

Ku wa 00 00

Ref...../ABR/CC/23

Izina: .....

Umuyobozi Mukuru,

..... Ltd,

Tel: .....,

Bwana/Madamu .....,

### **IBARUWA YEMERERA**

Hashingiwe ku busabe bwawe bw'inguzanyo y'ubucuruzi ndetse n'ibiganiro twagiranye nyuma yaho, twagira ngo tukumenyeshe ko Access Bank (Rwanda) Plc. ("Banki") yishimiye kuguha ..... inguzanyo wasabye hashingiwe ku mategeko n'amabwiriza bikurikira:

#### **1. AMABWIRIZA KU BIJYANYE N'AMAFARANGA**

**Ubwoko bw'Inguzanyo:**                      **Uburyo bwo Kwishyura (Ubw'ibanze)**

**Ingano y'Inguzanyo:**                      RWF .....

**Intego:**    .....

**Igihe cyo Kwishyura:**                      ..... amezi

**Ahazava Ubwishyu**                              Amafaranga ava mu Bushabitsi.....

**Ibiciro:**    **Impuzandengo y'inyungu :** ... % ku mwaka  
**Ubwishyu butangwa hakoreshejwe Ikarita:** ... %  
y'ingano y'inguzanyo + VAT yishyurwa rimwe.  
**Ubwishyu butangwa ku micungire:**... % y'ingano  
y'inguzanyo + VAT  
**Ubwishyu bwa CRB:** FRW ... + VAT

#### **2. AMAKURU ATANGWA MU BIRO BISHINZWE INGUZANYO**

Hashingiwe ku Itegeko N° 73/2018 Rigenga Uburyo bwo Kumenyekanisha Inguzanyo, banki ifite inshingano yo gutanga amakuru meza n'amabi cyangwa se ay'ibyo ukorana nayo. Mu gushyira umukono kuri aya Masezerano, Uguza yemerera Banki nta mananiza gutanga ayo makuru ku mpamvu zemwewe n'amategeko.

### **3. UBURYO NTAYEGAYEZWA BWO KWISHYURA MU BIVA MU BUSHABITSI**

Uguza yemera ko amafaranga ava mu bushabitsi bwe azajya ashyirwa kuri konti ye isanzwe ya Access Bank (Rwanda) Plc, ari na yo izakoreshwa mu kwishyura inguzanyo buri kwezi. Ibi bizagengwa n'amategeko n'amabwiriza y'Amasezerano y'Impande Zombi hagati ya Banki n'Uguza.

### **4. INGWATE**

Inguzanyo itangwa ari uko igaragiwe n'ibi bikurikira:

- Ingwate y'Icyiciro cya Mbere Yemewe n'Amategeko ku mutungo w'ubucuruzi ku kibanza gifite UPI:..... mu izina rya ..... Giherereye mu Mujyi wa Kigali, Akarere ka Gasabo, Umurenge wa Ndera, Akagai ka Masoro,
- Ubwishingizi bw'Inkongi n'Ubw'indi mitungo yose bugomba gutanga indishyi haherewe kuri Access Bank Rwanda Plc.
- Kwishyura ibiva mu bushabitsi binyuze kuri konti y'umukiliya yafunguriwe muri Access Bank Rwanda.
- Inyandiko y'amasezerano iriho umukono igaragaza amafaranga agomba kwishyurwa FRW .....

### **5. IMITANGIRWE/IMIKORESHEREZE**

Iyi nguzanyo itangwa kugira ngo ikoreshwe hakurikijwe Amabwiriza aba yabanje kugaragazwa.

### **6. ITALIKI YO GUTANGIRA KUBARA**

Iyi nguzanyo itangira gukora ku italiki itangiweho hatitawe ku italiki ibaruwa yemerera yasohokeye cyangwa italiki byashyiriwe mu bikorwa.

### **7. IBYO KUBA WUJUJE NGO INGUZANYO ITANGWE**

Iyi nguzanyo iboneka ngo ikoreshwe igihe cyose umaze kugaragaza ibyangombwa bikurikira mu buryo bwose bwujuje ibisabwa na Banki:

- Ibaruwa yemewe Yemerera iriho umukono w'ababifitiye ububasha mu Kigo.
- Amasezerano y'Inguzanyo ariho umukono.
- Kugaragaza Imitungo yagizwe ingwate.
- Icyangombwa kiriho umukono wa Noteri kigaragaza Inshingano z'Abakozi b'ikigo ..... n'icy'Abanyamigabane cyemeza amategeko n'amabwiriza y'inguzanyo kikanagaragaza uwemerewe gufata inguzanyo mu izina ry'ikigo.
- Uburyo ntayegayezwa bwo kwishyura ..... Amafaranga ava mu bushabitsi.
- Inyandiko y'amasezerano iriho umukono igaragaza amafaranga agomba kwishyurwa RWF .....
- Kopi y'uruhushya rwo kubaka rugifite agaciro ku mushinga watanzwe. Icyangombwa cy'uko nta mwenda w'Umusoro
- Icyangombwa cy'uko nta deni ufite muri CRB

- Gahunda y'ubwishingizi ku mitungo yatanzweho ingwate.

## **8. ANDI MABWIRIZA**

Banki ifite uburenganzira bwo guhagarika ibikorwa byo gutanga inguzanyo, gukuraho cyangwa guhagarika inguzanyo ku mpamvu z'uko Amasezerano agenga inguzanyo atubahirijwe, cyangwa se binatwe n'imwe muri izi mpamvu zikurikira cyangwa se zose:

- Igihe Uwasabye inguzanyo yananiwe kuyikoresha icyo yatangiwe.
- Igihe Uwasabye inguzanyo anyereje amafaranga kuri konti yo muri Banki yishyura akayanyuza mu yindi Banki.
- Igihe Uwasabye Inguzanyo atakoze cyangwa yananiwe gukurikiza cyangwa kubahiriza inshingano zindi ku ruhande rwe nk'uko biri mu ibaruwa yemerera cyangwa akananirwa gukomeza gukurikiza uburyo bwo kwishyura bwemeranyijweho mu gihe cy'amezi abiri akurikiranye/ibihembwe cyangwa birenzeho.
- Igihe bigaragaye ko Usaba inguzanyo hari uburiganya yakoze mu itangwa ry'amakuru afite ku bijyanye n'ikigamijwe, imikoreshereze y'inguzanyo n'ingwate.
- Igihe agaciro k'ingwate kagabanutse bikabije ugereranyije n'ingano y'inguzanyo mu gihe runaka.
- Banki ishobora gushyiraho umugenagaciro w'umwuga agakora igenzura ngarukamwaka ry'ingwate iyo ari yo yose yatanzwe n'Usaba inguzanyo. Ikiguzi cy'iryo suzuma kivanwa kuri konti y'Uwasabye inguzanyo muri Banki. Aho bigaragaye ko habayeho igabanuka mu gaciro k'ingwate biganisha ku kuba itankwishyura inguzanyo, Banki ishobora gusaba Uwagujije gutanga ingwate y'inyongera ishobora kwishyura inguzanyo. Mu gihe Uwasabye inguzanyo ananiwe gutanga iyo ngwate y'inyongera nk'uko bisabwa na Banki ifite ububasha bwo guhita isabwa kwishyurwa inguzanyo iberewemo na mbere y'uko igihe cyagenwe cyo kwishyura kigera.
- Bank ifite uburenganzira igihe icyo ari cyo cyose bwo guhindura iyi nguzanyo mu buryo butuma uwayisabye akatwa ubwishyu mbere, kuyihinduramo inguzanyo y'igihe gito cyangwa iy'ubundi buryo bwakorohereza Utanga inguzanyo.
- Banki ishobora guhindura amwe mu mategeko n'amabwiriza y'itangwa ry'inguzanyo cyangwa yose uko yakabaye kugira ngo ijye mu mujyo ugezweho mu by'isoko ry'imari cyangwa mu by'amategeko y'imirungire y'ifaranga.
- Igihe igihe cyo kwishyura inyugu ku nguzanyo kigeze ntibikorwe, iyo nyungu ihita inongerwa ku giteranyo fatizo cy'amafaranga y'umwenda kandi bikazishyurwa ku mpuzandengo ivugwamo hano.
- Amafaranga aboneka hagendewe ku bushobozi bwa Banki bwo gutanga iyi inguzanyo hamwe n'amategeko yayo ku nguzanyo ntarengwa itanga ndetse n'andi mategeko nk'uko ashobora gushyirwaho n'urwego bireba.
- Banki ifite uburenganzira bwo kwaka uwasabye inguzanyo ibyangombwa by'inyongera harimo ariko bitagarukiye gusa ku binyanye n'inyandiko zigaragaza uko konti ihagaze n'ibindi.

## **9. IBIHE BYO KUNANIRWA KWISHYURA**

Nubwo hari ibikubiye muri aya masezerano, inguzanyo cyangwa ibijyanye nayo n'andi mafaranga yemejwe muri aya masezerano ko agomba kwishyurwa yaba mu nyungu

cyangwa mu bundi buryo, agomba guhita yishyurwa kandi akishyurwa ku busabe bwatanzwe ku birebana n'ayo masezerano mu gihe habayeho kimwe mu bintu bikurikira:

- Igihe Uwasabye inguzanyo ananiwe kwishyura amafaranga yose asabwa ku gihe.
- Igihe Uwasabye inguzanyo yarenze ku mabwiriza cyangwa akananirwa kubahiriza cyangwa gusohozza izindi nshingano ze zikubiye muri iyi baruwa yemerera itangwa ry'inguzanyo.
- Igihe hari icyemezo cyangwa ingwate byatanzwe n'Uwagujije muri aya Masezerano cyangwa mu itangazo iryo ari ryo ryose cyangwa icyangombwa cyangwa inyandiko, byatanzwe cyangwa bikagaragazwa hano ariko bikagaragara ko bitari ukuri mu buryo ubwo ari bwo bwose byakozwemo cyangwa byatanzwemo.
- Igihe Uwagujije ahagaritse cyangwa agasubika cyangwa se akagaragaza mu nyandiko ko atabashije kwishyura umwenda we ku gihe.
- Igihe Uwagujije asabye cyangwa agatangaza ko hari impamvu imubuza kwishyura umwenda ushingiyeye ku nguzanyo yahawe.
- Mu gihe havutse ikibazo kidasanzwe ku buryo gukomeza ibikorwa byo guhanahana amafaranga na Banki bidashobokera Uwagujije ngo yishyure imyenda ye.
- Igihe hari igihano icyo ari cyose cyangwa ifatirwa byakozwe ku mitungo y'Uwagujije ntibibashe kwishyurwa mu minsi irindwi.
- Igihe Banki isabwe n'amategeko ayo ari yo yose ya Banki Nkuru y'u Rwanda, cyangwa ubuyobozi busabye kwishyura inguzanyo yose.
- Igihe mu bushishozi bwa Banki ibonye ko hari impinduka y'igihombo mu by'imari ku wasabye inguzanyo.
- Niba hari uruhushya rwa leta urwo ari rwo rwose rusabwa n'itegeko kugira ngo iyi baruwa yemerera ibe ihawe agaciro, ishobore gushyirwa mu bikorwa cyangwa ibe yemewe n'amategeko, cyangwa kugira ngo ibikubiyemo byubahirizwe, rwaba rwarahagaritswe cyangwa rutaratangira gukoreshwa mu buryo bwuzuye kubera impamvu iyo ari yo yose. Mu bihe nk'ibi kandi igihe icyo ari cyo cyose nyuma y'ibyo, iyo ibyo bintu bikomeje, Banki igomba kumenyesha Uwasabye inguzanyo mu buryo bw'inyandiko ko igice cy'inguzanyo kitarishyurwa gihise gisabwa kwishyurwa, kandi iyo nguzanyo igomba kwishyurwa hamwe n'inyungu ziyikubiyemo.

## **10. IBIHANO BYO KUNANIRWA KWISHYURA**

Mu gihe Uwasabye inguzanyo ananiwe kubahiriza kimwe mu bisabwa n'aya masezerano mu gihe cyagenwe, ibihano byo kunanirwa kwishyura bikurikizwa mu buryo bukurikira:

- Gutinda gutanga ibyangombwa bisabwa kuri Banki: 5% y'inguzanyo wemerewe.
- Kunanirwa kwishyura ibyavuye mu bushabitsi/umushahara mu gihe cy'iminsi 30 usabye inguzanyo: 5% y'inguzanyo wemerewe;
- Kunanirwa kubahiriza irindi bwiriza ry'inguzanyo iryo ari ryo ryose: 5% y'inguzanyo wemerewe;
- Iyo Uwasabye inguzanyo ananiwe kwishyura ibyo bihano byavuzwe mu gihe cy'iminsi 45 bank ibishyizeho, banki ifata inguzanyo nk'iyaniwe kwishyurwa.

## **11. UBURENGANZIRA BWO KWIYISHYURA**

Uwasabye inguzanyo yemera ko uretse gusaba ifatirwa ry'imitungo yose y'ufite umweda cyangwa uburenganzira nk'ubwo Banki ihabwa n'itegeko, Banki ishobora igihe icyo ari cyo cyose kandi itagombeye kubimenyesha Uwasabye inguzanyo guhuza konti zose cyangwa zimwe muri konti z'Uwasabye inguzanyo n'umwenda uwo ari wo wose abereyemo Banki ikawiyishyura cyangwa ikohereza amafaranga yose cyangwa amwe muri yo ari kuri konti y'Uwasabye inguzanyo mu kwiwishyura umwenda Uwasabye inguzanyo abereyemo Banki cyangwa ku yindi mpamvu iyo ari yo yose kabone n'ubwo uwo mutungo waba waba ari usanzwe, awuhuriyeho n'abandi, ingwate cyangwa ubundi bwoko.

## **12. IBY'AMATEGEKO N'ANDI MAFARANGA YAKORESHEJWE**

Uwasabye inguzanyo agomba kwishyura Banki amafaranga yose yakoreshejwe ku mpamvu zumvikana, ibiguzi, n'ubwishyu bwatanzwe na Banki mu myiteguro, mu gushyira mu ngiro, kuyobora no kubahiriza amategeko n'amabwiriza y'iyi baruwa yemerera inguzanyo uwayisabye. Ubwo bwishyu n'ibiguzi mu gihe bitishyuwe n'Uwasabye inguzanyo byongerwa ku nguzanyo hamwe n'andi mafaranga asabwa mu mategeko n'amabwiriza y'iyi baruwa yemerera kandi aha herekezwa n'ingungu nk'uko biteganywa.

## **13. UBURENGANZIRA BWO GUFATIRA IMITUNGO Y'UWASABYE INGUZANYO**

Uwasabye inguzanyo yemera ko uretse gusaba ifatirwa ry'imitungo yose ye n'ubundi burenganzira nk'ubwo Banki ihabwa n'itegeko, Banki ishobora igihe icyo ari cyo cyose kandi itagombeye kubimenyesha Uwasabye inguzanyo gushyiraho ingengabihe, gufatira cyangwa kugurisha umutungo uwo ari wo wose w'Uwasabye inguzanyo waba uwo afite none cyangwa uwo azagira ahazaza hatitawe ku kuba waratanzwe nk'ingwate cyangwa bitaragenze bityo, kugira ngo bifashe mu kwishyura umwenda Uwasabye inguzanyo abereyemo Banki hatagombeye kubaho ko iryo fatirwa cyangwa igurishwa ritangirwa itegeko n'urukiko.

Mu gihe habayeho kunanirwa kwishyura, Banki ifite uburenganzira bwo gufatira (bitagombeye uburyo runaka) imitungo y'Uwasabye inguzanyo yababa yarayitanze nk'ingwate cyangwa bitameze bityo. Banki ifite ububasha bwo guhitamo uburyo bwo gushyira mu bikorwa uburenganzira bwayo bwo gufatira imitungo.

## **14. IMISORO**

Ubwishyu bwose bwaba ubw'ibanze, inyungu cyangwa se ubundi buzatangwa bitagombeye ko bukatwaho imisoro, umufuragiro, ibiguzi, ubwishyu, amande, ibihano cyangwa se ibindi bisabwa by'ubwoko ubwo ari bwo bwose. Iyo igihe icyo ari cyo cyose, itegeko cyangwa urwego rushinzwe imisoro rusabye Uwasabye inguzanyo uko gukurwaho cyangwa gukatwa ikiguzi nk'icyo icyo ari cyo cyose, amafaranga Uwasabye inguzanyo agomba gutanga ku kiguzi icyo ari cyo cyose arongerwa ku rugero rukenewe kugira ngo Banki, nyuma yo gukuramo cyangwa gukata ikiguzi icyo ari cyo cyose, ibone amafaranga angana n'ayo yari kubona iyo hataba gusabwa gukuramo cyangwa gukata ikiguzi icyo ari cyo cyose.

## **15. AMAKURU YATANZWE N'INGWATE**

Uwasabye inguzanyo agaragaza akanizeza ko:

- Uwasabye inguzanyo afite uburenganzira bwo kwemera iyi serivisi kandi yafashe ingamba zose zikenewe zo kuyemera hakurikijwe amategeko n'amabwiriza akubiyemo hano.
- Uwasabye inguzanyo ntafite inshingano iyo ari yo yose ku byerekeranye n'amafaranga yagujijwe The Borrower is not in default or under any obligation in respect of any borrowed money that the acceptance of this facility will not be or result in a breach of or default under any provisions of any other agreement to which the Borrower is a party.
- Amasezerano yose n'ibyangombwa bisabwa bijyanye n'ishyirwa mu bikorwa, itangwa, imikorere, agaciro cyangwa iyubahirizwa ry'aya masezerano y'inguzanyo bigomba gutangwa n'Usaba inguzanyo kandi ibyangombwa by'umwimerere bigashyikirizwa Banki ndetse Amabwiriza akubiyemo hano cyangwa ibisabwa bijyanye nayo bigomba kubahirizwa cyangwa kuzuzwa n'umukiliya mu gihe gikwiriye.
- Byemeranyijweho ko inguzanyo ivugwamo hano yatanzwe, izavanwaho kandi uwayihawe agasabwa guhita yishyura amafaranga asabwa yose mu gihe habayeho impamvu iyo ari yo yose cyangwa uruhererekane rw'ibintu runala (harimo ariko bitagarukiye gusa, ku mpinduka izo ari zo zose zitari nziza mu bushabitsi, imitungo cyangwa ibibazo by'Uwasabye inguzanyo bishingiye ku mikoro) bibayeho, maze mu bunararibonye bwa Banki ikabona ko byagira ingaruka ku bushobozi cyangwa ubushake bw'Uwasabye inguzanyo bwo kwishyura iyo nguzanyo.
- Nta kirego cyemerewe gutangwa n'Uwasabye inguzanyo mu buryo ubwo ari bwo bwose arega Banki atabanje kumenyesha Banki mbere y'iminsi mirongocye (90) ngo ayimenyeshe mu buryo bwanditse ko Uwasabye inguzanyo afite gahunda yo kurega Banki, kandi uko kubimenyesha bishyikirizwa Banki kuri aderesi y'aho Banki ikorera.

## **16. IMPINDUKA MU MASEZERANO**

Iyo Banki yemeje ko ishyirwaho cyangwa ihinduka mu itegeko iryo ari ryo ryose ryubahirizwa cyangwa bikemezwa na leta cyangwa urwego ngenzuramikorere cyangwa urukiko rubifitiye ububasha rukagira ibyo rugaragaza ko bidakurikije itegeko cyangwa se bitemewe n'amategeko ku Uwasabye inguzanyo cyangwa Banki kugira ngo yishyurwe cyangwa ikomeze gukora inshingano zayo nk'uko biteganywa n'amabwiriza y'iyi Baruwa Yemerera, Banki igomba guhita imenyesha izo mpinduka Uwasabye inguzanyo kandi iby'iyi nguzanyo bigahita bivanwaho ariko Uwasabye inguzanyo agahita yishyura Banki byaba nyuma cyangwa mberey'italiki yari iteganyijwe nk'uko bishobora gusabwa na Banki kugira ngo hishyurwe umubare usabwa hamwe n'inyungu n'andi mafaranga yose agomba kwishyurwa Banki hakurikijwe aya masezerano.

## **17. REMEDIES AND WAIVERS**

Kunanirwa cyangwa gutinda kwa Banki mu kwishyura umwenda iberewemo uwo ari wo wose, ububasha cyangwa uburenganzira nka Banki ntizabiryoza nk'ikosa cyangwa ngo biteshe agaciro ndetse ntibizagira ingaruka cyangwa ngo biteshe agaciro umwenda uwo ari wo wose nk'uwo, ububasha cyangwa uburenganzira bigomba kwishyurwa.

## **18. IGIHE IMARA IFITE AGACIRO**

Iyi baruwa yemerera itakaza agaciro mu gihe itakiriwe mu minsi Cumi n'Ine (14) ku ndangaminsi uhereye ku muni yatangirwe. Niba wemeye aya mategeko n'amabwiriza yavuzwe haruguru, garagaza ko wayakiriye n'ubundi ukoresheje iyi baruwa yemerera nk'uko byagaragajwe hano hasi maze uyisubize.

Murakoze

**KU BWA: ACCESS BANK (RWANDA) PLC**

.....  
**UMUJYANAMA W'IKIGO MU BY'AMATEGEKO UMUYOBOZI MUKURU**  
**N'UMUNYAMABANGA W'IKIGO**

**ICYEMEZO CY'UKO YAKIRIWE**

**YAKIRIWE KU BWA NO MU IZINA RYA ..... (UGUZA) KANDI TUREMERA KUBAHIRIZA AMATEGEKO N'AMABWIRIZA BIKUBIYE MURI IYI BARUWA YEMERERA.**

**IZINA:** \_\_\_\_\_

**UWO IGENEWE:** \_\_\_\_\_

**UMUKONO:** \_\_\_\_\_

**ITALIKI:** \_\_\_\_\_