



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

N\$30.60

WINDHOEK - 25 February 2020

No. 7130

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General Notice

NAMIBIA FINANCIAL INSTITUTIONS SUPERVISORY AUTHORITY

No. 74 2020

STANDARDS UNDER THE MICROLENDING ACT, 2018

The Standards, as set out under the Schedule, are issued by the Namibia Financial Institutions Supervisory Authority (NAMFISA) under section 35(1) of the Microlending Act, 2018 (Act No. 7 of 2018). The Standards come into effect on the date of publication.

K. S. MATOMOLA
CHIEF EXECUTIVE OFFICER
NAMIBIA FINANCIAL INSTITUTIONS
SUPERVISORY AUTHORITY

Windhoek, 7 February 2020

SCHEDULE

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PART I
INTRODUCTORY PROVISIONS

1. Citation

The Standards may be cited as Microlending Standards ML.S.3, ML.S.4 and ML.S.5 respectively.

2. Interpretation

- (1) In the Standards “the Act” means the Microlending Act, 2018, including the regulations made thereunder, and the standards issued by NAMFISA under the Act; and
- (2) Any word or expression to which a meaning has been assigned in the Act bears that meaning, unless the context indicates otherwise.

PART II

MICROLENDING ACT, 2018
THE SUBMISSION OF RETURNS, STATEMENTS AND REPORTS
STANDARD ML.S.3

issued by NAMFISA under subsection 35(1) of the Microlending Act, 2018

1. Definitions

- (1) In this Standard-
 - (a) “Act” means the Microlending Act, 2018, including the regulations made thereunder, and the standards issued by NAMFISA under the Act; and
 - (b) “NAMFISA ERS” means the Electronic Regulatory System which facilitates communication between NAMFISA and the microlending industry.
- (2) Words and phrases defined in the Act have the same meaning in this Standard, unless the context indicates otherwise, including, without limitation, the following, as defined in section 1 of the Act:
 - (a) borrower;
 - (b) key responsible person;
 - (c) licensed premises;
 - (d) loan agreement;
 - (e) loan amount;

- (f) microlender;
- (g) microlending transaction;
- (h) NAMFISA; and
- (i) principal officer.

2. **Applicability**

This Standard is applicable to every registered microlender.

3. **Submission of MLR-1 and MLR-2 Returns**

- (1) A microlender must submit the following periodical returns, statements and reports to NAMFISA -
 - (a) a MLR-1 return, in the form set out under Schedule 1 attached to this Standard, which is the Certification of Compliance by the registered microlender's principal officer, within six (6) months after the microlender's financial year-end;
 - (b) the MLR-1 return referred to in paragraph (a) must be accompanied by the audited annual financial statements in respect of a microlender incorporated as a company or trust, financial statements certified by an accounting officer in respect of a microlender incorporated as any other corporate entity and unaudited financial statements for sole proprietors and partnerships;
 - (c) a MLR-2 return, in the form set out under Schedule 2 attached to this Standard, which is the Quarterly Financial and Statistical Return, within 30 calendar days after the last day of each quarter; and
 - (d) the MLR-2 return referred to in paragraph (c) must be accompanied by the monthly management reports.
- (2) The quarters for submission of the Quarterly Returns for every calendar year are as follows:
 - (a) January until March (Quarter 1);
 - (b) April until June (Quarter 2);
 - (c) July until September (Quarter 3); and
 - (d) October until December Quarter 4).
- (3) The returns referred to in sub-clause (1) must be submitted to NAMFISA electronically on the NAMFISA ERS.
- (4) A microlender must submit the signed ERS declaration, in respect of the returns referred to in sub-clause (1), electronically on NAMFISA ERS within the same periods they are required to submit the returns referred to in sub-clause (1).
- (5) A microlender must, on the MLR-1 return, confirm whether or not the microlender is compliant with all of the provisions of the Act.

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- (6) When completing a MLR-1 return, a microlender must consider, amongst other things, whether or not:
- (a) The microlender's registration certificates are displayed prominently at all licensed premises;
 - (b) Written loan agreements are entered into and signed by the microlender and borrower in respect of each microlending transaction;
 - (c) All required information is disclosed in all loan agreements issued by the microlender;
 - (d) The essential terms of the loan agreement are explained to the borrower by the microlender so as to ensure that the meaning and consequences of the agreement are understood;
 - (e) The stipulation with regard to the non-disclosure of confidential information has been complied with;
 - (f) Complete and accurate accounting records are maintained, reflecting all loans issued, all monies advanced, interest, fees and other charges raised, all repayments received and amounts outstanding; and
 - (g) Neither the microlender nor any key responsible person, employee or person connected to the microlender have made use or retained personal information such as pin codes and bank cards for security or collection purposes.
- (7) When completing a MLR-1 return, a microlender must, if applicable, disclose specific areas of non-compliance and in respect of those areas of non-compliance, the steps taken by the microlender to rectify non-compliance and ensure ongoing compliance.
- (8) A microlender is required amongst other things to submit the following information to NAMFISA on a quarterly basis via the MLR-2 return:
- (a) the particulars of transactions relating to lending activities during the reporting period (the quarter under review);
 - (b) the details of the income statement from the management accounts of the business for the reporting period;
 - (c) loans disbursement breakdown by length of repayment period (as at reporting date) and loans disbursement breakdown by loan size (as at reporting date);
 - (d) age analysis of the loan book at the end of the reporting period in the different age analysis categories;
 - (e) the breakdown of borrowers by gender, the purpose of borrowing and the number of secured and unsecured loans during the period under review;
 - (f) involvement in any other business activities other than microlending; and
 - (g) the number of active branches the microlender has.

- (9) A microlender must ensure that processes and controls are in place to support the submission of accurate and reliable information to NAMFISA within the time periods specified in this Standard.
- (10) All information submitted to NAMFISA pursuant to this Standard must be duly authorised and signed by the principal officer.

SUPPORTING SCHEDULES

The following supporting schedules are attached to and form part of this Standard:

Schedule 1: MLR-1 - Certification of compliance

Schedule 2: MLR-2 - Quarterly return

Schedule 1

MLR-1: CERTIFICATION OF COMPLIANCE

On behalf of the Board of Directors/Members/Partners/Trustees of(name of microlender) I, the undersigned, (full names), in my capacity as principal officer, do hereby declare that:

(a) (name of microlender), has complied with all the provisions of the Act in full. I am not aware of any non-compliance with the provisions of the Act for the period to

(b) The following areas of non-compliance with the provisions of the Act have occurred (*please provide detailed explanation*):

(c) In respect of the areas of non-compliance referred to in (b) above, the following steps have been taken by the microlender to rectify the non-compliance and to ensure on-going compliance: (*please provide detailed explanation*):

Signed on behalf of the board of Directors/Members/Partners/Trustees of:

_____ (name of microlender)

Date: _____

Name: _____

Signature: _____

Capacity: _____

Income/Revenue: Part D3**Other Income**

Company Name:

License Number:

Reporting Period

Description	
Administration fee	
Service Charge	
Central Security Depository (CSD)	
Class of Unit portfolio funds	
Alternative risk transfer business (ART)	
Namibia National Reinsurance Corporation Ltd only	
Initial charge (LISP and Manco)	
Other	
Management fee Income	
Initial charge	
Service Charge	
Central Security Depository (CSD)	
Class of Unit portfolio funds	
Alternative risk transfer business (ART)	
Investment Management fees	
Namibia National Reinsurance Corporation Ltd only	
Other	
Rental Income	
Local	
Outside Namibia	
Other Income	
Profit on Sale of Non-Current Assets	
Negative goodwill	
Stock Exchange Trading levy	
Application/ Listing fee	
Discount (Rebates) Received	
Membership Fee	
Bad Debts Recovered	
Other recoveries	
Commissions	
Brokerage Income	
Education & Training Charge Income	
Promotional Items	
Revaluation of Inventory	
Portfolio Performance income	

Income from projects	
Profit share from associates	
Unrealised market value non-taxable external	
Unrealised market value taxable external	
Motor Vehicle Fund(MVA) Refunds	
Other Income (Please specify)	
Other Income	
Default interest	
Interest on Loans and advances - Micro lenders	
Sub-total (Other Income - Part D3)	
Grand Total (Part D3)	

Expense :Part A**2.2.1. Operating Expenses**

Company Name:

License Number:

Reporting Period

Description	Amount N\$ '000
Expenses	0
Expenses / Operating Expenses	0
Actuarial fees	
Audit fees	
Audit related services/expenses	
Custodian fees	
Cleaning Expenses	
Security Expenses	
Secretarial fees	
Accounting fees	
Bad debts Written Off	
Bank Charges	
Distribution expenses	
Commissions Paid	
Other Operating Expenses	
Meeting costs	0
Meeting costs all meetings (Pension)	
AGM Costs	
Board Meetings Costs	
Other Meetings Costs	
Association & Membership Fees	
Pharm Access Membership Fees	
Marketing	0
Promotions and promotional item (gifts)	
Advertising	
NAMFISA Levies	0
NAMFISA Levies (Pension Funds)	
Basic Levy	
Additional Levy	0
Stock Exchange Trading levy	
Other Levies	

Office Expenses	0
Office Expenses (Pension Funds)	
Telephone & Fax	
Cellphone	
Printing and stationery	
Entertainment Exp	
Gifts	
Computer Expenses	
Repairs & Maintenance Expenses	
Other Office Expenses	
Office Rental	0
Office Equipment	
Fixed Property	
Other	
Staff Costs	0
Staff Remuneration	
Temporary wages	
Bonuses	
Long term incentive schemes, Share Appreciation rights, Share Scheme - RSP	
Retirement Benefits	
Staff study loan grants	
Medical contributions	
Social Security	
PAYE	
Leave	
Staff Awards	
Recruitment costs	
Management staff costs	
Training expenses	
Other Staff costs	
Depreciation	0
Depreciation (Pension Fund)	
Computer Equipment	
Motor Vehicle	
Furniture & Fittings	
Office Equipment	
Aircraft	
Land & Buildings	
Leasehold improvements	
Other Property, Plant and Equipment	
Amortisation	0
Amortisation(Pension Funds)	
Software	

Trademarks	
Patents	
Copyright	
Goodwill	
Other intangible assets	
Investment Fees	0
Investment management Fees	
Custodian fees	
Other Investment Related expenses	
Trustee/Director's Expenses	0
Seminars and workshops	
Training expenses	
Meeting allowances	
Travelling & Accommodation	
Trustees (Director's) remuneration	
Medical expenses	
Others	
Sub total (Operating Expenses - Part A)	0

Expense :Part B**2.2.2. Operating Expenses**

Company Name:

License Number:

Reporting Period

o

Description	Amount N\$ '000
Total Administrator Fees	
Standard	
Non-Standard	
Regulatory reporting costs	
Other Administrator Fees	
Administration Fees	
Regulatory expenses	
Consultancy fees	
Investment Consultancy	
Benefits Consultancy fees	
Healthcare Consultant (Broker) fees	
Other Consultancy	
Municipal Utilities Cost	
Licenses and Fees	0
Namfisa Registration & Renewals	
Other Licensing fees	
Subscription Fees	
Finance costs	0
Interest paid to Banking Institutions	
Other finance costs	
Interest paid on Loans	0
Interest paid on Related Party Loans	
Interest paid on Financial Liabilities	
Interest paid on Other Loans	
Interest expense excluding finance costs	
Penalties	0
Paid to revenue authorities	
Penalties/ Other	
Penalties paid to Namfisa	0
Paid to Namfisa/ Non-Submission of Statutory Returns	
Paid to Namfisa/ Administrative Penalties	
Paid to Namfisa/ Other	

Legal fees	
Travel & Accommodation	
Credit Bureaus fees to process loans	
Postage & Courier Expenses	
Transport costs	
Revenue Stamps and Annual duty	
Principal Officer fees	
PO Remuneration	
PO Allowances	
PO Bonus	
Executive management expenses	0
Executive management Remuneration	
Executive management Allowances	
Executive management Contribution to the Retirement fund	
Executive management Bonus	
Insurance Expenses	0
Professional Indemnity insurance	
Other insurance expenses	
Member Communication costs	
Referral Fees	
Tracing costs	
Contribution to Central Society	
Sub total (Operating Expenses - Part B)	0

Expense :Part C**2.2.4. Operating Expenses**

Company Name:

License Number:

Reporting Period

Description	Amount in NS '000
Operating Expenses / Guarantee Fees	
Operating Expenses / Trading Platform Fee	
Operating Expenses / Net Expenses from Risk Transfer Arrangements [Net Insurance Expenses]	
Net Expenses from Risk Transfer Arrangements [Net Insurance Ex- penses] / Premiums/Fees paid (Capitation Fee)	
Net Expenses from Risk Transfer Arrangements [Net Insurance Expenses] / Other Net Expenses from Risk Transfer Arrangements: Specify	
Operating Expenses / Professional & Subscription Fees	
Operating Expenses / Reinsurance Premium Paid	
Reinsurance Premium Paid / Active Members' individual accounts	
Reinsurance Premium Paid / Pensioners' accounts	
Operating Expenses / Loss on sale of non-current assets	
Loss on sale of non-current assets / Loss on Property, Plant and Equip- ment	
Operating Expenses / settlement fees	
Operating Expenses / Project expenses	
Operating Expenses /Research expenses	
Operating Expenses / Corporate Social Responsibility	
Operating Expenses / Bursaries	
Operating Expenses / Discount allowed	
Operating Expenses / Portfolio fees	
Operating Expenses / Broker annual fees	
Operating Expenses / Sponsor annual fees	
Operating Expenses / Other or Sundry expenses	
Operating Expenses /Provision for Bad debts	
Operating Expenses / Reserve Account Allocation Expense	
Operating Expenses/ Due diligence fees	
Operating Expenses / Management Expense Fee	
Sub total (Operating expenses - Part C)	0

Expenses / Taxation	0
Taxation / Deferred Tax	
Taxation / Normal Tax	
Taxation / Withholding Tax	
Expenses / Total Expenses to Pensioners' accounts	
Expenses / Total Expenses to Reserve accounts	
Dividends paid	
Funds and Reserves	
Balance at beginning of period	
Prior Period Adjustments	
Revaluation Surplus: Property, Plant and Equipment	
Total (Part C)	

Attachments

Company Name:

License Number:

Reporting Period

File/Document Name	Upload
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NON CURRENT ASSETS**SECTION A**

COMPANY NAME

LICENSE NUMBER

REPORTING PERIOD

	Cost	Accumulated Depreciation	Net Book Value
	NS '000	NS '000	NS '000
Property, Plant and Equipment	0	0	0
Computer Equipment & Software			0
Office equipment			0
Furniture, Fixtures & Fittings			0
Vehicles			0
Aircraft			0
Land & Buildings			0
Leasehold Improvements			0
Other Property, Plant and Equipment			0
Intangible Assets	0	0	0
Software			0
Trademarks Patents Copyright Goodwill			0
Other intangible assets			0
Deferred Tax Asset			0
Loans	0	0	0
Loans(Micro-Lenders)			0
Loans to related parties	0	0	0
Purchases and sales of property and other assets			0
Transfers of assets			0
Provisions of guarantees/collateral			0
Settlement of liabilities			0
Intercompany Loans			0
Housing Loans Loans to employees Other Loans			0
Stock exchange Rights			0
Deferred acquisition costs			0
Marketable Securities			0
Drawdowns	0	0	0
Committed capital			0
Contributed capital			0

CURRENT ASSETS**PART 1.2**

COMPANY NAME

LICENSE NUMBER

REPORTING PERIOD

Cash and Cash equivalents held outside Namibia	N\$'000	Call Accounts	Current Accounts
Cash at Bank	0	0	0
Banking Institutions			
Post Office Banks	0		
Building Societies			
Cash and Cash equivalents held outside Namibia (Pension Funds)			

Cash and Cash equivalents	N\$ '000
Cash on hand	
Cash related to alternative risk transfer	
Cash in transit	
Subtotal	0
Accounts Receivable	0
Drawdowns receivable	
Committed capital	
Contributed capital	

CURRENT ASSETS**PART 1.3**

COMPANY NAME

LICENSE NUMBER

REPORTING PERIOD

	N\$ '000	Current	30 days	60 days	90 days	120 + days
Operational Accounts Receivables	0	0	0	0	0	0
Contributions Receivables						
Loans and advances to customers Receivables	0					
Asset/Fund Management Fees Receivables						
Performance Management Fees Receivables						
Service Fees/Service Charges Receivables						
Commission Receivables	0					

CURRENT ASSETS**PART 1.4**

COMPANY NAME

LICENSE NUMBER

REPORTING PERIOD

Operational Accounts Receivable	
Other operational receivables	
Provision for bad debts	
Subtotal	0
Non-Operational Receivables: Accounts Receivables	0
Receivables from Related parties	0
Intercompany Loans Receivable	
Purchases and sales of property and other assets	
Transfers of assets	
Provisions of guarantees/collateral	
Settlement of liabilities	
Other Related party receivables	
current tax receivable	
Accounts Receivables VAT receivable	
Accounts Receivables due from reinsurers	
Accounts Receivables Due from intermediaries	
Accounts Receivables Benefit debtors	0
Accounts Receivables Benefit debtors - Member debits	
Accounts Receivables Benefit debtors - Service Provider debits	
Accounts Receivables: Other non-operational Receivables	
Accounts Receivables: Accrued income	
Subtotal	0
Investment Income receivables	0
Credit Balances	
Bonds	
Government Bonds	
Interest	0
Bond Coupon Receivables	
State-owned enterprise, local authority and regional council Bonds	
Interest	
Bond Coupon Receivables	
Corporate Bonds	

Interest	
Bond Coupon Receivables	
Foreign Bonds	
Interest	
Bond Coupon Receivables	
Investment Income receivables: Property	
Rental income	
Shares	
Dividends	
Other investment income	
Subtotal	0

CURRENT ASSETS**PART 1.5**

COMPANY NAME

LICENSE NUMBER

REPORTING PERIOD

Prepaid expenses	
Inventories	
Contingent assets	
Other Current assets	
Investments: Derivatives	
Traded over the counter	
Options	
Swaps	
Forward Contracts	
Futures	
Repurchases	
Lending of securities	
Investments: Derivatives: Traded on an exchange	
Options	
Swaps	
Forward Contracts	
Futures	
Repurchases	
Exchange Traded Notes	
Lending of securities	
Exchange Traded Funds	
Domestic Equity	
International Equity	
Other Equity	
Commodities	
Other	
Subtotal	0
Subtotal	0

NON CURRENT LIABILITIES**PART 1.1**

COMPANY NAME

LICENSE NUMBER

REPORTING PERIOD

Total Liabilities	
Non-Current Liabilities	
Deferred Tax	
Share appreciation right scheme	
Long-term loans (Borrowings)- Long term portion	
Long term portion	
Encumbered Loans - Long term portion	
Unencumbered Loans - Long term portion	
Long-term portion of Finance Lease liability	
Intercompany Account	
Intercompany: Loans from related parties/Loan accounts	
Deferred Revenue	
Post Retirement Benefit liability	
Share based payment liability	
Long term provision for benefits payable	
Unclaimed Benefits	
Withdrawal	
Retirement	
Others	
Stock Exchange Rights	
Provisions	
Provision for Investment Loss	
Other provisions	
ART Profit share	
Non-Current Liabilities	
Subtotal	0

NON CURRENT LIABILITIES**PART 1.2**

COMPANY NAME

LICENSE NUMBER

REPORTING PERIOD

Current Liabilities	0
Accounts Payable	0
Staff costs	
External Audit Fees	
Internal audit fees	
Directors'/Trustees' remuneration	
Namfisa Levy	
Namfisa Penalties	
Transaction Levy	
VAT	
Consulting fees	
Professional Indemnity	
Commission Payable	
Affiliates	
Management Fees	
Administration Fees	
BDA System Accounts	
Provision for rent straightlining	
Uncleared Cheques/ Uncleared EFTs	
Stale Cheques	
Managed Care Fees	
Rental deposits	
Distributions to Unit Portfolio holders	
Disinvestment Not paid	
Income tax liability	
Withholding tax liability	
Sundry Creditors/Suppliers	
Dividends Payable	
Income/Contributions received in advance	
Accrued expenses	
Claims/Benefits Payable	
Death	
Other	
Unclaimed benefits	
Withdrawal	
Retirement	
Others	

Benefits Reported But Not Yet Paid	
Members	
Service Providers	
Long-term loans (Borrowings)-Short term portion	0
Long-term loans (Borrowings)-Short term portion	
Encumbered loans - Short term portion	
Unencumbered loans - Short term portion	
Current portion of Finance Lease liability	
Other current loans	
Roll-over benefit Liability	
Subtotal	0

EQUITY**PART 1**

COMPANY NAME

LICENSE NUMBER

REPORTING PERIOD

Equity	0
Share Capital	0
Share Capital - Ordinary shares	
Share Capital - Preference shares	0
Redeemable	
Non-redeemable	
Cumulative	
Non-cumulative	
Callable	
Convertible	
Non-Convertible	
Guaranteed	
Participating	
Non-Participating	
Adjusted Rate	
Other	
Share Premium	0
Share Premium Ordinary Shares	
Share Premium Preference Shares	
Directors' loan accounts	
Reserve Accounts	0
General Reserve (Insurer to input closing balance)	
Contingency reserve (Insurer to input closing balance)	
Revaluation reserve (Insurer to input closing balance)	
Distributable Reserves/Retained earnings/ (Accumulated losses)	0
Distributable Reserves	
Opening balance	
Net Profit/(Loss) Record loss as a minus	
Dividends declared	
Transfers to retained earnings	
Transfers from retained earnings	
Other movements in retained earnings	
Non-Distributable Reserves	
Equity settled share based payment reserve	

Other Reserves	
Retained earnings (Losses)/ Accumulated Profits/ Accumulated Funds (Deficits)	0
Guarantee Fund	
Insurance Fund	
Active Members' Accounts	
Deferred Pensioners' Accounts	
Pensioners Accounts	
Accumulated Funds/Accumulated Profits	
Founder members' contributions	
Stockbroking member's rights	
Partners' capital	
General Partner	
Limited Partner	
Subtotal	0

Validation

COMPANY NAME

LICENSE NUMBER

REPORTING PERIOD

Assets	0
Noncurrent Assets	0
Noncurrent Investments -Namibia	
Noncurrent Investments-Offshore	
Current Assets	
Current Investments -Namibia	
Current Investments -Offshore	
Technical Assets	
Liabilities	0
Non-current Liabilities	0
Current Liabilities	0
Technical Liabilities	
Capital	0
	0

Attachments

Company Name:

License Number:

Reporting Period

File/Document Name	Upload
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Additional Financial Information:
Part 14: Micro Lending

3.4.6. Additional Financial Information

Company Name:

License Number:

Reporting Period

Description	AMOUNT N\$'000
Total value of Loan Book at Beginning of reporting period	
Loan disbursement breakdown	
N\$ of loans/Length of period 1 month	
N\$ of loans/Length of period 2 months	
N\$ of loans/Length of period 3 months	
N\$ of loans/Length of period 4 months	
N\$ of loans/Length of period 5 months	
N\$ of loans/Length of period 6 months	
N\$ of loans/Length of period 12 months	
N\$ of loans/Length of period 24 months	
N\$ of loans/Length of period 36 months	
N\$ of loans/Length of period 48 months	
N\$ of loans/Length of period 60 months	
Other Fees Charged to Borrowers during the quarter	
NAMFISA Levies	
Stamp Duties	
Insurance	
Other Fees (Specify) :	
Interest Charged on loans outstanding at the end of the quarter	
Total value of repayment received in reporting period	
Repayment by payroll deduction	
Repayment by debit orders	
Repayment by cash collection	
Other repayment method (Specify):	
Movement in Provision for Bad debts	
Provision for Bad debts, Beginning of period	
Loans written Off, during the period	

Provision for Bad debts, during the period	
Provision for bad debts, End of period	
Total value of Loan Book at end of reporting period	
Current	
Loans in arrears 30 - 60 days	
Loans in arrears 60 - 90 days	
Loans in arrears 90 - 120 days	
Loans in arrears for more than 120 days	

Additional Financial Information:
Part 15 : MicroLending

**3.4.7. Additional Financial
 Information**

Company Name:

License Number:

Reporting Period

	Total Value of loans by range (N\$)	N\$1 - 10,000	N\$10,001 - 20,000	N\$20,001 - 30,000	N\$30,001 - 40,000	N\$40,001 - 50,000	More than N\$50,001
Loan disbursement breakdown by gender	0	0	0	0	0	0	0
Male	0						
Female	0						
	Total Value of Gross Salaries (N\$)						
Borrower salaries by gender	0	0	0	0	0	0	0
Male borrowers	0						
Female borrowers	0						

Attachments

Company Name:

License Number:

Reporting Period

File/Document Name	Upload
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Non - Financial Information: Part 6: Governance**Part 6.1**

Company Name:

License Number:

Reporting Period

Governance	
Number of persons serving on the Board of Trustees & Directors/ Management Committee	
Employer Elected (Pension Fund Representatives)	
Employee Elected (Pension Fund Representatives)	
Independent Trustees	
Sponsor Elected (UIM representatives)	
Alternate Trustees	
Other Trustees (Non pension investor representatives)	
executive	
non-executive	
independent	
non-independent	
Number of Board Meetings	0
Annual General Meeting	
Ordinary Board Meetings	
Investment Committee Meetings	
Death Benefit Committee Meetings	
Audit & Risk Management Committee Meeting	
Other sub-committee meetings	
Other Board Meetings	

Non - Financial Information: Part 6: Governance**Part 6.2**

Company Name:

License Number:

Reporting Period

Number of Trustees & Directors	
Number of Trustees & Directors	
0 - 2 years	
3 - 4 years	
5 - 6 years	
7 - 8 years	
more than 8 years	
1 - 8 yrs	
executive	
non-executive	
independent	
non-independent	
8 < yrs	
executive	
non-executive	
independent	
non-independent	
Number of employees	0
permanent	
temporary	

Non - Financial Information: Part 7: Micro Lending**Part 7.1**

Company Name:

License Number:

Reporting Period

	Number
Complaints statistics	0
Number of Complaints lodged	0
Resolved	0
In favour of the Regulated entity	
In favour of the Complainant	
Unresolved complaints	
Number of debtors outstanding	0
Total number of loans disbursed during the period	
Number of clients	
Total number of clients in book at last day of reporting period (Active Clients)	
Number of loans outstanding	0
Current loans	
Loans in arrears	
Loan disbursement breakdown by number	0
Length of repayment period between 1 to 30 days	
Length of repayment period between 2 months	
Length of repayment period between 3 months	
Length of repayment period between 4 months	
Length of repayment period between 5 months	
Length of period from 6 months < 12 months	
Length of period from 12 months < 24 months	
Length of period from 24 months < 36 months	
Length of period from 36 months < 48 months	
Length of period from 48 months < 60 months	
Length of period from 60 months	

Non - Financial Information: Part 7: Micro Lending**Part 7.2**

Company Name:

License Number:

Reporting Period

	Total Number of loans by range	Number of loans from	Number of loans from	Number of loans from	Number of loans from	Number of loans from	Number of loans from	Number of loans from
		N\$1 - 10,000	N\$10,001 - 20,000	N\$20,001 - 30,000	N\$30,001 - 40,000	N\$40,001 - 50,000	N\$50,001 - N\$100 000	N\$100 000
Loan disbursement break-down by gender	0	0	0	0	0	0	0	0
Male	0							
Female	0							
	Total Number of Gross Salaries by range							
Borrower salaries by gender	0	0	0	0	0	0	0	0
Male borrowers	0							
Female borrowers	0							

Non - Financial Information: Part 7: Micro Lending**Part 7.3**

Company Name:

License Number:

Reporting Period

	Number
Number of loans by purpose	0
Business	
Housing	
Education	
Furniture	
Consumption	
Other uses	
Number of Loans per collection method	0
Payroll deduction	
Debit order deduction	
Cash Collection	
Other methods of Collection	
Loans written off and rescheduled	0
Number of loans written off as bad debt	
Number of loans rescheduled	
Number of loans secured and unsecured	0
Secured loans	
Unsecured loans	
Number of outlets (Branches)	
Lender's involvement in any other type of business	0
Sale of furniture	
Cash converting	
Insurance	
Debt collection	
Other (specify)	
Other	

Attachments

Company Name:

License Number:

Reporting Period

File/Document Name	Upload
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Declaration**DEC**

Company Name:

Reporting Period

File/Document Name	Upload
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By signing this document I confirm that all the above information is true and accurate and be relied on and that I will disclose all necessary material information that may be required by NAMFISA. I also confirm that I have completed the form based on NAMFISA standards.

SIGNED ON BEHALF OF THE BOARD OF DIRECTORS/MEMBERS/PARTNERS/TRUSTEES

Name:

Capacity:

Name:

For completion once the form is printed

Attach Monthly Management Reports:

MICROLENDING ACT, 2018
THE FORM AND CONTENT OF THE AFFORDABILITY ASSESSMENT
STANDARD ML.S.4

issued by NAMFISA under section 35(1) of the Microlending Act, 2018

1. Definitions

- (1) In this Standard—
- (a) “Act” means the Microlending Act, 2018, including the regulations made thereunder, and the standards issued by NAMFISA under the Act; and
 - (b) “discretionary income” means—
 - (i) the loan applicant or borrower’s total gross income; minus
 - (ii) statutory deductions; minus
 - (iii) deductions effected by employer(s) as a condition of employment; minus
 - (iv) deductions ordered by a competent court; minus
 - (v) other financial obligations as may appear from the loan applicant or borrower’s credit records; minus
 - (vi) the total costs of the basic necessities of life as calculated under Part 4 of Schedule 1 attached to this Standard.
- (2) Words and phrases defined in the Act have the same meaning in this Standard, unless the context indicates otherwise, including, without limitation, the following as defined in section 1 of the Act:
- (a) borrower;
 - (b) finance charges;
 - (c) loan amount;
 - (d) microlender; and
 - (e) microlending transaction.

2. Applicability

This Standard is applicable to all microlenders registered under the Act and to every microlending transaction concluded.

3. Requirements for affordability assessment

- (1) No microlender may enter into a microlending transaction with any loan applicant or borrower or provide a loan to any loan applicant or borrower unless an affordability assessment, based on and containing at least the detail of the form set out under Schedule 1 attached to this Standard, clearly

demonstrates the loan applicant or borrower's ability to repay the loan and the finance charges, taking into consideration the loan applicant or borrower's discretionary income and all other existing financial obligations.

- (2) No microlender may enter into a microlending transaction with any loan applicant or borrower or provide a loan where, in terms of the affordability assessment, the amount of the repayment of the loan exceeds 50 percent of the loan applicant or borrower's monthly discretionary income.

4. Form and content of the affordability assessment

The form and content of the affordability assessment to be performed by a microlender in respect of each microlending transaction, is set out under Schedule 1 attached to this Standard.

SUPPORTING SCHEDULE

The following supporting schedule is attached to and form part of this Standard:

Schedule 1: Affordability assessment form and content

Schedule 1**AFFORDABILITY ASSESSMENT FORM AND CONTENT**

PART 1: PERSONAL INFORMATION OF THE LOAN APPLICANT / BORROWER	
Full names and surname	
Identity number	
Physical Address	
Postal Address	
Telephone Number (work)	
Telephone Number (home)	
Cellphone Number	
E-mail address	
Number of dependants <ul style="list-style-type: none"> •Minor children •Major children who are unemployed or studying •Spouse / partner •Parents, grandparents •Grandchildren, foster children •Other persons who are financially dependent on the loan applicant/borrower 	
Name(s) of Employer(s) (if any)	
Address(es) of Employer(s) (if any)	
If not formally employed or being self-employed, specify source(s) of income	
PART 2: GROSS TOTAL INCOME OF LOAN APPLICANT/BORROWER	
Income from formal employment (Please attach proof of income, in the form of a payslip and 3 months' bank statements)	
Income from informal employment, or being self-employed (Please attach proof of income, in the form of relevant source documents and/or 3 months' bank statements)	
Maintenance payment(s) received	

Any other source of income not specified already	
<u>A: GROSS TOTAL INCOME</u>	N\$
PART 3: DEDUCTIONS	
STATUTORY DEDUCTIONS	
Tax	
Social Security	
Other statutory deduction(s)	
DEDUCTIONS EFFECTED BY EMPLOYER(S) AS A CONDITION OF EMPLOYMENT	
Medical aid, medical insurance or hospital plan premium(s) or contribution(s) or similar deductions	
Pension fund contribution(s) or retirement fund annuity payment(s) or similar deductions	
Housing allowance(s) or housing loan(s) or similar deductions	
Vehicle allowance(s), transport allowance(s) or transport costs or similar deductions	
Other deduction(s) as a condition of employment not specified already	
DEDUCTIONS ORDERED BY A COMPETENT COURT	
Maintenance order(s)	
Emolument Attachment order(s) ¹ 1. 2. 3. 4. 5.	
Garnishee order(s) ² 1. 2. 3. 4. 5.	
Other deduction(s) as a result of Court orders not specified already	
OTHER FINANCIAL OBLIGATIONS AS MAY APPEAR FROM THE LOAN APPLICANT/ BORROWER'S CREDIT RECORD(S)	
Name of creditor • Instalment • Amount outstanding	
<u>B: TOTAL PART 3:</u>	N\$
PART 4: COSTS OF BASIC NECESSITIES OF LIFE	
Mortgage bond(s), housing loan(s) or rent or similar costs in respect of self and dependants (if not previously accounted for)	

Vehicle payment(s), taxi fees in respect of self and dependants	
Fuel costs in respect of self and dependants	
Costs of utilities such as – <ul style="list-style-type: none"> • Water • Electricity • Rates and taxes owed to the Municipality, Town or Village Council, in respect of self and dependants	
Food and groceries for self and dependants	
School fees, day care costs, expenses in respect of school-going children, study fees, expenses in respect of students	
Clothing for self and dependants	
Any other basic necessities of life not specified already	
C: TOTAL PART 4:	N\$
<u>TOTAL DISCRETIONARY INCOME (A MINUS B MINUS C):</u>	N\$
PART 5: ANY OTHER FINANCIAL COMMITMENTS / OBLIGATIONS NOT ACCOUNTED FOR ALREADY	
Retail credit account(s) and/or other items bought on credit (except motor vehicles and immovable property(ies))	
Clothing accounts(s)	
Vehicle and/or Housing Insurance premium(s)	
Funeral insurance, legal insurance, contribution(s) towards retirement funds or annuities, life insurance or similar costs	
Cellphone costs or cellphone contractual costs	
Television service subscription(s)	
Security services	
Costs or expenses in respect of domestic and/or garden services	
Other	

D: TOTAL PART 5:	N\$
<u>TOTAL DISPOSABLE INCOME (TOTAL DISCRETIONARY INCOME MINUS PART D EXPENSES)</u>	N\$
DECLARATION BY LOAN APPLICANT / BORROWER	
<p>1. I undertake to comply with all requests for information or documentation from the microlender to assist him/her to evaluate my state of indebtedness.</p> <p>2. I hereby consent to the submission of my information to registered credit bureaus by the microlender.</p> <p>3. I also consent that the microlender may obtain my credit record from any/all registered credit bureaus and any other person or institution.</p> <p>4. I confirm that the information disclosed to the microlender for purposes of the affordability assessment is, to the best of my knowledge, true and correct.</p> <p>5. I confirm that the microlender has explained the purpose of the affordability assessment to me in a language that I understand.</p> <p>Signed at _____ [<i>name of place</i>] _____ on this _____ [<i>date</i>] _____ day of _____ [<i>month and year</i>].</p> <p>_____ Loan applicant / Borrower's signature</p> <p>_____ On behalf of the microlender</p> <p>_____ Capacity/Position/Job Title</p>	

¹ An emolument attachment order is a court order whereby the judgment creditor is able to attach a portion of the remuneration of the judgment debtor (employee); plainly, this means that a debt can be deducted from an employee's salary or wages.

² A garnishee order refers to the attachment of a debt owed to the employee by a third party, and it is usually a once-off arrangement.

MICROLENDING ACT, 2018
THE TERMS AND CONDITIONS OF THE STANDARD LOAN AGREEMENT
STANDARD ML.S.5

issued by NAMFISA under section 35(1) of the Microlending Act, 2018

1. Definitions

- (1) In this Standard, “Act” means the Microlending Act, 2018, including the regulations made thereunder, and the standards issued by NAMFISA under the Act.
- (2) Words and phrases defined in the Act have the same meaning in this Standard, unless the context indicates otherwise, including, without limitation, the following, as defined in section 1 of the Act:
 - (a) borrower;
 - (b) finance charges;
 - (c) loan agreement;
 - (d) loan amount;
 - (e) microlender;
 - (f) microlending transactions; and
 - (g) NAMFISA.

2. Applicability

This Standard is applicable to all microlenders registered under the Act.

3. Terms of standard loan agreement

- (1) The standard written loan agreement to be used in respect of every microlending transaction must, at a minimum, provide –
 - (a) the principal debt in Namibia Dollars and cents;
 - (b) the total amount repayable in Namibia Dollars and cents at the then current interest rate, over the repayment period;
 - (c) the amount of finance charges in Namibia Dollars and cents at the applicable rate, over the repayment period and the elements comprising the finance charges;
 - (d) the finance charge rate, whether this is fixed or variable and, if variable, how it may vary;
 - (e) the nature and amount of any insurance, if required, including the name of the insurer and the amount of the premiums payable;

- (f) the penalty interest and any additional costs that would become payable to the microlender in the case of default by the loan applicant / borrower and how that would be calculated;
- (g) the instalment amount in Namibia Dollars and cents, at the then current interest rate, and the number of instalments;
- (h) the period of the microlending transaction;
- (i) any other costs and expenses;
- (j) that the microlender may not, without the express consent of the loan applicant / borrower and apart from disclosing relevant information to a registered credit bureau, disclose any confidential information obtained in the course of a microlending transaction other than if it is required by a court order from a court with competent jurisdiction;
- (k) that the microlender may not, without the express written consent of the loan applicant / borrower, obtain from or to disclose to a third party, other than a registered credit bureau, the loan applicant / borrower's credit record and payment history;
- (l) that the microlender may not collect or attempt to collect legal costs in excess of costs allowed on a party and party scale in terms of the Magistrates' Courts Act, 1944 (Act No. 32 of 1944) or the High Court Act, 1990 (Act No. 16 of 1990);
- (m) that any consent to judgment forms or emolument attachment orders obtained prior to the borrower defaulting, is considered void and not enforceable;
- (n) that complaints which cannot be resolved between the microlender and the borrower should be referred to the Financial Services Adjudicator or NAMFISA;
- (o) that the borrower may cancel the microlending transaction within three (3) business days after signing of the loan agreement, provided that the loan amount and pro rata finance charges in terms of section 26(2) at the rate applicable to that microlending transaction, be repaid simultaneously;
- (p) that the borrower may make additional payments or settle the outstanding balance early in one or more payments without any penalties being levied for early settlement and that the microlender may, in such event, only stipulate for demand or receive from the borrower pro rata finance charges at the rate applicable to that microlending transaction;
- (q) that no addition to or variation of the agreement shall be of any force and effect unless the change reduces the borrower's liabilities under the agreement or the change is recorded in writing and signed by both parties; and

- (r) that the agreement shall be governed in all respects by the laws of the Republic of Namibia.
- (2) The standard loan agreement referred to in subclause (1) above must be drafted in plain language.

4. Prohibited terms

A standard written loan agreement must not contain any provision –

- (a) that waives or renounces any common law rights or remedies that are available to the borrower, including, *exception errore calculi* (an objection to the effect that a mistake was made in the calculation of the amount due), *exception non numerate pecuniae* (an objection to the effect that no money was paid over to the debtor), *exception non causa debiti* (an objection to the effect that there is no actionable debt);
- (b) that directly or indirectly purports to avoid a microlender's obligations in terms of the Act; or
- (c) that is in conflict with any provision of the Act.

5. Plain language requirement

- (1) To comply with the plain language requirement, a standard loan agreement must:
 - (a) be aimed at the specific borrower;
 - (b) use everyday, ordinary words and not contain complicated words or terms;
 - (c) avoid legal or technical terms or jargon or abbreviations without proper explanations;
 - (d) have short sentences and paragraphs;
 - (e) use active verbs;
 - (f) use a friendly tone, i.e. be in the first person;
 - (g) have clear headings to guide borrowers (where appropriate);
 - (h) use at least a 12-point font or typeface; and
 - (i) be short and to the point.
 - (2) In ensuring that the loan agreement meets the plain language requirements, a microlender must:
 - (a) read the loan agreement before making it available to borrowers;
 - (b) include a glossary of terms (where appropriate);
 - (c) use clear and simple design (including space, left-aligned body text, clever colour use, photos to illustrate text, where necessary or appropriate); and
 - (d) obtain the loan applicant or borrower's confirmation that the terms and conditions of the loan agreement was explained to him or her in a language that he or she understands.
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