

MONEYLENDING RULES**(1949.01.01)**

1.1.1949

Amending enactments	Relevant current provisions	Commencement date
Act. 2008-06	rr. 2, 3, 6 & Sch.2	29.5.2008
LN. 2020/398	r. 2, Sch.1 & 2	12.11.2020

ARRANGEMENT OF RULES

Rule

1. Title.
2. Applicant to lodge statement.
3. Advertisement in the Gazette.
4. Applications by partners.
5. Form of certificate.
6. *Revoked.*

SCHEDULE 1.

Statement by a Person intending to apply for a Certificate.

SCHEDULE 2.

Form of certificate to be granted by the Magistrates' Court.

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Title.

1. These rules may be cited as the Moneylending Rules.

Applicant to lodge statement.

2. Any person intending to apply to the Minister for a certificate under section 34 of the Act (hereinafter referred to as “a certificate”) shall lodge with the Financial Secretary a statement in the form set out in Schedule 1.

Advertisement in the Gazette.

3. Unless an application relates merely to a renewal of a certificate, an applicant shall publish on a date not more than 4 weeks nor less than 2 weeks before the date of the application, a notice in the Gazette, and such notice shall set forth his true name, the name in which and the address at which he desires to be authorized to carry on business as a moneylender.

Applications by partners.

4. Application for certificates by two or more partners in a firm shall be made on the same day unless the court otherwise allows.

Form of certificate.

5. A certificate shall be in the form set out in Schedule 2.

6. *Revoked*

SCHEDULE 1

Rule 2.

STATEMENT BY A PERSON INTENDING TO APPLY
FOR A CERTIFICATE.

1. True name of applicant, (*If applicant is a company, the name of the company should be stated here*).
2. Private address of applicant or, in the case of a company, the registered address of the company.
3. Name under which it is desired to carry on business as a moneylender.
4. Address at which it is desired to carry on business.
5. True names and addresses of partners, if any.
6. Name of person or persons (other than owners or partners) responsible or proposed to be responsible for the management of the business. In the case of a company the names of the directors, treasurer and secretary should be given.
7. Date of issue of any previous certificate under the Financial Services (Moneylending) Act, granted by the court, and name and address authorized by such certificate.
8. If registered under the Financial Services (Moneylending) Act, date of registration and name and address under which registered.
9. If registered under the Business Names Registration Act, date of registration and name and address under which registered.
10. Particulars of any convictions (whether in Gibraltar or elsewhere) involving money laundering, terrorist financing, fraud, dishonesty or breach of trust of the applicant, his partner, or any person responsible or proposed to be responsible for the management of the business. Particulars are to include date of conviction, the offence, the name of the court and the sentence imposed.
11. Particulars of any order under section 47 of the Financial Services (Moneylending) Act, suspending or forfeiting any certificate of, or disqualifying from obtaining a certificate, the applicant or his partner or any

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person responsible or proposed to be responsible for the management of the business.

12. Particulars of any refusal of a certificate to the applicant or his partner or any person responsible or proposed to be responsible for the management of the business.

I warrant and undertake having made all reasonable enquiries that the information supplied in connection with this statement is, to the best of my knowledge and belief, accurate in all material respects and does not omit any information which might reasonably be considered relevant to the statement.

(Signed)

Dated

SCHEDULE 2

Rule 5.

FORM OF CERTIFICATE TO BE GRANTED BY
THE MINISTER

Financial Services (Moneylending) Act

Certificate granted under section 34 of the Financial Services
(Moneylending) Act,

I (or We) the undersigned do hereby certify that I (or we) do authorize the
grant to A.B., of _____ of a Moneylender's Licence to carry on the
business of a moneylender, under the style and title of *(here insert
authorized name)* at *(here insert authorized address)*. This certificate shall
come into force on the

_____ day of _____, 20____, and shall expire on the 31st day of
December, 20____

Dated the _____ day of _____ 20____,

(Signed)

Minister