FRW 300,000 for deposit-taking microfinance company and FRW 100,000 Rwandan francs for deposit-taking microfinance cooperative;</p> <p>(k) any other information which the Central Bank may request.</p> <p>(2) The submission of any false or misleading information shall constitute sufficient grounds for license application rejection or revocation of the license where a license has been granted.</p> | <p>(i) tout autre document relatif à la viabilité de l'institution proposée ou d'autres informations que le requérant peut juger pertinentes;</p> <p>(j) une preuve de paiement de frais de demande d'agrément non remboursables de 300.000 FRW pour la société de microfinance de dépôt et 100.000 FRW pour la coopérative de microfinance de dépôt;</p> <p>(k) toute autre information que la Banque Centrale peut demander.</p> <p>(2) La soumission de toute information fausse ou trompeuse constitue un motif suffisant de rejet de la demande d'agrément ou révocation de la licence lorsqu'une licence a été accordée.</p> |
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| <p><b><u>Ingingo ya 8:</u></b> Ibisabwa byihariye kuri sosiyete yabyawe n'indi y'inyamahanga</p> <p>Haseguriwe ibiteganywa mu ngingo ya 7 y'aya mabwiriza rusange, ikigo cyo mu mahanga cyifuza gushinga ikigo cy'imari iciriritse cyakira amafaranga kiyikomokaho kigomba gutanga amakuru akurikira:</p> <p>(a) inyandiko mvugo y'urwego rw'ubugenzuzi rwo mu gihugu gikomokamo rwemera ko usaba ashinga ikigo kimukomokaho mu Rwanda;</p> <p>(b) inyandiko y'urwego rw'ubugenzuzi rwo mu gihugu gikomokamo rwemeza ko akora igenzura rihujwe;</p> <p>(c) inyandiko y'urwego rw'ubugenzuzi rwo mu gihugu gikomokamo yerekana ko hari ubushake bwo gukorana amasezerano y'ubwumvikane mu bijyanye no guhererekanya amakuru no gucunga ihungabana no kuririnda.</p> | <p><b><u>Article 8:</u></b> Specific required information for a subsidiary of the foreign institution</p> <p>subject to provisions of Article 7 of this regulation, a foreign institution wishing to establish a subsidiary shall submit the following information and supporting documents:</p> <p>(a) a letter of no objection from the home supervisory authority recommending the applicant to establish subsidiary in Rwanda;</p> <p>(b) a confirmation from the home supervisor that he undertakes the consolidated supervision;</p> <p>(c) a statement from the home supervisor that he is willing to enter into a memorandum of understanding with regard to exchange of information and crisis management and resolutions.</p> | <p><b><u>Article 8:</u></b> Informations spécifiques requises pour une filiale d'une institution étrangère</p> <p>Sous réserve des dispositins de l'article 7 du présent règlement, une institution étrangère qui souhaite créer une filiale transmet les informations et pièces justificatives suivantes:</p> <p>(a) une lettre de non-objection de l'autorité de contrôle du pays d'origine recommandant au requérant d'établir une filiale au Rwanda;</p> <p>(b) une confirmation de l'autorité de contrôle du pays d'origine qu'il exerce la surveillance consolidée;</p> <p>(c) une déclaration de l'autorité de contrôle du pays d'origine indiquant qu'il est disposé à signer un protocole d'accord en matière d'échange d'informations, de gestion de crise et de résolutions.</p> |
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| <p><b><u>Ingingo ya 9: Kumenyesha kwakirwa k'ubusabe</u></b></p> <p>(1) Iyo Banki Nkuru imaze kwakira dosiye isaba, rumenyesha usaba mu gihe kitarenze iminsi irindwi y'akazi, ko ubusabe bwe bwakiriwe.</p> <p>(2) Inyandiko imenyekanisha ko ubusabe bwakiriwe imenyesha usaba ko inyandiko zatanzwe zuzuye cyangwa zituzuye.</p> <p>(3) Mu gihe inyandiko zatanzwe zituzuye, urwandiko rumenyekanisha rugomba kugaragaza ibisabwa bitubahirijwe muri dosiye yatanzwe, igatanga igihe ntarengwa cyo kuzura ibisabwa bitubahirijwe. Nta kindi cyemezo Banki Nkuru ishobora gufata keretse iyo ibisabwa kuzuzwa bimaze kuzura mu gihe ntarengwa cyagenwe.</p> | <p><b><u>Article 9: Notice of acknowledgement</u></b></p> <p>(1) Upon receipt of the application file, the Cental Bank sends to the applicant, within seven working days, a notice of acknowledgement.</p> <p>(2) The notice of acknowledgement informs the applicant that the application file submitted was found complete or incomplete.</p> <p>(3) Where the documents submitted are incomplete, the letter of acknowledgement shall outline deficiencies in the application, provides a deadline for rectification of the deficiencies. No further action shall be taken by the Central Bank unless the deficiencies are rectified within the period prescribed.</p> | <p><b><u>Article 9: Avis de réception</u></b></p> <p>(1) Dès réception du dossier de demande, the Banque Centrale envoie au demandeur, dans les sept jours ouvrables, un avis de réception.</p> <p>(2) L'avis de réception informe le demandeur que les documents soumis ont été jugés complets ou incomplet.</p> <p>(3) Lorsque les documents soumis sont incomplets, la lettre d'information précise les insuffisances contenues dans la demande, indique un délai pour la rectification des insuffisances. Aucune autre action ne sera prise par la Banque Centrale à moins que ces insuffisances soient rectifiées dans le délai prescrit.</p> |
| <p><b><u>Ingingo ya 10: Isesengura ry'ubusabe</u></b></p> <p>Banki Nkuru isesengura ubusabe ishingiye ku makuru yatanzwe n'usaba cyangwa amakuru yakuye ahandi hizewe.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <p><b><u>Article 10: Analysis of the application</u></b></p> <p>The Central Bank assess the application based on information provided by the applicant or information gathered from other reliable sources.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <p><b><u>Article 10: Analyse de la demande</u></b></p> <p>La Banque Centrale évalue la demande en fonction des informations fournies par le requérant ou informations recueillies auprès d'autres sources fiables.</p>                                                                                                                                                                                                                                                                                                                                                                                                                             |

| <p><b><u>Ingingo ya 11:</u> Igihe cyo gusubiza uwasabye n'icyemezo cya Banki Nkuru</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <p><b><u>Article 11:</u> Period to respond to the applicant and the Central Bank decision</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <p><b><u>Article 11:</u> Délai pour répondre au demandeur et la décision de la Banque Centrale</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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| <p>(1) Banki Nkuru ifata icyemezo ku busabe, mu gihe kitarenze ukwezi kumwe nyuma yo kwakira dosiye yuzuye, kandi ikamenyesha usaba icyemezo cyafashwe.</p> <p>(2) Iyo nta gisubizo kibonetse mu gihe cyavuzwe haruguru, Banki Nkuru imenyesha usaba impamvu z'iryo tinda mu gihe kitarenze iminsi 15.</p> <p>(3) Icyakora, igihe cyo gufata icyemezo ku busabe ntigishobora kurenga amezi atatu abarwa uherye umunsi Banki Nkuru yakiriye dosiye yuzuye.</p> <p>(4) Banki Nkuru igomba kumenyesha usaba mu nyandiko icyemezo cyo guhabwa uruhushya cyangwa impamvu zo kutarubwaho.</p> | <p>(1) The Central Bank decides in respect of the application, within one month after receipt of a complete application, and communicate the decision to the applicant.</p> <p>(2) If no decision is communicated within the period stated above, the Central Bank notifies the applicant of the reasons of delay within 15 days.</p> <p>(3) However, the period to take the decision on the application cannot go beyond three months counted from the day the Central has received the complete application.</p> <p>(4) The Central Bank must notify in writing the applicant of its decision to grant the licence or reasons for refusal to grant the licence.</p> | <p>(1) La Banque Centrale prend sa décision sur la demande d'agrément, endéans un mois à compter de la date à laquelle le dossier a satisfait à toutes les informations exigées, et communique cette décision le requérant.</p> <p>(2) Si aucune décision n'est communiquée au cours de la période indiquée ci-dessus, la Banque Centrale informe le requérant des raisons du retard endéans 15 jours.</p> <p>(3) Toutefois, le délai pour statuer sur la demande ne peut excéder trois mois à compter de la date à laquelle la Banque Centrale a reçu la demande complète.</p> <p>(4) La Banque Centrale informe le requérant, par écrit, de sa décision d'accorder ou les raisons du refus d'accorder l'agrément.</p> |

| <b><u>Ingingo ya 12: Ibisabwa by'inyongera</u></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <b><u>Article 12: Additional requirements</u></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <b><u>Article 12: Exigences supplémentaires</u></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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| <p>Iyo Banki Nkuru ifashe icyemezo cyo gutanga uruhushya rwo gukora, igomba mbere yo gutanga uruhushya, gusaba ibi bikurikira:</p> <p>(a) icyemezo cy'amafaranga yabitswe ku izina ry'usaba kigaragaza ko yabikije umubare w'amafaranga utegetswe utari munsu y'imari shingiro yashyizwe kuri konti muri Banki yo mu Rwanda;</p> <p>(b) gushyikiriza Banki Nkuru inyandiko zuzuye zisobanura imikorere, zikubiyemo politiki n'uburyo bukoreshwa mu gutanga inguzanyo, gushora imari, kubitsa amafaranga, n'indi mirimo y'ingenzi ikorwa n'ikigo cy'imari iciriritse cyakira amafaranga abitswa;</p> <p>(c) gutanga amakuru ajyanye na politiki n'amabwiriza ngenderwaho byo gucunga ingorane harimo izaturuka ku nguzanyo, ku mafaranga ahari, ku gipimo cy'inyungu no ku mikorere;</p> | <p>Where the Central Bank decides to grant a licence, it shall, prior issuing the licence, require the applicant to submit, the following:</p> <p>(a) a certificate of deposit in the name of the applicant in the Rwandan bank indicating that it has deposited an amount not less than the required minimum paid-up capital;</p> <p>(b) provide the Central Bank with complete operating manuals, covering policies and procedures on loans, investments, deposits, and other procedures of major operations of the deposit-taking microfinance institution;</p> <p>(c) provide information regarding risk management policies and procedures including credit, liquidity, interest rate, and operational risks;</p> | <p>Lorsque la Banque Centrale décide d'accorder l'agrément, avant d'accorder l'agrément, elle demande au requérant de soumettre:</p> <p>(a) un certificat de dépôt au nom du demandeur dans une banque rwandaise indiquant qu'il a déposé un montant non inférieur au minimum capital libéré requis;</p> <p>(b) fournir à la Banque Centrale des manuels des opérations complets couvrant les politiques et procédures relatives aux prêts, aux investissements, aux dépôts et aux autres opérations importantes de l'institution de microfinance de dépôt;</p> <p>(c) fournir des informations sur les politiques et procédures de gestion des risques notamment les risques de crédit, de liquidité, de taux d'intérêt, et opérationnels;</p> |

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| <p>(d) gutanga amakuru ku bijyanye n'umucungire y'umuyoboro w'ikoranabuhanga, ingero z'inyandiko zizakorehwa, raporo n'imigereka by'ikoranabuhanga;</p> <p>(e) kugaragaza amakuru ku bijyanye n'uburyo ikigo cy'imari iciriritse cyakira amafaranga abitswa kizifashisha undi muntu mu mirimo y'ingenzi n'amakuru kuri uwo muntu bagomba kwifashisha;</p> <p>(f) kwishyura amafaranga y'uruhushya giteganijwe muri aya mabwiriza rusange;</p> <p>(g) gutanga izindi nyandiko cyangwa amakuru, Banki Nkuru ishobora gusaba.</p> | <p>(d) provide information regarding management information systems, description of sample forms, reports and annex of the information technology;</p> <p>(e) provide information related to material outsourcing services together with information on service providers;</p> <p>(f) pay the licence fee prescribed under this regulation;</p> <p>(g) provide any other documents or information, which the Central Bank may require.</p> | <p>(d) fournir des informations sur la gestion de systèmes d'information, une description des exemples de formulaires, des rapports et des annexes de la technologie;</p> <p>(e) fournir des informations relatives aux services qui seront externalisés et leurs prestataires;</p> <p>(f) payer les frais d'agrément prescrit en vertu du présent règlement;</p> <p>(g) fournir tout autre document ou information que la Banque Centrale pourrait exiger.</p> |
| <p><b><u>Ingingo ya 13:</u></b> Igenzura ry'aho ikigo cy'imari iciriritse cyakira amafaranga abitswa kizakorera</p> <p>(1) Nta kigo cy'imari iciriritse cyakira amafaranga abitswa cyemerewe gutangiza imirimo kitabanje</p>                                                                                                                                                                                                                                                                                                   | <p><b><u>Article 13:</u></b> Onsite visit of premises</p> <p>(1) No deposit-taking microfinance institution shall start its operations without prior clearance from the Central</p>                                                                                                                                                                                                                                                        | <p><b><u>Article 13:</u></b> Visite sur les lieux abritant l'activité</p> <p>(1) Aucune institution de microfinance de dépôt ne peut démarrer ses activités sans l'autorisation préalable de la Banque</p>                                                                                                                                                                                                                                                      |

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| <p>kubyemererwa na Banki Nkuru kuko ari yo ikora igenzura ribanziriza itangizwa ry'imirimu aho ikigo kizakorera.</p> <p>(2) Igenzura ribanziriza itangizwa ry'imirimu y'ikigo cy'imari iciriritse cyakira amafaranga abitswa rigenzura aho giteganywa gukorera mu rwego rwo kwemeza ko inyubako kizakoreramo zibereye ugereranyije n'ibyo ikigo giteganywa kuhakorera, ko ifite ibyumba by'umutamenwa n'uburyo bwo kubungabunga umutekano, ibyuma bikoresha ikoranabuhanga n'ibikorwaremezo by'itumanaho biberanye n'imirimu igiye kuhakorera.</p> <p>(3) Mu bikorwaremezo, hakubiyemo –</p> <p>(a) mudasobwa zihagije n'ibindi bikoresha by'ikoranabuhanga harimo imashini icapa inyangirakuru zo muri mudasobwa, imashini zifotora inyangirakuru, imashini zibara inoti n'imashini zigenzura umwimerere w'inoti;</p> | <p>Bank, which shall conduct a pre-opening inspection of the proposed premises.</p> <p>(2) The pre-opening inspection is to confirm the adequacy of the premises for the proposed business, verify strong rooms and vault and the existence of a security system, electronic equipment and communication facilities suited to the type of businesses concerned.</p> <p>(3) Among required infrastructures, includes –</p> <p>(a) sufficient computers and accessories including printers, scanners, photocopiers, note counters and fake note detecting machines;</p> | <p>Centrale qui procède à une inspection préalable des locaux.</p> <p>(2) L'inspection préalable vise à confirmer l'adéquation des locaux à l'activité, vérifier des chambres fortes et des coffres et l'existence d'un système de sécurité, des équipements électroniques et des installations de communication adaptés à la catégorie de l'activité concernée.</p> <p>(3) Parmi les infrastructures, comprend –</p> <p>(a) un nombre suffisant d'ordinateurs et d'accessoires, notamment des imprimantes, des scanners, des photocopieurs, des compteurs de billets et des machines de détection de faux billets;</p> |
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| <p>(b) imiyoboro y'itumanaho gihuriyeho n'amashami yacyo n'abagihagarariye;</p> <p>(c) aho gukorera hahagije kandi hari icyumba cy'umutamenwa gikomeye;</p> <p>(d) kuba hari umuriro w'amashanyarazi na murandasi;</p> <p>(e) kuba hari ubwishingizi bw'inkongi y'umuriro aho bishoboka;</p> <p>(f) kuba hari kizimyamwoto n'udukoresho tumenye kanisha umwotsi w'umuriro.</p> <p><b><u>Ingingo ya 14: Igihe uruhushya rumara no kurumanika ahagaragara</u></b></p> <p>(1) Uruhushya rwatanzwe rugumana agaciro karwo kugeza igihe ruteshejwe agaciro na Banki Nkuru cyangwa iyo ikigo gishatse kurusubiza kandi bikemerwa na Banki Nkuru mu nyandiko.</p> | <p>(b) automated and interconnected network systems with the branches and agents;</p> <p>(c) adequate and sufficient offices including money safe in the strong room;</p> <p>(d) access to electricity and internet services;</p> <p>(e) fire insurance where applicable;</p> <p>(f) fire extinguishers and smoke detectors.</p> <p><b><u>Article 14: Duration and display of license</u></b></p> <p>(1) A license granted shall remain valid until the time is revoked by the Central Bank or when a deposit-taking microfinance institution hands it over and upon Central Bank's written approval.</p> | <p>(b) systèmes de réseaux automatisés et interconnectés avec les succursales et agents;</p> <p>(c) bureaux adéquats et suffisants, et coffre-fort dans la chambre forte;</p> <p>(d) accès à l'électricité et aux services internet;</p> <p>(e) assurance incendie le cas échéant;</p> <p>(f) extincteurs d'incendie et détecteurs de fumée.</p> <p><b><u>Article 14: Durée et affichage de l'agrément</u></b></p> <p>(1) Un agrément octroyé demeure valable jusqu'au moment où elle soit révoquée par la Banque Centrale ou lorsque l'institution de microfinance de dépôt le remet et après approbation écrite de la Banque Central.</p> |
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| <p>(2) Uruhushya rutanzwe rugomba, igihe cyose, kumanikwa ahantu hagaragara ku cyicaro gikuru cy'ikigo cy'imari iciriritse cyakira amafaranga abitswa kandi kopi zacyo na zo zikamanikwa kuri buri shami ryacyo.</p> | <p>(2) A license granted shall, at all times, be displayed in a visible place at the head office of the concerned deposit-taking microfinance institution, and copies of it shall be displayed at each of its branches.</p> | <p>(2) Un agrément octroyé doit être affiché en permanence dans un endroit bien visible au siège de l'institution de microfinance de dépôt concernée et des exemplaires de celui-ci doivent être affichés dans chacune de ses branches.</p> |
| <p><b><u>Ingingo ya 15: Guhindura amazina n'ibirango</u></b></p>                                                                                                                                                     | <p><b><u>Article 15: Change of corporate name and logo</u></b></p>                                                                                                                                                          | <p><b><u>Article 15: Changement des noms et de logo</u></b></p>                                                                                                                                                                             |
| <p>(1) Ihinduka ribaye ku izina cyangwa ku birango by'ikigo cy'imari iciriritse cyakira amafaranga abitswa ryemezwa mu nyandiko na Banki Nkuru.</p>                                                                  | <p>(1) Any change of the deposit-taking microfinance institution corporate name or logo is subject to Central Bank's written approval.</p>                                                                                  | <p>(1) Tout changement de dénomination sociale ou de logo de l'institution de microfinance de dépôt est soumis à l'approbation écrite de la Banque Centrale.</p>                                                                            |
| <p>(2) Banki Nkuru itanga umwanzuro ku ihinduka ry'izina cyangwa ibirango mu gihe kitarenze iminsi 30 nyuma yo kwakira dosiye isaba yuzuye.</p>                                                                      | <p>(2) The Central Bank issues its decision on change of corporate name or logo in a period not exceeding 30 days after receipt of a complete application.</p>                                                              | <p>(2) La Banque Centrale rend sa décision de changement de dénomination sociale ou de logo dans un délai n'excédant pas 30 jours après réception d'une demande complète.</p>                                                               |
| <p>(3) Iyo hahindutse izina, Banki Nkuru itanga uruhushya rwo gukora rushya.</p>                                                                                                                                     | <p>(3) For the change of the corporate name, the Central Bank issues a new license certificate.</p>                                                                                                                         | <p>(3) Pour le changement de dénomination sociale, la Banque Centrale délivre un nouveau certificat d'agrément.</p>                                                                                                                         |

| <b><u>Ingingo ya 16: Amafaranga atangwa ku ruhushya no ku bugenzuzi</u></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <b><u>Article 16: License and supervision fee</u></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <b><u>Article 16: Frais d'agrément et de supervision</u></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
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| <p>(1) Amafaranga atangwa ku ruhushya angana na 1.000.000 FRW kuri sosiyete y'imari iciriritse yakira amafaranga abitswa, na 500.000 FRW kuri koperative y'imari iciriritse yakira amafaranga abitswa, yishyurwa mu gihe kitarenze ukwezi kumwe nyuma yo kumenyeshwa icyemezo cyo guhabwa uruhushya.</p> <p>(2) Nyuma ya buri mwaka w'ibaruramari, buri kigo cy'imari cyakira amafaranga abitswa cyishyura amafaranga y'ubugenzuzi angana na 0,05% by'umusaruro mbumbe wabonetse mu mwaka w'ibaruramari ushize wemejwe n'umugenzuzi wigenga. Ayo mafaranga agomba kwishyurwa bitarenze itariki ya 30 Mata y'umwaka w'ibaruramari ukurikira.</p> <p>(3) Uko byagenda kose amafaranga y'ubugenzuzi avugwa mu gika kibanziriza iki ntashobora kuja muni ya 1.000.000 FRW kuri sosiyete y'imari</p> | <p>(1) A license fee of FRW 1,000,000 for deposit-taking microfinance company and FRW 500,000 for deposit-taking microfinance cooperative becomes due and payable not later than one month after notification of the decision granting the licence.</p> <p>(2) After each financial year, every deposit-taking microfinance institution shall be subject to payment of a supervision fee of 0.05% of their audited gross income generated in the previous financial year. This amount shall be paid not later than 30<sup>th</sup> April of the next financial year.</p> <p>(3) In any case, the amount of the supervision fee payable under the preceding paragraph cannot not be less than FRW 1,000,000 for deposit-taking</p> | <p>(1) Les frais d'agrément de 1.000.000 FRW pour la société de microfinance de dépôt et de 500.000 FRW pour la coopérative de microfinance de dépôt deviennent exigibles et payables au plus tard un mois après la notification de la décision d'octroi de l'agrément.</p> <p>(2) Après chaque exercice financier, chaque institution de microfinance de dépôt doit payer les frais de supervision équivalents à 0,05% des revenus bruts audités générés au cours de l'exercice financier précédent. Ce montant doit être payé au plus tard le 30 avril de l'exercice financier suivant.</p> <p>(3) Dans tous les cas, le montant des frais de supervision payable en vertu du paragraphe précédent ne pourra être inférieur à un 1.000.000 FRW pour la</p> |

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| <p>iciriritse yakira amafaranga abitswa na 500.000 FRW kuri koperative y'imari iciriritse yakira amafaranga abitswa.</p> <p>(4) Muri iyi ngingo, umusaruro mbumbe ugizwe na:</p> <p>(a) umusaruro nyawo uvanywemo inyungu (Umusaruro wose ukomoka ku nyungu hakuwemo inyungu zishyuwe);</p> <p>(b) umufuragiro;</p> <p>(c) umusaruro ukomoka ku bucuruzi bw'amadevize;</p> <p>(d) izindi nyungu hatabariwemo inyungu zidahoraho, harimo amafaranga akomoka kw'igurishwa ry'imitungo itimukanwa n'aturuka ku bikorwa by'ishoramari, n'inyungu zidakomoka ku bikorwa by'umwimerere wa banki, harimo ubukode n'impano.</p> | <p>microfinance company and FRW 500,000 for deposit-taking microfinance cooperative.</p> <p>(4) For the purpose of this article, gross income include:</p> <p>(a) net interest Income (Gross Interest income minus Interest Expenses);</p> <p>(b) fees and commissions;</p> <p>(c) foreign exchange income;</p> <p>(d) any other income less nonrecurrent income, including gains on disposal of fixed asset or investment and non-banking income, including rental income or grant received.</p> | <p>société de microfinance de dépôt et 500.000 FRW pour la coopérative de microfinance de dépôt.</p> <p>(4) Aux fins du présent article, le revenu brut comprend:</p> <p>(a) revenu net d'intérêts (revenu brut d'intérêts moins les intérêts payés);</p> <p>(b) frais et commissions;</p> <p>(c) revenus sur les opérations de change;</p> <p>(d) tout autre revenu moins les revenus non récurrent, y compris les gains provenant à la disposition des biens immobiliers ou provenant aux investissements, et les revenus provenant aux activités non bancaires, y compris les loyers et les donations reçues.</p> |
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| <p><b>UMUTWE WA III: IBINDI BISABWA IBIGO BY'IMARI ICIRIRITSE BIFITE URUHUSHYA RWO GUKORA</b></p> <p><b><u>Icyiciro cya mbere:</u></b> Ibisabwa mu miterere imigabane igaragara n'iyegukana ry'ikigo</p> <p><b><u>Ingingo ya 17:</u></b> Imiterere y'imigabane</p> <p>(1) Umuntu ku giti cy'e harimo uwo bafitanye isano cyangwa ikigo gifite ubuzima gatozi harimo n'ikigo bafitanye isano bifatwe cyangwa bigenzurwa n'undi muntu utari ikigo cy'imari cyangwa isosiyete ihamagarira abantu kuyishoramo imari izwiho imikorere myiza yemerewe na Banki Nkuru ntibagomba gutunga cyangwa kugura haba ku buryo buziguye cyangwa butaziguye imigabane irenze 25% muri sosiyete y'imari iciriritse yakira amafaranga abitswa.</p> <p>(2) Ibiteganyijwe mu gika cya mbere cy'iyi ngingo ntibikurikizwa kuri Leta y'u Rwanda n'ibigo byayo. Ntibikurikizwa kandi ku zindi Leta z'amahanga, ibigo</p> | <p><b>CHAPTER III: OTHER REGULATORY REQUIREMENTS FOR LICENSED DEPOSIT-TAKING FINANCIAL INSTITUTIONS</b></p> <p><b><u>Section One:</u></b> Requirements for significant shareholding and acquisition</p> <p><b><u>Article 17:</u></b> Shareholding structure</p> <p>(1) A natural person including his or her related party or a corporate body including its related party owned or controlled by one person other than a reputable financial institution or a reputable public company authorized by the Central Bank shall not directly or indirectly own or acquire more than 25% of the shares of a deposit-taking microfinance company.</p> <p>(2) The provisions of paragraph one of this Article shall not apply to the Government of Rwanda and its institutions. It does not also apply to</p> | <p><b>CHAPITRE III: AUTRES EXIGENCES RÉGLEMENTAIRES APPLICABLES AUX INSTITUTIONS FINANCIÈRES DE DÉPÔT AGRÉÉES</b></p> <p><b><u>Section première:</u></b> Exigences d'actionnariat important et acquisition</p> <p><b><u>Article 17:</u></b> Structure de l'actionnariat</p> <p>(1) Une personne physique y compris sa personne apparentée ou une personne morale y compris sa personne apparentée, qui est la propriété ou est contrôlée par une personne autre qu'une institution financière de bonne réputation ou une société publique réputée autorisée par la Banque Centrale, ne peut détenir ou acquérir directement ou indirectement plus de 25% des actions d'une société de microfinance de dépôt.</p> <p>(2) Les dispositions du paragraphe précédant du présent article ne s'appliquent pas au Gouvernement Rwandais et à ses institutions. Ils ne</p> |
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| <p>mpuzamahanga cyangwa undi muntu wese wabyemerewe na Banki Nkuru.</p> <p><b><u>Ingingo ya 18:</u> Isaba rikozwe na Sosiyete y'imari iciriritse yakira amafaranga abitswa ryo kongera, kwegukana cyangwa guhererekanya imigabane</b></p> <p>(1) Sosiyete y'imari iciriritse yakira amafaranga abitswa, mu izina ry'umuntu ushaka kongera, kwegukana cyangwa guhererekanya imigabane ihwanye n'uruhare rugaragara mu migabane, isaba Banki Nkuru mu nyandiko isobanura birambuye imiterere y'iyongera, iyegukana cyangwa ihererekanya ndetse n'andi makuru yose ashobora gusabwa na Banki Nkuru.</p> <p>(2) Sosiyete y'imari iciriritse yakira amafaranga abitswa itanga amakuru yose yerekeye umuntu ushaka kongera, kwegukana cyangwa guhererekanya</p> | <p>other foreign governments, international institutions or any other person on conditions that they have been approved by the Central Bank.</p> <p><b><u>Article 18:</u> Application of deposit-taking microfinance company for an increase, acquisition or transfer of shares</b></p> <p>(1) A deposit-taking microfinance company shall, on behalf of a person who is seeking to increase, acquire or transfer shares equivalent to significant holding or controlling interests, apply in writing to the Central Bank providing details on the nature of the increase, acquisition or transfer and any such information that may be requested by the Central Bank.</p> <p>(2) A deposit-taking microfinance company shall provide all information in respect of a person who is seeking to increase, acquire or transfer shares as</p> | <p>s'appliquent pas non plus aux autres gouvernements étrangers, aux institutions internationales ou à toute autre personne, à condition qu'ils aient été approuvés par la Banque Centrale.</p> <p><b><u>Article 18:</u> Demande de la société de microfinance de dépôt d'augmentation, d'acquisition ou de transfert d'actions</b></p> <p>(1) La société de microfinance de dépôt doit, pour le compte de la personne qui désire augmenter, acquérir ou transférer des actions équivalentes à une participation importante ou à un intérêt de contrôle, adresser une demande écrite à la Banque Centrale en donnant les détails sur la nature de l'augmentation, de l'acquisition ou du transfert et toute autre information pouvant être demandée par la Banque Centrale.</p> <p>(2) La société de microfinance de dépôt doit fournir toutes les informations à l'égard de la personne qui désire augmenter, acquérir ou transférer les actions tel que</p> |
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| <p>imigabane nk'uko biteganyijwe mu mugereka wa 2 iyo ari sosiyete n'umugereka wa 3 iyo ari umuntu bwite, y'aya mabwiriza rusange. Sosiyete y'imari iciriritse yakira amafaranga abistwa itanga ibisobanuro birambuye byerekeye ingaruka kuri ba nyiri imigabane no ku miterere y'imikorere zaterwa n'inyongera, iyegukana cyangwa ihererekanya ry'imigabane risabwa.</p> | <p>specified in the annex 2, if corporate and annex 3 if a natural person of this Regulation. The deposit-taking microfinance company shall also provide details of the impact on its ownership and operational structure that will result from the proposed increase, acquisition or alienation of shares.</p> | <p>spécifié à l'annexe 2 et l'annexe 3, lorsqu'il s'agit respectivement d'une société et d'une personne physique tel que spécifié dans le present Règlement. La société de microfinance de dépôt doit aussi fournir des détails de l'impact sur sa possession et sa structure opérationnelle qui résultera du projet d'augmentation, d'acquisition ou transfert des actions.</p> |
| <p>(3) Sosiyete y'imari iciriritse itanga kandi ibimenyetso byerekana ubushobozi bw'usaba mu byerekeye imari ndetse n'ubushobozi bwo gutanga imari y'inyongera mu gihe bibaye ngombwa.</p>                                                                                                                                                                                | <p>(3) The deposit-taking microfinance company shall also provide the proof of financial strength and ability of the applicant to provide additional capital if needed.</p>                                                                                                                                     | <p>(3) La société de microfinance de dépôt doit aussi fournir la preuve de la capacité financière et de la possibilité du requérant de fournir des capitaux supplémentaires, si nécessaire.</p>                                                                                                                                                                                  |
| <p>(4) Gutanga amakuru ayo ari yo yose atari ukuri cyangwa ayobya bituma usaba yitwa ko atari umuntu ubikwiye kandi ubishoboye, kandi bigize impamvu yo kwanga isaba ryo kongera, kwegukana cyangwa guhererekanya imigabane.</p>                                                                                                                                          | <p>(4) The submission of any untrue or misleading information shall render the applicant a person not fit and proper and shall constitute grounds for rejection of the application for the increase, acquisition or transfer of shares.</p>                                                                     | <p>(4) La présentation de toute information fausse ou trompeuse rend le demandeur une personne non convenable et compétente et constitue un motif de rejet de la demande pour l'augmentation, l'acquisition ou transfert d'actions.</p>                                                                                                                                          |
| <p>(5) Uretse ibisabwa bivuzwe haruguru, umunyamigabane mushya agomba gutangaza ko amafaranga ateganya</p>                                                                                                                                                                                                                                                                | <p>(5) In addition to above requirements, a new shareholder shall submit a statement to the effect that the proposed</p>                                                                                                                                                                                        | <p>(5) En plus des exigences ci-dessus, le nouvel actionnaire doit déclarer que le financement ou l'investissement</p>                                                                                                                                                                                                                                                           |

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| <p>gutanga cyangwa ishoramari ateganya gukora bidakomoka ku bikorwa bitemewe n'amategeko, ku byaha cyangwa ibikorwa bikemangwa.</p> <p>(6) Sosiyete y'imari iciriritse yakira amafaranga abistwa imenyeshya Banki Nkuru ikindi gikorwa cyose cyo kongera, kwegukana cyangwa guhererekanya imigabane iri muni y'uruhare rugaragara mu migabane.</p> <p>(7) Banki Nkuru isubiza uwasabye mu gihe cy'iminsi 30 mu gihe dossier y'ubusabe yuzuye.</p> <p><b><u>Ingingo ya 19:</u></b> Impamvu zituma Banki Nkuru yanga ubusabe bwo kongera, kwegukana cyangwa guhererekanya imigabane</p> <p>Banki Nkuru ishobora kwanga icyifuzo icyo ari cyo cyose cyo kongera, kwegukana cyangwa guhererekanya imigabane iyo icyo cyifuzo:</p> <p>(a) cyabangamira imicungire myiza y'icyo kigo cyangwa guhagarara neza kw'imari yacyo;</p> | <p>funding or investment is not from illegal, criminal or suspicious activities.</p> <p>(6) The deposit-taking microfinance company notifies to the Central Bank any other transaction on the increase, acquisition or transfer of shares that is below the significant holding.</p> <p>(7) The Central Bank respond to applicant within 30 days in case the application file is complete.</p> <p><b><u>Article 19:</u></b> Grounds for rejection by Central Bank of an application for an increase, acquisition or transfer of shares</p> <p>The Central Bank may reject any proposal of any increase, acquisition, or transfer of shares that would:</p> <p>(a) compromise the quality of the institution's management or its financial soundness;</p> | <p>proposé ne provient pas d'activités illégales, criminelles ou suspectes.</p> <p>(6) La société de microfinance de dépôt notifie à la Banque Centrale toute autre opération d'augmentation, d'acquisition ou de transfert d'actions inférieure à la participation importante.</p> <p>(7) La Banque Centrale répond au demandeur dans un délai de 30 jours si le dossier de demande est complet.</p> <p><b><u>Article 19 :</u></b> Motifs de rejet par la Banque Centrale d'une demande d'augmentation, d'acquisition ou de transfert d'actions</p> <p>La Banque Centrale peut refuser toute proposition d'augmentation, d'acquisition ou de transfert d'actions qui:</p> <p>(a) compromettrait la qualité de la gestion de l'institution ou sa solidité financière;</p> |
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| <p>(b) cyabangamira inyungu z'ababikije muri icyo kigo;</p> <p>(c) cyabangamira ubugenzuzi bukoze neza bw'icyo kigo.</p> <p><b><u>Ingingo ya 20:</u> Inshingano zigomba kubahirizwa n'abafite imigabane igaragara</b></p> <p>Banki Nkuru ishobora gushyira inshingano ku banyamigabane bafite imigabane igaragara cyangwa ububasha bwo kugenzura muri sosiyete y'imari iciriritse yakira amafaranga abitswa zo kongera cyangwa kugabanya umubare w'imigabane bafite iyo bibaye ngombwa bitewe n'uko ikigo gihagaze.</p> <p><b><u>Ingingo ya 21:</u> Kubuzwa kuvana imigabane muri koperative y'imari iciriritse yakira amafaranga abitswa</b></p> <p>Nta munyamigabane wemerewe kubikuzwa imigabane muri koperative y'imari iciriritse yakira amafaranga abitswa.</p> <p>Iyo umunyamuryango ahatse kuva muri koperative y'imari iciriritse yakira amafaranga</p> | <p>(b) jeopardize the interests of the institution's depositors;</p> <p>(c) hinder effective supervision of the institution.</p> <p><b><u>Article 20:</u> Obligations imposed on shareholders with significant shareholding</b></p> <p>The Central Bank may, impose obligations on shareholders with a significant shareholding or controlling powers in a deposit-taking microfinance company to increase or reduce the number of shares held if the situation of the institution requires so.</p> <p><b><u>Article 21:</u> Prohibition to withdraw shares from a deposit taking microfinance cooperative</b></p> <p>No shareholder is allowed to withdraw shares in a deposit-taking microfinance cooperative.</p> <p>In case a member wishes to leave a deposit taking microfinance cooperative, such shares</p> | <p>(b) compromettrait les intérêts des déposants de l'institution;</p> <p>(c) entraverait la supervision effective de l'institution.</p> <p><b><u>Article 20:</u> Obligations imposées aux actionnaires détenant des actions significatives</b></p> <p>La Banque Centrale peut imposer des obligations aux actionnaires détenant des actions significatives ou pouvoir de contrôle dans une société de microfinance de dépôt afin d'augmenter ou de réduire le nombre d'actions détenues si la situation de l'institution l'exige.</p> <p><b><u>Article 21:</u> Interdiction de retirer des actions d'une coopérative de microfinance de dépôt</b></p> <p>Aucun actionnaire n'est autorisé à retirer des actions d'une coopérative de microfinance de dépôt.</p> <p>Lorsqu'un membre souhaite quitter une institution de microfinance de dépôt, ces actions</p> |
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| <p>abitswa, iyo migabane igomba guhererekanywa ku wundi munyamigabane cyangwa ikegukanwa n'undi munyamuryango cyangwa uzaba umunyamuryango.</p> <p><b><u>Ingingo ya 22:</u></b> Ibibujijwe ku mikoreshereze y'imigabane y'ikigo cy'imari iciriritse cyakira amafaranga abitswa nk'ingwate</p> <p>Ikigo cy'imari iciriritse cyakira amafaranga abitswa nticyemerewe gutanga inguzanyo cyangwa indi serivisi gihaweho imigabane yacyo bwite nk'ingwate.</p> <p><b><u>Ingingo ya 23:</u></b> Kumenyesha ko amabwiriza atubahirijwe</p> <p>Ugize inama y'ubutegetsi, uri mu buyobozi, cyangwa umugenzuzi wigenga w'ikigo cy'imari iciriritse cyakira amafaranga abitswa agomba guhita amenyesha Banki Nkuru nyuma yo kubona amakuru ko hari umuntu wanyuranyije n'ibiteganyijwe byerekeye imigabane igaragara.</p> <p><b><u>Icyiciro cya 2:</u></b> Ibisabwa mu kwihuza cyangwa kwibumbira hamwe</p> | <p>are subject to transfer to or acquisition by another member or a prospective member.</p> <p><b><u>Article 22:</u></b> Restriction on the use of deposit-taking microfinance institution shares as a collateral</p> <p>A deposit-taking microfinance institution shall not grant any credit or any other facility against the security or collateral of its own shares.</p> <p><b><u>Article 23:</u></b> Disclosure of violation</p> <p>Any director, member of management, or external auditor of a deposit-taking microfinance institution shall inform the Central Bank immediately after obtaining knowledge that a person has violated provisions relating to significant shareholding.</p> <p><b><u>Section 2:</u></b> Requirements for merger or amalgamation</p> | <p>font l'objet d'un transfert ou d'une acquisition par un autre member ou un futur membre.</p> <p><b><u>Article 22:</u></b> Restriction sur l'utilisation des actions comme garantie par l'institution de microfinance de dépôt</p> <p>Une institution de microfinance de dépôt n'accorde aucun crédit ni aucune autre facilité en recevant en garantie ses propres actions.</p> <p><b><u>Article 23:</u></b> Dénonciation de violation</p> <p>Tout administrateur, membre de la direction ou auditeur externe d'une institution de microfinance de dépôt doit informer immédiatement la Banque Centrale après avoir pris connaissance qu'une personne a enfreint les dispositions relatives à la tenue des actions significatives.</p> <p><b><u>Section 2:</u></b> Conditions de fusion</p> |
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| <p><b><u>Ingingo ya 24: Gusaba iyegukana, ikomatanya cyangwa ukwibumbira hamwe</u></b></p> <p>Ikigo cyose cy'imari iciriritse cyakira amafaranga abitswa kigomba kwegukanwa n'ikindi kigo cyangwa cyifuza kwikomatanya cyangwa kubumbirwa hamwe n'ikindi kigomba kubanza gusaba kwemererwa mu nyandiko na Banki Nkuru no kuyishyikiriza inyandiko zikurikira:</p> <p>(a) ibaruwa ibisaba yandikiwe Banki Nkuru;</p> <p>(b) imyanzuro y'inteko rusange y'abanyamigabane cyangwa y'abanyamuryango yemeza iryo yegukana, ikomatanya cyangwa ukwibumbira hamwe;</p> <p>(c) amasezerano y'iyegukana, ikomatanya cyangwa ukwibumbira hamwe;</p> <p>(d) raporo isesenguye irebana n'ibigo bishaka gukora iyegukana, ikomatanya cyangwa ukwibumbira hamwe. Iyo raporo igomba kugaragaza neza igenagaciro ry'ibigo bishaka gukora</p> | <p><b><u>Article 24: Application for acquisition, or merger or amalgamation</u></b></p> <p>Any deposit-taking microfinance institution subject to acquisition or intending to merge or amalgamate shall seek prior written approval from the Central Bank upon submission of the following documents:</p> <p>(a) application letter addressed to the Central Bank;</p> <p>(b) resolutions of the general assembly meeting of shareholders or members approving the acquisition, merger or amalgamation;</p> <p>(c) the acquisition, merger or amalgamation's agreement;</p> <p>(d) due diligence report for the institutions engaged in acquisition, merger or amalgamation. The due diligence report shall clearly highlight the valuation of</p> | <p><b><u>Article 24: Demande de fusion et acquisition</u></b></p> <p>Toute institution de microfinance de dépôt ayant l'intention d'être acquisitionnée ou fusionner doit demander l'approbation écrite préalable à la Banque Centrale sur présentation des documents suivants :</p> <p>(a) lettre de demande adressée à la Banque Centrale;</p> <p>(b) les résolutions de l'assemblée générale des actionnaires ou membres approuvant l'acquisition ou la fusion;</p> <p>(c) le contrat de l'acquisition ou de fusion;</p> <p>(d) un rapport de diligence sur les institutions qui font partie de l'acquisition ou de fusion. Le rapport de l'auditeur externe met clairement en évidence l'évaluation des institutions</p> |
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| <p>iyegukana, ikomatanya cyangwa ukwibumbira hamwe;</p> <p>(e) inyandiko z'imari zagenzuwe nibura z'imyaka itatu ku bigo birebwa byose;</p> <p>(f) inyigo y'ibiteganywa gukorwa mu gihe nibuze cy'imyaka itatu isobanura neza inyungu izava mu ikomatanya cyangwa kwibumbira hamwe cyangwa iyegukana kw'ibigo harimo gahunda irambuye y'ibikorwa n'imari iteganyijwe kugerwaho y'ibigo biri gukora iyegukana, ikomatanya cyangwa ukwibumbira hamwe;</p> <p>(g) gahunda iteganyijwe y'imiterere y'imigabane n'imbonerahamwe y'imiterere y'inzego z'imirimo y'ikigo;</p> <p>(h) raporo y'isuzuma ku ibibazo byose byerekeye amategeko ikigo k'imari iciriritse cyakira amafaranga abitswa kigiye kuvuka gishobora guhura nabyo hakubiyemo ibisobanuro ku manza zihari n'izishobora kuvuka;</p> | <p>the institutions engaged in acquisition, merger or amalgamation;</p> <p>(e) audited financial statements for at least three years for all concerned institutions;</p> <p>(f) a feasibility study of at least three years detailing the benefits and future achievements of acquisition, merger or amalgamation including a detailed action plan and financial projections of the institutions resulting from the acquisition, merger or amalgamation;</p> <p>(g) the proposed shareholding and organizational structure;</p> <p>(h) legal due diligence covering all areas of any legal concerns that may face the resulting deposit taking microfinance institution with specification on current litigations and anticipated litigation;</p> | <p>qui veulent procéder l'acquisition ou fusion;</p> <p>(e) les états financiers audités pendant au moins trois ans pour toutes les institutions concernées;</p> <p>(f) une étude de faisabilité sur une période d'au moins trois ans détaillant les avantages d'acquisition ou de fusion et les réalisations futures, y compris un plan d'action détaillé et les projections financières des institutions qui font partie de l'acquisition ou de fusion;</p> <p>(g) la structure d'actionnariat et d'organisation proposée;</p> <p>(h) le rapport d'évaluation juridique couvrant les domaines de tout problème juridique auquel la institution de microfinance de dépôt issue de la fusion peut rencontrer en spécifiant les litiges en cours et les litiges prévisibles;</p> |
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| <p>(i) izina riteganywa kuzakoreshwa mu gihe izina rihindutse;</p> <p>(j) cahunda y'imenyekanisha igenewe rubanda;</p> <p>(k) imiterere mishya y'abakozi nyuma ya gahunda y' iyegukana, ikomatanya n'ukwibumbira hamwe;</p> <p>(l) andi makuru Banki Nkuru yakenera.</p> <p><b><u>Ingingo ya 25: Isuzuma ribanziriza kwemererwa</u></b></p> <p>Banki Nkuru ntiyemera igikorwa cy'iyegukana, ikomatanya cyangwa ukwibumbira hamwe keretse iyo ibona ko:</p> <p>(a) iyegukana, ikomatanya cyangwa ukwibumbira hamwe bivugwa bitabangamiye inyungu za rubanda;</p> <p>(b) igikorwa kireba ibigo by'imari iciriritse byakira amafaranga abitswa gusa; kandi ikigo gishya gifite ubushobozi bwo gukomeza gukora;</p> | <p>(i) the name under which they intend to use in case of name change;</p> <p>(j) communication plan to the public;</p> <p>(k) proposed staff rationalization of post-acquisition, merger or amalgamation program;</p> <p>(l) any other information that the Central Bank may deem necessary.</p> <p><b><u>Article 25: Pre-approval assessment</u></b></p> <p>The Central Bank shall not grant an approval to the acquisition, merger or amalgamation transaction unless it is satisfied that:</p> <p>(a) the acquisition, merger or amalgamation in question will not be detrimental to the public interest;</p> <p>(b) transaction is of deposit-taking microfinance institutions only; and the new institution will be viable;</p> | <p>(i) le nom qu'ils ont l'intention d'utiliser en cas de changement de nom;</p> <p>(j) le plan de communication au public;</p> <p>(k) la proposition de rationalisation du personnel après le programme de l'acquisition et de fusion;</p> <p>(l) toute autre information que la Banque Centrale jugera nécessaire.</p> <p><b><u>Article 25: Évaluation préalable à l'approbation</u></b></p> <p>La Banque Centrale ne peut approuver la transaction de l'acquisition ou fusion que si elle estime que:</p> <p>(a) l'acquisition ou fusion en question ne porte pas préjudice à l'intérêt général;</p> <p>(b) la transaction concerne uniquement les institutions de microfinance de dépôt; et que la nouvelle institution est viable;</p> |
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| <p>(c) igikorwa kitazabangamira igenzura rikozwe neza ry'ikigo cy'imari iciriritse cyakira amafaranga abitswa ukwacyo cyangwa igenzura rikomatanyije;</p> <p>(d) kitazabangamira urwego rw'imari iciriritse muri rusange;</p>                                                                                                                                                                                                                                                                                                                                                                                                                                  | <p>(c) the transaction will not hinder effective supervision of the deposit taking microfinance institution on solo and consolidated basis;</p> <p>(d) it will not be detrimental to the microfinance sector in general;</p>                                                                                                                                                                                                                                                                                                                                                                                                     | <p>(c) la transaction n'empêchera pas une supervision efficace de l'institution de microfinance de dépôt sur une base individuelle ou consolidée;</p> <p>(d) ne sera pas préjudiciable au secteur de microfinance en général;</p>                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <p><b><u>Ingingo ya 26:</u> Kwemerera iyegukana, ikomatanya cyangwa ukwibumbira hamwe</b></p> <p>Mu gihe Banki Nkuru ibona ko izemerera burundu iyegukana, ikomatanya cyangwa ukwibumbira hamwe, imenyeshya usaba ko ayishyikiriza icyemezo gishya cy'ishigwa cyangwa icyemezo cyo kwandikwa, ikigo cyaturuste mu iyegukana, ikomatanya cyangwa ukwibumbirahamwe cyahawe n'inzego zibifitiye ububasha mbere yo kwemererwa burundu.</p> <p><b><u>Ingingo ya 27:</u> Ibisabwa nyuma y'iyegukana, ikomatanya cyangwa ukwibumbira hamwe</b></p> <p>Ikigo kivutse kimenyesha rubanda impinduka iyo ari yo yose yavuye mu gikorwa gishobora kubagiraho ingaruka.</p> | <p><b><u>Article 26:</u> Final approval of the acquisition, merger or amalgamation</b></p> <p>In case, the Central Bank is satisfied that it will approve acquisition, merger or amalgamation, it shall inform the applicant to submit the new certificate of incorporation or the registration certificate of the resulting institution from competent authorities before granting the final approval.</p> <p><b><u>Article 27:</u> Post acquisition, merger or amalgamation requirements</b></p> <p>The resulting institution shall inform the public on any change that resulted in the transaction that may affect them.</p> | <p><b><u>Article 26:</u> Approbation définitive de l'acquisition ou de fusion</b></p> <p>Lorsque la Banque Centrale estime qu'elle approuvera l'acquisition ou la fusion, elle informe le requérant pour soumettre le nouveau certificat de constitution ou l'acte d'enregistrement de l'institution issue de l'acquisition ou de la fusion donné par autorités compétentes, avant d'accorder l'approbation finale.</p> <p><b><u>Article 27:</u> Conditions exigées après l'acquisition ou fusion</b></p> <p>L'institution issue de la fusion informe le public de tout changement qui a résulté de la transaction qui pourrait les affecter.</p> |

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| <p><b><u>Icyiciro cya 3: Ibisabwa ku gufungura no gufunga ahakorerwa ubucuruzi</u></b></p> <p><b><u>Ingingo ya 28: Gufungura ahakorerwa ubucuruzi</u></b></p> <p>(1) Ikigo cy'imari iciriritse cyakira amafaranga abitswa gishobora, kibanje kubyemererwa mu nyandiko na Banki Nkuru, gushyiraho ahakorerwa ubucuruzi ku butaka bw'u Rwanda.</p> <p>(2) Inyandiko isaba gufungura aho gukorera ibikorwa ishyikirizwa, mu nyandiko, Banki Nkuru igaragaza ibi bikurikira:</p> <p>(a) agace kazakorerwamo n'imiterere y'ibikorwa biteganyijwe;</p> <p>(b) inyigo y'ibiteganywa gukorwa iherekejwe na gahunda y'imari iteganyijwe y'imyaka nibura itatu igaragaza uburyo aho gukorera ibikorwa hazongerera agaciro ikigo cy'imari iciriritse cyakira amafaranga abitswa mu byerekeye abakiriya cyangwa</p> | <p><b><u>Section 3: Requirements for opening and closing a place of business</u></b></p> <p><b><u>Article 28: Opening a place of business</u></b></p> <p>(1) A deposit-taking microfinance institution may open place of business within the Rwandan territory with prior written approval from the Central Bank.</p> <p>(2) The request to open a place of business is addressed, in writing, to the Central Bank specifying the following:</p> <p>(a) the location and nature of activities envisaged;</p> <p>(b) feasibility study with financial projections of at least three years on how the place of business will add value to the deposit-taking microfinance institution in terms of clientele or membership, profitability as well as the share of resources and assets;</p> | <p><b><u>Section 3: Exigences d'ouverture et de fermeture d'un lieu d'activité</u></b></p> <p><b><u>Article 28: Ouverture d'un lieu d'activité</u></b></p> <p>(1) Une institution de microfinance de dépôt peut ouvrir des lieux d'activité sur le territoire rwandais sous l'approbation écrite préalable de la Banque Centrale.</p> <p>(2) La demande d'ouverture d'un lieu d'activité est adressée, par écrit, à la Banque Centrale en précisant les éléments suivants:</p> <p>(a) l'emplacement et la nature des activités envisagées;</p> <p>(b) étude de faisabilité avec des projections financières d'au moins trois ans sur la façon dont le lieu d'activité va ajouter de la valeur à l'institution de microfinance de dépôt en termes de clientèle ou membres, de</p> |
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| <p>abanyamuryango, urwunguko ruteganyijwe, hamwe n'uruhare mu kongera aho umutungo uturuka ndetse n'umutungo;</p> <p>(c) imikorere y'ubugenzuzi bw'imbere mu kigo n'umutekano w'amafaranga;</p> <p>(d) ingengo y'imari iteganyirijwe aho gukorera ibikorwa;</p> <p>(e) imiterere y'imyanya y'akazi ku hantu hazakorera ibikorwa;</p> <p>(f) icyemezo cy'uko hishyuwe muri Banki Nkuru amafaranga adasubizwa yo kwiga dosiye angana na 50.000 FRW, iyo ubusabe ari ubwo gufungura ishami.</p> <p>(3) Banki Nkuru isuzuma dosiye ikanamenyesha ikigo cy'imari iciriritse cyakira amafaranga abitswa umwanzuro yafashe mu gihe kitarenze iminsi 30 uhaye ku itariki dosiye yuzuye yakiriwe.</p> | <p>(c) details of internal control system and security of funds;</p> <p>(d) detailed budget for the establishment of the place of business;</p> <p>(e) the proposed staffing structure of the place of business;</p> <p>(f) proof of payment to the Central Bank of a non-refundable application fee of FRW 50,000, if the request is for opening a branch.</p> <p>(3) The Central Bank assesses the application file and notify the deposit-taking microfinance institution of its decision within a period not exceeding 30 days from the date of the receipt of fully completed application.</p> | <p>rentabilité ainsi que la part de ressources et d'actifs;</p> <p>(c) le système de contrôle interne et la sécurité des fonds;</p> <p>(d) budget détaillé pour l'ouverture d'un lieu d'activité;</p> <p>(e) la structure du personnel proposée pour le lieu d'activité;</p> <p>(f) preuve de paiement à la Banque Centrale des frais de demande non-remboursables de 50.000 FRW, si la demande concerne l'ouverture d'une branche.</p> <p>(3) La Banque Centrale évalue le dossier et notifie sa décision à l'institution de microfinance de dépôt dans un délai n'excédant pas 30 jours à compter de la date de réception de la demande dûment remplie.</p> |
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| <p>(4) Mbere yo gutangira imirimo, Banki Nkuru ishobora gukora ubugenzuzi bw'ahazakorerwa ibikorwa igamije gusuzuma ko habereye gukorerwa imirimo yateganyijwe ndetse n'uko hari ikoranabuhanga rituma ahazakorerwa habasha kujya ku muyoboro uhahuza n'icyicaro gikuru.</p> | <p>(4) Before starting the operations, the Central Bank may undertake an inspection of the premises and examine the compliance with the operational readiness as well as interconnectivity with the head office.</p> | <p>(4) Avant de commencer les opérations, la Banque Centrale peut procéder à une inspection des locaux et examiner l'état de préparatif ainsi que le système de technologie de l'information en place permettant au lieu d'activité d'être interconnectée avec le siège.</p> |
| <p><b><u>Ingingo ya 29: Kwimura cyangwa gufunga aho gukorera ibikorwa</u></b></p>                                                                                                                                                                                            | <p><b><u>Article 29: Relocation or closure of a place of business</u></b></p>                                                                                                                                        | <p><b><u>Article 29: Déménagement ou fermeture d'un lieu d'activité</u></b></p>                                                                                                                                                                                              |
| <p>(1) Umwanzuro uwo ari wo wose wo kwimura cyangwa gufunga ahakorerwa ibikorwa wemezwa na Banki Nkuru.</p>                                                                                                                                                                  | <p>(1) Any decision for relocation or closure of the place of business is subject to prior written approval of the Central Bank.</p>                                                                                 | <p>(1) Toute décision de délocalisation ou de fermeture du lieu d'activité est soumise à l'approbation écrite préalable de la Banque Centrale.</p>                                                                                                                           |
| <p>(2) Banki Nkuru ifata icyemezo ku busabe mu minsi mirongo 30 nyuma yo kwakira dosiye isaba yuzuye.</p>                                                                                                                                                                    | <p>(2) The Central Bank shall take decision on the request within a period of 30 days after receipt of complete application.</p>                                                                                     | <p>(2) La Banque Centrale prend une décision sur la demande dans un délai de 30 jours après réception de la demande complète.</p>                                                                                                                                            |
| <p>(3) Ibisabwa mu kwimura aho gukorera ibikorwa ni bimwe nk'ibisabwa mu gusaba gufungura aho gukorerwa ibikorwa.</p>                                                                                                                                                        | <p>(3) The requirements for relocation of place of business are the same as those of opening a place of business.</p>                                                                                                | <p>(3) Les exigences pour le déménagement d'un lieu d'activité sont les mêmes que celles de l'ouverture d'un lieu d'activité.</p>                                                                                                                                            |

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| <p>(4) Mbere yo gutanga uruhushya rwo kwimura cyangwa gufunga ahantu hakorerwa ubucuruzi, Banki Nkuru ibanza:</p> <p>(a) kumenya neza ko inyungu z’abakiriya cyangwa abanyamuryango b’aho ikigo cy’imari iciriritse cyakira amafaranga abitswa gisanzwe gikorera zitazabangamirwa n’ifunga;</p> <p>(b) kumenya neza ko hari uburyo bwateganyijwe mu kwirinda uburiganya n’ibindi bikorwa by’ubuhemu mu gihe cyo kwimuka cyangwa ifunga.</p> <p>(5) Iyo gufunga aho gukorera ibikorwa byemewe mu nyandiko na Banki Nkuru, ikigo cy’imari iciriritse cyakira amafaranga abitswa kigomba gutanga integuza y’amezi atatu kuri rubanda ya gahunda yo gufunga. Hanyuma yaho, kimenyesha Banki Nkuru itariki nyayo aho gukorera ibikorwa hazaba hafunzwe.</p> | <p>(4) Before authorizing the relocation or closure of a place of business, the Central Bank seeks to be satisfied that:</p> <p>(a) ensure that the interest of clients or members in the area where the deposit-taking microfinance institution currently operates will not be jeopardized by the relocation or closure;</p> <p>(b) ensure that there is proposed controls for avoiding fraud and malpractices in the process of relocation or closure.</p> <p>(5) Once the written approval to close a place of business has been granted by the Central Bank, the deposit-taking microfinance institution shall give three months notice to the public of its intention to close. Thereafter, it shall inform the Central Bank the actual date that a place of business will be closed.</p> | <p>(4) Avant d’autoriser le déménagement ou la fermeture d’un lieu d’activité, la Banque Centrale s’assure que:</p> <p>(a) s’assure que l’intérêt de clients ou membres dans la zone d’opération actuelle de l’institution de microfinance de dépôt ne sera pas compromis par le déménagement ou la fermeture;</p> <p>(b) s’assure qu’il y a les Contrôles proposés pour éviter les fraudes et les malversations pendant le déménagement ou la fermeture.</p> <p>(5) Une fois que l’approbation écrite à la fermeture d’un lieu d’activité a été accordée par la Banque Centrale, l’institution de microfinance de dépôt doit donner au public un préavis de trois mois de son intention de fermer. Par la suite, elle informe la Banque Centrale de la date effective de fermeture d’un lieu d’activité.</p> |
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| <p>(6) Ku itariki aho gukorera ibikorwa hafunzwe cyangwa himuwe, ikigo cy'imari iciriritse cyakira amafaranga abitswa kigomba kumanura amatangazo yose cyangwa ibimenyetso bigaragara byerekeye ahakorerwa ibikorwa hafunzwe cyangwa himuwe.</p>                                     | <p>(6) On the date a place of business is closed or relocated, the deposit-taking microfinance institution shall remove all advertisements or visible signage related to the closed or relocated place of business.</p>                                                                                                                          | <p>(6) La date où un lieu d'activité est fermé ou relocalisé, l'institution de microfinance de dépôt doit enlever toutes les publicités ou panneaux visibles liés au lieu d'activité fermé ou relocalisé.</p>                                                                                                                                                          |
| <p><b><u>Ingingo ya 30:</u> Kunanirwa gutangira ibikorwa</b></p>                                                                                                                                                                                                                     | <p><b><u>Article 30:</u> Failure to commence operations</b></p>                                                                                                                                                                                                                                                                                  | <p><b><u>Article 30:</u> Incapacité de débiter les activités</b></p>                                                                                                                                                                                                                                                                                                   |
| <p>Iyo ikigo cy'imari iciriritse cyakira amafaranga abitswa kinaniwe gutangira ibikorwa ahakorerwa ubucuruzi hashya hemejwe mu gihe cy'amezi atandatu, cyamburwa icyo cyemezo kandi ntigishobora gutangira ibikorwa keretse gitanze ubundi busabe kandi bikemewe na Banki Nkuru.</p> | <p>When a deposit-taking microfinance institution fails to commence operations in a new place of business for which approval was given within six months, the approval shall be revoked and the deposit-taking microfinance institution shall not commence operations until a new application is submitted and approved by the Central Bank.</p> | <p>Lorsqu'une institution de microfinance de dépôt ne parvient pas à débiter les activités dans un nouveau lieu d'activité pour lequel l'approbation a été donnée dans les six mois, l'approbation est révoquée et l'institution de microfinance de dépôt ne commence ses activités qu'après une nouvelle demande est soumise et approuvée par la Banque Centrale.</p> |
| <p><b><u>UMUTWE WA IV:</u> INGINGO ZINYURANYE N' IZISOZA</b></p>                                                                                                                                                                                                                     | <p><b><u>CHAPTER IV:</u> MISCELLANEOUS AND FINAL PROVISIONS</b></p>                                                                                                                                                                                                                                                                              | <p><b><u>CHAPITRE IV:</u> DISPOSITIONS DIVERSES ET FINALES</b></p>                                                                                                                                                                                                                                                                                                     |

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| <p><b><u>Ingingo ya 31: Guhindura imiterere y'ikigo cy'imari iciriritse cyakira amafaranga abitswa</u></b></p> <p>(1) Koperative y'imari iciriritse yakira amafaranga abitswa ishaka guhinduka sosiyete y'imari iciriritse yakira amafaranga abitswa igomba kubanza kubyemererwa mu nyandiko na Banki Nkuru nyuma yo kuyishyikiriza ibi bikurikira:</p> <p>(a) ibaruwa ibisaba yandikiwe Banki Nkuru;</p> <p>(b) imyanzuro y'inama y'inteko rusange yemeza iryo hinduramiterere;</p> <p>(c) inyigo y'ibiteganywa gukorwa isobanura neza inyungu izava mu ihinduramiterere hamwe n'ibizagerwaho mu gihe kizaza harimo gahunda y'ibikorwa biteganyijwe nibura mu myaka itatu, igenamigambi, gahunda yayo y'ishyirambikorwa na gahunda y'imari iteganyijwe</p> | <p><b><u>Article 31: Transformation of a deposit-taking microfinance institution</u></b></p> <p>(1) A deposit-taking microfinance cooperative that wishes to transform into a deposit-taking microfinance company shall seek prior written approval from the Central Bank upon submission of the following:</p> <p>(a) application letter addressed to the Central Bank;</p> <p>(b) resolutions of the general assembly meeting adopting the transformation;</p> <p>(c) a feasibility study detailing the transformation benefits and future achievements, including a strategic plan for at least three years, annual business plan, action plan and financial projections of the company resulting from the transformation;</p> | <p><b><u>Article 31: Transformation d'une institution de microfinance de dépôt</u></b></p> <p>(1) Une coopérative de microfinance de dépôt qui souhaite la transformation en une société de microfinance de dépôt doit obtenir l'approbation écrite préalable de la Banque Centrale sur présentation des documents suivants:</p> <p>(a) lettre de demande adressée à la Banque Centrale;</p> <p>(b) les résolutions de l'assemblée générale approuvant la transformation;</p> <p>(c) une étude de faisabilité détaillant les avantages de la transformation et les réalisations futures, y compris un plan stratégique pour au moins trois ans, un plan d'affaires annuel, plan d'action et des projections financières de la société envisagée;</p> |
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| <p>bya sosiyete izakomoka mu ihinduramiterere;</p> <p>(d) gihamya y'uko ifite imari shingiro isabwa sosiyete y'imari iciriritse yakira amafaranga abitswa;</p> <p>(e) gahunda iteganyijwe y'imiterere y'imigabane ya sosiyete iizakomoka ku ihinduramiterere;</p> <p>(f) indi nyandiko yose iri ngombwa.</p> <p>(2) Mu gihe Banki Nkuru isanze icyifuzo ku ihinduramiterere gikwiye, imenyeshya uwasabye mu gihe kitarenze iminsi 30 y'akazi imusaba kohereza izindi nyandiko zirimo n'icyemezo cy'iyandikwa rya sosiyete kugira ngo ubusabe bwemezwe burundu.</p> | <p>(d) proof of possessing the minimum capital required for a deposit-taking microfinance company;</p> <p>(e) the proposed shareholding structure of the company resulted from the transformation;</p> <p>(f) Any other document deemed necessary.</p> <p>(2) In case the Central Bank has no objection on application for transformation proposal, in a period not exceeding 30 working days, it shall inform the applicant to submit other documents including the company registration certificate for the final approval.</p> | <p>(d) preuve de la possession du capital minimum requis pour la société de microfinance de dépôt;</p> <p>(e) la structure de l'actionnariat proposé de la société résultant de la transformation;</p> <p>(f) Tout autre document jugé nécessaire.</p> <p>(2) Au cas où la Banque Centrale n'a pas d'objection à la proposition de transformation, elle informe le demandeur, dans un délai ne dépassant pas 30 jours ouvrables, de soumettre d'autres documents y compris le certificat d'enregistrement d'une société pour l'approbation finale.</p> |
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| <b><u>Ingingo ya 32: Inyandiko zigomba kumenyeshwa Banki Nkuru</u></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <b><u>Article 32: Documents requiring notification to the Central Bank</u></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <b><u>Article 32: Documents exigeant la notification à la Banque Centrale</u></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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| <p>(1) Igihe habaye impinduka cyangwa ubugororangingo mu nyandiko zikurikira, ikigo cy'imari iciriritse cyakira amafaranga abitswa kigomba gutanga inyandiko ivuguruye yemejwe n'urwego rubifitiye ububasha mu minsi 20 nyuma y'iryo yemezwa:</p> <p>(a) ku makoperative y'imari iciriritse yakira amafaranga abitswa, amategeko shingiro;</p> <p>(b) ku masosiyete y'imari iciriritse yakira amafaranga abitswa, amasezerano n'amategeko shingiro;</p> <p>(c) politiki n'amabwiriza byose bikurikizwa mu kigo;</p> <p>(d) gahunda y'ibikorwa biteganyijwe harimo n'igenamigambi, gahunda yayo y'ishyirambikorwa n'ingengo y'imari;</p> | <p>(1) In case there is any change or amendment on the following documents, the deposit-taking microfinance institution shall submit the revised document approved by the competent authority within 20 days after approval:</p> <p>(a) by-laws for deposit-taking microfinance cooperatives;</p> <p>(b) memorandum and articles of association for deposit-taking microfinance companies;</p> <p>(c) all internal policies and procedures;</p> <p>(d) strategic plan, corresponding annual business plan, action plan and the budget;</p> | <p>(1) En cas de changement ou de modification des documents suivants, l'institution de microfinance de dépôt soumet le document révisé et approuvé par l'autorité compétente dans les 20 jours suivant l'approbation:</p> <p>(a) statuts, pour les coopératives de microfinance de dépôt;</p> <p>(b) l'acte constitutif et les statuts, pour les sociétés de microfinance de dépôt;</p> <p>(c) toutes les politiques et procédures internes;</p> <p>(d) plan stratégique y compris un plan d'affaires annuel, plan d'action et budget;</p> |

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| <p>(e) ishyirwaho ry'indi serivisi cyangwa impinduka zikomeye zabayeho muri serivisi isanzwe itangwa.</p> <p>(2) Banki Nkuru imenyesha gusa ikigo cy'imari iciriritse cyakira amafaranga abitswa iyo hari ubugororangingo bukenewe gukorwa ku nyandiko zatanze mu minsi mirongo 30 y'akazi nyuma yo kwakira inyandiko zuzuye.</p>                                                                                                                                  | <p>(e) any introduction of new product or radical change in the existing product.</p> <p>(2) The Central Bank shall only inform the deposit-taking microfinance institution in case there is any amendment needed on the submitted documents within 30 working days after receipt of complete documents.</p>                                                                                                           | <p>(e) mis en place d'un nouveau produit ou changement radical d'un produit existant.</p> <p>(2) La Banque Centrale, dans les 30 jours ouvrables suivant la réception des documents complets, notifie l'institution de microfinance de dépôt si les documents soumis nécessitent des modifications.</p>                                                                                                                                             |
| <p><b><u>Ingingo ya 33: Kubahiriza imari shingiro nshyashya</u></b></p> <p>(1) Ibigo by'imari iciriritse byakira amafaranga abitswa bidakwiye ikigero cy'imari shingiro gishyashya gisabwa, bigomba kuba byakigezeho mu bihe bigenye ku buryo bukurikira:</p> <p>(a) 700.000.000 FRW kuri sosiyete y'imari iciriritse cyakira amafaranga abitswa na 70.000.000 FRW kuri koperative y'imari iciriritse yakira amafaranga abitswa mu gihe cy'imyaka itatu ibarwa</p> | <p><b><u>Article 33: Compliance with the new minimum paid up capital</u></b></p> <p>(1) Existing deposit-taking microfinance institutions that do not have the minimum paid up capital shall meet it as follows:</p> <p>(a) FRW 700,000,000 for deposit taking microfinance company and FRW 70,000,000 for deposit taking microfinance cooperative within three years from the publication of this regulation; and</p> | <p><b><u>Article 33: Conformité au nouveau niveau du capital minimum libéré</u></b></p> <p>(1) Les institutions de microfinance de dépôt existantes qui n'ont pas le capital minimum libéré doivent le respecter comme suit:</p> <p>(a) 700.000.000 FRW pour la société de microfinance de dépôt et 70.000.000 FRW pour la coopérative de microfinance de dépôt dans un délai de trois ans à compter de la publication du présent règlement; et</p> |

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| <p>uhereye igihe aya mabwiriza rusange atangarijwe mu igazeti ya Leta; na</p> <p>(b) 1.000.000.000 FRW kuri sosiyete y'imari iciriritse cyakira amafaranga abitswa na 100.000.000 FRW kuri koperative y'imari iciriritse yakira amafaranga abitswa mu gihe cy'imyaka itanu ibarwa uhareye igihe aya mabwiriza rusange atangarijwe mu igazeti ya Leta.</p> <p>(2) Ikigo cyakira amafaranga abitswa gifite uruhushya rwo gukora kitujuje imari shingiro gisabwa ku munsu aya mabwiriza rusange atangarijweho mu Igaze ya Leta asabwe gushyikiriza Banki Nkuru, mu gihe cy'amezi atanu nyuma y'itangazwa ry'aya mabwiriza rusange mu igazeti ya Leta, gahunda y'izamura ry'imari shingiro.</p> <p>(3) Iyi ngingo iraba Koperative zo kuzigama no kuguriza z'Umurenge (U-</p> | <p>(b) FRW 1,000,000,000 for deposit taking microfinance company and FRW 100,000,000 for deposit taking microfinance cooperative within five years from the publication of this regulation.</p> <p>(2) Existing licensed deposit taking microfinance institution that do comply with the minimum paid up capital at the time of the publication of this regulation in the Official Gazette shall submit to the Central Bank the buildup capital plan within six months after the publication of this regulation in the Official Gazette.</p> <p>(3) This article applies to Umurenge savings and credit cooperatives(U-</p> | <p>(b) FRW 1.000.000.000 pour la société de microfinance de dépôt et 100.000.000 FRW pour la coopérative de microfinance de dépôt dans un délai de cinq ans à compter de la publication du présent règlement.</p> <p>(2) L'institution de microfinance d dépôt agréée existante qui ne respecte pas le capital minimum libéré au moment de la publication du présent règlement au Journal officiel doit soumettre à la Banque centrale le capital de constitution plan dans les six mois suivant la publication du présent règlement au Journal Officiel.</p> <p>(3) Cet article s'applique aux Umurenge coopératives d'épargne et de crédit (U-</p> |
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| <p>SACCOs) kuva zikimara kwihuriza ku rwego rw'Akarere.</p> <p>(4) Umunyamigabane ku giti cye, yaba umuntu usanzwe cyangwa ikigo gifite ubuzima gatozi ufite imigabane irenze 25% haba muburyo buziguye cyangwa butaziguye ahawe igihe cy'umwaka umwe kugirango yubahirize ibisabwa n'ingingo ya 17 y'aya mabwiriza rusange.</p> <p><b><u>Ingingo ya 34: Guha agaciro ibyakozwe mbere y'aya mabwiriza rusange</u></b></p> <p>(1) Impushya n'ibyakozwe hashingiwe ku Ibwiriza rusange no 02/2009 ryo ku wa 27/05/2009 ryerekeye imitunganyirize y'imikorere y'ibigo by'imari iciriritse bigumana agaciro kabyo.</p> <p>(2) Ariko ibigo by'imari iciriritse byifuza guhindura impushya bifite hashingiwe ku itegeko rishya ndeste n'aya mabwiriza rusange byabisaba Banki Nkuru.</p> | <p>SACCOs) upon their consolidation at district level.</p> <p>(4) An individual shareholder, whether a natural person or corporate body that exceeds the shareholding of 25% either directly or indirectly is given a period of one year to comply with requirements of the Article 17 of this regulation</p> <p><b><u>Article 34: Validation of actions performed before this regulation</u></b></p> <p>(1) Licenses issued and actions performed in accordance with the Regulation n° 02/2009 of 27/05/2009 on the organization of Microfinance activity remain valid.</p> <p>(2) However, deposit-taking microfinance institutions wishing to review their licences in accordance with the new law and this regulation may request it to the Central Bank.</p> | <p>SACCOs) dès leur consolidation au niveau du district.</p> <p>(4) Un actionnaire individuel, si la personne physique ou morale qui dépasse directement ou indirectement l'actionnariat de 25% dispose d'un délai d'un an pour se conformer aux exigences de l'article 17 du présent règlement.</p> <p><b><u>Article 34: Validation des actions réalisées avant ce règlement</u></b></p> <p>(1) Les agréments délivrés et les actions réalisées conformément au Règlement n° 02/2009 du 27/05/2009 portant organisation de l'activité de Microfinance restent valables.</p> <p>(2) Toutefois, les institutions de microfinance de dépôt souhaitant revoir leurs agréments conformément à la nouvelle loi et au présent règlement peuvent en faire la demande auprès de la Banque Centrale.</p> |
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| <p><b><u>Ingingo ya 35: Ingingo y’ururimi</u></b></p> <p>Aya mabwiriza rusange yateguwe mu rurimi rw’Icyongereza.</p>                                                                                                                           | <p><b><u>Article 35: Language provision</u></b></p> <p>This regulation was drafted in English.</p>                                                                                                                    | <p><b><u>Article 35: Disposition linguistique</u></b></p> <p>Le présent règlement a été rédigé en anglais.</p>                                                                                                                                       |
| <p><b><u>Ingingo ya 36: Ingingo ivanaho</u></b></p> <p>Ibwiriza rusange n° 02/2009 ryo ku wa 27/05/2009 ryerekeye imitunganyirize y’imikorere y’ibigo by’imari iciriritse n’izindi ingingo zinyuranyije n’aya mabwiriza rusange bivanyweho.</p> | <p><b><u>Article 36: Repealing provision</u></b></p> <p>Regulation n° 02/2009 of 27/05/2009 on the organization of Microfinance activity and any other prior provisions contrary to this regulation are repealed.</p> | <p><b><u>Article 36: Disposition abrogatoire</u></b></p> <p>Le règlement n° 02/2009 du 27/05/2009 relatif à l'organisation de l'activité de microfinance et toutes autres dispositions antérieures contraires au présent règlement sont abrogés.</p> |
| <p><b><u>Ingingo ya 37: Gutangira gukurikizwa</u></b></p> <p>Aya mabwiriza rusange atangira gukurikizwa ku munsu atangarijwe mu Igazeti ya Leta ya Repubulika y’u Rwanda.</p>                                                                   | <p><b><u>Article 37: Entry into force</u></b></p> <p>This regulation comes into force on the date of its publication in the Official Gazette of the Republic of Rwanda.</p>                                           | <p><b><u>Article 37: Entre en vigueur</u></b></p> <p>Le présent règlement entre en vigueur le jour de sa publication au Journal Officiel de la République du Rwanda.</p>                                                                             |

**Kigali, 27/03/2023**

**(sé)**

**RWANGOMBWA John**  
**Guverineri**  
**Governor**  
**Gouverneur**

**Bibonywe kandi bishyizweho ikirango cya Repubulika:**  
**Seen and sealed with the Seal of the Republic:**  
**Vu et scellé du Sceau de la République :**

**(sé)**

**Dr UGIRASHEBUJA Emmanuel**  
**Minisitiri w'Ubutabera akaba n'Intumwa Nkuru ya Leta**  
**Minister of Justice and Attorney General**  
**Ministre de la Justice et Garde des Sceaux**

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| <p><b>UMUGEREKA WA MBERE<br/>W'AMABWIRIZA RUSANGE N° 57/2023<br/>YO KU WA 27/03/2023 AGENA<br/>IBIGENDERWAHO MU GUTANGA<br/>URUHUSHYA N'IBINDI BISABWA<br/>IBIGO BY'IMARI ICIRIRITSE BYAKIRA<br/>AMAFARANGA ABITSWA</b></p> | <p><b>ANNEX ONE TO REGULATION N°<br/>57/2023 OF 27/03/2023 ESTABLISHING<br/>LICENSING REQUIREMENTS AND<br/>OTHER CONDITIONS FOR DEPOSIT-<br/>TAKING MICROFINANCE<br/>INSTITUTIONS</b></p> | <p><b>ANNEXE PREMIÈRE DU RÈGLEMENT<br/>N° 57/2023 DU 27/03/2023 PORTANT<br/>CONDITIONS D'AGRÈMENT ET<br/>AUTRES EXIGENCES AUX<br/>INSTITUTIONS DE MICROFINANCE DE<br/>DÉPÔT</b></p> |
| <p><b>INYANDIKO YO GUSABA URUHUSHYA<br/>RWO GUKORA NK'IKIGO CY'IMARI<br/>ICIRIRITSE CYAKIRA AMAFARANGA<br/>ABITSWA</b></p>                                                                                                  | <p><b>APPLICATION FORM FOR A LICENSE<br/>TO OPERATE AS A DEPOSIT-TAKING<br/>MICROFINANCE</b></p>                                                                                          | <p><b>FORMULAIRE DE DEMANDE<br/>D'AGRÈMENT POUR OPÉRER EN<br/>TANT QU'INSTITUTION DE<br/>MICROFINANCE DE DÉPÔT</b></p>                                                              |

**Official Gazette n° Special of 31/03/2023**

Kuri Guverineri  
Banki Nkuru y'u Rwanda  
P.O Box 531,  
KIGALI

Njyewe, .....mu bubasha bwa ..... wa/ nk'intumwa yemewe n'amategeko ya ....., isosiyete/ koperative yashinzwe hakurikijwe Itegeko rigenga amasosiyete y'ubucuruzi/ rigenga amakoperative, n'andi mategeko yubahirizwa mu Rwanda, nanditse nsaba uruhushya rwo gukora nk'ikigo cy'imari iciriritse cyakira amafaranga abitswa, hakurikijwe ibiteganywa n'amabwiriza rusange n° 57/2023 yo ku wa 27/03/2023 akena ibigenderwaho mu gutanga uruhushya n'ibindi bisabwa ibigo by'imari iciriritse byakira amafaranga abitswa, kugira ngo hakorwe ibikorwa bikurikira:

.....  
.....

Ntanze inyandiko zivugwa mu ngingo ya 7 y'Amabwiriza rusange n° 57/2023 yo ku wa 27/03/2023 akena ibigenderwaho mu gutanga uruhushya n'ibindi bisabwa ibigo by'imari iciriritse byakira amafaranga abitswa.

*Amazina y'usaba uruhushya* .....

Aho usaba uruhushya abarizwa (Agasanduku k'iposita, telefoni, email)

.....  
.....  
.....

**Icyemezo n'inshingano**

Njyewe, ..... nemeje ko amakuru yose akubiye muri iyi nyandiko ndetse n'ayiherekeje yuzuye kandi ko ari ukuri, nkurikije ibyo nzi kandi nemera.

Niyemeje guhita menyesha Banki Nkuru, impinduka zose zikomeye zizaba ku makuru akubiye muri iyi nyandiko.

Mbirahiriye i ..... kuri uyu muni wa ...../...../20.....

\_\_\_\_\_  
*Umukono w'urahiye*

Utanze amakuru asobanukiwe neza ibikubiye muri iyi nyandiko.

Birahiriwe imbere yanjye,

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**NOTERI**

**Icyitonderwa:** Garagaza urutonde rw'ibikorwa byose by'ubucuruzi, wifuza gukora.

**Official Gazette n° Special of 31/03/2023**

The Governor,  
National Bank of Rwanda  
P.O Box 531,  
KIGALI

I, the undersigned, .....in the capacity of .....of / duly authorised agent on behalf of ....., a company/  
cooperative incorporated/ registered under the company/ cooperative law, and other laws of the Republic of Rwanda, hereby apply for a license to  
establish a deposit-taking microfinance institution in accordance with Regulation n° 57/2023 of 27/03/2023 establishing licensing requirements  
and other conditions for deposit-taking microfinance institutions, to carry out the following activities:

.....  
.....  
.....  
.....  
.....

I submit the documentation specified in article 7 of the Regulation n° 57/2023 of 27/03/2023 establishing licensing requirements and other  
conditions for deposit-taking microfinance institutions.

*Applicant's names*.....

Applicant's address (P.O. Box, Tel, email).

.....  
.....  
.....

**Certification and Undertaking**

I, the undersigned, ..... hereby certify that all information contained in and accompanying this application is complete  
and accurate to the best of my knowledge and belief.

I undertake to forthwith notify the Central Bank, of any material change in the particulars of this application.

Sworn at ..... this .....day of .....20.....

---

*Signature of Deponent Principal/ Promoter/Agent*

Deponent understands the contents of this declaration.

Before me,

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**NOTARY**

**Note:** List all the types of business activities in which you propose to engage.

**Official Gazette n° Special of 31/03/2023**

A Monsieur le Gouverneur,  
de la Banque Nationale du Rwanda  
P.O Box 531,  
KIGALI

Je, soussigné(e), .....agissant en qualité de ..... de /agent dûment autorisé pour le compte de.....une société/coopérative constituée/enregistrée en vertu de la loi régissant les sociétés/coopératives, et autres lois du Rwanda, solliciter par la présente un agrément pour opérer en tant qu'institution de microfinance de dépôt conformément au Règlement n° 57/2023 du 27/03/2023 portant conditions d'agrément et autres exigences aux institutions de microfinance de dépôt, pour mener à bien les activités suivantes:

.....  
.....  
.....

Je sou mets la documentation spécifiée à l'article 7 du Règlement n° 57/2023 du 27/03/2023 portant conditions d'agrément et autres exigences aux institutions de microfinance de dépôt.

*Noms du requérant* .....

Adresse du requérant (Boîte postale, Tel, email).

.....  
.....  
.....

**Certification et engagement**

Je, soussigné(e), ..... certifie par la présente que toutes les informations contenues dans et accompagnant cette demande sont complètes et exactes au meilleur de mes connaissances et convictions.

Je m'engage à informer immédiatement la Banque Centrale de tout changement important dans les détails de cette demande.

Déclaré à ..... en ce jour ..... du.....202.....

---

*Signature du déposant principal/promoteur(trice)/Agent*

Le requérant comprend le contenu de la présente déclaration.

Déclaré devant moi,

---

**NOTAIRE**

**Remarque:** Enumérez tous les types d'activités commerciales dans lesquelles vous proposez vous engager.

**BIBONYWE KUGIRA NGO BISHYIRWE KU MUGEREKA W'AMABWIRIZA RUSANGE N° 57/2023 YO KU WA 27/03/2023  
AGENA IBIGENDERWAHO MU GUTANGA URUHUSHYA N'IBINDI BISABWA IBIGO BY'IMARI ICIRIRITSE BYAKIRA  
AMAFARANGA ABITSWA**

**SEEN TO BE ANNEXED ON REGULATION N° 57/2023 OF 27/03/2023 ESTABLISHING LICENSING REQUIREMENTS AND  
OTHER CONDITIONS FOR DEPOSIT-TAKING MICROFINANCE INSTITUTIONS**

**VU POUR ETRE ANNEXÉ AU RÈGLEMENT N° 57/2023 DU 27/03/2023 PORTANT CONDITIONS D'AGRÉMENT ET AUTRES  
EXIGENCES AUX INSTITUTIONS DE MICROFINANCE DE DÉPÔT**

Kigali, 27/03/2023

(sé)

**RWANGOMBWA John**

Guverineri

Governor

Gouverneur

**Bibonywe kandi bishyizweho ikirango cya Repubulika:**

**Seen and sealed with the Seal of the Republic:**

**Vu et scellé du Sceau de la République :**

(sé)

**Dr UGIRASHEBUJA Emmanuel**

Minisitiri w'Ubutabera akaba n'Intumwa Nkuru ya Leta

Minister of Justice and Attorney General

Ministre de la Justice et Garde des Sceaux

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|                                                                                                                                                                                                                         |                                                                                                                                                                                         |                                                                                                                                                                          |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>UMUGEREKA WA 2<br/>W'AMABWIRIZA RUSANGE N°<br/>57/2023 YO KU WA 27/03/2023 AGENA<br/>IBIGENDERWAHO MU GUTANGA<br/>URUHUSHYA N'IBINDI BISABWA<br/>IBIGO BY'IMARI ICIRIRITSE<br/>BYAKIRA AMAFARANGA ABITSWA</b></p> | <p><b>ANNEX 2 TO REGULATION N° 57/2023<br/>OF 27/03/2023 ESTABLISHING<br/>LICENSING REQUIREMENTS AND<br/>OTHER CONDITIONS FOR DEPOSIT-<br/>TAKING MICROFINANCE<br/>INSTITUTIONS</b></p> | <p><b>ANNEXE 2 DU RÈGLEMENT N° 57/2023 DU<br/>27/03/2023 PORTANT CONDITIONS<br/>D'AGRÉMENT ET AUTRES EXIGENCES<br/>AUX INSTITUTIONS DE MICROFINANCE<br/>DE DÉPÔT</b></p> |
| <p><b>IFISHI Y'AMAKURU Y'USABA<br/>URUHUSHYA<br/>N'ABANYAMIGABANE BAFITE<br/>IMIGABANE IGARAGARA (iyo ari<br/>isosiyete)</b></p>                                                                                        | <p><b>INFORMATION SHEET FOR THE<br/>APPLICANT AND SIGNIFICANT<br/>SHAREHOLDERS (if it is a corporate)</b></p>                                                                           | <p><b>FICHE D'INFORMATION POUR LE<br/>REQUÉRANT ET LES ACTIONNAIRES<br/>SIGNIFICATIFS (si c'est une société)</b></p>                                                     |

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1. Izina ry'usaba uruhushya / umunyamigabane ufite imigabane igaragara:

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.....

2. Izina ritagikoreshwa, (niba rihari/ahari) usaba uruhushya/ umunyamigabane ufite imigabane igaragara yitwaga mbere:

.....  
.....

3. Izina ryose usaba uruhushya/umunyamigabane ufite imigabane igaragara yifuza gukoresha ku mpamvu cyangwa ku byerekeranye n'ubucuruzi yakoze, harimo izina ryose usaba uruhushya asabwa cyangwa azasabwa gutangaza rijyanye n'ubucuruzi ubwo ari bwo bwose yakoze hakurikijwe Itegeko rigenga amasosiyete y'ubucuruzi cyangwa itegeko rigenga ubufatanye mu bucuruzi

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4. Ibikorwa by'ingenzi by'ikigo cy'imari iciriritse cyakira amafaranga abitswa

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5. Icyicaro gikuru:

| Aho kibarizwa /Aderesi | Nimero za telefoni | Nimero za telefax |
|------------------------|--------------------|-------------------|
|                        |                    |                   |
|                        |                    |                   |

6. Amashami:

*Aho abarizwa:*

.....  
.....

7. Isosiyete yabyawe n'indi:

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| Izina ry'ikigo | Umubare w'imigabane | Agaciro k'imigabane | Ijanisha (%) ku migabane yose mu bucuruzi |
|----------------|---------------------|---------------------|-------------------------------------------|
|                |                     |                     |                                           |
|                |                     |                     |                                           |
|                |                     |                     |                                           |

8. Amakuru ku miyoborere n'ubuyobozi:

(1) Inama y'ubutegetsi

| Amazina | Icyo ashinzwe | Amashuri n'impamyabumenyi | Uburambe | Manda arimo | Umubare w'imyaka amaze ari mu nama y'ubutegetsi |
|---------|---------------|---------------------------|----------|-------------|-------------------------------------------------|
|         |               |                           |          |             |                                                 |
|         |               |                           |          |             |                                                 |
|         |               |                           |          |             |                                                 |

(2) Komite z'inama y'ubutegetsi / komite zatowe

| Komite | Amazina y'abagize komite | Icyo ashinzwe | Amashuri n'impamyabumenyi | Uburambe | Manda arimo | Umubare w'imyaka amaze muri komite |
|--------|--------------------------|---------------|---------------------------|----------|-------------|------------------------------------|
|        |                          |               |                           |          |             |                                    |
|        |                          |               |                           |          |             |                                    |
|        |                          |               |                           |          |             |                                    |

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**(3) Abagize ubuyobozi**

| Amazina | Icyo akora | Amashuri<br>n'impamyabumenyi | Uburambe | Iyi manda | Umubare w'imyaka<br>amaze kuri uwo<br>mwanya |
|---------|------------|------------------------------|----------|-----------|----------------------------------------------|
|         |            |                              |          |           |                                              |
|         |            |                              |          |           |                                              |
|         |            |                              |          |           |                                              |

**(4) Umwirondoro wa ba nyir'ikigo**

:

| Amazina | Igihugu atuyemo | Igihugu afitiye<br>ubwenegihugu | Umubare<br>w'imigabane | Umubare w'imari<br>shingiro yose<br>yishyuye | Ijanisha (%) ry'imari<br>shingiro yishyuye |
|---------|-----------------|---------------------------------|------------------------|----------------------------------------------|--------------------------------------------|
|         |                 |                                 |                        |                                              |                                            |
|         |                 |                                 |                        |                                              |                                            |
|         |                 |                                 |                        |                                              |                                            |

**(5) Abandi bafite imigabane iri muni ya 5%**

| Abandi bafite imigabane iri muni<br>5% (Umubare wabo) | Umubare w'imigabane | Umubare w'imari shingiro yose<br>yishyuye | Ijanisha (%) ry'imari shingiro<br>yishyuye |
|-------------------------------------------------------|---------------------|-------------------------------------------|--------------------------------------------|
|                                                       |                     |                                           |                                            |
|                                                       |                     |                                           |                                            |
| <b>IGITERANYO</b>                                     |                     |                                           |                                            |

9. Imiterere y'ikigo:

(1) Imbonerahamwe y'inzego z'imirimo; Shyiraho umugereka werekana amashami n'udushami, inyito zayo, imyanya y'imirimo n'inyito z'imyanya y'abayobozi b'ayo mashami.

(2) Inshingano; Shyiraho urutonde rw'inshingano za buri shami riri mu mbonerahame y'inzego z'imirimo yerekana umubare w'abakozi buri shami rifite.

(3) Amashuri n'impamyabumenyi by'abanyamigabane bafite imigabane igaragara, abagize inama y'ubutegetsi n'abayobozi bakuru.

(4) Shyiraho imigereka y'imenyekanisha ikozwe na buri wese mu banyamigabane bafite imigabane igaragara, abagize inama y'ubutegetsi n'abakozi bakuru n'ifishi y'amakuru kuri buri wese mu banyamigabane bafite imigabane igaragara.

(5) Ububasha n'intego; Shyiraho kopi z'amategeko shingiro n'amategeko ngengamikorere ya vuba niba atarashyikirijwe Banki Nkuru mbere.

10. Imigabane yashowe na ba nyir'ikigo bafite imigabane igaragara, abagize inama y'ubutegetsi n'abayobozi bakuru mu kindi kigo cy'imari:

| Izina ry'ikigo cy'imari | Umubare w'imigabane agifitemo | Agaciro k'imigabane yose | Ijanisha (%) ry'imari shingiro |
|-------------------------|-------------------------------|--------------------------|--------------------------------|
|                         |                               |                          |                                |
|                         |                               |                          |                                |

11. Amazina n'aho amabanki akorana n'usaba uruhushya abarizwa yo mu myaka icumi (10) ishize. (Garagaza kandi banki y'ibanze k'usaba uruhushya)

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12. Amazina y'abagenzuzi bignega b'usaba uruhushya n'aho babarizwa niba bahari.

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13. Ese usaba uruhushya yaba afite cyangwa yarigeze guhabwa uruhushya na Banki Nkuru rwo gukorera igikorwa cy'ubucuruzi mu Rwanda cyangwa ahandi? Niba yararuhawe, tanga ibisobanuro. Niba kandi urwo ruhushya rwaravanyweho, tanga ibisobanuro.

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14. Ese usaba uruhushya yigeze gusaba uruhushya urwo ari rwo rwose Banki Nkuru, rwo gukora ubucuruzi ubwo ari bwo bwose mu Rwanda cyangwa ahandi? Niba urwo ruhushya yasabye yararwimwe ku mpamvu iyo ari yo yose cyangwa yararwambuwe nyuma yo kuruhabwa, tanga ibisobanuro.

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15. Usaba uruhushya cyangwa indi sosiyete / koperative iyo ari yo yose bari mu itsinda rimwe, cyangwa bafite aho baturira, mu myaka icumi (10) ishize yaba yarananiwe kwishyura umwenda, mu mwaka umwe nyuma y'uko icyemezo cy'urukiko rwo mu Rwanda cyangwa ahandi rubitegetse? Niba yarananiwe kwishyura umwenda, tanga ibisobanuro.

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16. Usaba uruhushya cyangwa indi sosiyete / koperative iyo ari yo yose bari mu itsinda rimwe, cyangwa bafite aho baturira, yaba yaragiranye ubwumvikane cyangwa amasezerano n'abo abereyemo imyenda mu myaka icumi (10) ishize cyangwa se yarananiwe kwishyura abamuguriye imyenda yose? Niba ari byo byarabaye, tanga ibisobanuro.

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17. Hari umucungamutungo cyangwa ucunga umutungo w'uri mu gihombo washyiriweho usaba uruhushya cyangwa indi sosiyete / koperative iyo ari yo yose bari mu itsinda rimwe cyangwa bafite aho baturira, mu Rwanda, cyangwa se undi uwo ari we wese nk'uwo wamushyiriweho mu kindi gihugu, mu myaka icumi (10) ishize? Niba ahari, tanga ibisobanuro, harimo no kugaragaza niba yaba agikora imirimo yahawe.

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18. Hari ikirego cyatangiwe mu Rwanda giturutse ku cyemezo cy'ubuyobozi, haregwa usaba uruhushya cyangwa indi sosiyete / koperative iyo ari yo yose bari mu itsinda rimwe cyangwa bafite aho baturira, cyangwa se ikindi kirego nk'icyo yaba yaratangiwe ahandi, mu myaka icumi (10) ishize? Niba cyaratanzwe, tanga ibisobanuro.

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19. Hari itangazo ry'icyemezo cyo gusesa ku bushake usaba uruhushya cyangwa indi sosiyete / koperative iyo ari yo yose bari mu itsinda rimwe cyangwa bafite aho baturira, ryatangiwe mu Rwanda, cyangwa se hari itangazo nk'iryo ryatangiwe ahandi, mu myaka icumi (10) ishize? Niba ryaratanzwe, tanga ibisobanuro.

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20. Hari ikirego cyatangiwe mu Rwanda, gisaba iseswa ritegetswe ry'usaba uruhushya cyangwa indi sosiyete / koperative iyo ari yo yose bari mu itsinda rimwe cyangwa bafite aho baturira, cyangwa hari ubundi busabe nk'ubwo bwatangiwe ahandi, mu myaka icumi (10) ishize? Niba bwaratanzwe, tanga ibisobanuro

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21. Vuga niba usaba uruhushya yarigeze gukorera iperereza ku byaha akekweho, niba yarakurikiranwe n'ubushinjacyaha, niba yarafatiwe ibihano bijyanye n'imyitwarire, niba yaranenzwe na rubanda cyangwa niba cyarafatiwe ibihano mu bucuruzi bifatanye isano na serivisi z'imari mu Rwanda cyangwa ahandi

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22. Haba hari ibibazo bitumvikanwaho hagati y'usaba uruhushya n'ikigo cy'imisoro n'amahoro, cyangwa n'ikindi kigo gikora nka cyo gishinzwe ibijyanye n'imisoro gikorera mu kindi gihugu? Niba bihari, tanga ibisobanuro

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Ese usaba uruhushya cyangwa sosiyete / koperative iyo ari yo yose bari mu itsinda rimwe cyangwa bafite aho baturira, yaba ari cyangwa ateganya kwinjira mu makimbirane, haba mu Rwanda cyangwa mu kindi gihugu, ashobora kugira ingaruka zikomeye ku hantu akura umutungo? Niba ari byo, tanga ibisobanuro.

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Ese usaba uruhushya (sosiyete / koperative) yaba yarakoranye ubucuruzi cyangwa ateganya gukorana ubucuruzi ubwo ari bwo bwose na bamwe mu (abazaba) abagize inama y'ubutegets, abagize komite zatowe n'abagize ubuyobozi? Niba ari byo, tanga ibisobanuro  
.....  
.....  
.....

23. Ese ubucuruzi bw'abagize inama y'ubutegets bw'usaba uruhushya, abagize komite zatowe n'abagize ubuyobozi cyangwa ab'amasosiyete / koperative bari mu itsinda rimwe cyangwa bafite aho baturira, buremewe cyangwa se mu bundi buryo buranditse cyangwa bufite umutekano, cyangwa biteganyijwe ko bwemezwa, bukandikwa cyangwa bugahabwa umutekano n'usaba uruhushya (sosiyete / koperative)? Niba ari byo, tanga ibisobanuro  
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.....  
.....

24. Tanga andi makuru ayo ari yo yose yafasha Banki Nkuru gufata icyemezo ku busabe bw'usaba uruhushya  
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## ICYEMEZO

Turemeza ko amakuru yose akubiye muri iyi nyandiko n'ayiherekeje, yuzuye kandi ko ari ukuri dukurikije ubumenyi bwacu, amakuru dufite n'ibyo twemera, kandi ko nta bindi bisobanuro byerekeye ubu busabe, Banki Nkuru ikeneye kumenya.

Twiyemeje guha Banki Nkuru, amakuru yose yaturuka ku mpinduka izo ari zo zose zerekeye ubu busabe, zishobora kuvuka mu gihe Banki Nkuru yaba ikora isuzuma ry'ubu busabe. Tuzi neza inshingano z'ikigo mu guha Banki Nkuru, amakuru ayo ari yo yose cyaba gifite, kugira ngo Banki Nkuru ikore neza imirimo yayo. Ku byerekeye iyo nshingano, twiyemeje ko, mu gihe ikigo kizaba cyemerewe ubusabe hashingiwe ku biteganywa n'amabwiriza n° 57/2023 yo ku wa 27/03/2023 akena ibigenderwaho mu gutanga uruhushya n'ibindi bisabwa

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ibigo by'imari iciriritse byakira amafaranga abitswa, tuzamenyesha Banki Nkuru, impinduka izo ari zo zose zizavuka cyangwa zatuma amakuru arushaho kuzura no kugaragaza ukuri, tuzatanga ibisubizo by'ibyo bibazo bivuzwe haruguru, mu buryo bwihuse, bitarenze iminsi makumyabiri (20) uherye igihe impinduka zitugezeho.

Tubirahiriye ..... ku wa .....itariki ya .....

(1) .....

*Izina ry'umwanya afite*

.....

*Itariki bishyiriweho umukono*

.....

(2) .....

*Izina ry'umwanya afite*

.....

*Itariki bishyiriweho umukono*

.....

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Usaba uruhushya asobanukiwe neza n'ibikubiye muri iyi nyandiko

Bikorewe imbere yanjye.....

**NOTERI**

**Icyitonderwa:**

1. Ibice byose by'iyi nyandiko bigomba kuzuzwa.
2. Mu gihe umwanya wagenwe wo kuzuzamo amakuru udahagije, ayo makuru ya ngombwa, n'ibindi bisobanuro bikenewe bitangwa ku mugereka.
3. Kugira ngo bisobanuke neza, imigereka isabwa yose igomba kugaragaza neza igice bifatanye isano.

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1. Name of applicant/ significant shareholder:

.....  
.....

2. Former name(s) (if any) by which the applicant/ significant shareholder has been known:

.....  
.....

3. Any name the applicant/ significant shareholder proposes to use for purposes of or in connection with any business carried on by it, including any name the applicant is or will be obliged to disclose in connection with any business carried on by it by virtue of the law governing companies or law governing partnerships

.....  
.....

4. Principal business activities of the deposit-taking microfinance institution

.....  
.....  
.....

5. Head/ main office:

| Address | Telephone No | Telefax No |
|---------|--------------|------------|
|         |              |            |
|         |              |            |

6. Branches:

*Address:*

.....  
.....

7. Subsidiaries:

| Names | Number of shares | Amount of shares | % of shares in business |
|-------|------------------|------------------|-------------------------|
|       |                  |                  |                         |
|       |                  |                  |                         |

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|  |  |  |  |
|--|--|--|--|
|  |  |  |  |
|--|--|--|--|

8. Corporate governance and management information:

(1) Board of directors

| Names | Designation | Qualification | Experience | Present term | Number of years as board member |
|-------|-------------|---------------|------------|--------------|---------------------------------|
|       |             |               |            |              |                                 |
|       |             |               |            |              |                                 |
|       |             |               |            |              |                                 |

(2) Board committees/ Elected committees

| Type of Committee | Names of members | Designation | Qualification | Experience | Present term | Number of years as committee member |
|-------------------|------------------|-------------|---------------|------------|--------------|-------------------------------------|
|                   |                  |             |               |            |              |                                     |
|                   |                  |             |               |            |              |                                     |
|                   |                  |             |               |            |              |                                     |

(3) Members of Management

| Names | Designation | Qualification | Experience | Present term | Number of years in the current position |
|-------|-------------|---------------|------------|--------------|-----------------------------------------|
|       |             |               |            |              |                                         |

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|--|--|--|--|--|--|
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |

(4) Ownership Profile:

| Names | Country of residence | Country of Citizenship | Number of shares | Amount of paid up capital | % of paid up capital |
|-------|----------------------|------------------------|------------------|---------------------------|----------------------|
|       |                      |                        |                  |                           |                      |
|       |                      |                        |                  |                           |                      |
|       |                      |                        |                  |                           |                      |

(5) Other shareholders owning less than 5%

| Other shareholders owning less than 5% (Total Number) | Number of shares | Total amount of paid up capital | % of paid up capital |
|-------------------------------------------------------|------------------|---------------------------------|----------------------|
|                                                       |                  |                                 |                      |
|                                                       |                  |                                 |                      |
| TOTAL                                                 |                  |                                 |                      |

9. Organization Profile:

(1) Organization chart: attach one indicating major departments or divisions with names, positions and titles of officers heading each department or division.

(2) Functions: attach a list of functions or responsibilities for each Department or division listed in the organization chart indicating the number of personnel or staff for each.

(3) Qualifications of significant shareholders, directors and members of management.

(4) Annex Personal Declaration Form of each individual significant shareholder, director and member of management

(5) Powers and purposes; attach the latest copies of the Memorandum and Articles of Association or bylaws if not previously submitted to the Central Bank.

10. Shareholding in any other Financial Institution:

| Name of Financial Institution | Number of shares owned | Amount | % of capital |
|-------------------------------|------------------------|--------|--------------|
|                               |                        |        |              |
|                               |                        |        |              |

11. Name(s) and address (es) of the applicant's bankers within the last five(5) years. (Please also indicate the applicant's principal bankers)

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.....  
.....

12. Name and address of the applicant's external auditors if any

.....  
.....  
.....

13. Does the applicant hold, or has it ever held, any license from a supervisory authority to carry on any business activity in Rwanda or elsewhere? If so, give details. If any such license has been revoked, give details

.....  
.....  
....

14. Has the applicant ever applied for any license from a supervisory authority to carry on any business in Rwanda or elsewhere? If so, give details. If any such application was for any reason refused or withdrawn after it was submitted, give details

- .....  
.....  
.....
15. Has the applicant or any company/ cooperative in the same group or network within the last ten years failed to satisfy a judgement debt under a court in Rwanda or elsewhere within a year of the making of the Order? If so, give details
- .....  
.....  
.....
16. Has the applicant or any company/ cooperative in the same group or network made any compromise or arrangement with its creditors within the last ten years or otherwise failed to satisfy its creditors in full? If so, give details
- .....  
.....  
.....
17. Has a receiver or an administrative receiver of any property of the applicant or any company/ cooperative in the same group or network been appointed in Rwanda, or has a substantial equivalent of any such person been appointed in any other jurisdiction, in the last ten years? If so, give details, including whether the receiver is still acting under the appointment
- .....  
.....  
.....
18. Has a petition been served in Rwanda for an administrative order in relation to the applicant or company/ cooperative in the same group or network, or has the substantial equivalent of such a petition been served in any other jurisdiction, in the last ten years? If so, give details
- .....  
.....  
.....
19. Has a notice of resolution for the voluntary liquidation of the applicant or any company/ cooperative in the same group or network been given in Rwanda, or has the substantial equivalent of such a petition been served in any other jurisdiction, in the last ten years? If so, give details
- .....  
.....  
.....

20. Has a petition been served in Rwanda for the forced liquidation of the applicant institution or any company/ cooperative in the same group or network, or has the substantial equivalent of such a petition been served in any other jurisdiction, in the last ten years? If so, give details  
.....  
.....  
.....  
.....
21. State whether the applicant company/ cooperative has ever been under any criminal investigation, prosecution, disciplinary action(s), public criticism or trade sanctions in connection with financial services in Rwanda or elsewhere  
.....  
.....  
.....
22. Are there any material matters in dispute between the applicant institution and the Rwanda Revenue Authority or any equivalent taxation authority in any other jurisdiction? If so, give details  
.....  
.....  
.....  
.....
23. Is the applicant or any company/ cooperative in the same group or network engaged, or does it expect to be engaged, in Rwanda or elsewhere in any litigation which may have a material effect on the resources of the institution? If so, give details  
.....  
.....  
.....
24. Is the applicant company/ cooperative engaged, or does it expect to be engaged, in any business relationship with any of its (prospective) directors, officers or members of management? If so, give details  
.....  
.....  
.....
25. Is the business of the applicant's directors, members of elected committees or members of management or of companies/ cooperatives in the same group or network guaranteed or otherwise underwritten or secured, or expected to be guaranteed or underwritten or secured, by the applicant company / cooperative? If so, give details

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.....  
.....  
26. Please provide any other information which may assist the Central Bank in reaching a decision on the application  
.....  
.....  
.....

### DECLARATION

We certify that all the information contained in and accompanying this form is complete and accurate to the best of our knowledge, information and belief and that there are no other facts relevant to this application of which the Central Bank should be aware.

We undertake to inform the Central Bank of any material changes to the application which arises while the Central Bank is considering the application. We recognize the institution's obligation to provide the Central Bank with any information in its possession relevant to the exercise by the Central Bank of its functions. Consistent with this obligation, we undertake that, in the event that the institution is granted a licence under the Regulation n° 57/2023 of 27/03/2023 establishing licensing requirements and other conditions for deposit-taking microfinance institutions, we will notify the Central Bank of any material changes to, or affecting the completeness or accuracy of the answers to the questions above as soon as possible, but in any event not later than twenty (20) days from the day that the changes come to our attention.

Sworn at ..... this .....day of .....

(1) .....

*Name Position held*

.....  
*Signed Date*

(2) .....

*Name Position held*

.....  
*Signed Date*

The applicant understands the contents of this declaration.

Before me.....

**THE NOTARY**

**N:B:**

1. All sections of this form must be filled.
2. If any space provided is inadequate, the required information or data needed shall be supplied as an attachment.
3. All attachments should be labelled using the relevant section requiring the attachment.

1. Nom du requérant / Actionnaire significatif:

.....  
.....

2. Ancien(s) nom(s) (le cas échéant) sous lequel le requérant/actionnaire significatif était connu:

.....  
.....

3. Tout nom que le requérant/actionnaire significatif propose d'utiliser pour des besoins d'une activité exercée par lui/elle ou en relation avec ladite activité, y compris tout nom que le requérant est ou sera obligé de divulguer en relation avec toute activité exercée par lui/elle en vertu de la loi régissant des sociétés commerciales ou la loi régissant des sociétés des personnes

.....  
.....

4. Les principales activités commerciales d'une institution de microfinance de dépôt

.....  
.....

5. Siège / Bureau principal:

| Adresse | Numéro de téléphone | Numéro de télécopie |
|---------|---------------------|---------------------|
|         |                     |                     |
|         |                     |                     |

6. Agences:

Adresse:

.....  
.....

7. Filiales:

| Nom | Nombre d'actions | Montants des actions | % des actions détenues dans l'entreprise |
|-----|------------------|----------------------|------------------------------------------|
|     |                  |                      |                                          |
|     |                  |                      |                                          |
|     |                  |                      |                                          |

8. Gouvernance d'entreprise et information de gestion:

(1) Conseil d'administration

| Nom | Désignation | Qualification | Expérience | Mandat actuel | Nombre d'années en tant que membre du conseil d'administration |
|-----|-------------|---------------|------------|---------------|----------------------------------------------------------------|
|     |             |               |            |               |                                                                |
|     |             |               |            |               |                                                                |
|     |             |               |            |               |                                                                |

(2) Comités du conseil d'administration / Comités élus

| Type de comité | Noms des membres | Désignation | Qualification | Expérience | Mandat actuel | Nombre d'années en tant que membre du comité |
|----------------|------------------|-------------|---------------|------------|---------------|----------------------------------------------|
|                |                  |             |               |            |               |                                              |
|                |                  |             |               |            |               |                                              |
|                |                  |             |               |            |               |                                              |

(3) Membres de la direction

| Noms | Désignation | Qualification | Expérience | Mandat actuel | Nombre d'années en tant que membre du comité |
|------|-------------|---------------|------------|---------------|----------------------------------------------|
|      |             |               |            |               |                                              |

|  |  |  |  |  |  |
|--|--|--|--|--|--|
|  |  |  |  |  |  |
|  |  |  |  |  |  |

(4) Profil de propriété:

| Noms | Pays de résidence | Pays de citoyenneté | Nombre des actions | Montant du capital libéré | % du capital libéré |
|------|-------------------|---------------------|--------------------|---------------------------|---------------------|
|      |                   |                     |                    |                           |                     |
|      |                   |                     |                    |                           |                     |
|      |                   |                     |                    |                           |                     |

(5) Autres actionnaires détenant moins de 5%

| Autres actionnaires détenant moins de 5% (Nombre total) | Nombre des actions | Montant total du capital libéré | % du capital libéré |
|---------------------------------------------------------|--------------------|---------------------------------|---------------------|
|                                                         |                    |                                 |                     |
|                                                         |                    |                                 |                     |
| <b>TOTAL</b>                                            |                    |                                 |                     |

9. Profil de l'organisation/institution:

(1) Organigramme; Joindre un organigramme indiquant les principaux départements ou divisions avec les noms, les postes et titres des responsables dirigeant chaque département ou divisions.

(2) Fonctions; Joindre une liste des fonctions ou des responsabilités pour chaque département ou division citée dans l'organigramme en indiquant l'effectif du personnel pour chacun.

(3) Qualifications des actionnaires significatifs, les administrateurs et membres de la direction.

(4) Annexer une formulaire de déclaration personnelle pour chaque actionnaire significatif, administrateur et membre de la direction et une fiche d'information pour chaque actionnaire significatif.

(5) Pouvoirs et objectifs; joindre les dernières copies des Actes constitutifs et des status si celles-ci n'ont pas été préalablement soumises à la Banque Centrale.

10. Actionnariat dans d'autres institution financières

| Nom de l'institution financière | Nombre des actions détenues | Montant du capital libéré | % du capital libéré |
|---------------------------------|-----------------------------|---------------------------|---------------------|
|                                 |                             |                           |                     |
|                                 |                             |                           |                     |

11. Nom(s) et adresse(s) des banquiers du requérant au cours de cinq (5) dernières années. (Veuillez indiquer aussi les principaux banquiers du requérant)

.....  
.....  
.....

12. Nom et adresse des auditeurs externes du requérant, le cas échéant. (Veuillez donner les détails sur toute personne à la quelle vous avez peut être donnée une autorisation d'exercer toute activité commerciale au Rwanda ou ailleurs. Si une telle autorisation a été révoquée, donnez les détails, y compris les noms et la qualification professionnelle des partenaires qui seront responsables de la mission)

.....  
.....  
.....

13. Le requérant détient-il ou a-t-il déjà détenu une autorisation délivrée par une autorité de contrôle pour exercer une activité commerciale au Rwanda ou ailleurs? Si oui, donnez les détails. Si une telle autorisation a été révoquée, donnez les détails

.....  
.....  
....

14. Le requérant a-t-il déjà sollicité une autorisation de la part d'une autorité de contrôle pour exercer toute commerce au Rwanda ou ailleurs? Si oui, donnez les détails. Si une telle demande a été, pour quelque raison que ce soit, rejetée ou retirée après avoir été soumise, donnez les détails
- .....
- .....
- .....
15. Le requérant ou toute société/coopérative du même groupe ou réseau n'a pas, au cours des dix dernières années, honoré une créance judiciaire prescrite par un tribunal au Rwanda ou ailleurs, dans un délai d'une année après la publication de l'ordonnance? Si oui, donnez les détails
- .....
- .....
- .....
- .....
16. Le requérant ou toute société/coopérative du même groupe ou réseau a-t-il conclu un compromis ou un arrangement avec ses créanciers au cours des dix (10) dernières années ou autrement n'a-t-il pas pleinement satisfait ses créanciers? Si oui, donnez les détails
- .....
- .....
- .....
- .....
17. Un liquidateur ou administrateur du tout biens du requérant ou toute société/coopérative du même groupe ou réseau a été désigné au Rwanda, ou un équivalent substantiel d'une telle personne a-t-il été nommé dans toute autre juridiction au cours des dix (10) dernières années? Si oui, donnez les détails, et indiquez également si le liquidateur judiciaire agit toujours à ce titre
- .....
- .....
- .....
18. Une pétition a-t-elle été signifiée au Rwanda pour une ordonnance administrative concernant le requérant ou société/coopérative du même groupe ou réseau, ou l'équivalent substantiel d'une telle requête a-t-elle été signifié dans une autre juridiction, au cours des dix (10) dernières années? Si oui, donnez les détails
- .....
- .....
- .....

19. Un avis de résolution pour la liquidation volontaire du requérant ou société/coopérative du même groupe ou réseau a-t-il été donné au Rwanda, ou l'équivalent substantiel d'un tel avis de résolution a-t-il été donné dans une autre juridiction, au cours des dix (10) dernières années? Si oui, donnez les détails
- .....
- .....
- ...
20. Une pétition a-t-elle été signifiée au Rwanda pour une liquidation forcée de l'institution requérante ou société/coopérative du même groupe ou réseau, ou l'équivalent substantiel d'une telle petition a-t-elle été signifié dans toute autre juridiction, au cours des dix (10) dernières années? Si oui, donnez les détails
- .....
- .....
- .....
- .....
21. Indiquez si la société/coopérative requérante a déjà fait l'objet d'une enquête criminelle, de poursuites, de mesure(s) disciplinaire(s), de critiques publiques ou de sanctions commerciales en rapport avec les services bancaires et financiers au Rwanda ou ailleurs
- .....
- .....
- .....
22. Existe-t-il des questions matérielles en litige entre l'institution requérante et l'Office Rwandais des Recettes ou toute autorité fiscale équivalente dans toute autre juridiction? Si oui, donnez les détails
- .....
- .....
- .....
23. Le requérant ou une société/coopérative du même groupe ou réseau est-il engagé ou envisage-il de s'engager, au Rwanda ou ailleurs, dans un litige susceptible d'avoir un effet important sur les ressources de l'institution? Si oui, donnez les détails
- .....
- .....
- .....
24. La société requérante/coopérative est-elle engagée ou prévoit-elle de s'engager dans une relation commerciale avec l'un de ses (futurs) administrateurs, directeurs ou membres de la direction? Si oui, donnez les détails

- .....  
.....  
.....  
25. L'activité commerciale des administrateurs, membres des comités élus ou membres de la direction du requérant ou des sociétés / coopératives du même groupe ou réseau est-elle garantie ou autrement souscrite ou sécurisée, ou envisage-t-elle d'être garantie ou souscrite, sécurisée par une société /coopérative requérante? Si oui, donnez les détails  
.....  
.....  
.....

26. Veuillez fournir toute autre information susceptible d'aider la Banque Centrale à prendre une décision concernant le requérant  
.....  
.....  
.....

## DÉCLARATION

Nous certifions que toutes les informations contenues dans et accompagnant ce formulaire sont complètes et exactes au meilleur de nos connaissances, information et conviction et qu'il n'existe aucun autre fait pertinent à cette demande dont la Banque Centrale devrait avoir connaissance.

Nous nous engageons à informer la Banque Centrale toute modification importante de la demande qui survient pendant que la Banque Centrale examine cette demande. Nous reconnaissons l'obligation de l'institution de fournir à la Banque Centrale toute information en sa possession pertinente à l'exercice par la Banque Centrale de ses fonctions. Conformément à cette obligation, nous nous engageons à ce que, dans le cas où l'institution obtiendrait une licence en vertu du Règlement n° 57/2023 du 27/03/2023 portant conditions d'agrément et autres exigences aux institutions de microfinance de dépôt, nous informerons la Banque Centrale de tout changement important apporté aux réponses aux questions ci-dessus ou affectant l'exhaustivité ou l'exactitude de celles-ci dès que possible, mais en tout état de cause au plus tard vingt (20) jours à compter du jour où les modifications ont été portées à notre connaissance.

Déclaré à ..... en ce jour .....du .....

(1) .....

*Nom du poste occupé*

.....

*Date de Signature*

(2) .....

*Nom du poste occupé*

.....

*Date de Signature*

---

Le requérant comprend le contenu de cette déclaration.

Déclaré devant moi .....

**NOTAIRE**

**N.B:**

1. Toutes les sections de ce formulaire doivent être remplies.
2. Si l'espace fourni est insuffisant, les informations et données requises peuvent être fournies en pièce jointe.
3. Toutes les pièces jointes doivent être étiquetées en utilisant la section pertinente nécessitant la pièce jointe.

**BIBONYWE KUGIRA NGO BISHYIRWE KU MUGEREKA W'AMABWIRIZA RUSANGE N° 57/2023 YO KU WA 27/03/2023 AGENA IBIGENDERWAHO MU GUTANGA URUHUSHYA N'IBINDI BISABWA IBIGO BY'IMARI ICIRIRITSE BYAKIRA AMAFARANGA ABITSWA**

**SEEN TO BE ANNEXED ON REGULATION N° 57/2023 OF 27/03/2023 ESTABLISHING LICENSING REQUIREMENTS AND OTHER CONDITIONS FOR DEPOSIT-TAKING MICROFINANCE INSTITUTIONS**

**VU POUR ETRE ANNEXÉ AU RÈGLEMENT N° 57/2023 DU 27/03/2023 PORTANT CONDITIONS D'AGRÉMENT ET AUTRES EXIGENCES AUX INSTITUTIONS DE MICROFINANCE DE DÉPÔT**

Kigali, 27/03/2023

(sé)  
**RWANGOMBWA John**  
Guverineri  
Governor  
Gouverneur

**Bibonywe kandi bishyizweho ikirango cya Repubulika:**  
**Seen and sealed with the Seal of the Republic:**  
**Vu et scellé du Sceau de la République :**

(sé)  
**Dr UGIRASHEBUJA Emmanuel**  
Minisitiri w'Ubutabera akaba n'Intumwa Nkuru ya Leta  
Minister of Justice and Attorney General  
Ministre de la Justice et Garde des Sceaux

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|                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>UMUGEREKA WA 3 W'AMABWIRIZA<br/>RUSANGE N° 57/2023 YO KU WA<br/>27/03/2023 AGENA IBIGENDERWAHO<br/>MU GUTANGA URUHUSHYA N'IBINDI<br/>BISABWA IBIGO BY'IMARI ICIRIRITSE<br/>BYAKIRA AMAFARANGA ABITSWA</b></p>                                                                                                                                                                                                                                     | <p><b>ANNEX 3 TO REGULATION N° 57/2023<br/>OF 27/03/2023 ESTABLISHING<br/>LICENSING REQUIREMENTS AND<br/>OTHER CONDITIONS FOR DEPOSIT-<br/>TAKING MICROFINANCE<br/>INSTITUTIONS</b></p>                                                                                      | <p><b>ANNEXE 3 DU RÈGLEMENT N° 57/2023<br/>DU 27/03/2023 PORTANT CONDITIONS<br/>D'AGRÈMENT ET AUTRES EXIGENCES<br/>AUX INSTITUTIONS DE<br/>MICROFINANCE DE DÉPÔT</b></p>                                                                                                         |
| <p><b>INYANDIKO KU IMENYEKANISHA<br/>YUZUZA N'UMUNTU KU GITI CYE</b></p> <p><i>[Igenewe abagize cyangwa abategenywa kuba<br/>abagize inama y'ubutegetsi, abagize komite<br/>zatowe, abagize ubuyobozi n'abafite imigabane<br/>igaragara cyangwa abateganyirizwa kuba<br/>abagize inama y'ubutegetsi, abagize komite<br/>zatowe, abagize ubuyobozi n'abafite imigabane<br/>igaragara mu kigo cy'imari iciriritse cyakira<br/>amafaranga abitswa]</i></p> | <p><b>PERSONAL DECLARATION FORM</b></p> <p><i>[For individuals who are, or are proposing to<br/>become directors, members of elected<br/>committees, management personnel, individual<br/>significant shareholders of a deposit-taking<br/>microfinance institution]</i></p> | <p><b>FICHE DE DÉCLARATION<br/>INDIVIDUELLE</b></p> <p><i>[Pour les personnes qui sont ou proposent de<br/>devenir administrateurs, membres des comités<br/>élus, membres de la direction, actionnaires<br/>significatifs de l'institution de microfinance de<br/>dépôt]</i></p> |

**Izina n’ubushobozi/ububasha by’umuntu ukora iri menyekanisha:**

1. Izina ry’ikigo gfitanye isano n’ikigo cyuzurizwa iri menyekanisha (Ikigo):

.....  
.....  
.....

2. Amazina yose:

.....  
.....  
.....

3. Amazina gakondo na / cyangwa amazina y’idini ushobora kuba wari uzwiho mbere:

.....  
.....  
.....

4. Vuga ububasha / umwanya ufite kugira ngo ube uri kuzuza iyi nyandiko. Urugero: Nk’umunyamigabane ufite imigabane igaragara ubu cyangwa wifuza kuzaba umunyamigabane uyifite mu buryo buziguye cyangwa butaziguye, ugize inama y’ubutegetsi, ugize komite zatowe, abagize ubuyobozi.

.....  
.....

5. Vuga icyo ukora (amazina y’umwanya urimo) ndetse unasobanure imirimo yihariye n’inshingano zijyanye n’uwo mwanya w’umurimo ufite cyangwa uzagira. Niba wuzuza iyi nyandiko mu mwanya w’umuyobozi, garagaza niba, mu mwanya wawe nk’umuyobozi, ufite cyangwa uzaba ufite inshingano mu gucunga ubucuruzi bwikigo.

.....  
.....  
.....

6. Itariki n’ahantu wavukiye:

.....  
.....  
.....

7.

|                          |  |               |
|--------------------------|--|---------------|
|                          |  | Kuva (Umwaka) |
| Umwenegihugu wa(Igihugu) |  |               |
| Utuye(Igihugu)           |  |               |

8. Aho ubarizwa:

(1) Aho ukorera ubucuruzi muri iki gihe

|                 |                        |
|-----------------|------------------------|
| Mu Rwanda(kuva) | Hanze y'u Rwanda(kuva) |
|                 |                        |

(2) Aho utuye ubu:

|                 |                         |
|-----------------|-------------------------|
| Mu Rwanda(kuva) | Hanze y'u Rwanda (kuva) |
|                 |                         |

(3) Ahantu habiri uheruka kubarizwa mu Rwanda, niba hahari, mu myaka icumi (10) ishize:

|        |        |
|--------|--------|
| 1.kuva | 2.kuva |
|        |        |

9. Imyaka umaze mu kazi n'amashuri wize:

*(Vuga mu ncamake ibijyanye n'amashuri wize ndetse n'impamyabumenyi ufite, uvuge n'imyaka wabonyemo izo mpamyabumenyi)*

.....

(1) Impamyabumenyi ufite isumba izindi

.....

(2) Ingaga zihuza impuguke mu kazi ubereye umunyamuryango

.....

(3) Amahugurwa n'inama nyunguranabitekerezo witabiriye

.....

(4) Ibihembo by'ishimwe cyangwa by'icyubahiro wegukanye (Niba bihari)

.....

10. Umurimo ukora (umurimo ukora muri iki gihe cyangwa uwo uheruka gukora mu myaka icumi (10) ishize, ugaragaza itariki, ukwezi n'umwaka.

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| Izina & ibyo umukoresha akora | umwanya wari/ufite | kuva / kugera |
|-------------------------------|--------------------|---------------|
|                               |                    |               |
|                               |                    |               |

11. Amazina n’aho amabanki akorana n’usaba kwemererwa abarizwa yo mu myaka icumi (10) ishize

.....

12. Ibigo bifite ubuzima gatozi (ibindi uretse iki kigo) aho ukiri mu bagize inama y’ubutegetsi, ubereye umukozi, umunyamigabane cyangwa uri mu buyobozi bukuru muri iki gihe? Garagaza amatariki ajyanye n’ayo makuru

.....

.....

13. Ibigo bifite ubuzima gatozi, ibindi uretse iki kigo ndetse n’ibimaze kuvugwa haruguru wari mu bagize inama y’ubutegetsi, wari umukozi, umunyamigabane cyangwa wari mu buyobozi bukuru? Garagaza amatariki ajyanye n’ayo makuru

.....

.....

14. Waba warigeze, mu Rwanda cyangwa ahandi, wirukanwa mu kazi cyangwa mu mirimo, cyangwa ugakurikiranwa n’inzego zishinzwe iby’imyitwarire biturutse k’umukoresha wawe cyangwa ukangirwa kwinjira mu mwuga runaka cyangwa ukabuzwa gukora akazi? Niba ari byo, tanga ibisobanuro:

.....

.....

15. Sosiyete y’ubucuruzi wagizemo cyangwa ufitemo uruhare muri iki gihe (mu buryo butaziguye n’uburyo buziguye):

| Uruhare ufitemo, urugero: Umuyobozi mukuru, umwe mu bayobozi, Umunyamigabane | ijanisha (%) ry’imigabane | Itariki(ukwezi n’umwaka) |
|------------------------------------------------------------------------------|---------------------------|--------------------------|
|                                                                              |                           |                          |

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|                     |             |             |
|---------------------|-------------|-------------|
| Ubwoko bw'ubucuruzi | bugaragazwa | kuva/kugera |
|                     |             |             |

16. Ese hari isosiyete y'ubucuruzi iyo ari yo yose yavuzwe haruguru igifitanye imikoranire mu bucuruzi n'ikigo? Niba ihari, tanga ibisobanuro
- .....
- .....
- .....
17. Ese waba ufite uruhushya cyangwa warigeze kugira cyangwa warasabye uruhushya rwo kwemererwa, cyangwa ubundi burenganzira busa na rwo, bwo gukorera ibikorwa by'ubucuruzi mu Rwanda cyangwa mu kindi gihugu? Niba warabusabye ukabwimwa cyangwa ukabwamburwa nyuma yo kubuhabwa cyangwa urwo uruhushya rukavanwaho, tanga ibisobanuro:
- .....
- .....
- .....
18. Vuga niba ikigo urimo ubu cyangwa warimo, nk'umwe mu bagize inama y'ubutegetsi, umuyobozi mukuru, umunyamigabane cyangwa umwe mu bayobozi, gifite cyangwa cyarigeze kugira cyangwa cyarasabye uruhushya rwo kwemererwa, cyangwa ubundi burenganzira busa na rwo, bwo gukora igikorwa cy'ubucuruzi icyo ari cyo cyose? Niba byarabaye, tanga ibisobanuro. Niba kandi ubwo busabe bwo kwemererwa cyarabwimwe cyangwa kikabwamburwa nyuma yo kubuhabwa cyangwa urwo uruhushya rukavanwaho, tanga ibisobanuro
- .....
- .....
- .....
19. Vuga niba hari umwe mu bakoresha bawe, wakoreye mu gihe cyashize cyangwa muri iki gihe, cyangwa ikigo ufitemo uruhare nk'umunyamigabane, umuyobozi mukuru, umukozi cyangwa umwe mu bayobozi, cyarigeze gikorwaho iperereza ku byaha gikekwaho, cyarigeze gishyirirwaho n'urwego rw'igenzura cyangwa urukiko, umucungamutungo wihariye kubera igihombo.
- .....
- .....
- .....
20. Itsinda ry'umuryango:
- (1) Amazina y'uwo mwashakanye:
- .....
- (Niba ufite aho muhurira mu bucuruzi, garagaza izina ry'isosiyete, iry'ubufatanye mu bucuruzi n'ibindi)
- (2) Amazina y'abana:

.....  
..

.....  
..  
(Niba ufite aho muhurira mu bucuruzi, garagaza izina ry'isosiyete, iry'ubufatanye mu bucuruzi n'ibindi)

(3) Amazina y'ababyeyi: .....  
(Niba ufite aho muhurira mu bucuruzi, garagaza izina ry'isosiyete, iry'ubufatanye mu bucuruzi n'ibindi)

(4) Amazina y'abavandimwe: .....  
.....  
.....  
(Niba ufite aho muhurira mu bucuruzi, garagaza izina ry'isosiyete, iry'ubufatanye mu bucuruzi n'ibindi)

21. Ese waba warigeze unanirwa kwishyura umwenda wose wemejwe kandi ugomba kwishyurwa nawe nk'umwenda w'urubanza, hakurikijwe icyemezo cy'urukiko rwo mu Rwanda cyangwa ahandi, cyangwa wigeze ugirana amasezerano y'ubwumvikane n'abo ubereyemo imyenda, mu myaka icumi (10) ishize? Niba byarabaye, tanga ibisobanuro

.....  
.....  
.....  
22. Ese urukiko rwo mu Rwanda cyangwa ahandi, rwigeze rwemeza ko wahombye, cyangwa se hari ikirego cy'igihombo wigeze uregwa? Niba byarabaye, tanga ibisobanuro

.....  
.....  
.....  
23. Ese mu byerekeranye n'ishyirwaho cyangwa gucunga ikigo icyo ari cyo cyose gifite ubuzima gatozi, ubufatanye mu bucuruzi, koperative cyangwa ikigo kitarabona ubuzima gatozi, urukiko rwo mu Rwanda cyangwa ahandi, rwemeje ko waryozwa indishyi kubera uburiganya ubwo ari bwo bwose, gukoresha ububasha binyuranyije n'amategeko cyangwa irindi kosa rikabije wakoreye icyo kigo cyangwa isosiyete cyangwa abanyamuryango bacyo? Niba ari byo, tanga ibisobanuro

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24. Ese hari ikigo gifite ubuzima gatozi, ubufatanye mu bucuruzi, koperative cyangwa ikigo kitarabona ubuzima gatozi waba wari umwe mu muyobozi bacyo, umunyamigabane cyangwa umwe mu bagenzuzi, mu Rwanda cyangwa ahandi, cyafunzwe, cyategetswe kubahiriza icyemezo cy'ubuyobozi, cyangwa cyumvikanye cyangwa cyagiranye amasezerano y'ubwumvikane n'abo kibereyemo imyenda cyangwa cyahagaritse gucuruza haba/wenda igihe mwari mufatanyije cyangwa umwaka umwe nyuma y'uko uhagarika ubufatanye na cyo cyangwa se hari ikindi kintu gisa na kimwe muri ibi bikorwa cyabaye hakurikijwe amategeko agenga urwego urwo ari rwo rwose? Niba ari byo, tanga ibisobanuro  
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25. Ese hari aho wigeze ushingwa ibijyanye n'imiyoborere cyangwa imicungire y'ubucuruzi bw'ikigo, noneho kubera impamvu iyo ari yo yose muri icyo gihe wari ubishinzwe, kikaba cyarahanwe, cyarihanangirijwe, cyaragawe mu ruhamye cyangwa cyararegawe inkiko n'urwego rw'igenzuramikorere mu Rwanda cyangwa ahandi? Niba ari byo, tanga ibisobanuro  
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26. Mu gukora imirimo ushinze, uzajya ukorera ku mirongo migari cyangwa amabwiriza uhawe n'umuntu uwo ari we wese cyangwa ikigo? Niba ari byo, tanga ibisobanuro  
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27. Ese wowe ku giti cyawe, cyangwa umuntu mufatanye isano, haba hari uwiyeze akorana ubucuruzi n'ikigo? Niba ari byo, tanga ibisobanuro  
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28. Mu kigo harimo imigabane ingahe ikwanditsweho cyangwa yanditswe ku mazina y'uwo mufatanye isano? Niba ihari, tanga izina / amazina y'uwo yanditsweho n'urwego rwayo  
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29. Ese ari wowe cyangwa uwo mufitanye isano, hari imigabane mufite mu kigo, nk'ucunga iby'abandi cyangwa intumwa? Niba ari byo, tanga ibisobanuro  
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30. Ese hari imigabane mufite mu kigo, ivugwa mu bisubizo by'ibibazo bya 28 na 29 byabajijwe haruguru, ibarirwaho umwenda cyangwa yatanze ingwate mu buryo bungana? Niba ihari, tanga ibisobanuro  
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31. Mu nama y'inteko rusange y'ikigo (cyangwa y'ikindi kigo gifite ubuzima gatozi ikigo urimo gishamikiyeho) wowe cyangwa uwo mufitanye isano mufite uburenganzira bwo gutora bungana iki mu ifatwa ry'ibyemezo cyangwa mu kugenzura ifatwa ryabyo?  
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32. Vuga uko dosiye yawe iteye ku manza ukurikiranweho mu nkiko cyangwa ku iperereza ukorerwa n'urwego rwa Leta, urwego rushinzwe ibyerekeye akazi cyangwa urwego ngenzuramikorere (harimo imanza zikiri mu nkiko zitarasomwa, imanza utegereje kuzahamagarwamo cyangwa amaperereza akirimo gukorwa): izina ry'urukiko cyangwa ibisobanuro birambuye n'urwego rukora iperereza  
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33. Inyandiko za ngombwa zisabwa (zigomba gushyirwa ku mugereka w'ifishi y'amakuru y'umuntu ku giti cye)  
(1) Inyandikomvugo y'inama y'inteko rusange itora ugize inama y'ubutegetsi, ugize komite zatowe, n'abafite imigabane igaragara;  
(2) Inyandikomvugo y'inama y'ubutegetsi ishyiraho ugize ubuyobozi;  
(3) Ibaruwa itanga akazi;  
(4) Inyandiko iriho umukono wa Noteri igaragaza umutungo n'imyenda by'ikigo;  
(5) icyemezo cya vuba cy'uko nta birarane by'imisoro arimo cyangwa kopi iriho umukono wa Noteri y'imenyekanisha ry'umusoro ku nyungu;  
(6) Amabaruwa abiri y'ubudakemwa mu myitwarire /mu mico no mu myifatire atanzwe n'abantu batari abo mufitanye isano bazi neza uwo muntu mu gihe cy'imyaka icumi (10) ishize na;  
.....

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- (7) Amabaruwa ariho umukono w'abayobozi yatanzwe n'ibigo by'imari ikigo gisaba kwemererwa cyakoranye na bo mu myaka itanu (5) ishize yerekana imikorere ye ya za konti mu gihe cyashize no muri iki gihe;
- (8) Umwirondo urambuye;
- (9) Impamyabushobozi iriho umukono wa noteri/ Imihwanire y'impamyabushobozi yatanzwe n'ishuri ryo mu mahanga;
- (10) Raporo y'inguzanyo iheruka gutangwa yakozwe n'ibiro byemewe bishinzwe amakuru ku myenda;
- (11) Fotokopi y'indangamuntu / uruhushya rw'abajya mu mahanga;
- (12) icyemezo cya vuba gitangwa n'urwego rubifitiye ububasha/Icyemezo cyo kuba utarakatiwe n'Inkiko.

34. Niba iyi nyandiko iriho urutonde rw'ibibazo itanzwe iherekeje ubusabe bw'uruhushya, tanga andi amakuru yose yafasha Banki Nkuru gufata icyemezo kuri ubu busabe. Ku zindi mpamvu, tanga andi makuru, yafasha Banki Nkuru kwemeza niba ugize inama y'ubutegetsi, ugize komite zatowe, umunyamigabane cyangwa umuyobozi yujuje ibisabwa.

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.....  
.....

Birahiriwe (ahantu)..... ku muni wa.....tariki ya.....

Umukono w'urahira

Urahira asobanukiwe neza n'ibikubiye muri iyi nyandiko y'indahiro

Birahiriwe imbere yanjye.....

**NOTERI**

**Name and capacity of person making this declaration:**

1. Name of institution in connection with which this form is being filled (—the institution)

.....  
.....  
.....

2. Full names:

.....  
.....  
.....

3. Former surname(s) and /or forenames by which you may have been known:

.....  
.....  
.....

4. Please state the capacity under which you are completing this form, i.e. as a current or prospective direct or indirect significant shareholder, director, member of management or any combination of these.

.....  
.....  
.....

5. Please state your full title and describe the particular duties and responsibilities attaching to the position which you hold or will hold. If you are completing this form in the capacity of director, indicate whether, in your position as director, you have or will have executive responsibility for the management of the institution's business.

.....  
.....  
.....

6. Your date and place of birth:

.....  
.....

7.

|                      |                       | Since (Year) |
|----------------------|-----------------------|--------------|
| Citizen of (Country) | Resident of (Country) |              |
|                      |                       |              |

8. Addresses:

(1) Present business address

|                |  |       |
|----------------|--|-------|
|                |  | Since |
| Rwanda         |  |       |
| Outside Rwanda |  |       |

(2) Present residential address:

|                |  |       |
|----------------|--|-------|
|                |  | since |
| Rwanda         |  |       |
| Outside Rwanda |  |       |

(3) Last two addresses in Rwanda, if any, during the past ten (10) years:

|       |  |
|-------|--|
| Since |  |
| Since |  |

9. Professional & academic qualifications:

*(Please describe briefly your professional and academic qualifications and year obtained)*

.....

(1) Highest academic qualification

.....

(2) Membership in professional organizations

.....

(3) Training courses and seminars

.....

(4) Special awards or honours (if any)

.....

10. Occupation or employment (present or most recent and for the past ten years) *Inclusive of date, month & year.*

| Name & business of employer | Positions held | From/ to |
|-----------------------------|----------------|----------|
|                             |                |          |

11. Names and address (es) of your bankers within the last five( 5) years

.....  
.....  
12. Bodies corporate (other than the institution) where you are now a director, officer, shareholder, or member of management? Give relevant dates

.....  
.....  
13. Bodies corporate other than the institution and those listed above where you have been a director, shareholder or member of management at any time during the last ten years. Give relevant dates

.....  
.....  
14. Have you, in Rwanda or elsewhere, been dismissed from any office or employment, or subjected to disciplinary proceedings by your employer or barred from entry to any profession or occupation? If so, give particulars:

.....  
.....  
15. Past and present business affiliations (direct and indirect):

| Nature of affiliation (Director, member of management, Shareholde..) | % holdings | Inclusive date(month and year) |
|----------------------------------------------------------------------|------------|--------------------------------|
|                                                                      |            |                                |
|                                                                      |            |                                |

| Nature of business | specified | from/ to |
|--------------------|-----------|----------|
|                    |           |          |

16. Does any of the above business affiliations maintain a business relationship with the institution? If so, give particulars

.....  
.....  
17. Do you hold or have you ever held or applied for a licence or equivalent authorisation to carry on any business activity in Rwanda or any other country? If any such application was refused or withdrawn after it was made or any authorisation was revoked, give particulars:

.....  
.....  
.....  
18. State whether the institution with which you are, or have been, associated as a director, officer, shareholder or member of management personnel holds, or has ever held or applied for a licence or equivalent authorisation to carry on any business activity? If so, give particulars. If any such application was refused, or was withdrawn after it was made or any licence revoked, give particulars  
.....  
.....

.....  
19. State whether any of your past or current employer(s) or institution in which you were affiliated as shareholder, director, officer or member of management has ever been under criminal investigation, placed under receivership or insolvent liquidation by any regulatory body or court of law  
.....  
.....

20. Family group:

(1) Spouse's names

.....  
(If you have any business relationship, please indicate company, partnership, etc)

(2) Children's names:

.....  
(If you have any business relationship, please indicate company, partnership, etc)

(3) Parents names:

.....  
(If you have any business relationship, please indicate company, partnership, etc)

(4) Brothers and sisters' names:

.....  
.....  
.....  
(If you have any business relationship, please indicate company, partnership, etc)

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21. Have you failed to satisfy any debt adjudged due and payable by you as a judgment debtor under an order of a court in Rwanda or elsewhere, or made any compromise arrangement with your creditors within the last ten years? If so, give particulars

.....  
.....  
.....

22. Have you been adjudicated bankrupt by a court in Rwanda or elsewhere, or has a bankruptcy petition ever been served on you? If so, give particulars

.....  
.....  
.....

23. Have you, in connection with the formation or management of any body corporate, partnership or unincorporated institution, been adjudged by a court in Rwanda or elsewhere, civilly liable for any fraud, misfeasance or other misconduct by you towards such body or company or towards members thereof? If so, give particulars

.....  
.....  
.....

24. Has any body corporate, partnership or unincorporated institution with which you are associated as a director, shareholder or member of management, in Rwanda or elsewhere, been wound up, made subject to an administrative order, otherwise made any compromise or arrangement with its creditors or ceased trading either while you were associated with it or within one year after you ceased to be associated with it or has anything analogous to any of these events occurred under the laws of any other jurisdiction? If so, give particulars

.....  
.....  
.....

25. Have you been concerned with the management or conduct of affairs of any institution which, by reason of any matter relating to a time when you were so concerned, has been censured, warned as to future conduct, disciplined or publicly criticized by, or made the subject of a court order at the instigation of any regulatory authority in Rwanda or elsewhere? If so, give Particulars

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.....

26. In carrying out your duties will you be acting on the directions or instructions of any individual or institution? If so, give particulars

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.....  
.....  
27. Do you, in your private capacity, or does any related party, undertake business with the institution? If so, give particulars  
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.....  
.....

28. How many shares in the institution are registered in your names or the names of a related party? If applicable, give name(s) in which registered and class of shares  
.....  
.....  
.....

29. Do you or does any related party, hold any shares in the institution as trustee or nominee? If so, give particulars  
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.....  
.....

30. Are any shares in the institution mentioned in answer to questions 28 and 29 above equitably or legally charged or pledged to any party? If so, give particulars  
.....  
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31. What proportion of the voting power, at any general meeting of the institution (or another body corporate of which it is a subsidiary) are you or any related party entitled to exercise or control the exercise of?  
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32. Personal record of court cases or any investigation by governmental, professional or any regulatory body (including pending and prospective cases or on-going investigations): Name of court or full particulars status and investigative body  
.....  
.....  
.....

33. Documentary requirements (to be attached to this individual information sheet)

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- (1) Minutes of the General Assembly approving election for directors, members of elected committees, individual significant shareholders;
- (2) Minutes of the Board of Directors approving appointment for management personnel;
- (3) Appointment letter;
- (4) a certified statement of assets and liabilities;
- (5) latest tax compliance certificate or certified true copy of income tax returns;
- (6) two letters of character references from individuals other than relatives who have personally known the undersigned for at least ten years;  
and
- (7) letters, duly certified from financial institutions with whom the undersigned has had dealings for the last five years on the performance of  
past and present accounts;
- (8) Detailed CV;
- (9) Certified true copies of degree certificates/ equivalence for educational certificate issued abroad;
- (10) Recent Credit report from a licensed credit bureau;
- (11) Copy of ID/passport;
- (12) A recent clearance issued by competent organ/criminal certificate.

34. If this questionnaire is submitted in connection with an application for licensing, please provide any other information which may assist the Central Bank in reaching a decision on the application. In any other case, please provide any other information, which may assist the Central Bank in deciding whether the director, shareholder or member of management fulfils fit and proper criteria.

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.....  
.....

Sworn at ....., this ..... date .....

Signature of deponent

The Deponent understands the contents of this affidavit.

Before me, .....

**THE NOTARY**

**Nom et qualité de la personne faisant cette déclaration:**

1. Nom de l'institution en relation avec laquelle ce formulaire est rempli (-l'institution)

.....  
.....  
.....

2. Noms complets:

.....  
.....  
.....

3. Ancien nom(s) et/ou prénom(s) sous lesquels vous avez pu être connu(s):

.....  
.....  
.....

4. Veuillez indiquer la qualité sous la quelle vous remplissez ce formulaire, i.e en tant qu'un actionnaire significatif direct ou indirect actuel ou futur, administrateur, membre de la direction ou toute combinaison de ceux-ci.

.....  
.....  
.....

5. Veuillez indiquer votre titre complet et décrire les fonctions et responsabilités particulières attachées au(x) poste(s) que vous occupez ou que vous occuperez. Si vous remplissez ce formulaire en qualité d'administrateur, indiquez si, à votre poste d'administrateur, vous avez ou aurez la responsabilité exécutive pour la gestion des affaires de l'institution.

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.....

6. Date et lieu de naissance:

.....  
.....  
.....

7.

|                   |  | Depuis(l'année) |
|-------------------|--|-----------------|
| Citoyen de(pays)  |  |                 |
| Résident de(pays) |  |                 |

8. Addresses:

(1) Adresse professionnelle actuelle

|                    |                         |
|--------------------|-------------------------|
| Au Rwanda (depuis) | Hors du Rwanda (depuis) |
|                    |                         |

(2) Adresse résidentielle actuelle:

|                    |                         |
|--------------------|-------------------------|
| Au Rwanda (depuis) | Hors du Rwanda (depuis) |
|                    |                         |

(3) Deux dernières addresses d'activité commerciale au Rwanda, s'il y a lieu, au cours des dix (10) dernières années:

|        |  |
|--------|--|
| Depuis |  |
| Depuis |  |

9. Qualifications professionnelles et titres académiques :

*(Veuillez décrire brièvement vos qualifications professionnelles et vos titres académiques ainsi que l'année d'obtention)*

.....

(1) Diplôme universitaire le plus élevé

.....

(2) Adhésion à des organisations professionnelles

.....

(3) Formations et séminaires

.....

(4) Récompenses ou distinctions honorifiques (le cas échéant)

.....

10. Profession ou emploi (actuel ou le plus récent au cours des dix (10) dernières années) *y compris la date, mois & l'année.*

| Nom & activité de l'employeur | Postes occupés | depuis/ jusqu'à (Année) |
|-------------------------------|----------------|-------------------------|
|                               |                |                         |
|                               |                |                         |

11. Noms et adresses de vos banquiers au cours des dix (10) dernières années

.....

12. Les personnes morales (autre que l'institution) où vous êtes actuellement administrateur, dirigeant, actionnaire ou membre de la direction?  
Donnez les dates pertinentes

.....

.....

.....

13. Les personnes morales autres que l'institution et celles citées ci-dessus où vous avez été l'administrateur, actionnaire ou membre de la direction à un moment donné au cours des dix (10) dernières années. Donnez les dates pertinentes

.....

.....

.....

14. Avez-vous été, au Rwanda ou ailleurs, révoqué/licencié de toute fonction ou d'un emploi, ou fait l'objet d'une poursuite disciplinaire par votre employeur ou interdit d'accès à toute profession ou occupation? Si oui, donnez les détails:

.....

.....

.....

15. Affiliations commerciales passées et présentes (direct et indirect):

| <i>Nature de l'affiliation(Administration, membre de la direction, Actionnaire</i> | <i>% d'actions</i> | <i>date inclusive(mois et année)</i> |
|------------------------------------------------------------------------------------|--------------------|--------------------------------------|
|                                                                                    |                    |                                      |

| <i>Nature d'activité</i> | <i>spécifié</i> | <i>depuis/ jusqu'à</i> |
|--------------------------|-----------------|------------------------|
|                          |                 |                        |

16. Est-ce que l'une des affiliations commerciales ci-dessus entretient-elle une relation commerciale avec l'institution? Si oui, donnez les détails

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.....

.....

17. Détenez-vous ou avez-vous déjà détenu ou demandé un agrément ou autorisation équivalente pour exercer toute activité commerciale au Rwanda ou dans tout autre pays? Si une telle demande a été refusée ou retirée après qu'elle a été faite ou qu'une autorisation a été révoquée, donnez les détails:

.....  
.....  
.....

18. Indiquez si l'institution avec laquelle vous êtes, ou vous avez été associé en tant qu'administrateur, dirigeant, actionnaire ou membre de la direction détient, ou a déjà détenu ou a demandé un agrément ou autorisation équivalente pour exercer toute activité commerciale? Si oui, donnez les détails. Si une telle demande a été refusée, ou retirée après qu'elle a été faite ou qu'un agrément a été révoqué, donnez les détails

.....  
.....  
.....

19. Indiquez si l'un de vos anciens employeur(s) ou actuel(s) ou l'institution à laquelle vous étiez affilié en tant qu'actionnaire, directeur, dirigeant ou membre de la direction a fait l'objet d'une investigation criminelle, d'une mise sous séquestre ou d'une liquidation insolvable par une autorité de régulation ou un tribunal

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.....

20. Relations d'alliance/de parenté:

(1) Noms des conjoints:

.....

(Si vous avez une relation commerciale, veuillez indiquer une société, le partenariat, etc)

(2) Noms des enfants:

.....

..

.....

..

(Si vous avez une relation commerciale, veuillez indiquer une société, le partenariat, etc)

(3) Noms des parents:

.....

(Si vous avez une relation commerciale, veuillez indiquer une société, le partenariat, etc)

(4) Noms des frères et soeurs:

.....  
.....  
(Si vous avez une relation commerciale, veuillez indiquer une société, le partenariat, etc)

21. Avez vous échoué d'honorer une créance mise à votre charge en tant que débiteur judiciaire en vertu d'une ordonnance d'un tribunal au Rwanda ou ailleurs, ou vous avez fait un arrangement de compromis avec vos créanciers, au cours des dix (10) dernières années? Si oui, donnez les détails

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.....  
.....  
22. Avez-vous été déclaré en faillite par un tribunal au Rwanda ou ailleurs, ou une requête de mise en faillite vous a-t-elle été déjà signifiée? Si oui, donnez les détails

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.....  
.....  
23. Avez-vous, en relation avec la formation/constitution ou la gestion d'une personne morale, société de personne quelconque ou institution non constituée en société, été jugé par un tribunal au Rwanda ou ailleurs, civilement responsable d'une fraude, d'action fautive ou d'autre faute commise par vous envers cette personne morale, ou société ou envers les membres de celui-ci? Si oui, donnez les détailss

.....  
.....  
.....  
24. Une personne morale, société de personne ou institution non constituée en société à laquelle vous êtes associé en tant qu'administrateur, actionnaire ou membre de la direction, au Rwanda ou ailleurs, a-t-elle été liquidée, soumise à une ordonnance administrative, autrement conclu un compromis ou un arrangement avec ses créanciers ou cessé ses activités soit pendant que vous étiez associé à elle ou une année suivant la fin de votre association à elle, ou est-ce que quelque chose d'analogue à l'un de ces événements s'est produit en vertu des lois d'une autre juridiction? Si oui, donnez les détails

25. Avez-vous été concerné avec la gestion ou la conduite des affaires de l'institution qui, en raison de toute question relative à une période où vous étiez si concerné, a été censurée, avertie quant à sa conduite future, mise sous discipline, ou publiquement critiquée par, ou fait l'objet d'une ordonnance d'un tribunal à l'instigation d'une autorité de régulation au Rwanda ou ailleurs? Si oui, donnez les détails

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.....  
.....

26. Dans l'exercice de vos fonctions vous allez agir sous les directives ou instructions d'une personne ou institution quelconque? Si oui, donnez les détails

.....  
.....  
.....

27. Est-ce que vous, à titre privé, ou est-ce qu'une personne apparentée, entreprend des affaires avec l'institution? Si oui, donnez les détails

.....  
.....  
.....

28. Combien d'actions de l'institution sont enregistrées à votre nom ou au nom d'une personne apparentée? Le cas échéant, indiquer le(s) nom(s) sous lequel les actions sont enregistrées et la catégorie des actions

.....  
.....  
.....

29. Est-ce que vous, ou une personne apparentée, détenez des actions dans l'institution en tant qu'un fiduciaire ou mandataire? Si oui, donnez les détails

.....  
.....  
.....

30. Des actions de l'institution mentionnées dans les réponses aux questions 28 et 29 ci-dessus sont-elles équitablement ou légalement chargées ou mise en gage à une partie? Si oui, donnez les détails

.....  
.....  
.....  
31. Quelle proportion de droits de vote, à toute l'assemblée générale de l'institution (ou d'une autre personne morale dont elle est la filiale) êtes-vous ou toute personne apparentée est habilitée à exercer ou à contrôler l'exercice?

.....  
.....  
.....  
32. Dossier personnel des affaires judiciaires ou toute enquête menée par un organisme gouvernemental, professionnel ou de réglementation (y compris les affaires en cours et prospectives ou les enquêtes en cours): Nom du tribunal ou statut complet et organisme d'enquête

.....  
.....  
.....  
33. Documents exigés (à joindre à cette fiche personnelle)

- (1) Procès-verbal de l'Assemblée générale approuvant l'élection de l'administrateur, membre de comités élus, actionnaire significatif;
- (2) Procès-verbal du conseil d'administration approuvant la nomination du membre de la direction;
- (3) Lettre de nomination;
- (4) Un état certifié de l'actif et du passif;
- (5) Dernier certificat de quitus fiscal ou une copie certifiée conforme des déclarations d'impôts sur le bénéfice;
- (6) Deux lettres de référence de caractère écrites par des individus autres que des membres de la famille qui connaissent personnellement le soussigné depuis au moins dix (10) ans;
- (7) Des lettres, dûment certifiées par des institutions financières avec lesquelles le soussigné a eu des relations au cours de cinq (5) dernières années, concernant le fonctionnement des comptes passés et présents.
- (8) Curriculum Vitae bien détaillé;
- (9) les copies certifiées conformes des diplômes/ équivalence d'un certificat d'études délivré à l'étranger;
- (10) Rapport de crédit récent d'un bureau de crédit agréé;
- (11) Photocopie de la carte d'identité /passport;
- (12) Certificat de décharge délivré par organe compétent / Extrait du casier judiciaire.

34. Si ce questionnaire est soumis dans le cadre d'une demande d'agrément, veuillez fournir toute information susceptible d'aider la Banque Centrale à prendre une décision sur la demande. Dans tout autre cas, veuillez fournir toute autre information susceptible d'aider la Banque Centrale à décider si l'administrateur, actionnaire ou membre de la direction remplit les critères d'intégrité, d'aptitude et de compétence.

.....  
.....  
.....

Déclaré à ....., ce jour de ..... date de .....

Signature du déposant

Le déposant comprend le contenu de cette déclaration.

Déclaré devant moi, .....

**LE NOTAIRE**

**BIBONYWE KUGIRA NGO BISHYIRWE KU MUGEREKA W'AMABWIRIZA RUSANGE N° 57/2023 YO KU WA 27/03/2023 AGENA IBIGENDERWAHO MU GUTANGA URUHUSHYA N'IBINDI BISABWA IBIGO BY'IMARI ICIRIRITSE BYAKIRA AMAFARANGA ABITSWA**

**SEEN TO BE ANNEXED ON REGULATION N° 57/2023 OF 27/03/2023 ESTABLISHING LICENSING REQUIREMENTS AND OTHER CONDITIONS FOR DEPOSIT-TAKING MICROFINANCE INSTITUTIONS**

**VU POUR ETRE ANNEXÉ AU RÈGLEMENT N° 57/2023 DU 27/03/2023 PORTANT CONDITIONS D'AGRÉMENT ET AUTRES EXIGENCES AUX INSTITUTIONS DE MICROFINANCE DE DÉPÔT**

Kigali, 27/03/2023

(sé)  
**RWANGOMBWA John**  
Guverineri  
Governor  
Gouverneur

**Bibonywe kandi bishyizweho ikirango cya Repubulika:**  
**Seen and sealed with the Seal of the Republic:**  
**Vu et scellé du Sceau de la République :**

(sé)  
**Dr UGIRASHEBUJA Emmanuel**  
Minisitiri w'Ubutabera akaba n'Intumwa Nkuru ya Leta  
Minister of Justice and Attorney General  
Ministre de la Justice et Garde des Sceaux

*Official Gazette n° Special of 31/03/2023*

|                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                        |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>UMUGEREKA WA 4 W'AMABWIRIZA<br/>RUSANGE N° 57/2023 YO KU WA<br/>27/03/2023 AGENA IBIGENDERWAHO<br/>MU GUTANGA URUHUSHYA N'IBINDI<br/>BISABWA IBIGO BY'IMARI ICIRIRITSE<br/>BYAKIRA AMAFARANGA ABITSWA</b></p>                                                                     | <p><b>ANNEX 4 TO REGULATION N° 57/2023<br/>OF 27/03/2023 ESTABLISHING<br/>LICENSING REQUIREMENTS AND<br/>OTHER CONDITIONS FOR DEPOSIT-<br/>TAKING MICROFINANCE<br/>INSTITUTIONS</b></p>                                                    | <p><b>ANNEXE 4 DU RÈGLEMENT N° 57/2023<br/>DU 27/03/2023 PORTANT CONDITIONS<br/>D'AGRÈMENT ET AUTRES EXIGENCES<br/>AUX INSTITUTIONS DE<br/>MICROFINANCE DE DÉPÔT</b></p>                                                                               |
| <p><b>ICYEMEZO CY'UMUNYAMIGABANE<br/>UFITE IMIGABANE IGARAGARA<br/>CY'IMVANO Y'AMAFARANGA</b></p> <p><i>[Hagenewe gusa abafite imigabane igaragara<br/>cyangwa abateganyirizwa kuba abafite<br/>imigabane igaragara mu kigo cy'imari<br/>iciriritse cyakira amafaranga abitswa]</i></p> | <p><b>DECLARATION OF SIGNIFICANT<br/>SHAREHOLDER OF THE SOURCE OF<br/>FUNDS</b></p> <p><i>[For only individuals who are, or are proposing<br/>to become significant shareholders of a<br/>deposit-taking microfinance institution]</i></p> | <p><b>DÉCLARATION DE L'ACTIONNAIRE<br/>SIGNIFICATIF DE LA PROVENANCE<br/>DES FONDS</b></p> <p><i>[Uniquement pour les personnes qui sont ou<br/>proposent de devenir actionnaires significatifs<br/>de l'institution de microfinance de dépôt]</i></p> |

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Njyewe ..... (umunyamigabane ufite imigabane igaragara mu kigo cy'imari iciriritse cyakira amafaranga abitswa) ndemeza ko imari shingiro yashowe mu kigo cy'imari iciriritse cyakira amafaranga abitswa itashowe ivanywe mu bikorwa bitubahirije amategako cyangwa mu bikorwa by'ubugizi bwa nabi. Nzi neza kandi nsobanukiwe n'ibikubiye muri iyi nyandiko ndetse nzi n'ingaruka zishobora gukurikiraho, kandi ibi ndabirahiriye.

Birahiriwe (ahantu)..... ku muni wa.....tariki ya.....

Umukono w'urahira

Urahira asobanukiwe neza n'ibikubiye muri iyi nyandiko y'indahiro

Birahiriwe imbere yanjye.....

**NOTERI**

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I, ..... (a significant shareholder of a deposit taking microfinance institution) declare that capital invested in the deposit-taking microfinance institution is not derived from illegal, criminal and suspicious activities. I know and understand the contents and consequences thereon of this declaration and that I am making it under oath.

Sworn at ....., this .....date .....

Signature of deponent

The Deponent understands the contents of this affidavit.

Before me, .....

**THE NOTARY**

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Je (actionnaire significatif d'une institution de microfinance de dépôt) ..... déclare que le capital investi dans l'institution de microfinance de dépôt proposée ne provient pas d'activités illégales, de criminelles ou suspectes. Je connais et comprends le contenu et les conséquences y afférentes de cette déclaration et que je le fais sous serment.

Déclaré à ....., ce jour de ..... date de .....

Signature du déposant

Le déposant comprend le contenu de cette déclaration.

Déclaré devant moi, .....

**LE NOTAIRE**

**BIBONYWE KUGIRA NGO BISHYIRWE KU MUGEREKA W'AMABWIRIZA RUSANGE N° 57/2023 YO KU WA 27/03/2023 AGENA IBIGENDERWAHO MU GUTANGA URUHUSHYA N'IBINDI BISABWA IBIGO BY'IMARI ICIRIRITSE BYAKIRA AMAFARANGA ABITSWA**

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