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NK'UMWISHINGIZI
MU NYUNGU ZA

ACCESS BANK (RWANDA) PLC

NK'UMUGENERWABIKORWA

UMWISHINGIZI W'IKIGO

AYA MASEZERANO Y'UBWISHINGIZI BW'IKIGO ashyizweho umukono ku wa **00/00/00** kandi asinywe hagati ya;

………… ikigo cyigenga gifite ubuzima gatozi gihabwa n'amategeko y'u Rwanda**,** gifite gifite Kode y'Ikigo:121217460**,** gihagarariwe mu buryo bwemewe na **………** Umuyobozi Mukuru, hano witwa **"Umwishingizi"** ku rundi rumwe.

Mu nyungu za:

ACCESS BANK (RWANDA) PLC, Ikigo cy'Ubucuruzi Gifite Uburyozwe Buhinnye n'imari shingiro ya 15,000,000,000 FRW, cyanditswe mu Rwanda kikanagira Ibiro biherereye mu Nyubako ya KIC City Center, gikorera kuri nomero cyanditsweho ya 100053886, P.O BOX: 2059 Kigali-Rwanda, gihagarariwe na **………** na **………..** Umuyobozi Mukuru ndetse n'Umujyanama Mukuru mu Mategeko n'Umunyamabanga w'Ikigo mu bubasha bahabwa n'Inama y'Ubutegetsi, hano yitwa "**Umugenerwabikorwa**" ku rundi ruhande;

1. UBUSOBANURO

a) Muri aya masezerano y'Ubwishingizi bw'Ikigo:

Amasezerano y'Inguzanyo bivuze amasezerano ajyanye n'Inguzanyo ingana na **………… Amafaranga y'u Rwanda (FRW mu mibare)** n'Umuyobozi Mukuru hakurikijwe Amasezerano y'Inguzanyo N°………… /………………. Yashyizweho Umukono ku wa **00/00/00.**

Umuyobozi Mukuru bisobanuye …………… ufite Pasiporo **N°/TIN ……….. Tel: +250**

Mu gihe ibivugwa muri aya Masezerano y'Ubwishingizi bw'Ikigo bidasobanuwe ukundi, ijambo risobanuwe mu Masezerano y'Inguzanyo rifite ubusobanuro bumwe muri aya Masezerano y'Ubwishingizi bw'Ikigo;

2. INGWATE N'INDISHYI

a) **UMWISHINGIZI** yemera adashyizeho Amabwiriza kandi mu buryo ntayegayezwa ko yishingiye kwishyura Umugenerwabikorwa iyo:

- Inguzanyo irengeje Igihe Uwasabye Inguzanyo yiyemeje kuba yayishyuriyeho bikarenga iminsi Mirongo cyenda (90) cyangwa irenga;

- Inyungu igomba kwishyurwa itishyuwe mu gihe cy'iminsi mirongo cyenda (90) cyangwa irenga;

b) **UMWISHINGIZI** yemerera Umugenerwabikorwa ko yishingiye:

i. Igikorwa cyo kwishyura ku gihe ibyo nyir'umwenda nyirizina agomba kwishyura hakurikijwe ibijyanye n'inguzanyo bivugwa hano;

ii. Ko igihe cyose nyir'umwenda nyirizina atishyuye umubare uwo ari wo wose ugejeje igihe cyo kwishyurwa cyangwa ufite aho uhuriye n'inguzanyo ivugwamo hano, ugomba guhita wishyurwa bisabwe na Banki nk'aho ari nyir'umwenda nyirizina hakurikijwe uwo mubare; na

iii. Ko iyo, ku mpamvu iyo ari yo yose, umubare uwo ari wo wose wagaragajwe n'Umugenerwabikorwa (Banki) hakurikijwe iyi nguzanyo, ntiyishyurwe n'Umwishingizi hashigiwe ku bwishingizi yatanze, icyo gihe umwishingizi azabiryozwa nk'aho ari we nyir'umwenda nyirizina ndetse n'ugomba guha indishyi Umugenerwabikorwa hagendewe ku gihombo icyo ari cyo cyose cyabaho nk'impamvu iturutse ku kunanirwa kwishyura umubare uwo ari wo wose wagaragajwe ko ugomba kwishyurwa kwa nyir'umwenda nyirizina hakurikijwe itariki inguzanyo yagombaga kuba yishyuriweho.

iv. Ko umubare wishyurwa n'Umwishingizi hakurikijwe iyi ndishyi, utazarenga umubare yagombaga kwishyura ku bijyanye n'iyi nguzanyo hakurikijwe umubare wagaragajwe wakishyurwa hagendewe ku bwishingizi.

3. UBWISHINGIZI BUKOMEZA

Ubu bwishingizi n'indishyi ni ingwate ikomeza n'indishyi kandi izakomereza ku ngano y'ibiteranyo byose byishyurwa n'Umuyobozi ku Mugenerwabikorwa nk'uko biri mu Masezerano y'Inguzanyo, hatitawe ku bwishyu bugeze hagati cyangwa ubwishyuwe bwose cyangwa igice

Ubu bwishingizi n'indishyi buzakomeza kurebwaho mu buryo bwuzuye kugeza Igihe umwenda wose w'Uwasabye Inguzanyo muri aya Masezerano y'Inguzanyo umariye kwishyurwa hubahirijwe inshingano zose zikubiye muri aya Masezerano.

4. KUVANIRWAHO UBWIREGURE

Inshingano z'Utanze ingwate ziri muri aya masezerano ntizizagirwaho ingaruka n'igikorwa, kuvanwaho cyangwa igikorwa icyo ari cyo cyose (cyaba kizwi cyangwa kitazwi n'Umugenerwabikorwa), gusa kuri iyi ngingo, cyagabanya, cyakuraho cyangwa kikabangamira iyo ari yo yose mu nshingano ze ziri muri aya masezerano. Ibi birimo:

a) Igihe cyose cyangwa ukuvanirwaho guhawe, cyangwa gukoranywe n'umuntu uwo ari we wese;

b) Gufata, guhindura, kwikiranura, kugurana, guhindura bushya cyangwa gukomeza, cyangwa kwanga cyangwa kwirengagiza kunoza, gukoresha cyangwa gushyira mu bikorwa uburenganzira ubwo ari bwo bwose cyangwa ubugwate ku mitungo y'umuntu uwo ari we wese;

c) Ukutagaragaza cyangwa kutubahiriza umuhango uwo ari wo wose cyangwa ikindi icyo ari cyo cyose gisabwa mu kubahiriza inyandiko mpamya cyangwa ukunanirwa uko ari ko kose kurangiza agaciro k'ingwate iyo ari yo yose mu buryo bwuzuye.

d) Ukutabasha cyangwa kubura ubushobozi, ububasha, cyangwa ububasha ahabwa n'itegeko bwo gusesa cyangwa kugira icyo ahindura ku banyamuryango cyangwa imimerere y'umuntu uwo ari we wese;

e) Ukudashoboka kw'ishyirwa mu bikorwa, ukutubahiriza itegeko, uguta agaciro cyangwa ukutabasha guhamya inshingano y'umuntu uwo ari we wese uvugwa mu masezerano y'inguzanyo cyangwa indi nyandiko iyo ari yo yose cyangwa ubugwate; cyangwa

f) Uguhomba uko ari ko kose cyangwa ibindi bisa na byo.

5. UBWISHYU N'INYUNGU

Umwishingizi ku busabe bwanditse atabisabiwe ibisobanuro n'Umugenerwabikorwa, ubusabe buzaherekezwa n'inyandiko ishingiye kuri iyi ngwate n'Amasezerano y'Inguzanyo, mu gihe cy'iminsi Itanu (5) y'akazi ka banki azishyura ibiteranyo byose by'amafaranga azaba ayibereyemo nk'uko bivugwa hasi:

Haramutse hari umubare uwo ari wo wose w'amafaranga azaba atarishyuwe nyuma y'iminsi 5 y'akazi ka banki nyuma y'ubusabe bw'Umugenerwabikorwa, Umwishingizi, uhereye kuri iyo tariki kugeza ku itariki ubwishyu buzaba bukoreweho bwose, azishyura Umugenerwabikorwa, inyungu zo kutubahiriza ku mubare w'amafaranga aberewemo, ku gipimo cy'inyungu nk'uko giteganywa mu masezerano y'inguzanyo kirimo hano uhereye ku itariki yagombaga gukorerwaho ubwishyu kugeza kandi ubariyemo itariki ubwishyu buzaba burangiriyeho.

Ubwishyu ubwo ari bwo bwose bukozwe n'Utanze ingwate buzakorwa mu ifaranga ingwate yatanzwemo kuri bene iyo konti na/cyangwa muri bene ubwo buryo nk'uko Umugenerwabikorwa azaba yabisabye. Ukubura kwa bene iyi nama, icyakora, nta buryo na bumwe kuzasubika cyangwa gutume dukurirwaho inshingano zacu zivugwa aha hasi.

Ubwishyu bwose muri iyi ngwate buzakorwa nta gufatira amafaranga, guhara cyangwa ikirego icyo ari cyo cyose cyo kwiregura harimo inshingano iyo ari yo yose ya kasha, cyangwa imisoro nk'iyo cyangwa amafaranga yacibwa mu rubanza agendana n'iyi ngwate, kandi nticibwe kandi ngo ikurweho imisoro iriho ubu cyangwa yo mu gihe kizaza, amafaranga yafatirwa, imirimo cyangwa imisoro ya gasutamo y'ubwoko bwose.

Haramutse hari umubare uwo ari wo wose usabwa n'itegeko cyangwa uwo gukurwaho cyangwa ugafatirwa ku mubare uwo ari wo wose wishyurwa muri iyi ngwate, aho rero Utanze ingwate azishyura Umugenerwabikorwa ayo mafaranga y'inyongera kandi nk'uko azamenya neza ko, nyuma yo gukuraho cyangwa gufatira, Umugenerwabikorwa azakira umubare wose, ungana n'umubare umugenerwabikorwa yakabaye yarahawe iyo uko gukurwaho cyangwa gufatira kuba kutarabaye.

Utanze ingwate azishyura Umugenerwabikorwa ibyakoreshejwe byose n'amafaranga yishyuwe yose yagenzuwe, haba imbere cyangwa inyuma, ubariyemo amafaranga yishyuwe abanyamategeko, afite aho ahurira n'ishyirwa mu bikorwa n'iyubahirizwa ry'uburenganzira ubwo ari bwo bwose mu kwishyura iyi ngwate haba mbere cyangwa nyuma y'iburanisha.

Uburyozwandishyi bw'Umwishingizi bwo kwishyura umugenerwabikorwa nk'uko buri muri iyi ngwate nta na rimwe cyangwa mu buryo ubwo ari bwo bwose mu gihe umuyobozi cyangwa undi mufatanyabikorwa uwo ari we wese cyangwa undi muntu uvugwa mu ngingo z'amasezerano cyangwa andi masezerano byerekeranye, buzigera bugirwaho ingaruka n'amakimbirane cyangwa kutumvikana kwavuka cyangwa ukudashyira mu bikorwa amasezerano cyangwa amasezerano ayo ari yo yose byerekeranye.

6. INGWATE Y'INYONGERA

Iyi ngwate ni inyongera ku, kandi nta buryo ubwo ari bwo bwose izabangamirwa n'indi ngwate iyo ari yo yose cyangwa ubugwate bufitwe ubu muri iki gihe cyangwa buzagirwa n'Umugenerwabikorwa mu gihe kizaza.

7. UKWEGURIRA NO GUHA ABANDI BIKORWA N'UTANZE INGWATE

Utanze ingwate ntazigera yegurira cyangwa ngo atange uburenganzira n'inshingano izo ari zo zose afite muri aya masezerano bitabanje gutangirwa uruhushya n'Umugenerwabikorwa.

8. AMATANGAZO

Ikintu cyose kigomba kumenyeshwa no gutangarizwa uruhande rumwe kiri cyangwa gifite aho gihuriye n'iyi Ngwate y'Ikigo kizakorwa mu buryo bw'inyandiko kandi, mu gihe bidakozwe mu buryo bundi bwavuzwe, gishobora gutangwa amaso ku maso cyangwa kikoherezwa ku iposita.

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9. IHABWAGACIRO RY'AMATANGAZO

(a) Uretse igihe bigenwe nk'uko bivugwa hasi, imenyeshwa n'itangazo iryo ari ryo ryose ryerekeye iyi Ngwate y'Ikigo rizagenwa nk'aho ryemewe gutangwa igihe ritanzwe mu buryo bukurikira:

(i) igihe riramutse rihawe umuntu amaso ku maso, ku gihe ritangiweho;

(ii) igihe riramutse ritanzwe ku iposita, mu minsi itanu y'Akazi nyuma yo gushyirwa ku iposita, igiciro cy'ikiguzi cyo kohereza ku iposita giteguwe neza, kandi iri mu ibahasha igaragaza nta kwibeshya uwo yohererejwe;

(b) Imenyeshwa ritanzwe mu gika cyo hejuru (a) ariko ryakiriwe ku munsi utari uw'akazi cyangwa nyuma y'amasaha y'akazi aho ryakirirwa rizagenerwa kwemerwa gutangwa ku munsi w'akazi ukurikira aho hantu nyine.

(c) Ikintu cyose kimenyeshejwe cyangwa gitangarijwe Umugenerwabikorwa kizahabwa agaciro gusa ari uko acyakiriye

Amakuru y'ahabarizwa n'ahashobora kuvugishirizwa Utanze ingwate n'Umugenerwabikorwa ku bw'iki gikorwa yagaragajwe mu buryo bukurikira:

KUBW'UMUGENERWABIKORWA:

ACCESS BANK (RWANDA) PLC
Igorofa rya 3 mu nyubako ya KIC City Center
Avenue De La Paix
Kigali-Rwanda

KUBW'UTANGA INGWATE:

Utanga Ingwate:
Tel: +250…….
Kigali-Rwanda

10. URURIMI

Itangazo iryo ari ryo ryose cyangwa inyandiko itangwa ifite aho ihuriye n'aya masezerano igomba kuba iri mu rurimi rw'Icyongereza.

11. IKEMURWA RY'AMAKIMBIRANE

Mu gihe haba havutse ukutumvikana cyangwa amakimbirane mu isobanurwa cyangwa ishyirwa mu bikorwa ry'amasezerano ariho, mbere na mbere bizakemurwa mu bwumvikane. mu gihe binaniranye ko ayo makimbirane akemurwa mu nzira z'ubwumvikane, ikibazo kizashyikirizwa inkiko zibifitiye ububasha za repubulika y'u Rwanda.

12. AMATEGEKO YUBAHIRIZWA

Hazakurikizwa amategeko ya Repubulika y'u Rwanda mu bibazo byose byavuka byerekeranye n'iyi Ngwate y'Ikigo, birimo ariko bitanagarukira gusa ku ishyirwaho, isobanura n'ishyirwa mu bikorwa.

13. KUVANIRWAHO UBUDAHANGARWA

Utanze ingwate nta kwisubiraho kandi nta mbibi cyangwa ibibanje gusabwa:

(d) yemeye kutazigera avuga ko afite ubudahangarwa ku bikorwa by'iburanisha byazanwa n'Umugenerwabikorwa amushinja byerekeye iyi Ngwate y'Ikigo no gukora ibishoboka byose ngo bene icyo kirego ntigitangwe mu mwanya we;

(e) atanze uruhushya rwo gutanga muri rusange uburenganzira bwo gutuma habaho cyangwa itangwa ry'igikorwa icyo ari cyo cyose gifite aho gihuriye na bene ibyo bikorwa; kandi

(f) Akuyeho uburenganzira bwose bw'ubudahangarwa mu kumwubahiriza we cyangwa imitungo ye.

14. ITANGIRA RY'AMASEZERANO

Aya masezerano azatangira gushyirwa mu bikorwa uhereye itariki ashyiriweho umukono n'impande zombi ziyavugwamo. Icyakora, ni itegeko ko ikirego cyose n'ubwishyu bukozwe ku bw'iyi Ngwate bikorwa ari uko inguzanyo y'igihe gito yerekeranye n'aya masezerano igomba kuba yakiriwe n'Umuyobozi.

NK'ABAHAMYA B'ABAYISHYIZEHO UMUKONO, iyi Ngwate y'Ikigo ishyizweho umukono mu izina rya buri Mugenerwabikorwa kandi bikozwe nk'igikorwa cy'Utanze ingwate kandi biteganijwe ko itangwa na we nk'igikorwa gikozwe ku itariki yavuzwe haruguru.

KU BWA: ACCESS BANK (RWANDA) PLC

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UMUJYANAMA MU BY'AMATEGEKO UMUNYAMABANGA W'IKIGO	**&**	**UMUYOBOZI MUKURU**

KU BWA: UMWISHINGIZI

IZINA: ________________________________

UWO IGENEWE: ____________________________

UMUKONO: ___________________________