

NOTES ON THE COMPLETION OF THE APPLICATION FORMS

The explanatory notes are intended to give further guidance to the completion of the application forms. It is deemed that further guidance is necessary for certain items. These include:

1. **First Schedule: “Application for a licence to carry out the deposit-taking business” Form**

1.1 Item Number 1: Type of Business Applied For

State whether the licence being applied for is to carry out the deposit-taking business in Kenya as either a Community Microfinance Institution or Nationwide Microfinance Institution

1.2 Item Number 3: Physical Address

These details should be submitted to the Central Bank as soon as the permanent physical location is known, if it is unknown at the time of application.

1.3 Item Number 6: Names of Branches

This item should be completed by:

- a) A legal person incorporated in Kenya operating under any law other than the Microfinance Act, and is seeking to be licensed to operate under the Act.
- b) A foreign incorporated institution wishing to establish a subsidiary to be licensed under the Act.

1.4 Item Number 8: Particulars of Shareholding

In case of institutions incorporated outside Kenya:

- a) The term ‘shareholder’ refers to the person(s) proposing to have share capital to the Kenya subsidiary for which the licence is being applied.
- b) This item is also to be used for the provision of information on the proposed ownership capital for the Kenya subsidiary.

1.5 Item Number 9: Particulars of Officers

In the completion of this item:

- a) The term 'officer' should be used as defined in Section 2 of the Act.
- b) The officers referred to are those proposed or already engaged by the institution.
- c) Where the institution is proposing to or has entered into a management agreement with another entity, details of the senior persons from the said entity heading or proposed to head the management team should be given.

1.6 Item No. 9: Nationality

Nationality and how it was acquired

- a) State your current nationality and indicate whether it was acquired through birth, marriage or naturalization.
- b) Present occupation, employer, position held and address. This item will only apply in case of non-executive directors, significant shareholders and other officers who are yet to join the institution but have been proposed to take up positions when the institution starts operations.

Item No. 10-16 to be completed as per attached forms which are self-explanatory.

2. Second Schedule: Form 2(a) - "Fit and Proper" Forms for Officers/ Directors

This should be completed by all persons proposed as officers of the institution, specifically the following officers: the chief executive officer and deputy chief executive officer if any or the equivalent by whatever title they are called by the institution or any other officer as may be determined by the central Bank.

3. Second Schedule: Form 2(b) - "Fit and Proper" Form for Significant Shareholders

This should be completed by all persons proposing to set up an institution or are about to acquire or intend to acquire a significant stake in the shares of an institution.