

S.I. 12 of 2018**FINANCIAL INSTITUTIONS ACT***(Cap 79)***Financial Institutions (Bank Charges and Fees)
(Amendment) Regulations, 2018**

In the exercise of the powers conferred by section 69(c) of the Financial Institutions Act, the Central Bank of Seychelles makes the following Regulations —

1. These Regulations may be cited as the Financial Institutions (Bank Charges and Fees) (Amendment) Regulations, 2018 and shall come into operation on 1st April, 2018.

Citation and
commencement

2. The Financial Institutions (Bank Charges and Fees) Regulations are hereby amended as follows —

Amendment of
S.I. 11 of 2013

(a) in regulation 2 —

(i) by repealing the definition of “first home buyers” and substituting therefor the following definitions —

“first home acquirer” means a citizen of the Seychelles who acquires a home for the first time either by way of purchase or by inheritance individually or jointly for his or her own residential purpose;

“joint personal account” means an account held by two or more persons in their personal names but not used as their business account;

- (ii) by inserting after the definition of “loan amortisation schedule” the following definition—

“personal account” means an account held by a person in his or her personal name and that is not used as his or her business account.

- (b) by repealing regulation 3 and substituting therefor the following regulation—

“3.(1) Where a Bank—

- (i) has not launched a website, the bank shall provide to the Central Bank the schedule of charges and fees for services for each quarter and publish the same in a daily newspaper during the period specified in the First Schedule;
- (ii) has launched a website, the bank shall as specified in the Second Schedule—
 - (a) provide to the Central Bank the Schedule of charges and fees for services; and
 - (b) upload a complete schedule of charges and fees for services on its website bi-annually.

(2) A bank shall publish in a daily newspaper any changes in the schedule of

charges and fees for services at least 15 days prior to its implementation.

(3) A bank shall notify the Central Bank of any changes in the schedule of charges and fees for services at least 15 days prior to publication in the daily newspaper.

(4) A bank shall provide an updated schedule of charges and fees for services to the public through leaflets or by any other legible means.”;

(c) in regulation 4(1) —

(i) by repealing paragraph (a) and substituting therefor the following paragraph —

“(a) prepayment of a loan that is issued in Seychelles Rupees;”

(ii) by repealing paragraphs (f) and (g) and substituting therefor the following paragraphs —

“(f) transfer of funds by a customer between personal or joint personal accounts held by that customer in his or her own name with the bank;

“(g) electronic statements of savings account and loan account;”;

(iii) by inserting in paragraph (j) after the words “Debit Card” the words “issued by a bank in Seychelles”;

- (d) by repealing regulation 4(2) and substituting therefor the following subregulations—

“(2) (a) There shall be a processing fee of—

(i) SCR2500 on housing loan of SCR1.5 million or below;

(ii) SCR2500 for the first SCR1.5 million and 0.5 percent of the remaining amount of the loan where the loan amount exceeds SCR1.5 million;

(b) A first home acquirer shall not be liable for any other charges and fees for services during the application and disbursement of their housing loans.

(3) (a) A Bank shall provide bi-annually a physical statement to a savings account holder covering the transactions and balance outstanding for a period of at least 6 months free of charges and fees;

(b) A Bank may charge a reasonable fee for physical statements on additional requests made by an account holder of a saving account for statements covering the same period for which a physical statement has already been provided;”;

(e) by inserting after regulation 5 the following regulation and Schedules—

Ceiling
on penal
interest

“6. A bank shall not impose a penal interest of more than 5 percent per annum and the penal interest shall be calculated only on the default installment on any loan and the interest payable thereon shall not be taken into account for calculating the penal interest.

FIRST SCHEDULE

[Regulation 3 (1) (i)]

Submission and Publication Schedule of Charges and Fees for Services

Quarter	Date to submit to the Central Bank	Publication in the daily newspaper
1	Before December 1 st	Before December 31 st
2	Before March 1 st	Before March 31 st
3	Before June 1 st	Before June 30 th
4	Before September 1 st	Before September 30 th

SECOND SCHEDULE*[Regulation 3(1) (ii)]***Submission and Publication Schedule of Charges
and Fees for Services**

Period	Date to submit to the Central Bank	Date for uploading on Website and publication in newspaper
January 1 st - June 30 th	Before December 1 st	Before December 31 st
July 1 st - December 31 st	Before June 1 st	Before June 30 th

MADE this 20th day of February, 2018.

**CAROLINE ABEL
GOVERNOR
CENTRAL BANK OF SEYCHELLES**
