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Banking (Processing and Licence Fees) Regulations 2015

GN 1/2016

Government Gazette of Mauritius No. 1 of 7 January 2016

THE BANKING ACT

Regulations made by the Bank of Mauritius, with the approval of the Minister, under sections 5(4)(h), 7(7A), 8, 11A(3)(a) and (c), 12(4), 14(2)(b)(5), 14B(2)(b)(4), 14D(1)(b), 14E (1) (b) and 32A (1) of the Banking Act

1. These regulations may be cited as the **Banking (Processing and Licence Fees) Regulations 2015**.
2. In these regulations -

“Act” means the Banking Act;

“annual programme of issuance” means a 12 months programme submitted by an eligible institution intending to issue money market instruments, at the time of an application for an issuer of money market instrument licence, showing the details of the money market instruments it intends to issue over that period;

"exceptional event" means an event of a systemic nature that is outside the reasonable control of a financial institution;

"reduced business activity" means a reduction of at least 25 per cent in annual turnover compared to the same period in the previous year.

Amended by [\[GN No. 36 of 2019\]](#); [\[GN No. 121 of 2021\]](#)

3. (1) For the purpose of sections 5(4)(h) and 8 of the Act, the processing fee payable in respect of an application for a banking licence and the annual licence fee payable by the holder

of a banking licence shall be as specified in Part I of the Schedule.

(2) (a) Subject to subparagraph (b), where the central bank approves an application of a bank for the opening of any other branch or office, the bank shall, at the time the approval is given, pay the applicable licence fee as specified in Part I of the Schedule for every branch or office, on a pro-rated basis calculated as from the date of the approval to the next 30 June.

(b) The licence fee payable by a bank in respect of its branches or offices shall, irrespective of the number of branches or offices approved by the central bank, not exceed 2 million rupees.

4. For the purpose of section 7(7A) (b) of the Act, a bank shall —

(a) in respect of an application for an approval under that section, pay the processing fee specified in Part II of the Schedule;

(b) on being granted an approval under that section by the central bank, pay the annual licence fee specified in Part II of the Schedule.

5. For the purpose of section 8 of the Act, the annual licence fee payable to the central bank by the holder of a specialised financial institution licence issued under section 11B of the Act shall be as specified in Part III of the Schedule.

6. For the purpose of section 11A (3) of the Act, the processing fee payable in respect of an application for an authorisation by a foreign bank for the setting up of a representative office in Mauritius and the annual licence fee payable by a foreign bank in respect of its representative office in Mauritius shall be as specified in Part IV of the Schedule.

7. (1) For the purpose of section 12(4) of the Act, the annual licence fee payable by the holder of a deposit taking business licence shall be as specified in Part V of the Schedule.

(2) Where the central bank approves an application of a non-bank deposit taking institution for the opening of any other place of business, the non-bank deposit taking institution shall, at the time the approval is given, pay the applicable licence fee specified in Part V of the

Schedule for every other place of business, on a pro-rated basis calculated as from the date of the approval to the next 30 June.

8. (1) For the purpose of sections 8 and 14 of the Act, the processing fee payable in respect of an application for and the annual licence fee payable in respect of—

(a) a foreign exchange dealer licence shall be as specified in Part VI of the Schedule; or

(b) a money-changer licence shall be as specified in Part VII of the Schedule.

(2) (a) (i) Subject to subparagraph (ii), where the central bank approves an application by a foreign exchange dealer or money-changer for the opening of any other regular place of business, the foreign exchange dealer or money-changer, as the case may be, shall, at the time the approval is given, pay the applicable licence fee specified in Part VI or VII of the Schedule for every other regular place of business, on a pro-rated basis calculated as from the date of the approval up to the next 30 June.

(ii) Where the central bank approves an application by a foreign exchange dealer or money-changer to conduct foreign exchange business at a place other than the principal or regular place of business, the foreign exchange dealer or money-changer, as the case may be, shall pay the applicable fee specified in Part VI or VII of the Schedule for every day on which foreign exchange business is conducted.

(b) The fee payable under subparagraph (a) (i) by a foreign exchange dealer or money-changer shall, irrespective of the number of other regular places of business, not exceed one million rupees.

9. Deleted by [\[GN No. 121 of 2021\]](#)

10. (1) For the purpose of section 14E of the Act, the processing fee payable in respect of an application for an issuer of money market instrument licence and the licence fee payable by the holder of an issuer of a money market instrument licence shall be as specified in Part XI of the Schedule.

- (2) Notwithstanding regulation 13, where the central bank determines to grant a licence under section 14E of the Act, the licence fee specified in Part XI of the Schedule in respect of the issuer of money market instrument licence for an annual programme of issuance shall be paid at the time of the issue of the licence.

Amended by [\[GN No. 214 of 2016\]](#); [\[GN No. 66 of 2018\]](#); [\[GN No. 36 of 2019\]](#)

11. For the purpose of section 32A(1) of the Act, the processing fee payable by a bank in respect of an application for the transfer of its undertaking shall be as specified in Part X of the Schedule.

12. Any processing fee or annual licence fee referred to in these regulations shall be —

- (a) non-refundable;
- (b) paid to the central bank in Mauritius currency or in any freely convertible currency, calculated at the consolidated average telegraphic transfer buying exchange rate computed by the central bank on the basis of indicative exchange rates of commercial banks prevailing at the date preceding the date of payment to the central bank.

13. (1) Subject to paragraph (2), every existing holder of a licence or approval shall pay the applicable licence fee specified in regulations 3 to 11 —

- (a) at the coming into operation of these regulations; and
- (b) thereafter, on 1 July of each year.

(2) Where the central bank determines to grant a licence or an approval under the Act, the applicant shall, at the time of the issue of the relevant licence or approval, pay the applicable licence fee specified in the Schedule, on a pro-rated basis calculated as from the date of the issue of the licence or approval, as the case may be, up to the next 30 June.

(3) No licence fee or any part thereof, as the central bank may determine, shall be payable by a financial institution where —

- (a) the central bank has, on account of an exceptional event, authorised —
- (i) a temporary cessation of the operations of the financial institution for a period of more than 3 months; or
 - (ii) the closure of one or more branches of the financial institution for a period of more than 3 months; or
- (b) the financial institution is able to demonstrate to the central bank that it has experienced a period of reduced business activities for more than 3 months due to an exceptional event.

(4) Where a financial institution has already paid to the central bank the licence fee or part thereof under paragraph (3), the central bank shall refund to the financial institution that licence fee or part thereof, as the case may be.

Amended by [\[GN No. 121 of 2021\]](#)

14. The Banking (Processing and Licence Fees) Regulations 2007 are revoked.

Made by the Bank of Mauritius, with the approval of the Minister, on 8 December 2015.

SCHEDULE

[Regulations 3, 4, 5, 6, 7, 8, 10 and 11]

PART I - BANKING LICENCE

	(Rs)
1. Processing fee	1,000,000
2. Annual licence fee in respect of -	
(a) the principal place of business of a bank –	
(i) where its total assets are less than 50 billion rupees	3,000,000

(ii) where its total assets are not less than 50 billion rupees nor more than 100 billion rupees	3,500,000
(iii) where its total assets are not less than 100 billion rupees nor more than 150 billion rupees	4,000,000
(iv) where its total assets are not less than 150 billion rupees nor more than 200 billion rupees	4,500,000
(v) where its total assets exceed 200 billion rupees	5,000,000
(b) every other branch or office	100,000

PART II - AGENCY

	(Rs)
1. Processing fee	100,000
2. Annual licence fee	500,000

PART III - SPECIALISED FINANCIAL INSTITUTION LICENCE

Annual licence fee	500,000
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PART IV - REPRESENTATIVE OFFICE OF FOREIGN BANKS

1. Processing fee	100,000
2. Annual Licence fee	200,000

PART V - DEPOSIT TAKING BUSINESS LICENCE

Annual licence fee in respect of –

- | | | |
|----|--|-----------|
| 1. | (a) the principal place of business of a non-bank deposit taking institution - | |
| | (i) where its total assets are less than 5 billion rupees | 2,000,000 |
| | (ii) where its total assets are not less than 5 billion rupees nor more than 10 billion rupees | 2,250,000 |
| | (iii) where its total assets exceed 10 billion rupees | 2,500,000 |
| | (b) every other place of business | 50,000 |

PART VI - FOREIGN EXCHANGE DEALER LICENCE

- | | | |
|----|---|-----------|
| 1. | Processing fee | 200,000 |
| 2. | Annual licence fee in respect of - | |
| | (a) the principal place of business | 1,500,000 |
| | (b) every other regular place of business | 50,000 |
| 3. | Daily fee in respect of a place other than the principal or regular place of business | 2,000 |

PART VII - MONEY-CHANGER LICENCE

- | | | |
|----|---|---------|
| 1. | Processing fee | 100,000 |
| 2. | Annual licence fee in respect of - | |
| | (a) the principal place of business | 500,000 |
| | (b) every other regular place of business | 50,000 |
| 3. | Daily fee in respect of a place other than the principal or regular place of business | 2,000 |

Amended by [\[GN No. 214 of 2016\]](#); [\[GN No. 184 of 2023\]](#)

PART VIII - MONEYLENDER LICENCE – Deleted by [\[GN No. 121 of 2021\]](#)

PART IX - CREDIT UNION LICENCE – Repealed by [\[GN No. 214 of 2016\]](#)

PART X - TRANSFER OF UNDERTAKING BY BANK

Processing fee 500,000

Amended by [\[GN No. 131 of 2024\]](#)

PART XI - ISSUER OF MONEY MARKET INSTRUMENT LICENCE – Amended by [\[GN No. 36 of 2019\]](#)

	(Rs)
1. Processing fee	15,000
2. Licence fee for the issue of money market instruments as per the annual programme of issuance	50,000

Amended by [\[GN No. 66 of 2018\]](#); [\[GN No. 36 of 2019\]](#); [\[GN No. 121 of 2021\]](#)