

**THE MONEYLENDERS ACT.**

Statutory Instrument 273—1.

**The Moneylenders (Licences and Certificates) Rules.**

**Arrangement of Rules.**

Rule

1. Citation.
2. Licence.
3. Certificate.

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## **THE MONEYLENDERS ACT.**

Statutory Instrument 273—1.

### **The Moneylenders (Licences and Certificates) Rules.**

*(Under section 22 of the Act.)*

#### **1. Citation.**

These Rules may be cited as the Moneylenders (Licences and Certificates) Rules.

#### **2. Licence.**

(1) An applicant for a moneylenders licence shall attend personally at the offices of the resident district commissioner of the area in which he or she has been authorised to carry on business and shall produce to the resident district commissioner the certificate authorising the grant to him or her of a licence.

(2) On payment of the statutory fee and if satisfied that the certificate is in order, the resident district commissioner may issue a licence to the applicant.

(3) The licence shall be in the form set out in the First Schedule to these Rules.

#### **3. Certificate.**

(1) Any person intending to apply for a certificate under section 3 of the Act (hereafter referred to as “a certificate”) shall lodge with the court having jurisdiction in the area in which the applicant intends to carry on business a statement in the form set out in the Second Schedule to these Rules.

(2) When a time has been fixed for the hearing of the application, the applicant—

- (a) shall serve personally or by registered post, not less than two weeks before the date fixed for the hearing of the application, a copy of the statement referred to in subrule (1) of this rule upon

the officer in charge of the police for the area in which the premises to which the application will relate are situated, and shall at the same time inform him or her in writing of the date fixed for the hearing of the application;

- (b) shall, unless the application relates merely to a renewal of a certificate, publish, on a date not more than four weeks nor less than two weeks before the date fixed for the hearing of the application, a notice in the Gazette and in a newspaper (if any) circulating in the place in which the premises in respect of which the application will relate are situated; and the notice shall set forth his or her true name, the name in and address at which he or she desires to be authorised to carry on business as a moneylender, and the court and time at which the application is to be heard; and
- (c) shall attend in person the court in which the statement has been lodged, and may be called upon to answer on oath such questions as the court may think necessary.

(3) The court after hearing objections, if any, shall, if satisfied that no good grounds exist for refusing the certificate for which application has been made, issue a certificate in the form set out in the Third Schedule to these Rules.

(4) A police officer of or above the rank of assistant inspector may, acting on the general or special instructions of the Inspector General of Police or on information received, by appearance in person before the court in which the application is being made oppose the grant of a certificate.

(5) Applications for certificates by two or more partners in a firm shall be made on the same day unless the court otherwise allows.

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**SCHEDULES**

*First Schedule.*

rule 2.

**Licence.**

*The Moneylenders Act.*

*The Moneylenders (Licences and Certificates) Rules.*

\_\_\_\_\_ is licensed to carry on  
business as a moneylender at \_\_\_\_\_ under  
the name or style of \_\_\_\_\_.

This licence shall expire on the 31st day of December, 20 \_\_\_\_.

Station \_\_\_\_\_

Date \_\_\_\_\_

Fee paid \_\_\_\_\_

\_\_\_\_\_  
Resident District Commissioner

\_\_\_\_\_  
District

\_\_\_\_\_

Second Schedule.

rule 3(1).

**Statement.**

*The Moneylenders Act.*

*The Moneylenders (Licences and Certificates) Rules.*

1. The name of applicant. (*If the applicant is a company, the name of the company should be stated here.*) \_\_\_\_\_  
\_\_\_\_\_

2. Private address of applicant, or in the case of a company, the registered address of the company \_\_\_\_\_

3. Name under which it is desired to carry on business as a moneylender \_\_\_\_\_

4. Address at which it is desired to carry on business. (*The address to be entered is the address of the head office or branch in respect of which the application is being made. A separate application to the appropriate court must be made in respect of each branch.*) \_\_\_\_\_  
\_\_\_\_\_

5. True names and addresses of partners, if any \_\_\_\_\_  
\_\_\_\_\_

6. Name of person or persons (other than owners or partners) responsible or proposed to be responsible for the management of the business. (*In the case of a company the names of the directors, treasurer and secretary should be given*) \_\_\_\_\_

7. Date of any previous certificate under the Moneylenders Act, and name and address authorised by that certificate \_\_\_\_\_  
\_\_\_\_\_

8. If registered under the Business Names Registration Act, date of registration and name and address under which registered<sup>1</sup>. \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_

<sup>1</sup>The applicant must be prepared, if necessary, to produce these certificates.

9. Particulars of any convictions under the Moneylenders Act of the applicant, his or her partner, or any person responsible or proposed to be responsible for the management of the business \_\_\_\_\_

\_\_\_\_\_

10. Particulars of any order under section 4 of the Moneylenders Act suspending or forfeiting any certificate of, or disqualifying from obtaining a certificate, the applicant or his or her partner or any person responsible or proposed to be responsible for the management of the business

\_\_\_\_\_

11. Particulars of any refusal of a certificate to the applicant, or his or her partner or any person responsible or proposed to be responsible for the management of the business \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_

*Third Schedule.*

rule 3(3).

**Certificate.**

*The Moneylenders Act.*

*The Moneylenders (Licences and Certificates) Rules.*

I, \_\_\_\_\_, the undersigned,  
certify that I authorise the grant to \_\_\_\_\_  
of \_\_\_\_\_ in the district of  
\_\_\_\_\_ a moneylenders licence to carry  
on the business of a moneylender, under the style and title of  
\_\_\_\_\_ (*insert authorised name*) at  
\_\_\_\_\_ (*insert authorised address*). This  
certificate shall come into force on the \_\_\_\_ day of \_\_\_\_\_, 20  
\_\_\_\_ and shall expire on the 31st day of December, 20 \_\_\_\_.

Dated this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_

\_\_\_\_\_  
Magistrate

\_\_\_\_\_

**History:** S.I. 264-2; Constitution of 1995, art. 203.

**Cross Reference**

Business Names Registration Act, Cap. 109.

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