The Credit United 2009 is amended as follows:

(a) by instance of the process of the follows:

(b) the following the prescribed by rules by the Regulatory Acthority.";

Assendance of the control of the con

CREDIT UNION (AMENDMENT) ACT, 2015

They bear was the

(i) by repealing to paragraph (b) the write "and" appearing at the end,

An inserting requestionables in the end.
 The west to off.

I assent

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J. A. Michel President

22nd September, 2015

Misserion (a)

i) i skerting after subjection (i), the fillent eigenstance (iii)

AN ACT to amend the Credit Union Act, 2009 (Act 13 of 2009). The amend the Credit Union Act, 2009 (Act 13 of 2009).

ENACTED by the President and the National Assembly.

The continue of the continue spansing of the Credit Union (Amendment) Act, 2015 (2016) (1918) (1919)

Short title

2009 as last amended by Act 29 of 2010 of Act 13 of Amendmen

The Credit Union Act, 2009 is amended as follows -

by inserting in section 4, after paragraph (g)

by the Regulatory Authority."; provided by it as may be prescribed by rules (h) charge such fees for services

CRIDIT UNION (AMENDACEDIS) ACT 1015

3 by repealing in paragraph (b) the word "and" appearing at the end

(ii) by inserting in paragraph (c) at the end, the word "and";

(iii) by inserting after paragraph (c) the following paragraph

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(£), provide such other business activities as may be prescribed by regulations, consistent with institution."; the activities of a financia

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<u></u> in section 14—

3 by inserting after subsection (3), the following subsection-

#100 year

THE PART OF THE SHOP SHOP THE to Charle 1982 John munion shall, before being elected to the addressed in noise subsection (3), be approved by the may be prescribed by rules by the Regulatory Authority in the manner as annual general meeting referred to in Board or Supervisory Committee at an Regulatory Authority (Instribution A "(3A) A member of the credi

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(ii)by inserting after subsection (5), the following subsections-

- Committee, if heunion shall be eligible to be appointed to the Board or Supervisory "(6) No member of the credit
- (a) physically incapable of carrying out the is mentally or functions as a member of Board or Supervisory Committee;
- has been convicted for felony, fraud or dishonesty; an offence involving
- insolvent or bankrupt. is undischarged
- two terms. union elected to the Board shall be member shall be elected for more than eligible for re-election but no such (7) A member of the credit
- Regulatory Authority within 21 days of the change of any member of the Board such change."; or Supervisory Committee notify the (8) A credit union shall upon
- in section 15 m is to que
- ij in subsection (1)—
- A strove of A and A by inserting in paragraph (b) at the and, the word "and";

∞

tollowing paragraph

bardeags of elegists of $\mathcal{K}(c)$ three other members."; Yrosiving self-to-pass \mathcal{G} Tibero est to redecent of

TOTALISTE A 28 REGIONALE Chairperson"; of eac grightsotherefor the words "and viceto selection the large Executive Officer, and substituting · 图 · 图 · 图 · 图 · 图 · 图 words "vice-Chairperson and Chief by repealing in subsection (2), the

red bestel ence and the following paragraph (e) Sin Section 22(1), by inserting after paragraph

agricultures, something (aa) incurs, at any time after section 14(6);"; election, any disqualification specified in

Jegandand (f)mainsection 23

side of the White by Trepealing subsection (1) and of their brack on substituting therefor the following medition to the clear of the received the re tone on the monocine distribution

To sysb I Said biv virrosind expendence in the fields of finance, the approval of a general meeting of the code that a notice the members of the credit union, appoint a smood oil to reduce the credit union, appoint a smood oil to reduce the credit union, who has expertise to the credit union, who has expertise cooperation or any other field related to operation of a credit union."; banking, accounting, management, "(1)" The Board shall, subject to

ons in (d) divergoned in gwordsifferedit union the words "and be The Storesponsible to the Board"; by inserting in subsection (2), after the

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(iii) by inserting after subsection (3), the

tollowing subsection—

Officer shall attend the meetings of the to vote."; business therein but shall have no right deliberations of transaction of any Board and participate in the "(4) The Chief Executive

9 by inserting after section 23, the following section-

Appointments of other officers and employees

number of other officers and employees as may be necessary to carry out the functions of the credit union. "23A.(1) The Board may appoint such

- in the bye-laws."; other terms and conditions of service of the officers and employees shall be as prescribed The salary, allowances and
- by inserting after section 24, the following section-

employees or officers, members of a office of Removal from

employee or member fails to perform his or Committee or other committee if such officer, credit union or any member of the Credit her duties"; from office an officer or employee of the The Board may remove

- therefor the following section by repealing section 39 and substituting
- member may borrow shall not exceed ten per cent of the capital of credit union in aggregate The maximum amount that a

Loan limits

89

or such other amount as the Regulatory Authority may by rules prescribe.";

- (j) in section 42, by inserting after subsection(3), the following subsection—
- "(4) The Board of a credit union may, with the approval of the credit union at its general meeting, make schemes for grant of special loans for the welfare of its employees.";
- (k) by inserting after section 48, the following sections—

Minimum required capital

"48A.(1) A credit union shall at all times maintain in Seychelles unimpaired capital or assigned capital, as may be prescribed by rules by the Regulatory Authority.

- (2) A credit union shall not reduce its paid-up capital or its assigned capital, as the case may be, without prior approval of the Regullatory Authority.
- (3) Total regulatory capital of the credit union shall be at the minimum level or such higher percentage, as prescribed by rules by the Regulator y Authority, of the total value of its assets eletermined on a risk-adjusted basis.

Foreign currency exposure

48B. A credit union shall hold such maximum net open position in any foreign currency or currencies as the Regulatory Authority may by rules prescribe."

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(I) by inserting in section 51(1), after the words "loan loss allowance" the words "in accordance with the guidelines prescribed by rules by the Regulatory Authority";

(m) in section 53—

- words "credit unions" the words "including the procedure for dealing with complaints relating to services provided";
- (ii) by repealing in paragraph (e), the word "and" appearing at the end;
- (iii) by inserting after the paragraph (f), the following paragraph (g)—
- "(g) prescribe by rules the requirement of classification and evaluation of assets; provisions to be made on the basis of such classification and evaluation against doubtful and non-performing loans; and the time when the earnings on non-performing loans may no longer be accounted for as income except as received in cash.";
- (n) by inserting after section 54, the following section—

Furnishing of statements and other information

"54A. Every credit union shall submit to the Regulatory Authority such statements and other information, in such form and within such period, as the Regulatory Authority may, by rules, prescribe.";

- "or" appearing at the end by repealing in paragraph (b), the word
- paragraph-Authority may", the following before the words "the Regulatory by inserting after paragraph (c) and

- and the separation of the go security for the funds entrusted · (2) · (a) · (b) it,"; no longer possesses or is not to maintain adequate capital maintaining or not in a position resources, or no longer provides
- (p) by inserting after section 63, the following—

** "PART IX-A - OFFENCES AND PENALTIES

- Ser Jan Janes San Ser Sand Blichals Ban 63A.(1) Aperson who-
- gaivealible salt. Jak technologic second of the later and an expension of (a) which if come can be on a ma-with intent to deceive of account, report, statement falsifies or destroys any book the credit union; record or other document of
- down at the property of the way STREETS ARRESTS SIDE Sand solds hiero greed transfer that the condition of a record or other document of a (b) signs, issues, publishes or credit union which that account, report, statement, Authority official any book of transmits to Regulatory person knows to be false;

- requirement of the fails, refuses or unreasonably Regulatory Authority or its officers under section 54(2); delays to comply with any
- fails to produce any document so by the Regulatory or record when required to do Authority;
- an offence and is liable on knowingly or recklessly uses sections 13(3) and 51, than for those provided in funds for any purpose other

conviction to a fine not exceeding SCR40,000 or to unprisonment for a term not exceeding 6

A credit union, which-

- whodus yourless maeriaq radio na recific yus yoʻla section 5; ost endeducts on the collection of a conducts cany business To reciposessi the relative self-spiricontrary of ection 4 or
- ton the stot here exequity of p**section12 or section**66; (b) fails to comply with e of provisions, contained in S/22/4/5/88

- and or government a sensor 37(1) or fails to publish a section to aid to section to aid to section 37(3), section 19, section (c) willfully fails to notify the owner pursuant to section
- orb babaques ,harricanes con 39,48,48Å,48B, or 51; used positions at the it wear inconvide requirements of section with critical substitutions of the contravenes or fails to comply

- <u>@</u> section 55; Authority under section 53 or direction of the Regulatory fails, refuses or unreasonably delays to comply with any
- \oplus requirement of the fails, refuses or unreasonably officers under section 54(2), Regulatory Authority or its delays to comply with any

commits an offence and is liable on conviction to a fine not exceeding continued after the conviction with an additional fine of SCR20,000 for every day or SCR400,000; and where the offence is part thereof for which the offence continues

SCR40,000 or to imprisonment for a term not commits an offence and is liable on performance of the duties of an auditor in conviction to a fine not exceeding accordance with this Act or an inspection of exceeding 6 months appointed by the Regulatory Authority, employee or agent of a credit union who the credit union by any officer or other person obstructs or endeavors to obstruct the proper Any administrator, officer,

users to a send Attorney General may, if it is satisfied that Action of the Regulatory Authority in consultation with the Compounding 63B.(1) Compound the compound the other person agrees in writing to the which is punishable only by a fine, the compounding of an offence under this Act Where a credit union or any

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ati to sulsy listot oil) to egatiooteq regulation in the inglessisting or lsrob ent to levene of exceed the makemum fine provided for zelleneved ai moffence by accepting such sum of money as il may be prescribed by regulations, which shall not be less than one-third of the maximum

blod or at notice tibero a doidw SALV (I) HOTTO-SALISACY OF COLLECTORS ni nothinog nego ereditutinion orbithés person referred to in of at notate tibere a (2) www.eeesan offence is compounded :(६)८८३ ronandersubsection(1), no proceedings shall be instituted in relation to that offence against the

(q) by repealing section 68

each usof of (1) unbyomserting after section 70, the following (()) (? roll**section**rurances

by miss of fees to be charged by a certain matters Regulatory unions, make rules to provide for in consultation with the Boards of all credit "70A. The Regulatory Authority may,

- as agrees serons as net beiofia credit union for election to the ട്ട് മാളത്ത് നെ പ്രണമന്ദ്രാ(b) i the manner of approval of members when the estaints of netw coince 155.60 slass si, bBoard and Supervisory Committee so head becaused gridered crediturion under section 4(h); under section 14(3A);
- bases and sent sold of the omplaints orelating itsi services by the Minimal paragraph of the provided by a caled and a constant of the the procedure for dealing with
- the maximum amount that a -union under section 39; member may borrow from a credit
- (Vehinsel Klemonis Medical Capital which a credit union shall at designation (e) the unimpaired capital or assigned

the desired to must show gairall times maintain in Seychelles lieds and a constant of tunder section 48A(1); tunder section 48A(2); tunder section 48A(3); tunder section 48B; tun

gaine (a) and any machine guidelines concerning the loan loss account under section 51(1);

the requirement concerning the relation of the requirement concerning the relation of the relation of the relation of the basis of such classification and the basis of such classification against doubtful and the conversation of the conversa

proceeding the desling with

Learnify that this is a correct copy of the Bill which was passed by the National Assembly on 22nd September, 2015.

medianga amour that a John may borrow from a credit or under sydne 30:

bongreze no latique torraquiMs. Shelda Commettant in Heris noine liberre a ladior Clerk to the National Assembly