

URGENT

REPUBLIKA Y'U RWANDA



MINISITERI Y'UBUTABERA
P.O. BOX 160 KIGALI

fec
bimenyeshwe bairubane
v kuri website
v kuri whatsapp
v Affichage ku Rugaga
Ababonye nyo msg banyemeye
abandi ruba-
23/01

Kigali, ... 21 JAN 2019

N° 2.11/0.8.7/TG/DGCS

FOR RECEPTION
BY PBA
Date 22.01.2019
Signature
Name

Perezida w'Urugaga rw'Abahesha b'Inkiko b'Umwuga
KIGALI

Impamvu: Kubamenyeshya konti izajya ishyirwaho ubwishyu bukomoka ku irangizwa ry'imanza

Bwana Perezida,

Nshingiye ku Itegeko n° 22/2018 ryo ku wa 29/04/2018 ryerekeye imiburanishirize y'imanza z'imbonezamubano, iz'ubucuruzi, iz'umurimo n'iz'ubutegetsi, cyane cyane ingingo yaryo ya 261 iteganya ko uwaguze yishyura ako kanya, bitaba ibyo, akishyura mu gihe kitarenze umunsi umwe (1) w'akazi ukurikira cyamunara. Umuhesha w'Inkiko ahita yishyura uberewemo umwenda, agashyira ubwishyu kuri konti yamumenyeshaje, itaboneka, agashyirwa kuri konti yagenwe na Minisitiri ufite ubutabera mu nshingano ze, ari nayo ishyirwaho arenze kuyavuye muri iyo cyamunara;

Nejewe no kukumenyeshya ko mu gihe umuhesha w'inkiko atamenyeshajwe n'uberewemo umwenda konti ashiraho amafaranga y'ubwishyu bukomoka ku irangizwa ry'imanza, azajya ayashyira kuri konti isanzwe n° 000400696575429 iri muri Banki ya Kigali (BK), yitwa «MINIJUST-AUCTION FUNDS», icungwa na Minisitiri y'Ubutabera.

Itangazo n'amabwiriza agenga ikoreshwa ry'iyi konti biri ku mugereka w'iyi baruwa no ku rubuga rwa Minisitiri y'Ubutabera: www.minijust.gov.rw.

Ugire amahoro.

For *[Signature]*



BUSINGYE Johnston
Minisitiri w'Ubutabera/Intumwa Nkuru ya Leta

MUKESHIMANA Béata
Permanent Secretary/Solicitor General

Bimenyeshajwe:

Madamu Umunyamabanga Mukuru mu Rukiko rw'Ikirenga
KIGALI

REPUBULIKA Y'U RWANDA



MINISITERI Y'UBUTABERA
B.P. 160 KIGALI

ITANGAZO

MINISITIRI W'UBUTABERA/INTUMWA NKURU YA LETA, ASHINGIYE KU NGINGO YA 261 Y'ITEGEKO N° 22/2018 RYO KUWA 29/04/2018 RYEREKEYE IMIBURANISHIRIZE Y'IMANZA Z'IMBONEZAMUBANO, IZ'UBUCURUZI, IZ'UMURIMO N'IZ'UBUTEGETSI;

ARAMENYESHA ABANTU BOSE N'ABAHESHA B'INKIKO BY'UMWIHARIKO, KO MU GIHE CY'IRANGIZWA RY'URUBANZA UMUHESHA W'INKIKO AZAJYA ASHYIRA UBWISHYU KURI KONTI YAMENYESHEJWE N'UBEREWEMO UMWENDA, ITABONEKA AGASHYIRA UBWO BWISHYU KURI KONTI IFITE N° 00040 06965754 29/ RWF IRI MURI BANKI YA KIGALI (BK) YANDITSE KURI KONTI "MINIJUST-AUCTION FUNDS" ICUNGWA NA MINISITERI Y'UBUTABERA.

ABAHESHA B'INKIKO BARASABWA KANDI KUBAHIRIZA AMABWIRIZA ABONEKA KU MBUGA ZIKURIKIRA:

- URW'URUKIKO RW'IKIRENGA: www.judiciary.gov.rw ;
- MINISITERI Y'UBUTABERA: www.minijust.gov.rw ;
- MINISITERI Y'UBUTEGETSI BW'IGIHUGU: www.minaloc.gov.rw ;
- URUGAGA RW'ABAVOKA: www.rwandabar.org.rw ;
- URUGAGA RW'ABAHESHA B'INKIKO B'UMWUGA: www.pba-co.org .

ICYITONDERWA: KUGIRA NGO UMUHESHA W'INKIKO ABASHE GUSHYIRA AMAFARANGA KURI KONTI YAVUZWE HARUGURU, AGOMBA KUBA AFITE ICYEMEZO AKURA MURI "IECMS".

Bikorewe i Kigali, ku wa 17 Mutarama 2019

BUSINGYE Johnston

Minisitiri w'Ubutabera/Intumwa Nkuru ya Leta

REPUBLIC OF RWANDA



MINISTRY OF JUSTICE
P.O. BOX 160 KIGALI



GUIDELINES FOR THE MANAGEMENT OF BANK ACCOUNTS RECEIVING MONEY FROM PUBLIC AUCTION

PREAMBLE

Pursuant to Law N° 22/2018 of 29/04/2018 relating to the Civil, Commercial, Labour and Administrative Procedure, especially Article 261 (Paragraph 3) which states that *the purchaser makes payment immediately or within one (1) working day after the auction. The court bailiff immediately pays the creditor's debt and the payment is made into a bank account given by the creditor if any, or the bank Account determined by the Minister in charge of Justice. The balance is also deposited in the bank account determined by the Minister.*

Given the fact that there is need to put in place guidelines that will facilitate the management of the opened bank Accounts to receive the money from auctions;

THE FOLLOWING HAS BEEN SET TO GUIDE THE MANAGEMENT:

Article 1: Two Bank Accounts to be opened

Two bank accounts are respectively opened with a designated Commercial Bank and the National Bank of Rwanda. Both accounts will host the funds resulting from auctioning price until they are claimed by beneficiaries.

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Article 2: Management of Accounts

For the proper management of the new account(s), the following should be respected:

1. The account opened with a designated Commercial Bank will solely be a transit account from which funds will be transferred weekly to the Account opened with the National Bank of Rwanda;
2. Court Bailiffs and other persons legally empowered to execute judgements or other Executory Orders are allowed to deposit or transfer funds which creditors refuse or were not available to receive from the execution of judgments or other Executory Orders;
3. Except the periodic transfers done to the account opened with the National Bank of Rwanda, no other transactions are allowed on the account opened with the designated commercial bank;
4. Each Deposit/Transfer should specify the following:
 - a) Names of the depositor;
 - b) The amount and date;
 - c) The reason for the deposit (Reference number of the Court Judgement or another decision that led to Auction);
 - d) Names of the intended beneficiaries
 - e) The amount for each beneficiary.
5. The deposit or transfer by Bailiffs should be done only on the Account opened with the Commercial Bank and are required to specify the Purpose of the Deposit and the beneficiary of the deposited Money. Additionally they are required to submit to the Ministry of Justice the bank deposit slips and a copy of the executed decision or Judgment.

Deposits or transfers of the Money from Auctions conducted through IECMS shall be made using the token generated from IECMS.

6. Transfer from Commercial Bank Account to the Account opened with the National Bank of Rwanda should be made every Monday to ensure that the money to be refunded is paid without delay.

Article 3: Signatories

Each of the above Accounts shall have three signatories designated from the Ministry of Justice staff and any transaction on each of them shall require two joint signatories.



Article 4: Disbursement to the Beneficiary

Disbursement shall be made upon request by the beneficiary or the Court Bailiff that conducted the auction. The request should specify the amount requested for, the names of the beneficiary of the requested money, the bank Account to which the money shall be transferred and attach a report of the auction together with the court judgment or Decision that was executed.

Article 5: Amendment of the Guidelines

These guidelines may be amended by the Ministry of Justice as need may arise.

Done at Kigali, on ... 27 NOV 2018



BUSINGYE Johnston
Minister of Justice/Attorney General