

LAWS OF BRUNEI

REVISED EDITION 1984

CHAPTER 62

MONEYLENDERS

ARRANGEMENT OF SECTIONS

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MONEYLENDERS ACT

To provide for the registration of moneylenders and to restrict the practice of charging exorbitant interest

I of 1921
(Cap. 62
of 1951)
21 of 1955
18 of 1956
S.99/59

Commencement: 1st January 1922

1. This Act may be cited as the Moneylenders Act. Short title

2. (1) In this Act — Interpre-
tation

“moneylenders” means any person who habitually lends money at interest:

Provided that this expression shall not include the Government or a banker who is licensed as such under the provisions of section 4 of the Banking Act. Cap. 95

(2) A person who is proved to have lent money at interest on one occasion shall until the contrary be proved to be deemed to have habitually lent money at interest.

3. (1) No person shall carry on the business of a moneylender unless he is registered as such and has obtained a licence from the State Secretary. Money
lenders to be
registered
and licensed

(2) The register shall contain the place of residence of the moneylender.

(3) Licences shall be granted annually and a fee of \$500 shall be charged for every licence.

4. An acknowledgement in writing shall be made for every loan, and for every payment made an account of principal or interest, and such document shall be stamped with the value provided in the Stamp Act for the time being. Documents
to be
properly
stamped

Cap. 34

5. The rate of interest to be charged on loans shall not exceed 15 per cent per annum if secured and 24 per cent per annum on note of hand only. Rates on
interest
chargeable

Money
lenders to
keep a
register

6. Every moneylender shall keep a register showing the name, sex, age and national of every person to whom a loan is made, the amount actually lent, the rate of interest, and the security if any; and such register shall be produced for the inspection of any magistrate on demand.

His Majesty
in Council
may vary
rates of in-
terest and
make rules

7. It shall be lawful for His Majesty the Sultan and Yang Di-Pertuan in Council to vary the licence fees or rates of interest, and to make rules from time to time by public notification for the effective working of this Act.

Penalties

8. (1) Any person offending against the provisions of section 3 shall be guilty of an offence: Penalty, a fine of \$500 and imprisonment for 18 months.

(2) Any person offending against the provisions of section 4, 5 or 6 shall be guilty of an offence: Penalty, a fine of \$2,500 and imprisonment for 6 months.