

AMABWIRIZA RUSANGE N° 2310/2018 - 00014[614] YO KUWA 27/12/2018 YA BANKI NKURU Y'U RWANDA YEREKEYE IBISABWA MU KWEMERERA ABISHINGIZI N'ABISHINGIZI GUKORA

REGULATION N° 2310/2018 - 00014[614] OF 27/12/2018 OF THE NATIONAL BANK OF RWANDA ON LICENSING CONDITIONS FOR INSURERS AND REINSURERS

REGLEMENT N° 2310/2018 - 00014[614] DU 27/12/2018 DE LA BANQUE NATIONALE DU RWANDA RELATIF AUX CONDITIONS D'AGREMENT DES ASSUREURS ET DES REASSUREURS

ISHAKIRO

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AMABWIRIZA RUSANGE N° 2310/2018 - 00014[614] YO KUWA 27/12/2018 YA BANKI NKURU Y'U RWANDA YEREKEYE IBISABWA MU KWEMERERA ABISHINGIZI N'ABISHINGIZI GUKORA	REGULATION N° 2310/2018 - 00014[614] OF 27/12/2018 OF THE NATIONAL BANK OF RWANDA ON LICENSING CONDITIONS FOR INSURERS AND REINSURERS	REGLEMENT N° 2310/2018 - 00014[614] DU 27/12/2018 DE LA BANQUE NATIONALE DU RWANDA RELATIF AUX CONDITIONS D'AGREMENT DES ASSUREURS ET DES REASSUREURS
Ishingiye ku Itegeko N° 48/2017 ryo kuwa 23/09/2017 rigenga Banki Nkuru y'u Rwanda, cyane cyane mu ngingo zaryo, iya 6, iya 8, iya 9 n'ya 10 ;	Pursuant to Law N° 48/2017 of 23/09/2017 governing the National Bank of Rwanda, especially in its articles 6, 8, 9 and 10;	Vu la Loi N° 48/2017 du 23/09/2017 regissant la Banque Nationale du Rwanda, spécialement dans ses articles 6, 8, 9 et 10 ;
Itegeko N° 17/2018 ryo ku wa 13/04/2018 rigenga amasosiyete y'ubucuruzi, mu ngingo yaryo ya 232;	Pursuant to Law N° 17/2018 of 13/04/2018 governing companies in its article 232;	Vu la Loi N° 17/2018 du 13/04/2018 régissant les sociétés commerciales en son article 232 ;
Ishingiye ku Itegeko N° 52/2008 ryo kuwa 10/09/2008 ryerekeye imitunganyirize y'umurimo w'ubwishingizi, cyane cyane ingingo zaryo iya 4,iya 6,iya 7,iya 11,iya 12,iya 18 iya, iya 20 ,iya 25,iya 26,iya 34,iya 35 n'ya 70 ;	Pursuant to the Law N° 52/2008 of 10/09/2008 governing the Organization of Insurance Business, especially in its articles 4,6,7,11,12,18,20,25,26,34,35 and 70;	Vu la Loi N° 52/2008 du 10/09/2008 portant organisation de l'activité d'assurance, spécialement en ses articles 4,6,7,11,12,18,20,25,26,34,35 et 70 ;
Isubiye ku mabwiriza N°05/2009 yo kuwa 29/07/2009 yerekeye iyemererwa n'ibindi bisabwa mu murimo w'ubwishingizi;	Having reviewed Regulation N°05/2009 of 29/07/2009 on licensing requirements and other requirements for carrying out insurance business;	Revu Règlement N°05/2009 du 29/07/2009 relatif aux conditions d'agrément et autres conditions requises pour l'exercice de l'activité d'assurance;
Yitaye ku bikenewe mu guteza imbere uburyo bwo kubungabunga isoko ry'ubwishingizi kugira ngo rikore neza, mu mucyo, mu mutekano kandi ridahindagurika mu Gihugu;	Considering the need to promote the maintenance of efficient, fair, safe and stable insurance market in the country;	Considérant la nécessité de promouvoir le maintien efficace, équitable, sûr et stable du marché d'assurance dans le pays ;
Banki Nkuru y'u Rwanda, mu magambo akurikira yitwa «Banki Nkuru», itanze amabwiriza akurikira:	The National Bank of Rwanda herein referred to as «Central Bank », decrees:	La Banque Nationale du Rwanda ci-après dénommée « Central Bank », édicte:

UMUTWE WA MBERE: INGINGO
RUSANGE

Ingingo ya mbere: Icyo aya mabwiriza
rusange agamije

Aya Mabwiriza rusange ashiraho ibisabwa n'uburyo bwo kwemerera gukora Abishingizi bigenga, abishingizi b'abishingizi n'Ibigo bicunga ubwishingizi bw'ubuzima.

Ashiraho kandi ibikurikizwa mu gushyiraho Ibiro Bihagarariye umwishingizi w'abishingizi ukorera mu mahanga. Ku bigo by'ubwishingizi n'iby'ubwishingizi bw'abishingizi bya leta, akurikizwa ku bijyanye n'amafaranga y'igenzura gusa.

Ingingo ya 2: Ibirebwa n'aya mabwiriza

Aya mabwiriza areba abishingizi, abishingizi b'abishingizi, ibigo bicunga ubwishingizi bw'ubuzima n'ibiro bihagarariye umwishingizi w'abishingizi ukorera mu mahanga n'abigo by'ubwishingizi cyangwa by'ubwishingizi bw'abishingizi bya leta.

Ku bw'aya babwiriza rusange, ibigo by'ubwishingizi cyangwa by'abishingizi b'abishingizi bya leta ni ibyashyizweho n'amategeko y'u Rwanda.

CHAPTER ONE: GENERAL
PROVISIONS

Article One: Purpose of this Regulation

This Regulation establishes the requirements and procedures for licensing of private insurers, re-insurers and Health Maintenance Organization (HMO).

It establishes also the procedure for establishment of reinsurer representative office.

Articlen 2: Scope

This Regulation applies to insurers, re-insurers, Health Maintenance Organization and reinsurer representative office. For public insurers and re-insurers, it shall only apply with regard to supervision fees.

For the purpose of this Regulation, public insurers and reinsurers are those that have been established by Rwandan Law.

CHAPITRE PREMIER: DISPOSITIONS
GENERALES

Article premier: Objet du present
Règlement

Ce Règlement établit les exigences et les procédures d'octroi de agréments aux assureurs privés, aux réassureurs et aux Organisations de gestion d'assurance santé (HMO).

Il établit également la procédure d'établissement du bureau de représentation pour les réassureurs.

Article 2: Champs d'application

Le présent règlement s'applique aux assureurs, aux réassureurs, aux Organisations de gestion d'assurance santé (HMO) et au bureau de représentation pour les réassureurs. Il s'applique seulement au assureurs et réassureurs publics sur les frais de supervision seulement.

Aux fins du présent règlement, les assureurs et réassureurs publics sont ceux qui ont été créés par la loi rwandaise.

Ingingo ya 3: Kubuzwa gukora umurimo w'ubwishingizi cyangwa ubwishingizi bw'abishingizi utabifitiye icyemezo

Nta muntu ushobora gukorera umurimo w'ubwishingizi cyangwa uw'ubwishingizi bw'abishingizi ku butaka bwa Repubulika y'u Rwanda atabifitiye icyemezo cya Banki Nkuru.

Ingingo ya 4: Ibisobanuro by'amagambo

Muri aya mabwiriza rusange amagambo akurikira asobanura:

- 1° **Ikigo gicunga imisanzu y'ubwishingizi bwo kwivuzira (HMO):** ikigo gitangira abishingizi serivisi z'ubuvuzi, kikaziha abantu ku giti cyabo cyangwa ibigo hashingiwe ku mafaranga agomba kubanza kwishyurwa. Ibyo bigo kandi birimo ibindi amabwiriza ashobora kurondora;
- 2° **umunyamuryango cyangwa uwiandikishije:** umuntu ku giti cye ufite uburenganzira bushingiye ku masezerano bwo guhabwa n'ikigo gicunga ubwishingizi bw'ubuzima (HMO);
- 3° **utanga serivisi:** umuganga, ibitaro cyangwa undi muntu ubyemerewe kandi ukora ubuvuzi bujyanye n'ibyo yaherewe icyemezo;

Article 3: Prohibition to transact insurance or reinsurance business without license

No person shall carry out insurance or reinsurance business as an insurer or reinsurer on the territory of the Republic of Rwanda without being licensed by the Central Bank.

Article 4: Definitions

In this Regulation, the following terms shall mean:

- 1° **Health Management Organization (HMO):** an organization that provides or arranges medical care on behalf of insurers to individuals, and other entities on the basis of prepaid contractual arrangements and includes such organizations as may be prescribed by regulations;
- 2° **member or enrollee:** an individual who is contractually entitled to receive health services from an HMO;
- 3° **service provider:** a physician, hospital or other person licensed and practicing within the scope of the license;

Article 3: Interdiction d'exercer l'activité d'assurance ou de réassurance sans agrément

Personne ne peut exercer l'activité d'assurance ou de réassurance sur le territoire de la République du Rwanda sans être agréé par la Banque Centrale.

Article 4: Définitions

Au sens du présent règlement, les termes suivants signifient:

- 1° **Organisations de gestion d'assurance santé (HMO):** une organisation qui fournit ou prend en charge des soins médicaux pour les assureurs, des particuliers et d'autres entités sur la base d'arrangements contractuels prépayés et qui inclut les organisations comme peuvent être prescrites par Règlement ;
- 2° **membre ou personne inscrit (e):** un individu qui est contractuellement habilité à recevoir les services de santé auprès d'une Organisation de gestion d'assurance santé (HMO);
- 3° **prestataire de service:** un médecin, un hôpital ou une autre personne agréée et pratiquant dans les limites de cet agrément;

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4° **ibigo bigenzurwa:** Ni ibigo birebwa n'aya mabwiriza ;

5° **umuntu :** umuntu ku giti cye cyangwa ikigo

6° **ibiro bihagarariye umwishingizi w'abishingizi wo mu mahanga:** ni uburyo umwishingizi w'abishingizi ashiraho ibiro mu Rwanda kugirango bimuhe amakuru kandi bimuhuze n'isoko riri mu Rwanda. Ibyo biro ntibigira ubuzima gatozi, ubwigenge mu miyoborere, mu micungire y'umutungo n'abakozi bayo n'umwishingizi w'abishingizi wabishyizeho.

7° **umukozi wo ku rwego rw'ubuyobozi:** Umukozi uwo ari we wese w'umwishingizi uha raporo ubuyobozi bukuru cyangwa inama y'ubutegetsu.

4° **supervised institution:** Institution which fall within the scope of this regulation;

5° **person:** a physical or a moral person;

6° **Representative office for foreign reinsurer:** an administrative arrangement whereby a foreign reinsurer establishes an office in Rwanda to provide information and liaison activities, as well as studying markets and investment opportunities in Rwanda. It does not have legal personality or management autonomy different from that of reinsurer that established it;

7° **senior manager:** any staff of any insurer reporting directly to the senior management or to the board.

4° **institution supervisée:** institution qui tombe dans le champ d'application du présent règlement;

5° **personne:** une personne physique ou morale;

6° **Bureau de représentation du réassureur étranger:** un arrangement administratif en vertu duquel un réassureur étranger établit au Rwanda un bureau servant de lien avec le marché du Rwanda. Il n'a pas de personnalité juridique ni d'autonomie de gestion différente de celle du réassureur qui l'a établi ;

7° **cadre dirigeant:** tout agent d'un assureur qui donne directement rapport à la haute direction ou au conseil d'administration.

UMUTWE WA II: IBYICIRO BY'UMURIMO W'UBWISHINGIZI

Ingingo ya 5: Ibyiciro by'umurimo w'ubwishingizi bw'ubuzima

Umurimo w'ubwishingizi bw'ubuzima bisobanura umurimo w'ubwishingizi wa buri icyiciro cyangwa ibyiciro byose bikurikira:

CHAPTER II: CLASSES OF INSURANCE BUSINESS

Article 5: Classes of life insurance business

Life insurance business refers to insurance business of all or any of the following classes:

CHAPITRE II: CATEGORIES DE L'ACTIVITE D'ASSURANCE

Article 5: Catégories de l'activités d'assurance vie

L'activité d'assurance vie se réfère à l'activité d'assurance pour toutes ou l'une des catégories suivantes:

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1° ubwishingizi busanzwe bw'ubw'igihe kirekire;	1° traditional whole life;	1° assurance vie entière;
2° ubwishingizi bw'igihe kirekire bumara igihe kigenwe;	2° term life;	2° assurance-vie temporaire;
3° ubwishingizi bw'igihe kirerekire bwerekeye imyenda;	3° credit life;	3° assurance vie sur crédit;
4° ubwishingizi butuma uwishingiwe cyangwa umufatabwishingizi ahabwa imbumba y'amafaranga;	4° endowments,	4° assurance mixte;
5° inyishyu ya buri gihe;	5° annuities,	5° rente;
6° ibigega byo gucunga amafaranga abikijwe (azigamwe);	6° deposit administration (savings) plans	6° régime d'administration de dépôt (épargne);
7° ubwishingizi bw'igihe kirekire buhoraho;	7° universal life;	7° assurance vie universelle;
8° umurimo w'ubwishingizi hatanzwe igishoro gihuriweho;	8° unit-linked business;	8° activité d'assurance liée aux unités de fonds;
9° Urundi rwego rw'umurimo w'ubwishingizi bw'ubuzima rushobora kugenwa na Banki.	9° Any other class of life insurance business that the Bank may determine.	9° toute autre classe de l'activité d'assurance vie que la Banque peut déterminer.

Ibisobanuro birambuye ku nzego z'umurimo w'ubwishingizi hakurikijwe buri cyiciro bigaragara mu **Mugereka wa 1**.

More details on classes of insurance business under each category are specified in **Appendix 1**.

Les détails sur les classes de l'activité d'assurance pour chaque catégorie sont spécifiés en **Annexe 1**.

Ingingo ya 6: Ibyiciro by'umurimo w'ubwishingizi rusange

Amoko y'umurimo w'ubwishingizi bw'igihe kigufi akubiyemo ibi bikurikira:

- 1° umurimo w'ubwishingizi bw'umutungo/ubwishingizi bw'inkongi y'umurimo;
- 2° ubwishingizi bw'uburyozwe;
- 3° umurimo w'ubwishingizi bw'ingwate
- 4° umurimo w'ubwishingizi bw'ibinyabiziga bifite moteri;
- 5° umurimo w'ubwishingizi bw'ubwikorezi ;
- 6° umurimo w'ubwishingizi bw'iamashini zikoreshwa hatarimo iz'ibinyabiziga bkoresha moteri;
- 7° ubwishingizi bw'impanuka n'ubuzima ;
- 8° ubwishingizi bw'Indishyi ya nyakabyizi ;
- 9° ikindi cyiciro cyose cy'umurimo w'ubwishingizi bw'igihe kigufi Banki Nkuru ishobora kugena.

Article 6: Classes of general insurance business

Classes of general insurance business shall comprise of the following:

- 1° property insurance business/fire;
- 2° liability insurance;
- 3° guarantee insurance business;
- 4° motor insurance business;
- 5° transportation insurance business;
- 6° engineering insurance business;
- 7° accident and Health insurance;
- 8° workmen's compensation;
- 9° any other class of general insurance business that the Bank may determine.

Article 6: Catégories de l'activité d'assurance générale

Les classes de l'activité d'assurance générale sont les suivantes:

- 1° activite d'assurance des biens /incendie;
- 2° assurance de responsabilité;
- 3° activité d'assurance de garantie;
- 4° activité d'assurance automobile;
- 5° 5activité d'assurance-transports;
- 6° activite d'assurance équipements et matériels techniques;
- 7° assurance accident et maladie;
- 8° indemnité pour accidents de travail;
- 9° toute autre catégorie d'assurance générale que la Banque peut déterminer.

Ingingo ya 7: Gutandukanya umurimo w'ubwishingizi bw'igihe kirekire n'umurimo w'ubwishingizi rusange

Muri aya mabwiriza rusange, uretse igihe uko ibintu byaba bimeze kwatuma bigenda ukundi, umwishingizi ntagomba gukomatanya umurimo w'ubwishingizi bw'igihe kirekire n'umurimo w'ubwishingizi bw'igihe kigufi.

UMUTWE WA III: IBISABWA MU KWEMERERA ABISHINGIZI N'ABISHINGIZI B'ABISHINGIZI

Ikicro cya mbere: Ingingo zihariye ku bisabwa mu kwemerera abishingizi

Ingingo ya 8: Imari shingiro ntagibwa muni

Umuntu wifuza gukora umurimo w'ubwishingizi bw'igihe kigufi agomba kuba afite nibura imari shingiro yishyuwe itari muni ya miriyari eshatu z'amafaranga y'u Rwanda (FRW3.000.000.000).

Umuntu wifuza gukora umurimo w'ubwishingizi bw'igihe kirekire agomba kuba afite nibura imari shingiro yishyuwe ya miriyari ebyiri z'amafaranga y'u Rwanda (FRW2.000.000.000).

Buri mugabane ugenewe imari shingiro yishyuwe umuntu atagomba kujya muni

Article 7: Separation of life insurance business and general insurance business

In this Regulation, unless the context otherwise requires, an insurer shall not combine life insurance business and general insurance business.

CHAPTER III: LICENSING REQUIREMENTS FOR INSURERS AND RE-INSURERS

Section one: Specific provisions on licensing requirements for insurers

Article 8: Minimum Capital requirement

A person proposing to carry out general insurance business shall have a minimum paid-up cash capital of not less than three billion Rwandan Francs (FRW 3, 000,000,000).

A person proposing to carry on life insurance business shall have a minimum paid up cash capital of not less than two billion Rwanda Francs (FRW2, 000,000,000).

Every share allocated to the minimum paid-up capital issued by the private insurer shall be fully paid.

Article 7: Séparation de l'activité d'assurance vie de l'activité d'assurance générale

Dans ce Règlement, à moins que le contexte ne l'exige autrement, un assureur ne doit pas combiner l'activité d'assurance vie avec l'activité d'assurance générale.

CHAPITRE III: EXIGENCES D'AGRÈMENT AUX ASSUREURS ET AUX RÉASSUREURS

Section première: Dispositions spécifiques aux exigences d'agrément pour les assureurs

Article 8: Capital minimum exigé

Une personne désirant exercer l'activité d'assurance générale doit disposer d'un capital minimum libéré de trois milliard de francs rwandais (FRW 3.000.000.000).

Une personne désirant exercer l'activité d'assurance vie doit disposer d'un capital minimum libéré de deux milliard de francs rwandais (FRW2.000.000.000).

Chaque action allouée au capital minimum libéré, émis par un assureur privé doit être entièrement libéré.

yatanzwe n'umwishingizi wigenga ugomba kwishyurwa wose uko wakabaye.

Ingingo ya 9: Kugaragaza agashya kazanywe ku isoko

Umuntu usaba kwemererwa gukora umurimo w'ubwishingizi mu Rwanda agomba kwereka Banki Nkuru ibyo yiyemeje gukora byerekeranye n'agashya azanye ku isoko.

Banki Nkuru ishobora kutemerera umwishingizi iyo gisanze usaba nta gashya azanye ku isoko.

Mu gihe cy'iminsi cumi n'itanu uherye igihe umwaka w'imari urangiriye umwishingizi wemerewe gukora hashingiwe ku bitegenywa n'aya mabwiriza aha raporo Banki Nkuru igaragaza uburyo akoresha n'aho ageze mu gushyira mu bikorwa udushya yiyemeje kuzana ku isoko.

Banki Nkuru ishobora kwambura umwishingizi uruhushya rwamuhawe hashingiwe kuri aya mabwiriza iyo, nyuma y'igenzura, isanze umwishingizi yarananiwe kubahiriza ibyo yiyemeje byerekeye kuzana agashya ku isoko nk'uko bivugwa mu gika cya mbere cy'iyi ngingo.

Article 9: Obligation to demonstrate the value and innovation to the market

A person applying to transact insurance business to the Rwandan market shall demonstrate to the Central Bank its commitments as to the value addition and innovation it brings to the market.

The Central Bank may not to grant the license when it is convinced that the applying person shall add no value or bring innovation to the market.

Within 15 days from the end of every financial year, an insurer licensed under the provisions of this Regulation shall report to the Central Bank the procedures and the progress of execution of its commitments of innovation and the value it added to the market.

The Central Bank may withdraw the license granted to an insurer under the provisions of this Regulation when, after an assessment, it finds out that the insurer failed to its commitments about innovation and adding value to the market as required by Paragraph One of this Article.

Article 9: Obligation de démontrer la valeur et l'innovation sur le marché

Une personne qui demande à exercer l'activité d'assurance sur le marché Rwandais doit démontrer à la Banque Centrale ses engagements en ce qui concerne la valeur ajoutée et l'innovation qu'elle apporte sur le marché.

La Banque Centrale peut ne pas accorder l'agrément lorsqu'il est convenu que la personne qui le demande n'ajoute aucune valeur ou n'apporte aucune innovation sur le marché.

Dans un délai ne dépassant pas 15 jours à compter de la fin de chaque exercice financier, un assureur agréé en vertu des dispositions du présent règlement doit faire rapport à la Banque Centrale de la progression de l'exécution de l'innovation et de la valeur ajoutée sur le marché.

La Banque Centrale peut retirer l'agrément accordé à un assureur en vertu des dispositions du présent règlement lorsque, après une évaluation, il trouve que l'assureur a manqué à ses engagements en matière d'innovation et d'ajout de valeur au marché comme l'exige l'alinéa premier du présent article.

Ikiciro cya 2: Ingingo zihariye ku bisabwa mu kwemerera abishingizi b'abishingizi gukora

Ingingo ya 10: Imari shingiro ntagibwa munsu isabwa

Umuntu wifuza gukora umurimo w'ubwishingizi bw'abishingizi agomba kuba afite nibura imari shingiro yishyuwe itari munsu ya miriyari eshanu z'amafaranga y'u Rwanda (FRW5.000.000.000).

Buri mugabane ugenewe imari shingiro itagibwa munsu yishyuwe n'umwishingizi w'abishingizi igomba kwishyurwa yose uko yakabaye. Iyi mari shingiro igomba kuba ihari buri gihe.

Ikiciro cya 3: Ingingo zihuriweho ku bisabwa mu kwemerera abishingizi n'abishingizi b'abishingizi

Ingingo ya 11: Ibisabwa mu kwemerera abishingizi bigenga cyanga abishingizi b'abishingizi

Umuntu wifuza gukora umurimo w'ubwishingizi nk'umwishingizi wigenga cyangwa umwishingizi w'abishingizi agomba kuba ari isosiyete ihamagarira rubanda kuyiguramo imigabane ifite uburyozwe bugarukira ku migabane.

Section 2: Specific provisions on licensing requirements for reinsurers

Article 10: Minimum Capital requirement

A person proposing to carry out reinsurance business shall have a minimum paid - capital of not less than five billion Rwanda Francs (FRW5, 000,000,000).

Every share allocated to the minimum paid-up capital issued by the reinsurer shall be fully paid. This capital shall be maintained at all times.

Section 3: Common provisions on licensing requirements for insurers and re-insurers

Article 11: Conditions of licensing of private insurers or re-insurer

A person intending to carry out insurance or reinsurance business as a private insurer or reinsurer shall be a public company limited by shares.

Section 2: Dispositions spécifiques aux exigences d'agrément pour les réassureurs

Article 10: Capital minimum exigé

Une personne désirant exercer l'activité de réassurance doit disposer d'un capital minimum libéré de cinq milliards de Francs Rwandais (FRW5.000.000.000).

Chaque action libérée au capital minimum émis par un réassureur privé doit être entièrement libérée. Cette capitale doit être maintenue à tout moment.

Section 3: Dispositions communes aux exigences d'agrément pour les assureurs et aux réassureurs

Article 11: Conditions d'agrément des assureurs privés ou de réassureurs

Une personne désirant exercer une activité d'assurance ou de réassurance en tant qu'assureur privé ou de réassureur doit être une société publique à responsabilité limitée par actions.

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Icyemezo kigomba gusobanura neza icyiciro cy'ibikorwa by'ubwishingizi cyangwa ubwishingizi bw'abishingizi umwishingizi cyangwa umwishingizi w'abishingizi yemerewe gukora.

Mbere yo kongera ibyiciro bishya by'ubwishingizi cyangwa ubwishingizi bw'abishingizi ku rutonde rw'ibyiciro umwishingizi cyangwa umwishingizi w'abishingizi asanzwe yemerewe, uwo mwishingizi cyangwa umwishingizi w'abishingizi agomba kubahiriza ibisabwa kugira ngo abone icyemezo ukurikije ibyiciro asaba.

Ingingo ya 12: Gusaba icyemezo

Dosiye isaba icyemezo cyo gukora umurimo w'ubwishingizi cyangwa w'ubwishingizi bw'abishingizi igomba gukorwa mu nyandiko igashyikirizwa Banki Nkuru kandi igomba:

- 1° kugaragaza icyiciro cy'umurimo w'ubwishingizi cyangwa cy'ubwishingizi bw'abishingizi usaba asabira icyemezo cyo gukora uwo umurimo;
- 2° kuba ikubiyemo amakuru ya ngombwa kandi ikaba ifite imiterere yagenwe nk'uko isobanuwe mu **Mugereka wa 2A** ;

A license must clearly state the classification of insurance or reinsurane activities that the insurer or reinsurer is licensed to conduct.

Before adding new classes to the list of classes already granted to the insurer or reinsurer, the insurer should comply with the licensing requirements, as applicable.

Article 12: Application for license

An application file for insurers and reinsurers license shall be in writing and addressed to the Central Bank and shall:

- 1° state the class of insurance or re-insurance business for which the applicant seeks license to carry out business;
- 2° contain the prescribed information and be in the prescribed form set out in **Appendix 2A**;

Un agrément doit clairement indiquer la catégorisation des activités d'assurance ou de réassurance que l'assureur ou réassureur est autorisé à exercer.

Avant d'ajouter de nouvelles classes d'assurance ou de réassurance à la liste des classes déjà autorisées à l'assureur, ou réassureur doit se conformer aux conditions d'agrément, selon le cas.

Article 12: Demande d'agrément

Le dossier de demande pour les assureurs et des réassureurs doit être par écrit déposé à la Banque Centrale et doit:

- 1° préciser la classe d'activité d'assurance ou de réassurance pour laquelle le demandeur cherche l'agrément pour exercer l'activité;
- 2° contenir des renseignements prescrits et être dans la forme prescrite se trouvant en **Annexe 2A**;

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3° kuba iherekejwe n'ikusanyamakuru rigenwe nk'uko risobanuwe mu ngingo ya 16;

4° kuba iherekejwe inyemezabwishyu y'amafanga yo kwiga dosiye adasubizwa angana na miriyoni imwe y'amafaranga y'u Rwanda (1.000.000 FRW) yishyurwa Banki Nkuru.

3° be accompanied with the prescribed documentation set out in article 16;

4° be accompanied by a proof of payment of application fee of one million Rwandan francs (1,000,000 FRW) nonrefundable payable to the Central Bank.

3° être accompagnée de documentation définie à l'article 16;

4° être accompagné de la preuve de versement à la Banque Centrale de frais de demande non remboursables équivalents à un million de francs rwandais (1.000.000 FRW).

Ingingo ya 13: Inyandiko zigize dosiye

Dosiye isaba igomba kuba ikubiyemo amakuru akurikira:

1° umwirondoro wa sosiyete harimo izina n'aho iyo sosiyete ibarizwa, ibisobanuro birambuye ku miterere y'imigabane, imyirondoro y'abateganywa kuba abagize inama y'ubutegetsi n'abayobozi bakuru;

2° imiterere y'imigabane;

3° imiterere y'istinda (niba isosiyete igomba gushingwa iri mu istinda ry'ibigo by'imari);

4° amakuru arambuye yerekana inkomoko y'umutungo;

5° inyandiko igaragaza uko abagize inama y'ubutegetsi, umuyobozi mukuru, ndetse nabanyamaigabane bahagaze kubijyanye n'imyenda, inguzanyo, n'ibindi byose ffitanye

Article 13: Application documents

The Application shall contain the following information:

1° profile of the company including the name and address of the proposed company, the details on shareholding structure, curriculum vitae of proposed directors and senior managers;

2° Shareholding structure;

3° group structure (if the proposed company belongs to a group of financial institutions);

4° a detailed source of funds;

5° the credit reference report to the application for the proposed directors, senior management, shareholders;

Article 13: Dossier de demande d'agrément

Le dossier de demande doit contenir les informations suivantes:

1° le profil de la société y compris le nom et l'adresse de la société dont la création est proposée, les détails sur la structure des actions, le curriculum vitae des administrateurs et cadres dirigeants proposés;

2° Structure de l'actionnariat;

3° structure du groupe (si la société proposée appartient à un groupe d'institutions financières);

4° une source de financement détaillée;

5° le rapport de référence de crédit à la demande les membre du conseil d'administration, cadres dirigeant et actionnaires ;

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- isono n'imyitwarire mu rwego rw'imari;
- 6° icyemzo cyatanzwe n'igihugu isosiyete igiye kubyarwa n'indi ikomokamo iyo iyo sosiyete igiye kuyibyara ari inyamahanga cyemeza ko abafite imigabane itubutse b'usaba, abagize inama y'ubutegetsi, ndetse n'abayobozi bakuru bujuje ibisabwa;
- 6° approval to set a subsidiary issued by the supervisory authority of country of arigine if the proposed company belongs to foreign parent company and that the applicant's qualifying shareholders, directors and senior management, as a whole, are fit and proper persons.;
- 6° l'approbation émise par l'autorité de régulation du pays d'origine de constituer une filiale si la société envisagée appartient à une société mère étrangère et que les actionnaires, les administrateurs et cadres dirigeants du demandeur sont des personnes aptes et convenables ;
- 7° ikimenyetso cy'imari shingiro yishyuwe kuri konti ya sosiyete igiye gushingwa;
- 7° evidence of the share capital deposited on the account of the proposed insurer/reinsurer;
- 7° la preuve du capital-actions déposé sur le compte de l'assureur / réassureur proposé ;
- 8° fotokopi y'imyanzuro y'inama y'ubutegetsi yemerera itegurwa, isaba ry'ry'icyemezo;
- 8° a certified copy of the resolution of the board of directors authorizing the preparation and submission of the application.
- 8° une copie certifiée de la résolution du conseil d'administration autorisant la préparation et le dépôt de la demande ;
- 9° ubumenyi bwihariye, amashuri, uburambe, ubwenegihugu ndetse n'andi makuru ya ngombwa yerekeye ubuyobozi bukuru hamwe n'abakozi b'ingenzi;
- 9° the technical expertise, qualifications, experience, nationality and other relevant information on the proposed management and key staff;
- 9° l'expertise technique, les qualifications, l'expérience, la nationalité et d'autres informations importantes sur les cadres proposés ainsi que le personnel clé;
- 10° imiterere y'imari shingiro n'umusaruro sosiyete y'ubwishingizi cyangwa y'ubwishingizi bw'abishingizi iteganya kwinjiza;
- 10° the capital structure and earnings prospects of the insurance or re-insurance company;
- 10° la structure du capital et les perspectives de rendement de la société d'assurance ou de réassurance;
- 11° gahunda y'igenabikorwa ikubiyemo ariko si ngombwa ko igarukira kuri ibi bikurikira:
- 11° a business plan covering among others:
- 11° plan d'affaires comprenant entre autres:

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|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| i. gahunda ya sosiyete y'ubwishingizi bw'ababishingizi ku ruhande rw'abishingizi cyangwa gahunda y'abishingizi b'abishingira abishingizi; | i. company's reinsurance programme for insurers and retrocession program for re-insurers; | i. le programme de réassurance de la société ou de rétrocession pour les réassureurs ; |
| ii. ikigereranyo cy'ikiguzi gicishirije cyo gutangiza isosiyete n'uburyo ayo mafaranga azaboneka; | ii. estimated setting-up costs and how the cost shall be financed; | ii. estimation des coûts et leur financement; |
| iii. uburyo buteganyijwe bwerekana uko uwo murimo uzatera imbere bugaragazwa n'amafaranga ateganyijwe kwinjira n'ifoto y'umutungo, nibura mu gihe cy'imyaka itatu, kandi ifoto y'umutungo igomba kuba ikubiyemo uburyo buteganyijwe mu kubara ibisabwa kugira ngo imari shingiro ibe ihagije bikerekana uburyo sosiyete izabasha kugumana nibura amafaranga ya ngombwa yo kwirinda igihombo hakurikijwe ibiteganywa n'amabwiriza; | iii. projected development of business shown by projected revenue account and the balance sheet, for at least three years, which must include a projected calculation of capital adequacy requirements indicating that the company shall be able to maintain its minimum regulatory solvency margin throughout the projection period; | iii. la prévision du développement de la société indiquée par les revenus prévus et le bilan d'au moins trois ans, qui doit contenir la prévision de calcul des exigences du capital adéquat indiquant que la société sera capable de maintenir la marge minimale de solvabilité réglementaire tout au long de la période visée; |
| iv. z'amasezerano, zigenga isano hagati ya sosiyete isaba gukora n'andi masosiyete; | iv. contract documents, regulating the applicants' relationship with other companies; | iv. les documents de contrat, régissant les relations entre les demandeurs et d'autres sociétés ; |
| 12° raporo irambuye yemejwe n'umuhanga mu mibare yerekeye ubwishingizi ku bwoko bw'ubwishingizi sosiyete yifuza gukora cyangwa serivisi ziherekejwe n'icyitegererezo cy'impapuro ziteganyijwe kuzajya zuzuzwa, | 12° a detailed report certified by an appointed actuary on the proposed insurance or reinsurance products or services with specimens of proposal forms, policy wording contracts and information on premium rates and commission scales; | 12° un rapport détaillé et certifié par l'actuaire nommé portant sur les produits ou services d'assurance ou de réassurance proposés, avec des spécimens des formulaires proposés, les contrats de police rédigés et |

amagambo akubiye mu masezerano y'ubwishingizi cyangwa y'ubwishingizi bw'abishingizi azifashishwa ndetse n'ibisobanuro byerekeye amafaranga y'ikiguzi cy'ubwishingizi cyangwa cy'ubwishingizi bw'abishingizi hamwe n'ingano y'umufuragiho uzatangwa;		information sur les taux de primes et le montant des commissions ;
13° imiterere n'uburyo bwo gucunga ingorane harimo uburyo abayobozi bakuru bakoresha mu gutanga raporo;	13° the risk management structure and systems including management reporting systems;	13° la structure et les systèmes de gestion des risques y compris les systèmes des rapports pour la haute direction;
14° gahunda iteganyijwe y'imiyoborere ya sosiyete kandi ikaba yubahirije amabwiriza rusange;	14° a proposed corporate governance framework that is complying with regulations;	14° un cadre proposé pour la gouvernance de société qui est en conformité avec les règlements;
15° abahanga mu mibare yerekeye ubwishingizi ba sosiyete harimo n'impuguke mu mibare y'ubwishingizi iteganyije gushyirirwaho sosiyete y'ubwishingizi bw'igihe kirekire cyangwa umwishingizi w'abishingizi;	15° the actuaries of the company; including the proposed appointed actuary for a life insurance or reinsurance company;	15° les actuaires de la société y compris un actuaire proposé à la nomination pour la société d'assurance vie ou de réassurance vie;
16° abagenzuzi bigenga ba sosiyete;	16° the external auditors of the company;	16° les auditeurs externes de la société;
17° imbonerahamwe igaragaza amashami ashinzwe imirimo;	17° the organizational chart indicating functional departments;	17° l'organigramme indiquant les départements fonctionnels ;
18° ikigereranyo cy'umubare w'abakozi;	18° the estimated number of employees;	18° l'estimation du nombre d'employés ;
19° n'andi makuru yose n'ibisobanuro Banki Nkuru yasanga ari ngombwa	19° any other documentation or information that the Bank considers	19° toute autre documentation ou information que la Banque Centrale

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kugira ngo ifate umwanzuro kuri dosiye isaba.

necessary to take decision on the application.

juge nécessaire pour statuer sur la demande.

Dosiye isaba igomba kuba iherekejwe n'inyandiko y'ubwumvikane n'amategeko shingiro, icyemezo cy'iyandikisha, kopi yemejwe y'umwanzuro w'inama y'ubutegetsi yemerera itegurwa n'itangwa rya dosiye isaba kwemererwa gukora n'itangazo ry'abagenzuzi ryemeza ko hari imari shingiro isabwa yishyuwe yabikijwe mu gihe kigenwe mu kigo cy'imari kibyemerewe.

The application shall be accompanied by the memorandum and articles of association, the certificate of registration, and a certified copy of the resolution of the board of directors authorizing the preparation and submission of the application and statement of auditors certifying existence of the required paid up capital in fixed term deposits in a licensed financial institution.

La Demande doit être accompagnée de l'Acte constitutif et des Statuts, du certificat d'enregistrement, et d'une copie certifiée de la résolution du Conseil d'Administration autorisant la préparation et la soumission de la demande et d'une déclaration des auditeurs attestant l'existence du capital nécessaire libéré en dépôts à terme dans une institution financière agréée.

Ku byerekeye abasaba b'abanyamahanga, dosiye isaba nayo igomba kuba iherekejwe n'itangazo rivuye ku kigo kigenzura cyo mu gihugu baturutsemo ryemeza ko cyabanje kwemeza cyangwa ko nta mbogamizi yo gushyiraho ishami ryacyo cyangwa ibindi biro mu Rwanda, kandi kikemeza ko abanyamigabane babyemerewe batanzwe n'usaba, abari mu nama y'ubutegetsi ndetse n'abayobozi bakuru, bose hamwe, ari abantu bakwiiye kandi bujuje ibyangombwa.

With respect to foreign applicants, the application shall also be accompanied by a statement from the home supervisory authority declaring that it has given prior approval or a non-objection for the establishment of a subsidiary or any other office in Rwanda, and that the applicant's qualifying shareholders, directors and senior management, as a whole, are fit and proper persons.

Concernant les demandeurs étrangers, la demande doit aussi être accompagnée d'une déclaration de l'autorité de supervision d'origine attestant qu'elle a préalablement approuvé la demande ou qu'elle a donné une non-objection pour la création d'une filiale ou tout autre bureau au Rwanda, et que les actionnaires qualifiés du demandeur, les administrateurs et les cadres dirigeants sont tous des personnes dignes et compétentes.

Impinduka zose zifatika ziri muri dosiye zerekeye inama y'ubutegetsi, abagize komite nyobozi, abayobozi bakuru, cyangwa imiterere y'imari shingiro n'imigabane zibayeho mu gihe dosiye ikirimo gusuzumwa cyangwa nyuma y'uko icyemezo cyatanzwe ariko mbere y'itangira ry'ibikorwa, zigomba guhitwa zimenyeshwa Banki Nkuru mu gihe cya vuba gishoboka, ariko uko byagenda kose, kidashobora kurenga iminsi makumyabiri

Any material changes in the application concerning the composition of the board of directors, members of the executive committee, senior management, or capital structure and shareholdings, which may take place while the application is being processed or after the license is issued but before commencement of operations, shall be duly notified to the Central Bank as soon as possible, but in any event, not later than

Tout changement important dans la demande concernant la composition du Conseil d'Administration, les membres du comité exécutif, les hauts cadres, ou la structure du capital et les actionnaires, pouvant survenir au cours du traitement de la demande ou après l'octroi de l'agrément mais avant le début des activités, doit être dûment notifié à la Banque Centrale dès que possible, mais dans tous les cas, dans un délai ne dépassant pas vingt et un

n'umwe (21) uherye umunsi impinduka zabereye.

twenty-one (21) days from the day the change has been brought.

(21) jours à partir du jour où ce changement a été effectué.

Gutanga amakuru atari ukuri cyangwa ashobora kuyobya bituma uwasabye afatwa nkudakwiye kandi utujuje ibisabwa kuri uwo murimo kandi bifatwa nk'impamvu yo kutakira dosiye ye isaba cyangwa y'ivanwaho ry'icyemezo, mu gihe icyo cyemezo cyamaze gutangwa.

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 or revocation of the license, where a license has been granted.

La transmission de toute information fautive ou qui peut induire en erreur rend la personne requérante non digne et appropriée, et constitue un motif de rejet de la demande ou l'annulation de l'agrément dans le cas où celui-ci a été octroyé.

Ingingo ya 14: Ibigenderwaho mu kwemererwa

Article 14: Criteria for licensing

Article 14: Critères d'octroi d'agrément

Mu gusuzuma dosiye isaba, Banki Nkuru igomba kumenya neza niba:

In considering the application, the Central Bank shall make sure that:

Lors de l'examen de la demande, la Banque Centrale doit s'assurer que:

1° hagaragara umucyo uhagije mu miterere y'umutungo wa sosiyete;

1° there is sufficient transparency in the ownership structure of the company;

1° il y a une transparence suffisante dans la structure de la propriété de la société;

2° hari imari shingiro ihagije yagenewe iyo sosiyete kugira ngo ikore umurimo isabira kwemererwa;

2° there is sufficient capital for the proposed company to carry out the business whose license is applied for;

2° il y a un capital suffisant pour la société envisagée pour accomplir l'activité dont l'agrément est demandé;

3° abafite imigabane itubutse bumva neza umurimo wabo, ari inyangamugayo, bafite ingufu mu byerekeye imari kandi bafite n'ubushobozi bwo gutanga indi nkunga y'imari, igihe byaba ngombwa;

3° the qualifying shareholders possess good business standing, integrity, financial strength and ability to provide further financial support, if necessary;

3° les actionnaires qualifiés disposent d'une bonne position dans les affaires, l'intégrité, la puissance financière et la capacité à fournir le soutien financier supplémentaire en cas de nécessité;

4° abafite imigabane itubutse, abari mu nama y'ubutegetsi, abayobozi bakuru, abagenzuzi n'abahanga mu imibare

4° the qualifying shareholders, directors, senior management, auditors and

4° les actionnaires qualifiés, les administrateurs, les cadres dirigeants, les auditeurs et les actuaires de la

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| y'ubwishingizi b'iyo sosiyete bujuje ibisabwa n'inshingano basabwa kuzuza; | actuaries of the company are fit and proper to fulfill their roles; | société sont des personnes dignes et appropriées pour remplir leur fonction; |
| 5° abari mu nama y'ubutegetsi n'abakozi bakuru bafite ubushobozi bwo gukorana umwete umurimo w'ubwishingizi ndetse no guhiganwa basanzwe bakora uwo umurimo; | 5° directors and senior manager are qualified to conduct the business competently and competitively with existing insurers and reinsurers; | 5° les administrateurs et les cadres dirigeants sont qualifiés pour mener les activités de façon compétente et compétitive avec les assureurs et réassureurs existants; |
| 6° uburyo bwo gucunga ingorane bw'usaba uburyo bw'igenzura ry'imbere rya sosiyete, uburyo bw'ikoranabuhanga mu itumanaho, politiki n'amabwiriza bihagije ukurikije imiterere n'ingano y'ibikorwa by'umurimo w'ubwishingizi; | 6° the applicant's risk management systems, internal control systems, information technology systems, policies and procedures, are adequate for the nature and scale of the proposed business operations; | 6° les systèmes du demandeur en matières de gestion des risques les systèmes de contrôle interne, les systèmes de technologie de l'information, les politiques et les procédures sont appropriés pour la nature et l'étendue des opérations commerciales; |
| 7° kuba gahunda z'igenabikorwa n'izi'igenamigambi ry'imari bishobora gushyirwa mu bikorwa kandi bikaba bigendanye n'ibyiciro by'ibikorwa by'umurimo w'ubwishingizi ndetse n'ibyteza ingorane kandi zigatanga ibisobanuro birambuye ku byagenda ku gutangiza isosiyete, imiterere y'imari shingiro, ibiteganyijwe mu guteza imbere uwo umurimo w'ubwishingizi, igipimo ntagibwa muni mu bushobozi bwo kwishyura ndetse n'amasezerano yagiranye n'abishingizi b'abishingizi cyangwa ay'ubwishingizi bw'abishingizi bazamwishingira; | 7° the business plans and financial plans are realistic and reflect the business lines and risk profile and give details of projected setting-up costs, capital structure, projected development of business, solvency margins and reinsurance or retrocession arrangements; | 7° les plans d'affaires et les plans financiers sont réalistes et reflètent les secteurs d'activités, le profil des risques et donnent des détails sur la projection des coûts de mise en place, la structure du capital, la projection du développement de l'activité, les marges de solvabilité et les arrangements de réassurance ou de rétrocession; |

8° hazabaho igenzura rihagije kandi rikozwe neza n'igihugu iyo sosiyete iturutse mu gihe sosiyete isaba iri mu zigize itsinda mpuzamahanga ry'ubwishingizi cyangwa ry'abishingizi b'abishingizi;

9° inyungu za rubanda zizitabwaho mu gihe hatanzwe icyo cyemezo.

8° there shall be adequate and effective supervision by the home country if the applicant is part of an international insurance or reinsurance group;

9° the public interest would be served by granting the license.

8° une supervision adéquate et effective sera faite par le pays d'origine du demandeur si le demandeur fait partie du groupe international d'assurance ou de réassurance;

9° l'intérêt général serait sauvegardé en octroyant l'agrément.

Ingingo ya 15: Iyemezwa ry'abari mu nama y'ubutegetsi ndetse n'abakozi bakuru

Nta muntu uteganyijwe gushyirwa mu nama y'ubutegetsi cyangwa mu buyobozi bukuru ushobora gutangira imirimo ye muri sosiyete y'ubwishingizi cyangwa iy'ubwishingizi bw'abishingizi iryo shyirwaho ritabanje kwemezwa na Banki Nkuru ishingiyeye ku bisabwa n'aya mabwiriza ndetse n'ibindi bisabwa n'amategeko cyangwa andi mabwiriza abigenga.

Ingingoya 16: Isuzuma ryo kureba ko hujujwe ibisabwa birebana n'ubushobozi, n'ubudakemwa mu mico no mu myifatire

Mu kumenya niba abateganya kugira cyangwa abafite imigabane itubutse, abagize inama y'ubutegetsi n'abakozi bakuru bakorera umwishingizi cyangwa umwishingizi w'abishingizi bafite ubushobozi n'ubudakemwa mu mico no mu myifatire, Banki Nkuru igomba kwita kuri ibi bikurikira:

Article 15: Approval of the Directors and Senior Managers

A proposed Director or senior manager shall not assume any duty in a licensed insurance and reinsurance company without prior approval of his or her appointment by the Central Bank in accordance with the requirements set out in this Regulation and other relevant legal and regulatory requirements.

Article 16: Fit and Proper Test

While determining the fit and proper character of current and proposed qualifying shareholders, directors and senior management of an insurer or reinsurer, the Central Bank shall have regard to:

Article 15: Approbation des administrateurs et des cadres dirigeants

L'administrateur proposé ou cadre dirigeant ne peut exercer ses fonctions dans une société d'assurance et de réassurance agréée sans que sa nomination soit préalablement approuvée par la Banque Centrale conformément aux exigences énoncées dans le présent règlement et à d'autres exigences légales et réglementaires y relatives.

Article 16: Epreuve de dignité et de compétence

Pour déterminer la dignité et la compétence des actionnaires qualifiés en place et proposés, les administrateurs et les cadres dirigeants d'un assureur ou de réassureur, la Banque Centrale doit tenir compte de:

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| <p>1° imyifatire y'umuntu ku giti cye ku byerekeye ubudakemwa muri rusange, ubushobozi n'ubushishozi mu gusohozza inshingano ze ndetse n'ubwitange abikorana cyangwa agaragara ko azasohozza inshingano ze;</p> | <p>1° personal qualities relating to his general probity, competence and soundness of judgment for fulfilling his responsibilities, and diligence with which they fulfill or are likely to fulfill their responsibilities;</p> | <p>1° qualités personnelles relatives à leur probité en général, la compétence et le sens de jugement pour remplir leurs responsabilités, et la diligence avec laquelle ils remplissent ou sont susceptibles de s'acquitter de leurs responsabilités;</p> |
| <p>2° imyifatire n'ibikorwa byaranze uwo muntu mu byerekeranye n'umurimo yakoze cyangwa ibyerekeye imari, by'umwihariko, kumenya niba uwo muntu yarigeze atangazwa ko yaguye mu gihombo cyangwa ko yagize uruhare nk'umunyamigabane, uri mu nama y'ubuyobozi, cyangwa yarabaye umuyobozi wa sosiyete zahombye;</p> | <p>2° previous conduct and activities of the person concerned in business or financial matters and, in particular, to any evidence that the person has been declared bankrupt or has been involved as a shareholder, director or manager of insolvent enterprises;</p> | <p>2° la conduite antérieure et les activités de la personne concernée en relation avec l'activité ou les problèmes financiers et, en particulier, de toute preuve que cette personne a été déclarée en faillite ou a été impliquée, en tant qu'actionnaire, administrateur ou gestionnaire des entreprises insolvables;</p> |
| <p>3° yarahamwe n'icyaha cyangwa yarabaye icyitso mu cyaha icyo aricyo cyose gifitanye isano na ruswa, uburiganya, kunyereza imisoro, iyezandonke, cyangwa ibindi byaha bimunga ubukungu n'imari, icyaha cyibasiye inyoko muntu, icyaha cya jenocide cyangwa iterabwoba.</p> | <p>3° has been convicted of or has been accomplice in any offence involving corruption, fraud, tax evasion, money laundering, other economic and financial crimes, crime against humanity or crime of genocide or terrorism.</p> | <p>3° a été reconnue coupable ou complice dans l'un des crimes relatifs à la corruption, fraude, fraude fiscale, blanchiment d'argent, autres crimes économiques et financiers, crime contre l'humanité, crime de génocide ou terrorisme.</p> |

Ingingo ya 17: Ibyangombwa Umuyobozi Mukuru agomba kuba yujuje

Buri mwishingizi cyangwa umwishingizi w'abishingizi agomba kugira umuyobozi mukuru uhoraho ugomba kuba:

- 1° kuba afite impamyabushobozi itangwa n'ikigo kigisha abanyamwuga mu bwishingizi, imibare y'ubwishingizi,

Article 17: Qualifications of Chief Executive Officer/Managing Director

Every insurer or reinsurer shall have a full-time chief executive officer who shall be:

- 1° a holder of a professional qualification in insurance, actuarial science, accounting, or other relevant field; or

Article 17: Qualifications du Directeur Général

Chaque assureur ou réassureur doit avoir à temps plein un Directeur Général qui doit:

- 1° un titulaire d'une qualification professionnelle en assurance, en

ibaruramutungo, cyangwa andi mashami bifitanye isano; cyangwa

- 2° afite Impamyabumenyi y'icyiciro cya gatatu cya kaminuza mu by'ubucuruzi, ubukungu, amatageko, imibare y'ubwishingizi cyangwa ibindi bifitanye isano.

Umuntu uvugwa mu duka twa 10 na 20 agomba nibura kuba afite uburambe bw'imyaka irindwi (7), itatu (3) muri yo akaba yarayikoze mu myanya y'ubuyobozi mu bigo by'ubwishingizi cyangwa by'ubwishingizi bw'abishingizi cyangwa ibigo bize nkabyo.

Ingingo ya 18: Ibyangombwa Umuyobozi Mukuru ushinzwe Imari agomba kuba yujuje

Buri mwishingizi cyangwa umwishingizi w'abishingizi agomba kuba afite Umuyobozi Mukuru Ushinzwe iby'imari uhoraho cyangwa ukuriye uwo murimo ugomba kuba:

- 1° afite impamyabushobozi mu by'ibaruramari ry'umwuga yatanze n'ikigo kizwi;
- 2° akanagira impamyabumenyi y'icyiciro cya gatatu cya Kaminuza mu byerekeye ibaruramari cyangwa imari kandi afite uburambe bw'imyaka nibura itanu (5) mu byerekeye icungamari.

- 2° master's degree in business studies, economics, actuarial science, law or other related fields.

A person specified in sub-paragraph 10 or 20 of this Article must have at least 7 years of experience of which three (3) have been passed in managerial position in insurance companies, reinsurance or similar institutions.

Article 18: Qualifications of Chief Finance Officer

Every insurer or reinsurer shall have a full time Chief Finance Officer or the head of finance who shall:

- 1° possess a professional qualification in accounting from a recognized institution; and
- 2° be a holder of Master's degree in accounting or finance with at least five (5) years of experience in finance.

science actuarielle, en comptabilité ou dans un autre domaine connexe ; ou

- 2° maîtrise en études commerciales, en économie, en science actuarielle, en droit ou dans d'autres domaines connexes.

Une personne spécifiée au point 1° ou 2° du présent article doit avoir au moins sept ans (7) ans d'expérience dont trois (3) ont été passés dans la haute direction de la société d'assurance ou de réassurance ou des entités similaires.

Article 18: Qualifications du Chef Financier

Chaque assureur ou réassureur doit avoir à plein temps un Chef des Finance ou le responsable de cette fonction qui doit:

- 1° avoir des qualifications professionnelles en comptabilité d'une institution reconnue ; et
- 2° être détenteur d'un diplôme de Maîtrise en comptabilité ou finance avec au moins cinq (5) ans d'expérience en finance.

Ingingo ya 19: Ibyangombwa umuyobozi ushinzwe tekini agomba kuba yujuje

Buri mwishingizi cyangwa umwishingizi w'abishingizi agomba kugira Umuyobozi uhoraho ushinzwe tekini cyangwa ukuriye uwo murimo ugomba kuba:

- 1° ari umunyamuryango ugira uruhare mu bikorwa by'urugaga rw'abanyamwuga, mu bwishingizi, afite impamyabushobozi ya CII, cyangwa indi mpamyabumenyi y'umwuga bihwanye;
- 2° afite impamyabumenyi y'icyiciro cya gatatu cya kaminuza mu byerekeye gucunga imirimo y'ubucuruzi, ibyerekeye Ubukungu cyangwa ibindi bifitanye isano akanagira nibura uburambe bw'imyaka itanu (5) nk'umukozi mukuru ugurisha ubwishingizi.

Ingingo ya 20: Umuyobozi mukuru ushinzwe ubugenzuzi bw'imbere

Umuyobozi mukuru ushinzwe ubugenzuzi w'imbere mu kigo cy'ubwishingizi cyangwa w'umwishingizi w'abishingizi cyangwa uhagarariye uwo murimo agomba kugira nibura :

- 1° impamyabumenyi y'icyiciro cya kabiri cya kaminuza mu icungamutungo, ubucuruzi, imari,

Article 19: Qualifications of Technical Director

Every insurer or reinsurer shall have a full time Technical Director or the head of such function who shall be:

- 1° be an active member of insurance professionals body, CII, or; any other similar professional qualification;
- 2° be a holder of Master's degree in Business Administration, Economics or any other related areas with at least 5 years of business experience in insurance as senior Underwriter.

Article 20: Chief internal auditor

The Chief internal auditor of insurance company or reinsurer or the head of such function shall have at least:

- 1° Bachelor's degree in accounting, finance, or other relevant field,

Article 19: Qualifications du Directeur Technique

Chaque assureur ou réassureur doit avoir à temps plein un Directeur Technique ou le responsable de cette fonction qui doit:

- 1° être un membre actif d'une organisation professionnelle en assurance, CII, ou toute autre qualification professionnelle similaire;
- 2° être détenteur d'un diplôme de Maîtrise en Administration des affaires, Economie ou tout autre domaine connexe avec au moins 5 ans d'expérience en activité d'assurance comme haut cadre de souscription.

Article 20: Chef Auditeur interne

Le Chef d'audit interne de la société d'assurance ou du réassureur ou le responsable de cette fonction doit au moins avoir:

- 1° licence en comptabilité, en finance ou dans un autre domaine y relatif ; la

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impamyabumenyi y'icyiciro cya gatatu cya kaminuza, ikaba ariyo yahabwa amahirwe, cyangwa akaba yarize ibindi bifitanye isano ;

master's degree in these fields being preferred and;

maîtrise dans ces domaines étant préférée, avec;

2° agomba kandi kuba afite impamyabushobozi mu by'ubugenzuzi bw'imbere bw'ibigo (CIA), ACCA, CPA cyangwa indi mpamyabumenyi bifitanye isano ;

2° any of Certified Internal Auditor (CIA), ACCA, Certified Public Accountant (CPA) or related qualification and at least;

2° uditateur interne certifié (CIA), ACCA, expert-comptable (CPA) ou qualification connexe et au moins ;

3° akanagira kandi nibura imyaka 7 y'uburambe mu byerekeye ubugenzuzi; nibura 3 muri yo akaba yarayimaze akorana mu buyobozi bukuru bw'ikigo cyangwa ugize inama y'ubutegetsi y'ikigo cy'imari ;

3° 7 years of progressively responsible full-time experience as an auditor of which 3 has been passed working as a senior manager of the organization or as a board member of a financial institution.

3° 7 ans d'expérience à temps plein en tant qu'auditeur, dont 3 ans en tant que cadre dirigeant de l'organisation et/ou membre du conseil d'administration de l'institution financière.

Ingingo ya 21: Umuyobozi mukuru/ubwishingizi bwo kwivuza

Article 21: Director / Medical

Article 21: Directeur / Médical

Umuyobozi mukuru/ w'umwishingizi cyangwa umwishingizi w'abishingizi wa serivisi z'ubuvuzi agomba kugira:

A Director/ Medical of an insurer or reinsurer that sell medical and health insurance must hold at least:

Un directeur / assurance médicale d'un assureur ou réassureur qui vend une assurance maladie doit avoir au moins:

1° impamyabushobozi y'ikiciro cya kabiri cya kaminuza mu byerekeye ubuvuzi; cyangwa;

1° bachelor's degree medical or related fields; or

1° licence dans le domaine médical; ou

2° impamyabushobozi ihanitse mu buforomo; cyangwa

2° bachelor's degree in nursing; or

2° licence en sciences infirmières; ou

3° Impamyabushobozi ihanitse mu beyerekeye imiti;

3° bachelor's in Pharmacy;

3° licence en pharmacie ;

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Uwo ari we wese mu bavugwa mu duka twa 10, 20, na 30 tw'iyi ngingo agomba kuba afite nibura imyaka ibiri ikurikiranye y'uburambe mu buvuzi cyangwa mu byerekeye imiti.

Ingingo ya 22: Umuyobozi ushinzwe gucunga ibyateza ingorane

Umuyobozi mukuru ushinzwe gucunga ibyateza ingorane w'umwishingizi cyangwa umwishingizi w'abishingizi agomba kuba nibura afite:

- 1° impamyabumenyi y'icyiciro cya gatatu cya kaminuza mu byerekeye gucunga ibyateza ingorane, mu by'imari, ubukungu cyangwa andi mashuri afitenye isano na byo na;
- 2° imyaka 6 nibura y'uburambe mu byerekeye gucunga ibyateza ingorane mu murimo w'ubwishingizi cyangwa mu bwishingizi bw'abishingizi cyangwa mu igo bimeze nkabyo kandi nibura imyaka itatu muri yo akaba yarayikoze mu myanya y'ubuyobozi bukuru.

Ingingo ya 23: Imihango yo gutanga icyemezo

Nyuma yo kwakira urwandiko rusaba uruhushya rwo gukora, ruherekejwe n'inyemezabwishyu y'amafaranga yo kwiga dosiye, Banki Nkuru igomba kuba, mu gihe kitarenze iminsi irindwi (7) y'akazi,

Any of the persons specified in 10, 20, and 30 of this article must have at least 2 years working experience in medical practice or 2 years consecutive in pharmacy practice.

Article 22: Chief Risk Officer

The Chief Risk Officer must have for insurer or reinsurer:

- 1° at least master's degree in risk management, actuarial science, finance, accounting, economics or related field with;
- 2° at least 6 years working in risk management in insurance or reinsurance companies or similar institutions of which 3 have been passed in managerial position.

Article 23: Licensing procedures

Upon receipt of the application form together with the application fee and required supporting documents, the Central Bank shall, within seven (7) working days, send to the

Chacun des personnes citées au points 10, 20, et 30 du présent article doit avoir au moins 2 ans d'expérience consécutive dans la pratique médicale ou pharmaceutique.

Article 22: Directeur des risques

Le Directeur des risques doit avoir pour assureur ou réassureur:

- 1° au moins maîtrise en gestion des risques, science actuarielle, finance, comptabilité, économie ou domaine connexe, avec;
- 2° au moins 6 ans d'expérience en gestion des risques dans des sociétés d'assurance ou de réassurance ou des entités similaires dont 3 ont été passées en tant que cadre dirigeant.

Article 23: Procédures d'octroi d'agrément

Dès la réception du formulaire de demande accompagné des frais de demande et des pièces justificatives requises, la Banque Centrale, endéans sept (7) jours ouvrables, envoie au

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yoherezeza ku mugaragaro uwasabye ibaruwa yemeza ko yakiriye ubusabe cyangwa ibaruwa igaragaza ko dosiye ituzuye.

Ibaruwa y'uko usaba atujuje ibisabwa igomba kugaragaza ibyangombwa bibura muri dosiye isaba, ikanatanga igihe ntarengwa cyo gukosora ibyo bibura kandi ikavuga ko nta kindi cyemezo Banki Nkuru ishobora gufata keretse bimaze gukosorwa mu gihe cyagenwe.

Banki Nkuru igomba, mu gihe kitarenze amezi atatu (3) uhereye ku itariki yakiriye dosiye isaba yuzuye, gufata icyemezo cyo kwemerera cyangwa kwanga ubusabe no kumenyesha uwari wasabye icyemezo yafashe mu nyandiko.

Iyo Banki Nkuru ifashe icyemezo cyo gutanga icyemezo, igomba kubikora mu ibaruwa imenyeshya uwari wasabye iherekejwe n'icyemezo cyo gukoraa.

Ingingo ya 24: Agaciro k'icyemezo gihawe umwishingizi cyangwa umwishingizi w'abishingizi

Icyemezo Banki Nkuru iha umwishingizi cyangwa umwishingizi w'abishingizi kigumana agaciro kacyo kugeza igihe cyatasherezwaga agaciro na Banki Nkuru.

Applicant a formal letter of acknowledgement or a letter of deficiency.

A letter of deficiency shall outline the deficiencies in the application; provide a deadline for rectification and state that no further action shall be taken by the Central Bank unless the deficiencies are rectified within the period prescribed.

The Central Bank shall, within three (3) months from the date of the receipt of the complete application, decide to approve or refuse the application and specify in writing the decision to the applicant in writing.

Where the Central Bank decides to grant a license it shall do so, through a notification letter to the applicant that shall be accompanied by the certificate of license.

Article 24: Validity of the license granted to an insurer or reinsurer

A license granted by the Central Bank to an insurer or reinsurer shall remain valid until revoked by the Central Bank.

requérant une lettre officielle d'accusé de réception ou d'insuffisance de documents.

La lettre d'insuffisance doit décrire les insuffisances dans la demande; donner le délai pour compléter le dossier et indiquer qu'aucune autre action ne doit être prise par la Banque Centrale avant que les insuffisances ne soient corrigées dans le délai prescrit.

La Banque Centrale doit, endéans trois (3) mois à compter de la date de réception de la demande complète, approuver ou refuser la demande et notifier par écrit cette décision au demandeur.

Si la Banque Centrale décide d'octroyer l'agrément, elle doit le faire dans la lettre de notification adressée au demandeur accompagnée par le certificat d'agrément.

Article 24: Validité d'agrément accordé à un assureur ou à un réassureur

L'agrément octroyé par la Banque Centrale à un assureur ou réassureur reste valide jusqu'à ce qu'il soit révoqué par la Banque Centrale.

Ingingo ya 25: Gutangaza abemerewe gukora umurimo w'ubwishingizi n'uw'ubwishingizi bw'abishingizi

Banki Nkuru itangaza ku rubuga rwayo rwa interineti urutonde rujyanye n'igihe abishingizi n'abishingizi b'abishingizi.

Ingingo ya 26: Kugaragaza icyemezo

Icyemezokimanikwa igihe cyose ahantu hagaragara ku kicaro gikuru cy'umwishingizi cyangwa umwishingizi w'abishingizi bireba, kandi kopi zacyo nazo zigomba kumanikwa ahantu hagaragara kuri buri biro by'ishami.

Ingingo ya 27: Ibujijwe ku cyemezo cyatanzwe

Umwishingizi cyangwa umwishingizi w'abishingizi ntashobora gukorera undi murimo uwo ariwo wose cyangwa ibindi bikorwa ku butaka bwa Repubulika y'u Rwanda cyangwa ahandi uretse yasabiye icyemezo kandi yemerewe gukora.

Banki Nkuru ishobora, nyuma yo guha integuza umwishingizi cyangwa umwishingizi w'abishingizi, kugabanya cyangwa guhindura ingingo zerekeye icyemezo yahawe.

Ingingo ya 28: Ibisabwa byerekeye amakuru ajyanye n'igihe

Buri mwishingizi n'umwishingizi w'abishingizi wahawe icyemezo agomba

Article 25: Publication of licensed insurers and reinsurers

The Central Bank shall publish an updated list of the licensed insurers and reinsurers on its website.

Article 26: Display of a license

The license shall be displayed at all times in a conspicuous place at the head office of the concerned insurer or reinsurer, and copies of it shall be similarly displayed in a conspicuous place at each of its branch offices.

Article 27: License restrictions

An insurer or reinsurer shall not carry out any other business or activities in Rwanda or elsewhere other than those for which it requested a license and which it is authorized to carry out.

The Central Bank may, after giving reasonable notice to the licensed insurer or reinsurer, restrict or amend the terms and conditions of its license.

Article 28: Updated information requirement

Every licensed insurer and reinsurer shall submit to the Central Bank an updated

Article 25: Publication des sociétés d'assurance et de réassurance agréées

La Banque Centrale, publie sur son site web, une liste actualisée des assureurs et des réassureurs agréés

Article 26: Affichage d'un agrément

L'agrément est en tout temps affiché dans un endroit bien visible au siège social de l'assureur ou réassureur concerné, et les copies doivent être également affichées dans un endroit bien visible à chacune de ses branches.

Article 27: Restrictions sur l'agrément

Un assureur ou réassureur ne peut exercer aucune autre activité ou des activités au Rwanda ou ailleurs autres que celle dont il a demandé d'agrément et qu'il est autorisé à exercer.

La Banque Centrale peut, après avoir donné un préavis raisonnable à l'assureur ou réassureur agréé, restreindre ou modifier les termes et conditions de son agrément.

Article 29: Exigence de mettre à jour les informations

Chaque assureur et réassureur agréé doit transmettre à la Banque Centrale une fiche des

gushyikiriza Banki Nkuru Urupapuro ruriho amakuru ajyanye n'igihe nk'uko rugaragazwa mu **Mugereka wa 2B** bitarenze ku muni wa 31 w'ukwezi kwa Mutarama buri mwaka hamwe n'Ifishi y'Imenyekanisha rye ryihariye nk'uko isobanuwe mu **Mugereka wa 2C** kuri buri wese uteganywa gushyirwaho nk'uri mu nama y'ubutegetsi hamwe n'indahiro ya perezida w'inama y'ubutegetsi wa sosiyete igaragara ku **Mugereka wa 2D**.

Ikiciro cya 3: Ingingo zerekeye gushyiraho ibigo bihagarariye abishingizi b'abishingizi b'abanyamahanga

Ingingo ya 29: Gushyiraho ibiro bihagarariye umwishingizi w'abishingizi ukorera mu mahanga

Abishingizi b'abishingizi bakorera mu mahanga bashobora gushyiraho ibiro bihagarariye mu Rwanda.

Umwishingizi w'abishingizi ukorera mu mahanga ushaka gushyiraho ibiro bihagarariye mu Rwanda abisabira uruhushya Banki Nkuru akoresheje inyandiko isaba igaragara ku **Mugereka 2E**.

Gusaba biba bikubiyemo izi nyandiko/amakuru bikurikira:

1° inyandiko isaba yujujwe neza ivugwa mu gika cya kabiri cy'iyi ngingo;

Information Sheet as set out in **Appendix 2B** not later than the 31st day of January each year and a Personal Declaration Form as set out in **Appendix 2C** for each subsequent proposed director together with the chairperson's declaration as set out in **Appendix 2D**.

Section 3: Specific provisions on reinsurers representative office

Article 29: Establishment of representative office

Foreign reinsurers may establish representation office in Rwanda.

A foreign reinsurer that seeks to establish a representative office in Rwanda shall file an application for authorization to the Central Bank using an application form as found on **Appendix 2E**.

Application shall include the following document:

1° a well filled application form specified in Paragraph 2 of this Article;

information actualisées tel qu'il est prévu en **Annexe 2B** au plus tard le 31ème jour du mois de janvier de chaque année et un formulaire de déclaration personnelle prévu à l'**Annexe 2C** pour chaque Administrateur proposé ultérieurement accompagné d'une déclaration du Président du Conseil d'Administration prévue en **Annexe 2D**.

Section 3: Dispositions spécifiques sur le bureau de représentation des réassureurs

Article 29: Ouverture d'un bureau de représentation

Les réassureurs étrangers peuvent établir un bureau de représentation au Rwanda.

Un réassureur étranger qui cherche à établir un bureau de représentation au Rwanda doit déposer une demande d'autorisation auprès de la Banque Centrale en utilisant un formulaire de demande figurant à l'**Annexe 2E**.

La demande doit comporter les documents et informations suivant:

1° le formulaire de demande bien rempli spécifié à l'alinéa 2 du présent article;

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- | | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2° ikimenyetso kigaragaza ko hishyuwe amafaranga FRW500,000 yo gusaba adasubizwa; | 2° a proof of payment of application fee of FRW500,000 non-refundable; | 2° une preuve de paiement des frais de demande de FRW500, 000 non remboursable; |
| 3° fotokopi y'indangamuntu cyangwa, iyo ari umunyamahanga, ya pasiporo ifite agaciro y'uzayobora ibyo biro; | 3° copy of the national ID or of valid passport of proposed Chief Representative; | 3° copie de la carte d'identité nationale ou, lorsqu' il est étranger, du passeport valide du Représentant Principal proposé; |
| 4° umwirondoro usinye w'uzayobora ibiro | 4° a signed resumés of the chief representative; | 4° le curriculum vitae signé du Représentant en Chef de l'Office ; |
| 5° icyemezo cy'inama y'ubutegetsi y'usaba kiriho umukono wa noteri gisaba gushyiraho ibiro bihagarariye umwishingizi w'abishingizi; | 5° a certified copy of the board resolution of the applicant, to establish a representative office for a foreign reinsurer; | 5° une copie certifiée de résolution du conseil d'administration du demandeur cherchant à établir un bureau de représentation du réassureur étranger; |
| 6° ibaruwa iriho umukono wa noteri ishyiraho uzayobora ibiro; | 6° certified appointment letter for the representative; | 6° lettre certifiée de nomination des représentants; |
| 7° inyandiko igaragaza aderesi y'umwishingizi w'abishingizi ndetse n'icyemezo cy'iyandikisha ry'isosiyete kigaragaza ko uwo mwishingizi w'abishingizi amaze nibura imyaka ibiri (2) yemerewe gukora; | 7° evidence of the interested foreign reinsurer's address and valid company registration evidencing its lawful existence for at least two (2) years; | 7° la preuve de l'adresse du réassureur étranger intéressé et de son certificat d'entreprise valide attestant son existence légale depuis au moins deux (2)ans; |
| 8° amategeko shigiro n'ibikubiye mu nyandiko y'ubwumvikane; | 8° interested foreign reinsurer's articles and memorandum of of association; | 8° les statuts de réassureur étranger intéressé et le memorandum d'association; |
| 9° aho ibiro bizakorera mu Rwanda; | 9° intended location of the representative office in Rwanda; | 9° emplacement prévu pour bureau de représentation au Rwanda, |

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10° imbibi z'ibikorwa by'ibiro bihagarariye umwishingizi w'abishingizi;

11° urwandiko rugaragaza ko urwego rukora ubugenzuzi mu gihugu usaba aturukamo rudafite ikibazo ku ishyirwaho ry'ibiro bihagarariye umwishingizi w'abishingizi;

12° andi makuru ashobora gusabwa n'ikigo gikora ubugenzuzi yagifasha gufata icyemezo kuri dosiye isaba gushyiraho ibiro bihagarariye umwishingizi w'abishingizi ukorera mu mahanga.

10° the scope of the representative office activities;

11° no objection letter from the home Regulator to establish the representative office;

12° any other information that may be required by the Central Bank for the decision on application for authorization to establish a representative office in Rwanda.

10° la portée des activités du bureau de représentation ;

11° une lettre de non-objection du Régulateur du domicile pour établir le bureau de représentation;

12° toute autre information qui pourrait être exigée par le régulateur pour la décision sur la demande d'autorisation d'établissement d'un bureau de représentation au Rwanda.

Ingingo ya 30: Uburenganzira n'inshingano z'ibiro bihagarariye umwishingizi w'abishingizi

Uburenganzira n'inshingano ziturutse ku bikorwa by'ibiro bihagarariye umwishingizi w'abishingizi cyangwa ukubaho kw'ibyo biro bishyirwa mu mutungo w'umwishingizi w'abishingizi wabishyizeho.

Ingingo ya 31: Amategeko agenga ibiro bihagarariye abishingizi b'abishingizi bakorera mu mahanga

Ibiro bihagarariye umwishingizi w'abishingizi ukorera mu mahanga bigengwa n'amategeko akoreshwa muri Repubulika y'u Rwanda.

Article 30: Rights and obligation of the representative office

The rights and obligations arising on representation office activities or resulting from its existence are included in the patrimony of the reinsurer that created it.

Article 31: Law governing representative office for foreign reinsurer

The representative office for foreign reinsurer is subject to the laws applicable in the Republic of Rwanda.

Article 30: Droits et obligations du bureau de représentation

Les droits et obligations découlant des activités du bureau de représentation ou résultant de son existence sont inclus dans le patrimoine du réassureur qui l'a créé.

Article 31: Loi régissant le bureau de représentation pour le réassureur

Le bureau de représentation pour les réassureurs étrangers est soumis à la loi en vigueur dans la République du Rwanda.

Ingingo ya 32: Inshingano zo kwiwandikisha

Ibiro bihagarariye umwishingizi w'abishingizi ukorera mu mahanga bigomba kwiwandikisha bikurikije amategeko agenga iyandikwa ry'ibikorwa by'ubucuruzi.

Ingingo ya 33: Inshingano zo kuba ukwiye kandi wujuje ibyangombwa

Umuyobozi uyobora ibiro bihagarariye umwishingizi w'abishingizi ukorera mu mahanga agomba kuba ari umukozi uhoraho, ukwiye kandi wujuje ibyangombwa bisabwa n'amategeko akurikizwa mu gihugu umwishingizi w'abishingizi yatanzemo ubusabe.

Ingingo ya 34: Kwemerera

Iyo kibonye ko usaba ndetse na dosiye isaba bujuje ibisabwa byose kugirango hashyirweho ibiro bihagarariye umwishingizi wishingizi ukorera mu mahanga, Banki Nkuru itanga uruhushya rwemerera umwishingizi w'abishingizi gukorera ibikorwa by'ibiro bihagarariye umwishingizi w'abishingizi ku butaka bwa Repubulika y'u Rwanda mu gihe cy'imyaka ine yongerwa rimwe gusa.

Banki Nkuru ishobora kwemerera ibiro bihagarariye umwishingizi w'abishingizi ariko inagira ibyo ibuza.

Article 32: Obligation of registration

A representative office for foreign insurer must be registered in accordance with the rules governing registration commercial activities.

Article 33: Fit and proper requirements

The Chief Representative for the representative office must be full-time and must satisfy the requirements of fitness and propriety as required by relevant laws of the country where the reinsurer files an application.

Article 34: Authorization

Upon satisfaction that the applicant and application for authorization of representative office satisfy all the requirements as relevant, the Central Bank grants an authorization permitting the reinsurer to run the representative office business on the territory of the Republic of Rwanda for a period of 4 years renewable once.

The Central Bank may grant the authorization with restriction on the proposed activities of the Representative Office.

Article 32: Obligation d'enregistrement

Un bureau de représentation pour le réassureur étranger doit être enregistré conformément aux règles régissant l'enregistrement des activités commerciales.

Article 33: Exigences de dignité et de compétence

Le Représentant en chef du bureau de représentation doit être permanent et satisfaire aux exigences de dignité et de compétence comme l'exigent les lois en vigueur du pays où le réassureur a déposé la demande.

Article 34: Autorisation

Après satisfaction du fait que le demandeur et la demande d'autorisation de bureau de représentation satisfont à toutes les exigences, la Banque Centrale octroie une autorisation permettant au réassureur étranger d'exploiter le business du bureau de représentation sur le territoire de la République du Rwanda pour une période de 4 ans renouvelable une seule fois seulement.

La Banque Centrale peut accorder l'autorisation avec des restrictions sur les activités proposées par le bureau de représentation.

Iyo Banki Nkuru yanze ko ibiro bihagarariye umwishingizi w'abishingizi bishyirwaho, imenyeshya mu nyandiko uwasabye impamvu z'icyo cyemezo.

Ingingo ya 35: Kuvugurura kwemererwa

Haseguriwe ibuteganywa n'ingingo ya 32 y'aya mabwiriza, kwemererwa bishobora kongerwa rimwe gusa hatanzwe impamvu y'iryo yongerwa.

Ingingo ya 36: Ibyo ibiro bihagarariye umwishingizi w'abishingizi byemerewe gukora

Iburo bihagarariye umwishingizi w'abishingizi bishobora gukora icyo ari cyo cyose muri ibi bikurikira:

- 1° guteza imbere serivisi z'umwishingizi w'abishingizi bihagarariye mu Rwanda bibinyujije mu imenyekanishabikorwa ndetse n'ubuhuza ;
- 2° guha ikicaro gikuru amakuru yerekeye urwego rw'imari mu gihugu no mu karere ;
- 3° guha amakuru abakiriya babyo yerekeye isoko ry'imbere mu gihugu;
- 4° kugira inama abakiriya babyo zerekeye umwishingizi w'abishingizi

If the Central Bank decline the establishment of the representative office, it shall inform the reasons to the applicant.

Article 35: Renewal of authorization

Subject to the provisions of article 32, of this Regulation, the authorization is renewable upon request and justification of the reasons for that renewal.

Article 36: Permissible Activities of a representative office

A Representative Office for foreign reinsurer may engage in any of the following activities:

- 1° promoting its services in Rwanda through marketing and liaison role;
- 2° providing its Head Office with information regarding financial sector in the country and region;
- 3° providing its customers with information regarding the local market;
- 4° providing its customers with reinsurance and insurance, financial

Si la Banque centrale refuse la création du bureau de représentation, elle en donne explications au demandeur par écrit.

Article 35: Renouvellement de l'autorisation

Sans préjudice aux dispositions de l'article 32 du présent règlement, agrément est renouvelable sur demande et après justification des motifs de renouvellement.

Article 36: Activités autorisées d'un bureau de représentation

Le bureau de représentation pour un réassureur étranger peut exercer l'une des activités suivantes:

- 1° promouvoir ses services au Rwanda à travers un rôle de marketing et de liaison;
- 2° fournir à son siège social des informations sur le secteur financier dans le pays et la région;
- 3° fournir à ses clients des informations concernant le marché local;
- 4° fournir à ses clients des services de réassurance et d'assurance, des

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cyangwa indi serivisi ariko itari ugutanga ubwishingizi cyangwa ubwishingizi bw'abishingizi ;

and other relevant advice but not underwriting whatever kind;

conseils financiers et d'autres conseils y relatives, mais pas de souscription que ce soit;

5° indi serivisi iyo ari yo yose nk'uko igaragara mu bikorwa akora cyangwa izindi yasaba zemewe na Banki Nkuru.

5° any other service as may specified in scope of activities or in the request and approved by the Central Bank.

5° tout autre service spécifié dans la portée des activités ou dans la demande et approuvé par la Banque Centrale.

Ingingo ya 37: Ibujijwe ibiro bihagarariye umwishingizi w'abishingizi w'umunyamahanga

Article 37: Prohibited activities for the representative office

Article 37: Activités interdites pour le bureau de représentation

Ibiro bihagarariye umwishingizi w'abishingizi bibujijwe gukora ibi bikurikira :

A Representative Office operating in the country is prohibited from:

Un bureau de représentation opérant dans le pays est interdit de:

1° gukora ibindi bikorwa uretse ibyavuzwe mu ingingo ya 34;

1° conducting any business activities other than those mentioned in Article 34 of this regulation above

1° mener toute activité autre que celles mentionnées à l'article 34 du présent règlement;

2° gutanga ubwishingizi bw'abishingizi ubwo ari bwo bwose na

2° underwrite any form whatsoever and

2° souscrire toute forme que ce soit et

3° Ikindi gikorwa icyo ari cyo cyose cyangwa imyitwarire Banki Nkuru yasanga kibangamiye isoko ryubwishingizi mu Rwanda.

3° any other action or behavior that the Central Bank may judge detrimental to the insurance market in Rwanda.

3° toute autre action ou comportement que la Banque centrale peut juger préjudiciable au marché des assurances au Rwanda.

UMUTWE WA VI: KWEMERERA IKIGO GISHINZWE GUCUNGA UBWISHINGIZI BW'UBUZIMA (HMO)

Ingingo ya 38: Kubuzwa gutanga serivisi zo gucunga ubwishingizi bw'ubuzima (HMO) utabifitiye icyemezo

Nta kigo cyemerewe gusaba abanyamuryango ngo biyandikishe, kwandika abanyamuryango cyangwa gutanga serivisi za (HMO) cyifashishije, kinyuze cyangwa gikoreye muri (HMO) keretse kimaze kubona icyemezo cyo gukora no gucunga HMO kigihawe na Banki Nkuru.

Ingingo ya 39: Imari shingiro itagibwa munsi

Umuntu wifuza gutanga serivisi z'Ikigo gishinzwe gucunga ubwishingizi bw'ubuzima (HMO) agomba kuba afite nibura imari shingiro yishyuwe itari munsi ya miliyoni maganabiri (FRW 200.000.000).

Buri mugabane ugenewe imari shingiro yishyuwe umuntu atagomba kujya munsi yatanzwe HMO ugomba kwishyurwa wose uko wakabaye.

Ingingo ya 40: Gusaba uruhushya rwo gukora

Gusaba icyemezo kwa HMO hakurikijwe aya mabwiriza bikorwa mu nyandiko igashyikirizwa Banki Nkuru kandi ikaba

CHAPTER VI: LICENSING OF HEALTH MAINTENANCE ORGANIZATION (HMO)

Article 38: Prohibition to transact HMOs services without license

No company shall solicit enrollment of members, enroll members or deliver prepaid health care services by, through or in an HMO until it has received a license to operate and maintain the HMO from the Central Bank.

Article 39: Minimum Capital requirement

A person proposing to provide services of Health Maintenance Organization (HMO) shall have a minimum paid-up cash capital of not less than two hundred million Rwandan francs (FRW200, 000,000).

Every share allocated to the minimum paid-up cash capital issued by the HMO shall be fully paid.

Article 40: Application for license

An application for a license of HMO under this regulation shall be made in writing to the

CHAPITRE VI: AGREMENT D'UNE ORGANISATION DE GESTION D'ASSURANCE SANTE (HMO)

Article 38: Interdiction d'entreprendre les services relatifs au HMO sans agrément

Aucune société ne peut solliciter l'inscription des membres, inscrire les membres ou donner des services de soins de santé prépayés, par le biais ou au sein d'une HMO jusqu'à ce qu'elle obtienne l'agrément de la Banque Centrale de commencer et d'exploiter une HMO.

Article 39: Capital minimum exigé

Une personne désirant donner les services de l'Organisation de gestion d'assurance Santé doit disposer d'un capital minimum libéré d'au moins deux-cent millions de franc rwandais (FRW200.000.000.)

Chaque action allouée au capital minimum libéré, émis par HMO doit être entièrement libéré.

Article 40: Demande d'agrément

Une demande d'agrément pour HMO en vertu du présent règlement doit être adressée par

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iherekejwe n'igenamigambi ry'ibikorwa by'ubuvuzi.	Central Bank and shall be accompanied by medical master plan.	écrit à la Banque Centrale et doit être accompagnée d'un plan directeur médical.
Iryo genamigambi rigomba kuba rikubiyemo amakuru akurikira:	That medical master plan shall contain the following information:	Ce plan directeur médical doit contenir les informations suivantes:
1° kopi y'inyandiko z'ibanze z'imitunganyirize y'ikigo cy'usaba ikubiyemo ariko itagarukira ku mategeko shingiro;	1° a copy of the basic organizational documents of the applying organization which includes but not limited to the articles of association;	1° une copie des documents de fonctionnement de base de l'organisation requérante, inclus mais sans s'y limiter le statuts ;
2° kopi y'amabwiriza bigenga ikigo;	2° a copy of the bylaws governing the conduct of the internal affairs of the applicant;	2° une copie des règlements internes régissant la conduite des affaires internes du demandeur;
3° ishusho y'ahantu ikigo giha abishingizi b'ubuzima serivisi zo gucunga imisanzu (HMO) kizakorera, imbibi z'aho kitagomba kurenga, imibare n'amakuru byerekeye ibyiciro by'abaturage kizaha serivisi;	3° a description of the service area of the proposed HMO, including geographic boundaries, demographic data and identification of population groups which would be sources of prepayment;	3° une description de la zone d'activités de l'HMO proposée, comprenant les limites géographiques, les données démographiques et l'identification des groupes de la population susceptibles d'être la source de services prépayés;
4° kopi z'amasezerano ateganyijwe ikigo cy'usaba kizagirana n'abafatabuguzi hamwe n'amatsinda y'abafatabuguzi;	4° copies of the applicant corporation's proposed contracts with subscribers and groups of subscribers;	4° des copies des contrats envisagés par l'organisation qui demande l'agrément avec des souscripteurs et des groupes de souscripteurs ;
5° kopi z'amasezerano ateganyijwe ikigo cy'usaba kizagirana n'abaganga, amatsinda y'abaganga biteguye gukorera mu itsinda cyangwa buri wese agakorera ukwe, ibitaro, ibikorwa remezo by'abaforomo babifitiye ubushobozi ndetse n'abandi batanga serivisi zo kwita ku buzima bikorohereza ikigo guha serivisi	5° copies of the applicant corporation's proposed contracts with physicians, groups of physicians organized on a group-practice or individual-practice basis, hospitals, skilled nursing facilities and other providers of health care services enabling it to provide health services to a voluntarily enrolled population;	5° des copies des contrats envisagés par l'organisation demandant l'agrément avec des médecins, des groupes de médecins, organisés sur base de groupe des praticiens ou de praticien individuel, les hôpitaux, organisations d'infirmières de carrière, et d'autres prestataires de services de soins de santé lui permettant de fournir des

- z'ubuzima abaturage biyandikishije ku bushake;
- 6° kopi z'amasezerano usaba ateganya kugirana n'abantu ku giti cyabo ishyirahamwe cyangwa ibigo by'ubucuruzi kugira ngo bagikorere imirimo ya ngombwa, irimo imenyekanishabikorwa, kwandikisha no gutanga amasezerano ikigo kigirana na sosiyete y'ubwishingizi, ikigo gifite gahunda nk'iy'ibitaro cyangwa ikigo gitanga serivisi z'ubuzima cyabigize umwuga kugira ngo gitange serivisi z'ubwishingizi, uburyozwe cyangwa gusubiza ikiguzi cya serivisi zo kwita ku buzima zatanze na HMO;
- 6° copies of a proposed contract with an individual, association or corporation for the performance on its behalf of necessary functions, including marketing, enrollment and administration of a contract with an insurance company, hospitals or professional health service corporation for the provision of insurance, indemnity or reimbursement against the cost of health care services provided by the HMO;
- 6° des copies du contrat envisagé avec un individu, partenariat, association ou société pour l'accomplissement des fonctions pour son compte, comprenant le marketing, l'enregistrement et l'administration du contrat avec une société d'assurance, les hôpitaux ou société professionnelle de service de santé pour l'octroi de l'assurance, indemnité ou remboursement par rapport au coût des services de soins de santé fournis par une HMO ;
- 7° kopi y'ibipimo by'ikiguzi cy'ubwishingizi ikigo cy'usaba giteganya kwaka hamwe n'ibisobanuro birambuye by'imibare yahereweho ikanifashishwa mu kugena ibyo bipimo , bigomba gutangwa bitandukanyijwe n'amafaranga asigara ku yatanze kuri dosiye isaba icyemezo;
- 7° a copy of the applicant corporation's proposed premium rates and a detailed description of the underlying assumptions utilized in deriving rates, which shall be submitted separate from the remainder of the application for license;
- 7° une copie des taux de primes envisagés par l'organisation qui demande l'agrément et une description détaillée des propositions sous-jacentes utilisées dans la fixation des taux, qui doit être remise séparément du reste du dossier de demande d'agrément ;
- 8° ikarita yerekana ahatangirwa serivisi za HMO;
- 8° a map of the service area showing the locations of the providers used by the HMO;
- 8° une carte montrant la zone de service et les localités des prestataires de services de HMO ;
- 9° ibisobanuro birambuye by'agahimbazamusyi gatanga kubera igenzura ry'amafaranga
- 9° a detailed description of incentives for cost control within the structure and function of the proposed HMO;
- 9° une description détaillée des avantages pour le contrôle de coût dans la

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akoreshwa mu miterere n'imirimo bya HMO iteganyijwe;		structure et la fonction d'une HMO envisagée.
10° igisobanuro kirambuye cy'amasezerano y'ubwishingizi bw'abishingizi n'amasezerano y'ubwishingizi bw'abishingizi ku byerekeye kunanirwa kwishyura;	10° a detailed description of reinsurance contracts and a description of insolvency reinsurance obtained by the HMO;	10° une description détaillée des contrats de réassurance et une description de l'insolvabilité de réassurance obtenue auprès d'une HMO;
11° kopi y'ifoto y'imari ya vuba cyane y'ikigo cy'usaba;	11° a copy of the applicant corporation's most recent financial statement;	11° une copie de la plus récente situation financière de l'organisation qui demande l'agrément ;
12° igisobanuro cy'ubushobozi bw'ikigo cy'usaba mu kwegeranya gukusanya no gusesengura amakuru ya ngombwa yerekeye imikoreshereze ya serivisi zo kwita ku buzima zitangwa n'abanyamuryango biyandikishije;	12° a description of the applicant corporation's capability to collect and analyze necessary data relating to the utilization of health care services by enrolled members;	12° la description de capacité de l'organisation qui demande l'agrément de collecter et analyser les données nécessaires relatives à l'utilisation des services de soins de santé de (HMO) par les membres affiliés ;
13° kopi y'amakuru rusange yerekeye abateganyijwe kuba abafatabuguzi;	13° a copy of the proposed general subscribers literature;	13° une copie des informations générales de l'affilié proposé ;
14° uburyo bukoreshwa mu koherereza abanyamuryango abaganga b'inzobere badafite umugabane muri icyo kigo;	14° a procedure for referral of members to nonparticipating specialists;	14° la procédure de transfert des membres aux spécialistes non participants ;
15° amabwiriza yanditse yerekeye kwishyura serivisi zihabwa indembe zikozwe n'utanga serivisi wundi utari udafitanye amasezerano cyangwa ukorana na HMO;	15° written procedures for payment of emergency services provided by service providers other than a participating provider;	15° des procédures écrites pour le paiement des services d'urgence rendus par des fournisseurs autres que le fournisseur participant ;
16° Igisobanuro cy'uburyo abanyamuryango bazatoranywa kugira ngo 1/3 cy'abagize inama	16° a description of the manner in which members will be selected to meet the	16° la description de la façon dont les membres seront sélectionnés pour se conformer à l'exigence réglementaire

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y'ubutegetsibabebaryamuryango;	ari	statutory requirement that 1/3 of the board members be members;	que le 1/3 des membres du conseil d'administration soient membres affiliés ;
17° andi makuru ikigo cy'usaba cyifuza gutanga kandi afitanye isano n'ubushobozi bwacyo bwo gukora no gucunga HMO;		17° other information that the applicant corporation may wish to submit which reasonably relates to its ability to operate and maintain an HMO;	17° autre information que l'organisation qui demande l'agrément peut désirer transmettre et qui, raisonnablement, est en relation avec sa capacité de fonctionnement et d'entretien ;
18° imyirondoro y'abari mu nama y'ubutegetsibaryamuryango bakuru ;		18° of proposed curriculum vitae for proposed board members and senior management and their profiles;	18° curriculum vitae pour les membres du conseil d'administration et cadres dirigeants ;
19° gahunda ngengamikorere irambuye igaragaza abakiriya bashobora kuzaboneka ;		19° a detailed business plan indicating a list of potential customers;	19° un plan d'affaires détaillé indiquant une liste de clients eventuel ;
20° amasezeranorugero ikigo cy'usaba kizagirana n'abafatabuguzi;		20° standard contracts with proposed applicant's customers;	20° contrat type proposé avec les clients du demandeur ;
21° uburyo burambuye bugaragaza bwo gukemura ibibazo ;		21° a detailed description of complaint handling mechanism;	21° une description détaillées sur le mécanisme de gestion des plaintes ;
22° ibiciro bumvikanyweho n'abatanga serivisi ;		22° agreed tariff with service providers;	22° tarif convenu avec des prestataires des services ;
23° kugaragaza ubushobozi bw'ikoranabuhanga mu'itumanaho bw' imikorere ya serivisi ziyanye n'ubuzima zihabwa abanyamuryango biyandikishije;		23° description of the applicant's IT systems capability to handle business processes of health care services for enrolled members;	23° description de la capacité des systèmes informatiques à gérer les processus des services de santé pour les membres inscrits;
24° uburyo bukoreshwa mu koherereza abanyamuryango abaganga b'inzobere badafite umugabane muri icyo kigo;		24° a procedure for referral of members to nonparticipating specialists;	24° la procédure de transfert des membres aux spécialistes non participants ;

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25° Inyemezabwishyu y'amafaranga ibihumbi magana atanu (RWF 500,000) yo gusaba adasubuzwa na

25° a proof of payment of FRW500,000 non-refundable application fee and

25° une preuve de paiement de FRW500,000 no-remboursables pour les frais de demande et

26° andi makuru Banki Nkuru ibona ko ari ngombwa kugira ngo isuzume ubusabe bwo gukora umurimo wa HMO.

26° other information which the Central Bank finds necessary to review an application for HMO business.

26° autre information que la Banque Centrale juge nécessaire pour l'examen de la demande à opérer HMO.

Urutonde ruvugwa muri gaka ka (1o) rugomba kuba rurimo Umuyobozi Mukuru, Umuyobozi ushinzwe Ubuvuzi, Umuyobozi ushinzwe Imenyekanishabikorwa n'Umuyobozi ushinzwe Imari hamwe n'amafishi ariho umukono wa noteri ya buri wese.

The list referred to in item (1o) of this Article shall include the Managing Director/Chief Executive Officer, Medical Director, Director of Marketing and Director of Finance, and notarized biographical forms for each.

La liste citée au point (1o) du présent article doit contenir le Directeur Général le Médecin Directeur, le Directeur Commercial et le Directeur Financier, ainsi que les curriculum vitae notifiés de chacun d'eux.

Ingingo ya 41: Imihango yo gutanga icyemezo

Article 41: Licensing procedure

Article 41: Procédure d'octroi d'agrément

Mbere y'uko Banki Nkuru itanga icyemezo, hakorwa isuzuma ryimbitse kugira ngo hamenyekane niba HMO iteganyijwe, gahunda iteganya gukurikiza hamwe na serivisi yifuza gutanga zikurikije Itegeko ryerekeye imitunganyirize y'umurimo w'ubwishingizi.

Before the Central Bank issues a license, a thorough review shall be made to determine whether the proposed HMO, medical master plan under which it proposes to operate and the services which it proposes to provide are consistent with the Insurance Law.

Avant que la Banque Centrale délivre un agrément, un examen approfondi doit être fait pour déterminer si l'HMO proposée, le plan directeur médical d'après lequel elle envisage de fonctionner et les services qu'elle envisage de fournir sont consistants par rapport à la Loi sur les Assurances.

Haseguriwe ibivugwa mu gika kibanziriza iki, Banki Nkuru isuzuma ugusaba, igatanga icyemezo cyangwa ntigitange kandi by'umwihariko igomba gukora ibi bikurikira:

Without prejudice to the provisions of the preceding Paragraph further, the Central Bank shall assess the application and grants the license or dismisses the application and it shall specifically do the following:

Sans préjudice aux dispositions de l'alinéa précédent, la Banque Centrale évalue la demande, accorde l'agrément ou rejete la demande et elle doit spécifiquement faire ce qui suit:

1° isuzuma ry'ibitabo n'impapuro by'Ikigo gicunga ubwishingizi bw'ubuzima (HMO) mu rwego rwo

1° an examination of the books and papers of the proposed HMO to

1° procéder à l'examen des livres et des documents de l'HMO proposée afin de

kumenya ubushobozi bwacyo mu byerekeye imari no gushyira mu bikorwa inshingano gisabwa;

2° kureba niba usaba yarishyuye FRW50.000.000 y'ingwate agomba gushyirwa kuri konti ya Banki Nkuru y'u Rwanda; no

3° kugenzura aho Ikigo gicunga ubwishingizi bw'ubuzima (HMO) gikorera cyangwa kizakorera hagamijwe kumenya ubushobozi gifite bwo gushyira mu bikorwa ibyo gisabwa.

determine its financial ability to carry out its required functions;

2° check whether the applicant has deposited RW 50,000,000 for security guarantee on the account of the Central Bank

3° inspect the site or proposed site of the HMO's facilities to determine its ability to carry out its required functions.

déterminer sa capacité financière à remplir les fonctions requises;

2° vérifier si le demandeur a déposé une garantie de sécurité de FRW 50.000.000 RWW sur le compte de la Banque centrale

3° inspecter le site ou le site proposé des installations de l'HMO pour déterminer sa capacité à remplir les fonctions requises.

Ingwate ivugwa mu gaka ka (20) k'iyi ngingo isubizwa iyo HMO nta nshingano igifite yerekeye impamvu yashyiriweho cyangwa iyo icyemezo cyo gukora kidatanzwe.

The security guarantee referred to in (20) of this article is refundable after the HMO had no longer any obligation in regard to the purpose for which it is constituted or upon unsuccessful application for licensing.

La garantie de sécurité mentionnée au point 20 du présent article est remboursable lorsque la HMO n'a plus d'obligation quant à la raison pour laquelle elle est constituée ou à une demande d'agrément rejetée.

UMUTWE WA V: AMAFARANGA Y'ICYEMEZO/KWEMERERWA N'AY'IGENZURA

CHAPTER V: LICENSE/AUTHORIZATION AND SUPERVISION FEE

CHAPITRE V: FRAIS D'AGRÈMENT/AUTORISATION ET DE SUPERVISION

Ingingo ya 42: Amafaranga atangwa ku cyemezo ku bishingizi n'abishingizi b'abishingizi

Article 42: License fees for insurers and reinsurers

Article 42: Frais d'agrément pour les assureurs et réassureurs

Uretse ibigo bya Leta by'ubwishingizi cyangwa by'abishingizi b'abishingizi, umwishingizi cyangwa umwishingizi w'abishingizi wahawe icyemezo hakurikijwe aya mabwiriza agomba kwishyura Banki Nkuru amafaranga y'icyo cyamezo angana na

Except for supervised public insurers or reinsurers, insurer or reinsurer licensed under this Regulation shall pay to the Central Bank a license fee of five million (FRW5,000,000) Rwandan francs not later than one month after

À l'exception des assureurs ou réassureurs publics, tout assureur ou réassureur agréés en vertu des dispositions du présent règlement doit verser à la Banque Centrale des frais d'agrément équivalents à cinq millions (FRW 5.000.000) de francs rwandais au plus tard un

miriyoni eshanu (FRW5.000.000) mu gihe kitarenze ukwezi kumwe nyuma yo kumenyeshwa ko yahawe icyo cyemezo.

Ingingo ya 43: Amafaranga y'igenzura ku bishingizi

Buri mwishingizi yaba ikigo cya leta cyangwa uwishingizi wigenga, nyuma ya buri mwaka w'imari ariko mu gihe cy'amezi ane, agomba kwishyura muri Banki Nkuru amafaranga y'igenzura angana na 0.5% by'igiteranyo cy'ikiguzi mbumbe cy'ubwishingizi bakiriye cyangwa by' imisanzu yakiriye mu mwaka w'ingenda y'imari urangiye.

Uko byagenda kose, umubare w'amafaranga y'igenzura yishyurwa n'umwishingizi hakurikijwe igika kibanziriza iki ntagomba kujya muni ya miriyoni eshanu z'amafaranga y'u Rwanda (5.000.000 FRW).

Iyo amafaranga yishyuwe y'ikiguzi cy'ubwishingizi cyangwa imisanzu yakiriwe arenga miriyari makumyabiri (FRW20.000.000.000) z'amafaranga y'u Rwanda, amafaranga y'igenzura agomba kubarirwa kuri 0.5% kuri miriyari 20 za mbere na 0.05% ku mafaranga arenga kuri izo miriyari makumyabiri.

notification of the decision granting the license.

Article 43: Supervision fee for insurers

Every insurer either public or private, after each financial year, shall, within 4 months after the end of foregoing financial year, pay to the Central Bank a supervision fee of 0.5% of the total gross premiums written or total contributions received during the previous financial year.

In any case, the amount of the supervision fee payable by a supervised institution under the preceding Paragraph shall not be less than five million (5,000,000 FRW) Rwandan Francs.

The supervision fee for insurer whose total written gross premiums or total contributions are above twenty billion (FRW20,000,000,000) Rwandan Francs, shall be calculated by applying 0.5% on the first 20 FRW billion and 0.05% on any additional amount above Frw 20 billion.

mois après la notification de la décision d'octroi de l'agrément.

Article 43 : Frais de supervision pour les assureurs

Chaque assureur, que ce soit publique ou privé, après chaque exercice, doit payer à la Banque Centrale, dans les 4 mois suivant la fin de l'exercice précédent, les frais de supervision représentant 0,5% du total des primes brutes émises ou des contributions totales reçues au cour de l'exercice précédent.

Dans tous les cas, le montant des frais de supervision payables par un assureur d'après les prévisions de l'alinéa précédent ne doit pas être en dessous de cinq millions (5.000.000 FRW) de francs Rwandais.

Les frais de supervision pour les assureurs dont les primes brutes totales ou le total de contributions total sont au dessus de vingt milliards (20.000.000.000 FRW) de francs Rwandais doivent être calculés en appliquant le taux de 0.5% aux premiers vingt 20 milliards de francs Rwandais et 0.05% au montant supplémentaires au dessus des 20 milliards de francs Rwandais.

Ingingo ya 44: Amafaranga 'igenzura ku bishingizi b'abishingizi

Buri mwishingizi w'abishingizi agomba kwishyura muri Banki Nkuru miriyoni icumi z'amafaranga y'u Rwanda y'igenzura cyangwa 0.5% by'amafaranga akomotse ku kiguzi cy'ubwishingizi bw'abishingizi igihe ijanisha ry'aya mafaranga ryaba riruta amafaranga miriyoni icumi (FRW10.000.000).

Ingingo ya 45: Amafaranga yo kwemererwa ku ibiro bihagarariye umwishingizi w'abishingizi

Nyuma yo kumenyeshwa ko yemerewe, uwasabye agomba kwishyura ibihumbi maganatanu by'amafaranga y'u Rwanda (FRW 500,000 yo kwemererwa yishyurwa muri Banki Nkuru bitarenze ukwezi amenyeshwe icyo cyemezo.

Ingingo ya 46: Amafaranga y'igenzura ku biro bihagarariye umwishingizi w'abishingizi

Nyuma yo kumenyeshwa ko yemerewe icyemezo cyo gukora, uwasabye agomba kwishyura miriyoni ebyiri z'amafaranga y'u Rwanda (FRW 2000, 000) y'ubugenzuzi yishyurwa muri Banki Nkuru bitarenze ukwezi amenyeshwe icyo cyemezo.

Aya mafaranga akomeza kwishyurwa uko umwaka w'imari utashye mu gihe kitarenze

Article 44: Supervision fee for reinsurers

Every reinsurer shall pay ten million (FRW 10, 000,000) Rwandan Francs to the Central Bank for supervision fee or 0.5% of the received cessions from insurers' premiums if the result of calculation of this percentage would be greater than ten millions of Rwandan Francs (FRW 10, 000,000).

Article 45: Authorization fee for representative office

After the notification of the decision about the authorization, the applicant must pay five hundred thousand Rwandan Francs (FRW500, 0000) to the Central Bank for license fee within one month after such notification.

Article 46: Supervision fee for representative office

After the notification of the decision about the authorization, the applicant must pay two million Rwandan Francs (FRW2000, 0000) to the Central Bank for supervision fee within one month after such notification.

This same amount shall be paid each subsequent year within four (4) months after

Article 44: Frais de supervision pour les réassureurs

Chaque société de réassurance doit verser à la Banque Centrale dix million (FRW10.000.000) de francs rwandais pour les frais de supervision ou 0,5% de cessions reçues des primes des assureurs si l'équivalent de l'application de ce pourcentage serait plus grand que dix million (FRW10.000.000) de francs Rwandais.

Article 45: Les frais d'autorisation pour le bureau de représentation

Après la notification de la décision d'autorisation, le demandeur doit payer cinq cent mille de francs rwandais (FRW500, 0000) à la Banque Centrale pour les frais d'agrément dans un mois à compte de la date de cette notification.

Article 46: Les frais de supervision pour le bureau de représentation

Après la notification de la décision d'autorisation, le demandeur doit payer deux millions de francs rwandais (FRW2000, 0000) à la Banque Centrale pour les frais de supervision dans un mois à compte de la date de cette notification.

Ce même montant doit être versé chaque année dans les quatre (4) mois suivant la fin de

amezi ane awukurikira kugeza igihe ibiro bisoreje akazi kabyo mu Rwanda.

the end of the foregoing financial year until the Office ends its mandate in Rwanda.

l'exercice précédent jusqu'à la fin de sa mission au Rwanda.

Ingingo ya 47: Amafaranga y'icyemezo kuri HMO

Article 47: License fee for HMO

Article 47: Frais d'agrément pour HMO

HMO yemerewe gukora hashingiwe ku bitegenywa n'aya mabwiriza yishyura Banki Nkuru amafaranga ibihumbi maganatanu y'icyemezo (FRW500.000) cyo gukora agomba kwishyurwa mu gihe kirarenze iminsi 15 uhereye igihe usaba yamenyesherejwe umwanzuro wo gutanga icyemezo cyo gukora.

An HMO licensed under the provisions of this Regulation shall pay to the Central Bank five hundred thousand Rwandan Francs (FRW 500,000) for the license fee within 15 days from the date of the notification of the decision to grant the license.

Un HMO agréé en vertu des dispositions du présent règlement doit payer à la Banque centrale cinq cent mille franc rwandais (FRW 500.000) pour les frais d'agrément dans les 15 jours, à compter de la date de notification de la décision d'octroi d'agrément.

Ingingo ya 48: Amafaranga y'igenzura kuri HMO

Article 48: Supervision fee for HMO

Article 48: Les frais de supervision pour HMO

Nyuma yo kumenyeshwa icyemezo cyo kwemererwa gukora, amafaranga ibihumbi maganatanu (FRW 500.000) y'u Rwanda y'igenzura yishyurwa Banki Nkuru mu gihe kitarenze ukwezi amenyesherejwe icyo cyemezo.

After the notification of the decision to grant the license, FRW 500, 000 for fee shall become payable to the Central Bank within one month after such notification for license.

Après la notification de la décision d'octroi d'agrément, FRW 500,000 pour les frais de supervision est payable, dans un mois, à la Banque Centrale pour les frais de supervision.

Ku myaka ikurikira uwo yahawemo icyemezo, HMO yishyura amafaranga y'igenzura avugwa mu gika cya mbere cy'iyi ngingo mu gihe kitarenga amezi abiri (2) akurikira umwaka w'imari ushize.

For the subsequent years, the supervision fee as specified in Paragraph One of this article shall be payable within 2 months after the end of foregoing financial year.

Pour les années suivantes, les frais de supervision comme spécifiés dans l'alinéa premier du présent article doivent être payés dans les deux mois suivant la fin de l'année financière précédente.

UMUTWE WA VI: INGINGO ZINYURANYE N'IZISOZA

Ingingo ya 49: Kugira imari shingiro ntagibwa muni isabwa n'aya mabwiriza

Ibigo by'ubwishingizi bw'igihe kigufi bitujuje imari shingiro ntagibwa muni isabwa n'aya mabwiriza bigomba kugera kuri iyo mari shingiro isabwa mu buryo bukurikira:

- 1° miriyari imwe na miriyoni maganatanu (FRW 1.500.000.000) mu gihe kitarenze umwaka wa mbere ubarwa uherye igihe aya mabwiriza atangarijwe mu igazeti ya Leta ya Repubulika y'u Rwanda;
- 2° miriyari eshatu (FRW3.000.000.000) mu myaka ibiri ikurikira uwambere uvugwa mu gace ka mbere (1°) k'iki gika.

Ibigo by'ubwishingizi bw'igihe kirekire bitujuje imari shingiro ntagibwa muni isabwa n'aya mabwiriza bigomba kuyigezaho kuba byayigejeho mu gihe cy'imyaka ibiri uherye ku muni atangarijwe mu Igazeti ya Leta ya Repuburika y'u Rwanda.

Abishingizi bavugwa mu gika cya mbere n'icya kabiri by'iyi ngingo bagomba gushyikiriza Banki Nkuru uko bategenya kuzamura imari shingiro yabo mu gihe cyitarenze amezi atanu uherye igihe aya

CHAPTER VI: MISCELLANEOUS AND FINAL PROVISIONS

Article 49: Compliance with the new minimum paid up capital

General insurance companies that do not comply with the minimum paid-up capital required under this Regulation shall comply as follows:

- 1° one billion and five hundred million Rwandan francs (FRW 1,500,000,000) within one year after publication of this Regulations in the Official Gazette of the Republic of Rwanda;
- 2° three billion Rwandan francs (FRW 3,000,000,000) in the other two years that follow the first year referred to in sub-paragraph one (1°) of this Paragraph.

Life insurance companies that do not meet the minimum paid up capital required under this Regulation shall meet it within two years after the publication of this Regulation in the Official Gazette of the Republic of Rwanda.

Insurers mentioned in Paragraph One and Two of this article shall submit to the Central Bank the capital build-up plan within 5 months after the publication of this Regulation in the Official Gazette of the Republic of Rwanda.

CHAPTER VI: DISPOSITIONS DIVERSES ET FINALES

Article 49: Conformité au nouveau capital minimum libéré

Les compagnies d'assurances générales ne respectant pas le capital minimum exigé en vertu du présent règlement doivent respecter les conditions suivantes:

- 1° un milliard et cinq cent millions de francs rwandais (1 500 000 000 FRW) dans un délai d'un an à compter de la publication du présent règlement au Journal Officiel de la République du Rwanda;
- 2° trois milliards de francs rwandais (3 000 000 000 FRW) au cours des deux autres années qui suivent la première année visée à au point premier (1°) du présent alinéa.

Les sociétés d'assurance-vie qui ne disposent pas de capital libéré minimum requis en vertu du présent Règlement doivent s'y conformer dans les deux ans suivant la publication du présent règlement au Journal Officiel de la République du Rwanda.

Les assureurs mentionnés aux alinéas 1 et 2 du présent article soumettent à la Banque centrale le plan de constitution du capital dans les 5 mois suivant la publication du présent

Mabwiriza atangarijwe mu Igazeti ya Leta ya Repubulika y'u Rwanda.

Ingingo ya 50: Kubahiriza ibisabwa byerekeye amashuri n'ibisabwa n'amashuri y'umwuga

Abayobozi bakuru batujuje amashuri nk'uko asabwa n'aya amabwiriza bagomba kubyubahiriza mu gihe kitarenze imyaka itanu uherye ku itariki aya mabwiriza atangarijwe mu igazeti ya Leta ya Repubulika y'u Rwanda.

Ingingo ya 51: Itegurwa n'isuzumwa ry'aya mabwiriza

Aya mabwiriza yateguwe asuzumwa kandi yemezwa mu rurimi rw'Icyongereza.

Ingingo ya 52: Ingingo zivanaho

Ingingo zerekeye kwemererwa kw'amasosiyete y'ubwishingizi ziri mu Mabwiriza N°05/2009 yo kuwa 29/07/2009 yerekeye iyemererwa, n'ibindi bisabwa mu murimo w'ubwishingizi, Amabwiriza rusange N° 07 yo kuwa 23/12/2013 ahindura kandi yuzuzamabwiriza N° 05/2009 yo kuwa 29/07/2009 yerekeye iyemererwa n'ibindi bisabwa mu murimo w'ubwishingizi n'ingingo zose z'amabwiriza rusange abanziriza aya kandi zinyuranye nayo zivanyweho.

Article 50: Compliance with professional qualification requirements

Existing senior managers who do not meet the studies and professional qualifications required by this Regulation must comply with them within a period of not more than five (5) years from the date of publication of these Regulations in the Official Gazette of the Republic of Rwanda.

Article 51: Drafting and consideration of this Regulation

This Regulation was drafted, considered and approved in English.

Article 52: Repealing provisions

All provisions about licensing of insurance companies that are in Regulation N° 05/2009 of 29/07/2009 on licensing requirements and other requirements for carrying out insurance business, Regulation N° 07 of 23/12/2013 modifying and complementing Regulation N° 05/2009 of 29/07/2009 on licensing requirements and other requirements for carrying out insurance business and other requirements for carrying out insurance business and all other previous provisions contrary to this Regulation are hereby repealed.

Règlement au Journal officiel de la République du Rwanda.

Article 50: Conformités aux exigences des études et qualifications professionnelles

Les cadres dirigeants existants qui ne remplissent pas les études et qualifications professionnelles exigées par le présent Règlement doivent s'y conformer dans un délai ne dépassant pas cinq (5) ans à compter de la date de publication du présent Règlement au Journal Officiel de la République du Rwanda.

Article 51: Initiation et examen du présent Règlement

Le présent Règlement a été initié, examiné et approuvé en Anglais.

Article 52 : Dispositions abrogatoires

Toutes les dispositions concernant l'agrément des sociétés d'assurances contenant dans le Règlement N°05/2009 du 29/07/2009 relatif aux conditions d'agrément, Règlement N° 07 du 23/12/2013 modifiant et completant le Règlement N° 05/2009 du 29/07/2009 relatif aux conditions d'agrément et autres conditions requises pour l'exercice de l'activité d'assurance et autres conditions requises pour l'exercice de l'activité d'assurance et toutes les dispositions antérieures contraires au présent règlement sont abrogées.

Ingingo ya 53: Igihe aya mabwiriza atangira gukurikizwa

Aya mabwiriza atangira gukurikizwa ku muni atangajweho mu Igazeti ya Leta ya Repubuika y'u Rwanda.

Kigali, kuwa 27/12/2018

(sé)
RWANGOMBWA John
Guverineri

Article 53: Commencement

This Regulation shall take effect on the day of its publication in the official gazette of the Republic of Rwanda.

Kigali, on 27/12/2018

(sé)
RWANGOMBWA John
Governor

Article 53: Entrée en vigueur

Le présent Règlement entre en vigueur le jour de sa publication au Journal Officiel de la République du Rwanda.

Kigali, le 27/12/2018

(sé)
RWANGOMBWA John
Gouverneur

APPENDIX

APPENDIX A

CLASSES A: CATEGORIES OF INSURANCE BUSINESS

A. LIFE INSURANCE BUSINESS

Life insurance business refers to insurance business of all or any of the following classes, namely:

1. **Traditional Whole Life Policy:** type of life insurance contract that provides for insurance coverage of the policyholder for his/her entire life. Upon the inevitable death of the policyholder, the insurance payout is made to the contract's beneficiaries. These policies also include an investment component, which accumulates a cash value that the policyholder can withdraw or borrow against.
2. **Term life:** a policy with a set duration limit on the coverage period. Once the policy is expired, it is up to the policy owner to decide whether to renew the term life insurance policy or to let the coverage end.
3. **Credit life:** a life insurance policy designed to pay off a borrower's debt if that borrower dies. The face value of a credit life insurance policy decreases proportionately with an outstanding loan amount as the loan is paid off over time until both reach zero value.
4. **Endowment policy:** a life insurance contract designed to pay a lump sum after a specific term (on its 'maturity') or on death. Some policies also pay out in the case of critical illness.

Endowments can be cashed in early (or surrendered) and the holder then receives the surrender value which is determined by the insurance company depending on how long the policy has been running and how much has been paid into it.

Policies are typically traditional with-profits or unit-linked (including those with unitised with-profits funds).

- a. **Traditional With Profits Endowments:** There is an amount guaranteed to be paid out called the sum assured and this can be increased on the basis of investment performance through the addition of periodic (for example annual) bonuses. Regular bonuses (sometimes referred to as reversionary bonuses) are guaranteed at maturity and a further non-guarantee bonus may be paid at the end known as a terminal bonus.
- b. **Unit-linked endowments:** investments where the premium is invested in units of a unitised insurance fund. Units are encashed to cover the cost of the life assurance. Policyholders can often choose which funds their premiums are invested in and in what proportion. Unit prices are published on a regular basis and the encashment value of the policy is the current value of the units.
5. **Universal life insurance:** A type of flexible permanent life insurance offering the low-cost protection of term life insurance as well as a savings element (like whole life insurance) which is invested to provide a cash value buildup. The death benefit, savings element and premiums can be reviewed and altered as a policyholder's circumstances change. In addition, unlike whole life insurance, universal life insurance allows the policyholder to use the interest from his or her accumulated savings to help pay premiums.

CLASS B: GENERAL INSURANCE BUSINESS

Class of general insurance business shall comprise of the following Categories:

1° Property insurance business : insurance that protects the physical property and equipment of a business against loss from theft, fire or other perils; all-risk coverage covers against all risks; named-peril coverage covers only against specific perils named in the policy;

An insurer undertakes, in return for a premium, to provide policy benefits on the occurrence of an event specified in the contract as a risk relating to the use, ownership, loss or damage to movable or immovable property, in case of:

- a. Fire - Fire and natural forces: insurance contracts against loss of or damage to property other than aircraft, marine, goods in transit and property covered under personal lines as a result of fire and natural forces;
- b. Aviation – Aircraft: insurance contracts to cover aircraft or the machinery, tackle, furniture or equipment of the aircraft;
- c. Marine – Ships: insurance contracts to cover upon vessels used at sea or on inland waters or upon the machinery, tackle, furniture, equipment;

2° Liability insurance (except motor liability): any type of insurance policy that protects an individual or business from the risk that they may be sued and held legally liable for something such as malpractice, injury or negligence. Liability insurance policies cover both legal costs and any legal payouts for which the insured would be responsible if found legally liable.

3° Guarantee insurance business: insurance contract whereby an insurer undertakes, in return for a premium, to assume responsibility for payment of the debts of any person or to make good any obligations of that person in the event of the failure of that person to pay his debts or make good his obligations in case of:

- a. Contracts against risks of loss to the person insured in case of such person entering guarantee contracts;
- b. Contracts of fidelity bonds, performance bonds, custom bonds or similar contracts of guarantee; or
- c. Credit: contracts against risks of loss to the person insured in case of insolvency of any debtor of such person or from the failure other than through solvency of any such debtor to pay his or her debt when due and payable.

4° Motor insurance business: a business whereby an insurer undertakes, in return for a premium, to provide policy benefits on the occurrence of an event specified in the contract as a risk relating to the use, possession or ownership of a motor vehicle

5° Transportation insurance business: a contract, whereby an insurer undertakes, in return for a premium, to provide policy benefits on the occurrence of an event specified in the contract as a risk relating to the possession, use or ownership of a vessel, aircraft or other craft for the conveyance of goods by air, land or water, or to the storage, treatment or holding of goods so conveyed or to be so conveyed in case of:

- a. Goods in transit: insurance contract against loss of or damage to merchandise, baggage or any other goods in transit by any means of conveyance;
- b. Marine: Ships insurance contracts to cover cargo transported by vessels.

6° Engineering insurance business: business whereby an insurer, in return for a premium, provides to pay a policy benefit on the occurrence of an event specified in the contract as a risk in relating to:

- a. the possession, use or ownership of machinery or other equipment other than a motor vehicle in the carrying on of a business;
- b. the construction of any infrastructure or other works; and
- c. the installation of machinery or equipment;

7. Accident and Health insurance: contract whereby an insurer undertakes, in return for a premium, to provide policy benefits in case of a disability event, health event or death event:

a. **Personal Accident:** Insurance contracts providing fixed pecuniary benefits or benefits in the nature of indemnity (or a combination both) against risks of the person insured:

i) sustaining injury as a result of any accident or an accident of a specific class;

ii) dying as a result of any accident or an accident of a specific class;

iii) becoming incapacitated as a result of any disease or a disease of a specific class, including industrial injury and occupational disease.

b. **Sickness:** insurance contracts providing fixed pecuniary benefits or benefits in the nature of indemnity (or a combination of both) against risks related to sickness or infirmity; it does not include Medical liability insurance which is a professional liability insurance for medical professionals and not medical/sickness insurance

8. Professional liability: Professional liability insurance (PLI), also called professional indemnity insurance (PII), is a form of liability insurance that helps protect professional advice- and service-providing individuals and companies from bearing the full cost of defending against a negligence claim made by a client, and damages awarded in such a civil lawsuit. The coverage focuses on alleged failure to perform on the part of, financial loss caused by, and error or omission in the service or product sold by the policyholder. These are causes for legal action that would not be covered by a more general liability insurance policy which addresses more direct forms of harm.

9. Workmen's compensation: a form of insurance providing wage replacement and medical benefits to employees injured in the course of employment in exchange for mandatory relinquishment of the employee's right to sue his or her employer for the tort of negligence.

APPENDIX 2A: APPLICATION FOR A LICENSE TO ESTABLISH INSURANCE/REINSURANCE COMPANY

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

1. I,..... the undersigned, acting as principal/promoter/in the capacity of duly authorised agent on behalf of,
a Company legally incorporated in Rwanda “ (“the principal”), hereby apply for a license, to establish an insurance/reinsurance to carry out the
business(es) specified in class(es)**

2. I submit the documentation specified in article 13 of this Regulation.

.....
Date *Applicant*

Applicant’s address/ Tel. .
.....

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 thi.....day of200.....

Signature of Deponent *Principal/ Promoter/Agent*
Deponent understands the contents of this declaration.

Before me,

NOTARY FOR OATHS

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

APPENDIX 2B: INFORMATION SHEET

1. Name and address of the insurer/reinsurer

.....
.....

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

.....

3. Any name the applicant 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 applicable business registration requirement.

.....

4. Principal insurance/reinsurance business activities.

.....
.....

5. Head/main office:

.....

(a) Address:

.....

(b) Telephone/Fax Nos:

.....

(c) Email/Web-site.....

6. Branches:

<i>Address:</i>	<i>Date Opened</i>
.....	
.....	
.....	
.....	

Subsidiaries & Affiliates:

<i>Name and type of business</i>	<i>Amount of shares held</i>	<i>% of shares held to total</i>
.....
.....
.....

7. Management

(1) Board of Directors

<i>Name:</i>	<i>Designation</i>	<i>Present term</i>	<i>No. of years as board member</i>
.....
.....
.....
.....

Board Committees

<i>Name and purpose of committee(s):</i>	<i>Name of members:</i>
.....
.....
.....
.....

(2) Senior Managers:

<i>Name:</i>	<i>Position:</i>	<i>No. of years as Senior Manager</i>
.....
.....
.....
.....

8. Ownership Profile:

<i>Name</i>	<i>Country of citizenship</i>	<i>Residence</i>	<i>Paid up capital</i>	<i>%</i>
1.
2.
3.
4.
Other shareholders owing less than 5% (Number.....)				
TOTAL		

9. Organization Profile:

(1) Organization chart— attach one indicating major departments or divisions with names, positions and titles of Senior Managers 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 qualifying shareholders, directors and Senior Managers.
- (4) Annex Personal Declaration Form of each qualifying shareholder, director and Senior Manager and an Information Sheet for each qualifying corporate shareholder.
- (5) Powers and purposes—attach the latest copies of the Memorandum and Articles of Association if not previously submitted to the Central Ban

10. Shareholding in any other Financial Institution

<i>Name of Institution</i>	<i>shares amount</i>	<i>owned number</i>	<i>% of capital</i>
.....
.....
.....
.....

QUESTIONNAIRE (FOR APPLICANTS ONLY)

1. Name(s) and address (es) of the applicant’s bankers within the last ten years. (Please also indicate the applicant’s current principal bankers).....
.....
2. Name and address of the applicant’s external auditors. Please give particulars of anybody you may have given authority to carry out any business activity in Rwanda or elsewhere. If any, give particulars. If any such authority has been revoked, give particulars, including the name and professional qualification of the partner’s who will be responsible for the assignment.....
.....
3. Does the applicant hold, or has it ever held, any authority from a supervisory body to carry on any business activity in Rwanda or elsewhere ? If so, give particulars. If any such authority has been revoked, give particulars.....
.....
4. Has the applicant ever applied for any authority from a supervisory body to carry out any business in Rwanda or elsewhere other than the authority mentioned in answer to Question 13 ? If so, give particulars. If any such application was for any reason refused or withdrawn after it was made, give particulars
.....

.....
5. Has the applicant or any company in the same group within the last ten years failed to satisfy a judgment debt under a court in Rwanda or elsewhere within a year of the making of the Order? If so, give particulars

.....
.....
.....
6. Has the applicant or any company in the same group 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 particulars

.....
.....
7. Has a receiver or an administrative receiver of any property of the applicant or any company in the same group 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 particulars, including whether the receiver is still acting under the appointment.....

.....
8. Has a petition been served in Rwanda for an administrative order in relation to the applicant or company in the same group, or has the substantial equivalent of such a petition been served in any other jurisdiction, in the last ten years? If so, give particulars

.....
9. Has a notice of resolution for the voluntary liquidation of the applicant or any company in the same group 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 particulars

.....
10. Has a petition been served in Rwanda for the compulsory liquidation of the applicant institution or any company in the same group, or has the substantial equivalent of such a petition been served in any other jurisdiction, in the last ten years?. If so, give particulars

.....
11. State whether the applicant company has ever been under any criminal investigation prosecution disciplinary action(s), public criticism or trade sanctions in connection with insurance and financial services in Rwanda or elsewhere.....

.....
12. 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 particulars.....

- 13. Is the applicant or any company in the same group 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 particulars.....
.....
- 14. Is the applicant company engaged, or does it expect to be engaged, in any business relationship with any of its (prospective) directors, Senior Managers or managers? If so, give particulars.....
.....
- 15. Is the business of the applicant's directors, Senior Managers or managers or of companies in the same group guaranteed or otherwise underwritten or secured, or expected to be guaranteed or underwritten or secured, by the applicant company? If so, give particulars.....
.....
- 16. Please provide any other information which may assist the Central Bank in reaching a decision on the application
.....
.....

DECLARATION

We certify that we have read chapter II of the Insurance Law. We are aware under the terms of these Regulations that we should not knowingly or recklessly provide to the Central Bank or any other person any information which is false or misleading in a material particular in connection with the application for a license under this Insurance Act or otherwise.

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 arise 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 under the Insurance Act, in relation to the institution. Consistent with this obligation, we undertake, in accordance with these Regulations that, in the event that the institution is granted a license under the Insurance Law, 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 no later than twenty one (21) days from the day that the changes come to our attention.

Sworn at Kigali thisday of

.....
<i>Name</i>	<i>Position held</i>
.....
<i>Signed Date</i>	

.....
Name *Position held*

.....
Signed_

The Deponent understands the contents of this affidavit.

Before me,

NOTARY FOR OATHS

N:B:

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

APENDIX 2C OF THE REGULATION № .../2018

PERSONAL DECLARATION FORM

[For individuals who are, or are proposing to become directors, managers or qualifying Shareholders of an Insurer/reinsurer]

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 director, or manager or any combination of these, qualifying shareholder. Please state your full title and describe the particular duties and responsibilities attaching to the position(s) 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. In addition, please provide a copy of your curriculum vitae unless it is already provided by the institution in response to Appendix 3 A

.....

.....

.....

5. Your date and place of birth:

.....

.....

6. (1) Citizen of:.....	(2) Resident of:
(Country)	(Country)
since:	since:.....
(Year)	(Year)

7. Addresses:

(1) Present business address

(Rwanda since.....)

.....

(Outside Rwanda since.....)

.....

.....

 (2) Present residential address:
 (Rwanda since.....) (Outside Rwanda since.....)

.....

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

8. Professional & academic qualifications:

<i>Particulars</i>	<i>Year obtained</i>
.....
.....
.....

(1) Highest academic qualification

(2) Special awards or honors(if any)

(3) Training courses and seminars

(4) Membership in professional organizations

9. Occupation or employment (present or most recent and for the past ten years)
Inclusive date
(Month & year)

<i>Name & business of employer</i>	<i>Positions held</i>	<i>From Year</i>
.....

.....

 10. Names and address(es) of your bankers within the last 10 years

.....

11. Bodies corporate (other than the institution) where you are now a director, Senior Manager, shareholder, or manager?

.....

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

.....

13. 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:

.....

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

<i>Nature of business</i>	<i>Nature of affiliation i.e.</i>		<i>Inclusive date</i>
	<i>director, Senior Manager, share holder with...% holdings specified etc.</i>	<i>(month and year)</i>	
			<i>from to</i>
.....
.....
.....

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

.....

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

.....

17. State whether the institution with which you are, or have been, associated as a director, Senior Manager, shareholder or manager, has ever held or applied for a license or equivalent authorization to carry out any business activity? If so, give particulars. If any such application was refused, or was withdrawn after it was made or any license revoked, give particulars

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

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

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

19. Family group:

Business affiliation

(State name of business and nature of affiliation i.e.director, Senior Manager, shareholder with...% holdings specified)

Name:

(1) Spouse:

.....
.....

(2) Children:

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

(3) Parents:

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

(4) Brothers and sisters:

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

20. 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.

.....
.....

21. 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.

.....
.....
22. Have you, in connection with the formation or management of anybody 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.
.....
.....

23. Has anybody corporate, partnership or unincorporated institution with which you are associated as a director, shareholder, controller or manager, 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
.....
.....

24. 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
.....
.....

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

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

27. 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
.....
.....

28. In how many shares in the institution (not being registered in your names or that of a related party) are you or any party beneficially interested?
.....
.....

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

If so, give particulars.....
.....

.....
30. Are any shares in the institution mentioned in answer to questions 27, 28, and 29 above equitably or legally charged or pledged to any party? If so, give particulars

.....
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?

.....
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 investigative body

.....
33. Documentary requirements:

- (1) a certified statement of assets and liabilities;
- (2) latest tax compliance certificate or certified true copy of income tax returns;
- (3) two letters of character references from individuals other than relatives who have personally known the undersigned for at least ten years; and
- (4) 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.

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, controller or manager fulfils the criteria required by Insurance Law.

DECLARATION

I certify that I have read chapter II of the Insurance Act. I am aware that it is an offence under the terms of article 7(5) of the Insurance Law knowingly or recklessly to provide to the Central Bank or any other person any information which is false or misleading in a material particular in connection with the application for a license under this Insurance Law or otherwise.

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

Official Gazette no. 01 of 07/01/2019

I undertake to inform the Central Bank of any material changes to the application which arise while the Central Bank is considering the application.

I 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 under the Insurance Law in relation to the institution. Consistent with this obligation, I undertake in accordance with articles 7(4) and 12 of these Regulations that, in the event that the institution is granted a license under the Insurance Law, I 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 no later than twenty one (21) days from the day that the changes come to our attention.

Done at Kigali thisday of

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

Name Position held

.....
.....

Signed Date

I know and understand the contents of this declaration and that I am making it under oath.

Sworn at Kigali, Rwanda thisday of

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

Signature of deponent (Position)

The Deponent understands the contents of this affidavit.

Before me,

.....
NOTARY FOR OATHS

N.B:

1. All sections of this form must be filled.
2. If the space on the form is inadequate, the required information may be provided on an attachment labelled accordingly.
3. Reference shall be made to the relevant section of the form by placing the words "REFER TO ANNEX___".
4. Information provided in this form is confidential and cannot be made available for inspection without the written consent of the Governor of the Central Bank.

APPENDIX 2D: DECLARATION BY THE CHAIRPERSON OF AN INSURER/REINSURER ON APPOINTMENT OF A NEW DIRECTOR

I, _____ the undersigned, (name) _____, being the Chairperson of the board of directors of _____, confirm that I have carefully studied all the information supplied in the personal declaration form and, after discussion with the deponent (name) _____ and all other members of the board, and after having taken into account any other information at my disposal or that has come to my attention, I am of the opinion that the deponent (name) _____ is a fit and proper person to take up office in this institution.

In the case of the appointment of a director I confirm that the appropriate conditions of the Articles of Association of the company have been complied with. Similarly, in the case of the appointment of a chief executive officer, I confirm that the company policy has been complied with.

NAME:

SIGNATURE:

DATE:

ANNEXE 2E: FOREIGN REINSURER REPRESENTATIVE OFFICE APPLICATION FORM

I. Contact Information

Please provide full contact details of person(s) with whom the Central Bank of Rwanda can communicate regarding this application.

Name: -----
Title: -----
Tel: -----
Fax: -----
E-mail: -----
Address: -----

II. Applicant Details

Note: The applicant should be the immediate/ parent insurer of the proposed Rwanda representative office.

Please complete all fields

1. Name of financial applicant:

2. Date of incorporation: [day]/[month]/[year]

3. Country of Incorporation:

4. Registered Address: -----

Telephone: -----
Fax: -----
Website: -----
E-mail:-----

Name of the proposed representative manager of the applicant: -----

If the **principal place of business** of the applicant is in a country or territory other than the country of registration, please provide:

Name of financial institution (if different from one above)

Address: -----

Telephone: -----

Website:-----

Fax: ----- E-mail:-----	
III. Details of reinsurance supervisory authority in your country.	
Name the Regulator/Supervisor/Authority----- Address:-----	
Name of Contact Person:----- Email of Contact Person:----- Telephone:-----	
State any restrictions imposed on your company by the insurance supervisory authority or any other regulatory authorities/ government agencies in your country in relation to the establishment of a representative office outside your country.	
State whether any inspection/ on site review has been conducted on your company by the insurance supervisory authority in your country. If so, please state when the insurance supervisory authority last inspected/ reviewed your company.	
License/Authorization Type	Granted by
IV. Class of business	Life Business, General Business, Composite Business (Tick the relevant class)
Description of the scope of the business of the representative office.	
V. Submission of application form and declaration.	
I hereby submit this application and declare that all information given in this application (including any annexes and appendices attached) is true and complete to the best of my knowledge and belief. I understand that any misrepresentation or omission of material facts may be grounds for the rejection of the application. I understand that I may be required to furnish additional information relating to this application upon request by the Authority.	
Signature: Date: Name	
This form, after being filled, must be stamped by the reinsurer's seal.	