AMABWIRIZA AKURIKIZWA MU GUFUNGURA NO GUKORESHA KONTI "MOKASH"

1. AMASEZERANO

1.1. Aya Masezerano akubiyemo amabwiriza yose (yitwa "Aya Mabwiriza" mu ngingo zikurikira) agomba gukurikizwa mu gufungura no gukoresha konti MoKash (yitwa "MoKash" mu ngingo zikurikira) wowe ubwawe (witwa "wowe" mu ngingo zikurikira) ufungura muri Banki (yitwa "Banki" mu ngingo zikurikira).

1.2. Aya Masezerano ndetse n'ingingo izo ari zo zose ziyavugurura cyangwa ziyahindura bitangira kubahirizwa ku itariki bitangarijweho.

2. IBISOBANURO BY'AMAGAMBO

2.1. Muri aya Mabwiriza, amagambo n'urusobe rw'amagambo bikurikira (uretse igihe byaba biteganyijwe ukundi) bifite ibisobanuro bikurikira:

2.1.1. **"Konti MoKash**" bivuga konti Umukiriya afungura muri Banki ikaba ishobora no kuba konti yo kuzigama ntakorwaho mu gihe iki n'iki ifungurwa kandi igakoreshwa hakurikijwe aya Mabwiriza.

2.1.2. "**Konti yo Kuzigama ntakorwaho**" bivuga konti yo kuzigama umukiriya afungura muri Banki igafungurwa kandi igakoreshwa hakurikijwe aya Mabwiriza;

2.1.3. **"Ubwizigame bwikora"** bivuga igikorwa umukiriya wa MoKash asaba gukorerwa kugira ngo amafaranga ye abitse mu buryo bw' ikoranabuhanga aba yaragennye mbere y'igihe ajye ava kuri konti ye ya MTN Mobile Money kugira ngo ajye kuri konti ye ya MoKash ku matariki aya n'aya ndetse no mu bihe ibi n'ibi aba yaragennye mbere y'igihe.

2.1.4. "**Banki**" bivuga Commercial Bank of Africa (Rwanda) Limited yashingiwe mu Rwanda ikaba ifite uburyozwe buhinnye kandi ikaba yarashinzwe hakurikijwe amategeko ya Repubulika y'u Rwanda kandi ikaba ifite icyicaro cyayo muri Kigali City Tower (KCT), Avenue du Commerce. Agasanduku k'iposita 6428, Kigali, Rwanda; nimero yayo y'iyandikwa akaba ari: 103709275;

2.1.5. "**Urwego rukora imirimo ijyanye no kwegeranya no guhererekanya amakuru ku myenda**" bivuga Urwego rukora imirimo ijyanye no kwegeranya no guhererekanya amakuru ku myenda rwahawe uruhushya rwo gukora na Banki Nkuru y'u Rwanda hakurikijwe Itegeko n° 16/2010 ryo ku wa 07/05/210 rigena uburyo bw'ihererekanyamakuru ku myenda mu Rwanda kugira ngo rukore imirimo itandukanye harimo iyo gukusanya no guhererekanya amakuuru ku myenda abakiriya bafite;

2.1.6. "**Umukiriya**" bivuga umuntu ufite Konti MoKash muri Banki.

2.1.7. **"Ahatangirwa serivisi ngoboka ku bakiriya**" bivuga ahantu aho ariho hose hacururizwa ibintu MTN RWANDA igurisha ku bakiriya cyangwa se ahandi hantu hose hacururizwa ibintu kandi aho hantu Banki ikaba ishobora kuhamenyesha umukiriya igihe icyo ari cyo cyose.

2.1.8. "**Amafaranga abitse mu buryo koranabuhanga**" bivuga amafaranga adafatika afite agaciro kagaragara mu buryo bw'ikoranabuhanga ikakagaragarira muri konti yawe ya MTN RWANDA Mobile Money kandi ako gaciro kakaba gahagarariye amafaranga afatika binganya agaciro;

2.1.9. **"Ibikoresho"** bivuga ibintu bitandukanye harimo telefoni yawe igendanwa, SIM Card cyangwa/ndetse n'ibindi bikoresho bituma ukoresha Umuyoboro iyo ubikoreshereje hamwe;

2.1.10. "**NIDA**" bivuga Ikigo cy'Igihugu Gishinzwe Irangamuntu cyashyizweho kandi kigacungwa na Minisiteri y'Ubutegetsi bw'Igihugu;

2.1.11. **"Inzira nyifashisho mu kugera kuri konti yo kuzigama ntakorwaho"** bivuga inzira nyifashisho umuntu anyuramo kugira ngo akoreshe konti yo kuzigama ntakorwaho kandi iyo

nzira umuntu akayinyuramo akoresheje Sisitemu ikoreshwa mu kuzigama amafaranga ntakorwaho;

2.1.12. "**Sisitemu ikoreshwa mu gufungura konti yo kuzigama ntakorwaho**" bivuga sisitemu irimo uburyo bukoreshwa mu kohereza ubutumwa cyangwa uburyo nyifashisho buri muri sisitemu ya MoKash umukiriya uri ku muyoboro ashobora kwifashisha kugira ngo akoreshe Konti yo kuzigama ntakorwaho no guha amabwiriza banki;

2.1.13. **"Igihe cy'ubwizigame ntakorwaho"** bivuga igihe kidashobora kujya hasi y'ukwezi kumwe kandi kikaba kitanarenga amezi atandatu (6) cyangwa ikindi gihe icyo ari cyo cyose Banki imenyesha Umukiriya uba wasabyeko amafaranga yabikije ashyirwa kuri konti yo kuzigama kandi muri icyo gihe cyose Umukiriya akaba adashobora gusaba kuyahabwa haseguriwe ingingo z'aya Mabwiriza).

2.1.14. "**Uburyo nyifashisho bwa MoKash**" bivuga uburyo nyifashisho bwa MoKash buri muri sisitemu ya Mobile Money ya MTN Rwanda;

2.1.15. "**Konti ya MTN RWANDA MOBILE MONEY**" bivuga agaciro kagaragaza ingano y'amafaranga ubitse muri Mobile Money agaragara kandi abitswe na MTN RWANDA ku buryo koranabuhanga kandi ukaba uyafite muri sisitemu ya MTN RWANDA MOBILE MONEY igihe icyo ari cyo cyose.

2.1.16. **"Serivisi ya MTN RWANDA MOBILE MONEY "** bivuga serivisi yo kohererezanya no kwishyurana amafaranga itangwa na MTN RWANDA hifashishijwe sisitemu ya MTN RWANDA MOBILE MONEY;

2.1.17. "**Sisitemu ya MTN RWANDA MOBILE MONEY**" bivuga sisitemu ikoreshwa mu Rwanda na MTN RWANDA hagamijwe gutanga serivisi ya MTN RWANDA hifashishijwe Umuyoboro;

2.1.18. "**PIN YA MTN RWANDA MOBILE MONEY"** bivuga nimero yihariye ikuranga ifafwa nka kode y'ibanga wifashisha kugira ngo ugere kuri sisitemu ya MTN RWANDA MOBILE MONEY na konti MoKash yawe kugira ngo ubikoreshe;

2.1.19. **"Umukiriya wa MTN RWANDA MOBILE MONEY**" bivuga umuntu wese wakorewe iyandikwa kugira ngo akoreshe sisitemu ya MTN RWANDA MOBILE MONEY bityo agashobora kohereza no kwakira amafaranga cyangwa kwishyura;

2.1.20. **"Umuyoboro"** bivuga umuyoboro wa telefoni zigendanwa ukoreshwa mu Rwanda na MTN RWANDA;

2.1.21. "**Ubusabe**" bivuga ubusabe cyangwa ibwiriza Banki ihabwa nawe cyangwa bikaba bifatwako ari wowe wayihaye ubwo busabe cyangwa iryo bwiriza binyujijwe mu Muyoboro no muri Sisitemu bityo Banki ikaba ihawe uburenganzira bwo gukora ikintu iki n'iki;

2.1.22. "**MTN RWANDA"** bivuga sosiyete yashingiwe mu Rwanda ikaba ifite uburyozwe buhinnye kandi n'icyicaro cyayo kikaba kiri kuri MTN Center, Nyarutarama. Agasanduku k'iposita 264, Kigali, Rwanda, (ikaba yitwa "MTN" mu ngingo zikurikira).

2.1.23. "**Serivisi**" bivuga serivisi zitandukanye harimo serivisi zitangwa na banki cyangwa ibicuruzwa Banki ishobora kuguha hakurikijwe aya Masezerano cyangwa se ukaba ushobora gufata ifatabuguzi kuri bene izo serivisi na bene ibyo bicuruzwa igihe icyo ari cyo cyose bityo rero ijambo "**Serivisi**" rikaba rishobora gufata ibisobanuro bitandukanye;

2.1.24. **"SIM Card"** bivuga agakarita kariho nimero yihariye iranga umukiriya bityo ikamufasha kugera ku muyoboro no gukoresha sisitemu ya MTN RWANDA MOBILE MONEY iyo agashyize muri telefoni igendanwa;

2.1.25. **“SMS”** bivuga ubutumwa bugufi buba bwanditse maze bukoherezwa kuri telefoni igendanwa hakoreshejwe indi telefoni igendanwa;

2.1.26. “**Sisitemu**” bivuga uburyo bwa serivisi koranabuhanga na porogaramu ya mudasobwa Banki ikoresha kugira ngo ifashe umukiriya guhanahana amakuru na Banki igihe akeneye serivisi. Muri aya Masezerano, Sisitemu na Serivisi bigerwaho hifashishijwe sisitemu ya MTN Rwanda Mobile Money.

2.1.27. “**Ikiguzi cya serivisi”** bivuga amafaranga atandukanye harimo amafaranga ya komisiyo (avugwa mu ngingo ya 5.2.6), amafaranga yishyurwa mu rwego rwo guhindurirwa amafaranga yarengeje igihe mo undi mwenda wishyurwa mu kindi gihe (avugwa mu ngingo ya 5.2.9) ndetse n’andi mafaranga yishyurwa n’atangwa kubera gukoresha Serivisi atangazwa na Banki ku rubuga rwayo rwa interineti ndetse/cyangwa no ku rubuga rwa interineti rwa MTN Rwanda ndetse/cyangwa no mu binyamakuru bisohoka buri munsi mu Rwanda cyangwa se atangazwa hakoreshejwe ubundi buryo Banki ishobora kugena ubwayo. Banki ifite uburenganzira bwo guhindura ikiguzi cya serivisi igihe icyo ari cyo cyose.

2.1.28. “**Twebwe**,” “**cyacu**” na “**twe**,” bivuga Banki ndetse n’abazungura bayo cyangwa abeguriwe uburenganzira bwayo;

2.1.29. "**Wowe**" cyangwa "**cyawe**" bivuga Umukiriya ndetse n’abamuhagarariye.

2.2. “**Umukiriya”** bivuga umuntu wese yaba uw’igitsina gore cyangwa uw’igitsina gabo ndetse n’ikigo;

2.3. Amagambo afite ubuke bitewe n’aho yakoreshejwe aba akubiyemo n’ubwinshi ndetse n’amagambo akubiyemo ubwinshi na yo akaba akubiyemo n’ubuke.

2.4. Imitwe y’ibika yakoreshejwe muri aya Mabwiriza yakoreshejwe mu rwego rwo kunoza imyandikire gusa bityo ikaba ntacyo ishobora guhindura ku ngingo zikubiye muri aya Mabwiriza.

3. KWEMERA AYA MABWIRIZA

3.1. Mbere yo gusaba gufungura Konti MoKash hifashishijwe sisitemu ya MTN RWANDA MOBILE MONEY, ugomba kubanza gusoma neza no gusobanukirwa aya Mabwiriza agenga ikoreshwa n’imikoreshereze bya Konti MoKash.

3.2. Igihe waba utemeye aya Mabwiriza, kanda ahanditse “Decline” ku buryo nyifashisho bwa MoKash.

3.3. Uzafatwa nk’umuntu wasomye aya mabwiriza, akayasobanukirwa kandi akemera kugengwa na yo:

3.3.1. Igihe cyose uzaba ukanze ahanditse “Accept” ku buryo nyifashisho bwa MoKash kuko iyo uhakanze uba wemejeko wasomye aya Mabwiriza, ukayasobanukirwa kandi ukiyemeza no kuyubahiriza; ndetse/cyangwa

3.3.2. Igihe cyose ukoresheje cyangwa ugakomeza gukoresha Konti MoKash.

3.4. Iyo usabye gufungurirwa Konti MoKash muri Banki, uba wemeye kubahiriza aya Mabwiriza no kugengwa na yo muri icyo gihe utanze ubusabe n’igihe cyose azaba ahinduwe, avuguruwe cyangwa asimbuwe n’andi ndetse ukaba ugomba kubahiriza no kugengwa n’andi mabwiriza yose agenga imikoreshereze ya Konti ya MoKash kandi uba unemeyeko aya Mabwiriza atabangamiye uburenganzira Banki ishobora kugira mu rwego rwa Konti ya MoKash bwaba buteganywa n’amategeko cyangwa bwaba buteganyijwe ku bundi buryo.

3.5. Aya Mabwiriza ashobora kuvugururwa, anononsowe, gusimbuzwa n'andi cyangwa guhindurwa na Banki igihe icyo ari cyo cyose kandi igihe cyose ukomeje gukoresha Konti MoKash bifatwako wemeye kugengwa na yo nyuma y'uko avuguruwe, anononsowe, asimbujwe andi cyangwa ahinduwe.

3.6. Uzi nezako kandi wemeye ko Bank iguha Konti ya MoKash hifashishijwe uburyo koranabuhanga gusa kandi wiyemeje gukorana na Banki no gukoresha Konti ya MoKash wifashishije uburyo bw'ikoranabuhanga gusa hifashishijwe uburyo nyifashisho bwa MoKash buri muri sisitemu ya MTN RWANDA MOBILE MONEY. Ikibazo cyose cyangwa impungenge zose wagira ku birebana na Serivisi bishyikirizwa Bank hifashishijwe ahatangirwa serivisi ngoboka ku bakiriya. Mu rwego rwo kwirinda ikibazo cyo gushidikanya gishobora kubaho, wiyemezako kandi ukanemerako udashobora kwemererwa cyangwa guhabwa uburenganzira bwo guhabwa cyangwa gusaba Serivisi zijyanye na Konti ya Mokash ku ishami iryo ari ryo ryose cyangwa ku mashami ayo ari yo yose ya Banki uretse igihe Banki yaba ikoresheje ububasha bwayo busesuye bwo kubikwemerera. Na none kandi wiyemeje kandi wemeye ko ahatangirwa serivisi ngoboka ku bakiriya ba MTN hadafatwa nk'ishami rya Banki cyangwa se nk'ahantu hakorerwa n'uhagarariye Banki mu gutanga serivisi zayo cyangwa mu gukora ibikorwa byayo kandi ko nta na rimwe aho hantu hafatwa gutyo.

4. GUFUNGURA KONTI

4.1. Kugira ngo umuntu afungure Konti ya MoKash ndetse na konti yo kuzigama ntakorwaho muri Banki, agomba kuba afite nibura imyaka 18 y'amavuko kandi akaba ari umukiriya wiyandikishije muri MTN RWANDA MOBILE MONEY kandi akaba akoresha Mobile Money. Banki ifite uburenganzira bwo gusaba MTN RWANDA kugenzura niba Konti wafunguye muri MTN RWANDA MOBILE MONEY ari iy'ukuri koko no kugenzura uko ikoreshwa.

4.2. Ushobora gufungura Konti ya MoKash nyuma y'uko wowe ubwawe ubisabye ukoresheje gusa uburyo bw' ikoranabuhanga wifashishije ibikoresho byawe ukoresheje uburyo nyifashisho bwa MoKash buri muri sisitemu ya MTN RWANDA MOBILE MONEY.

4.3. Uzi nezako kandi wemeyeko Banki ishobora gusaba MTN RWANDA kuyiha amakuru akubiyemo umwirondoro wawe isanzwe ibitse hakurikijwe amasezerano wagiranye na MTN RWANDA kugira ngo uhabwe serivisi n'ibicuruzwa byayo ndetse na serivisi ya MTN RWANDA MOBILE MONEY. Muri ayo makuru harimo nimero ya telefoni yawe, amazina yawe, itariki yawe y'amavuko, nimero z'irangamuntu cyangwa pasiporo byawe ndetse n'andi makuru yose Banki yakenera kugira ngo imenye uwo uri we no kugira ngo yubahirize "amabwiriza asaba ibigo kumenya abakiriya babyo" (ndetse no kumenya "umwirondoro wabo"). Na none kandi wemereye Banki gusaba MTN RWANDA kuyiha amakuru arebana n'uburyo ukoresha Serivisi ya MTN RWANDA MOBILE MONEY na Sisitemu ya MTN RWANDA MOBILE MONEY igihe cyose Banki yaba iyakeneye kugira ngo iguhe Serivisi ("Amakuru yerekeye uburyo ukoresha MTN RWANDA MOBILE MONEY"). Wemeye kandiko MTN RWANDA imenyesha Banki umwirondoro wawe n'amakuru yerekeye uburyo ukoresha MTN RWANDA MOBILE MONEY kandi ukaba wemeyeko Banki yakoresha ayo makuru yerekeye umwirondoro wawe ndetse n'agaragaza uko ukoresha MTN RWANDA MOBILE MONEY.

4.4. Wemeye kandi wemereye Banki guhabwa no gushaka amakuru yerekeye umwirondoro wawe mu kigo cya Leta y'u Rwanda gishinzwe iranganuntu ari cyo NIDA kandi ukaba unemeyeko Leta y'u Rwanda yamenyesha kandi igaha Banki ayo makuru yerekeye umwirondoro wawe.

4.5. Na none kandi wemeye kandi wemereye Banki kugenzura umwirondoro wawe ihawe na MTN RWANDA hakurikijwe ingingo ya 4.3 kugira ngo irebe niba ahura n'amakuru yahawe na Leta y'u Rwanda abitswe na NIDA.

4.6. Banki ifite uburenganzira bwo kugusaba kuyiha andi makuru ku birebana n'ubusabe bwawe bwo gufungurirwa Konti ya MoKash. Iyo udashoboye gutanga ayo makuru mu gihe Banki igennye bishobora gutuma Banki yanga ubusabe bwawe bwo gufungurirwa Konti MoKash.

4.7. Iyo Banki ikwemereye gufungura Konti ya MoKash ibikumenyesha yifashishije ubutumwa bugufi (SMS) yoherezwa kuri nimero ya telefoni igendanwa ikoresha umuyoboro wa MTN RWANDA usanzwe ukoresha muri Konti yawe ya MTN RWANDA MOBILE MONEY. Uzi neza kandi wemeyeko kuba Banki yemeye ubusabe bwawe bwo gufungura Konti MoKash nta na rimwe byafatwa ko hari amasezerano aya n'aya waba ufitanye na MTN RWANDA uretse amabwiriza agenga Konti yawe ya MTN RWANDA MOBILE MONEY igihe icyo ari cyo cyose.

4.8. Banki ifite uburenganzira bwo kwanga ubusabe bwawe bwo gufungura Konti MoKash ndetse ikagira n'uburenganzira busesuye bwo kuyihagarika igihe icyo ari cyo cyose kandi itagaragaje impamvu ifashe icyo cyemezo.

5. UBWOKO BWA KONTI

Hashingiwe ibikubiye muri aya Mabwiriza, gufungura Konti ya MoKash biguha uburenganzira bwo gukoresha konti ya MoKash yo kubitsa no kuzigama (yitwa "Konti yo Kubitsa" mu ngingo zikurikira) ukaba wayoherezaho amafaranga avuye kuri Konti yawe ya MTN RWANDA MOBILE MONEY ndetse/cyangwa ukaba wayibikuzaho amafaranga ukayohereza kuri Konti yawe ya MTN RWANDA MOBILE MONEY ndetse/cyangwa ukaba waguza amafaranga muri Banki ku buryo bukurikira:

5.1. Konti MoKash yo kubitsa no kubikuza

5.1.1. Iyo ufite Konti MoKash ushobora kubitsa cyangwa kubikuza kuri Konti MoKash yawe yo kubitsa no kubikuza ukoresheje uburyo nyifashisho bwa MoKash buri mu Bikoresho byawe. Amafaranga ya komisiyo yishyurwa MTN RWANDA kubera igikorwa gikorewe kuri Konti MoKash yawe igihe icyo ari cyo cyose yishyurwa ku bikorwa byose bikorewe kuri Konti MoKash yawe hifashishijwe Sisitemu ya MTN RWANDA MOBILE MONEY.

5.1.2. Iyo ufite Konti MoKash ushobora kubitsa amafaranga kuri Konti ya MoKash yawe yo kubitsa no kubikuza ukoresheje uburyo nyifashisho bukoreshwa ku bwizigame bwikora buri mu buryo nyifashisho bwa MoKash buri mu bikoresho byawe. Kugira ngo dukure amafaranga kuri konti yawe nta kindi dushingiraho uretse amakuru uba waratanze ku birebana n'umubare w'amafaranga, amatariki n'inshuro ziba zaragaragajwe kandi nta na rimwe Banki cyangwa MTN RWANDA bishobora kuryozwa ikintu iki n'iki cyakozwe hashingiwe ku makuru watanze.

5.1.3. Amafaranga ya komisiyo yishyurwa MTN RWANDA kubera ibikorwa biba bikorewe kuri Konti MoKash igihe icyo ari cyo cyose ni yo yishyurwa ku bikorwa byose bikorewe kuri Konti Mokash hifashishijwe Sisitemu ya MTN RWANDA MOBILE MONEY.

5.1.4. Hashobora gutangwa inyungu kuri Konti ya MoKash nyuma y'ibihe ibi n'ibi ngaruka bigenwa na Banki ndetse/cyangwa n'igihe amatariki aya n'aya yagenwe ageze nyuma yo kubitsa amafaranga kandi iyo nyungu iba igomba gutangwa ku ijanisha Banki ishobora kugena.

5.1. Konti ya MoKash ntakorwaho

5.1.1. Kugira ngo ukoreshe Konti ya MoKash ntakorwaho muri Banki, ugomba kuba uri umukiriya wanditse muri MTN RWANDA ukaba ufite Konti ya MoKash kandi ukaba ugomba kuba ufite Konti yo kuzigama ntakorwaho ikora hakurikijwe ingingo ya 5.2.

5.1.2. Amabwiriza yose Banki ihawe yo gufungura, gucunga no gukoresha Konti yo Kuzigama ntakorwaho, gushyira amafaranga kuri Konti ya MoKash no kuyakuraho mu rwego rwa Konti yo Kuzigama ntakorwaho atangwa hifashishijwe uburyo bw'ikoranabuhanga hifashishijwe uburyo nyifashisho bwa Sisitemu yifashishwa mu rwego rwa konti yo kuzigama.

5.1.3. Kugira ngo Konti yo Kuzigama ntakorwaho yawe itangire gukora, ugomba guhitamo ahanditse "Open Fixed Savings" cyangwa ukanyura ahandi hantu usabwa kunyura kugira ngo ufungure iyo

Konti hagaragara ku buryo nyifashisho bwa Sisitemu ikoreshwa mu rwego rwa konti yo kuzigama ntakorwaho maze ugakura amafaranga kuri Konti ya MoKash yawe isanzwe ukayohereza kuri Konti yo Kuzigama ntakorwaho.

5.1.4. Iyo Konti imaze gutangira gukora kandi no kohereza amafaranga kuri Konti yo Kuzigama ntakorwaho bikaba byakunze, wohererezwa SMS yemezako konti yatangiye gukora kandi ikanemeza amafaranga azigamwe ku ikubitiro n'Igihe konti igomba kumara ari ntakorwaho.

5.1.5. Hashingiwe ku ngingo ya 5.2, ugomba kugumisha kuri konti amafaranga azigamwe ku ikubitiro mu gihe kingana n'igihe konti igomba kumara ari ntakorwaho kikaba kigomba gushira utemerewe kuba wakoresha ayo mafaranga azigamwe ku ikubitiro.

5.1.6. Iyo igihe konti igomba kumara ari ntakorwaho kirangiye, Banki ishyira kuri Konti ya MoKash yawe isanzwe ya mafaranga yazigamwe ku ikubitiro igashyiraho n'inyungu zimaze kwiyongeraho.

5.1.7. Hatabangamiwe ibyavuzwe mu ngingo zibanziriza iyi, ushobora kongera andi mafaranga kuri Konti yo Kuzigama ntakorwaho ukaba wagena ikindi gihe agomba kumara ari ntakorwaho. Ayo mafaranga ushobora kuyafata iyo icyo gihe kirangiye cyangwa se hakurikijwe ibivugwa mu ngingo ya 5.3 y'aya Mabwiriza.

5.1.8. Ikibazo cyose wakifuza kubaza cyangwa iyo hari ikintu utishimiye mu buryo ubu n'ubu bishyikirizwa Banki binyujijwe ahatangirwa serivisi ngoboka ku bakiriya cyangwa ku hadandarizwa serivisi za MTN RWANDA.

5.1.9. Hashingiwe kandi kubivugwa mu ngingo ya 5.2, ushobora guhabwa amafaranga wazigamye ku ikubitiro mbere y'uko igihe agomba kumara ari ntakorwaho kirangira.

5.1.10. Kugira ngo Umukiriya abone amafaranga yazigamye ku ikubitiro mbere y'uko igihe agomba kumara ari ndakorwaho kirangira, abisaba Banki yifashishije uburyo nyifashisho bukoreshwa mu rwego rwa konti zo kuzigama ntakorwaho ibyo akabikora ahitamo ahanditse "Kubikuza amafaranga" cyangwa ahandi handitse ubutumwa nk'ubwo hagaragara ku buryo nyifashisho bwa Sisitemu ikoreshwa mu rwego rwa Konti zo Kuzigama ntakorwaho (bene aho hantu handitse gutyo hitwa "**Kubikuza Amafaranga**")

5.1.11. Banki ishyira kuri Konti MoKash yawe isanzwe amafaranga wazigamye ku ikubitiro hamwe n'inyungu zimaze kwiyongeraho kugeza igihe abikurijwe nyuma y'amasaha mirongo ine n'umunani (48) uhereye igihe umukiriya asabye kwemererwa kubikuza amafaranga hakurikijwe iyi Ngingo.

5.1.12. Iyo ubusabe bwawe bwo kwemererwa kubikuza amafaranga bwemewe, Banki ikohererezа SMS ikumenyeshako amafaranga wazigamye ku ikubitiro ndetse n'inyungu zimaze kwiyongeraho yoherejwe kuri Konti MoKash yawe isanzwe.

5.1.13. Hashingiwe ku ngingo ya 5.2.16 ikurikira, ushobora kureba amafaranga asigaye kuri Konti yawe yo kuzigama ntakorwaho unyuze ahanditse "Kureba amafaranga asigaye" cyangwa se ahandi hantu hateganyijwe kugira ngo hifashishwe mu kumenya amafaranga asigaye hagaragara mu buryo nyifashisho bwa Sisitemu ikoreshwa muri konti zo kuzigama ntakorwaho bugaragara mu Bikoresho byawe. Wohererezwa ubutumwa bunyaruka cyane (USSD) cyangwa SMS ikumenyesha amafaranga asigaye kuri Konti yo kuzigama yawe ntakorwaho.

5.2. Konti ya MoKash yo kuguriza

5.2.1. Iyo ufite Konti ya MoKash ushobora gusaba inguzanyo muri Banki ukoresheje uburyo nyifashisho bwa MoKash buri mu Bikoresho byawe kandi ibyo bigakorwa hashingiwe kuri aya Mabwiriza.

5.2.2. Iyo usabye inguzanyo muri Banki, ubusabe bwawe burasuzumwa kandi ibyo bigakorwa hakurikijwe uburyo Banki isanzwe ikoresha mu gusuzuma ubusabe bw'inguzanyo. Banki ifite uburenganzira busesuye bwo kwemera cyangwa kwanga kuguha iyo nguzanyo kandi nta nshingano ifite zo gutanga impamvu zitumye yanga kuguha iyo nguzanyo igihe ifashe icyemezo cyo kutayiguha.

5.2.3. hashingiwe ku icyemezo cyo kuguha inguzanyo usabye, Banki iguha inguzanyo y'umubare w'amafaranga ugenwa na yo mu bubasha bwayo busesuye ariko na none inguzanyo itangwa ikaba itagomba kuba iri munsi y'amafaranga y'u Rwanda igihumbi (F 1.000/=) kandi akaba atagomba kurenga AMAFARANGA ibihumbi IJANA NA MIRONGO ITANU (F 150.000) cyangwa se akaba angana n'undi mubare uyu n'uyu w'amafaranga utagomba kujya munsi cyangwa kurenga Banki ishobora kugena igihe icyo ari cyo cyose mu bubasha bwayo busesuye (aya mafaranga atanzwe muri ubu buryo yitwa "Inguzanyo").

5.2.4. Inguzanyo uhawe ishyirwa kuri Konti MTN RWANDA MOBILE MONEY yawe uretse amafaranga ashobora gukatwaho bitewe n'amafaranga ya komisiyo asanzwe yishyurwa.

5.2.5. Inguzanyo uhawe uba ugomba kuyishyura mu minsi mirongo itatu (30) isanzwe ibarwa uhereye igihe urekuriwe inguzanyo.

5.2.6. Bitewe n'uko Banki iba iguhaye inguzanyo, ugomba kuyishyura amafaranga ya komisiyo angina na 9% by'inguzanyo uhawe (yitwa "Amafaranga ya komisiyo"). Ayo mafaranga ya komisiyo uyishyura iyo igihe cyo kurangiza kwishyura inguzanyo yose wahawe kigeze kandi akishyurwa aje yiyongera ku nguzanyo.

5.2.7. Mu kwishyura amafaranga yose uba ugomba Banki mu rwego rw'inguzanyo wahawe no mu kwishyura amafaranga ya komisiyo nta kindi ugomba gukoresha Serivisi na Sisitemu bya MTN RWANDA MOBILE MONEY keretse iyo ubyumvikanye ukundi na Banki mu bubasha bwayo busesuye.

5.2.8. Iyo utishyuye inguzanyo yose wahawe mu gihe cy'iminsi mirongo itatu (30) isanzwe ibarwa uhereye igihe warekuriwe inguzanyo, Banki ifata amafaranga yose utari wishyura ikayagira umwenda mushya uhawe harimo n'amafaranga ya komisiyo bityo ukaba ugomba kwishyura uwo mwenda mu kindi gihe cy'iminsi mirongo itatu (30) isanzwe.

5.2.9. Bitewe n'uko Banki iba yirinze kugusaba guhita wishyura amafaranga yarengeje igihe cyo kwishyurwa uba uyigomba mu rwego rw'inguzanyo wahawe bityo ayo mafaranga akavunjwamo indi nguzanyo yishyurwa mu kindi gihe hakurikijwe Ingingo ya 5.2.8, uba ugomba kwishyura ayo mafaranga uyigomba mu rwego rw'inguzanyo wahawe wongeyeho amafaranga ya komisiyo wasabwaga kwishyura ukongeraho n'amafaranga angana na 9% by'amafaranga yarengeje igihe cyo kwishyurwa mu rwego rw'umwenda yishyurwa kubera guhindurirwa amafaranga yarengeje igihe mo undi mwenda wishyurwa mu kindi gihe (yitwa "amafaranga yishyurwa kubera guhindurirwa amafaranga yarengeje igihe cyo kwishyurwa mo undi mwenda wishyurwa mu kindi gihe").

5.2.10. Banki ifite uburenganzira bwo gusesa aya Masezerano no gufunga Konti MoKash yawe hakurikijwe ibikubiye mu ngingo ya 13 kandi bitabangamiye uburenganzira bwayo ubu n'ubu ihabwa n'aya Mabwiriza igihe cyose udashoboye kwishyura Inguzanyo ndetse/cyangwa n'amafaranga ya komisiyo bijyanye mu gihe cy'iminsi mirongo itandatu (60) ibarwa uhereye igihe urekuriwe Inguzanyo.

5.2.11. Banki ifatira amafaranga ari kuri Konti ya MoKash yawe yo Kubitsa akaba ingwate ku

mafaranga aya n'aya atari yishyurwa n'ayo uba ugomba kwishyura Banki mu rwego rwa Konti ya MoKash yawe yo kwishyuriraho inguzanyo wahawe. Wemeye kandi ushimangiyeko Banki ifite ububasha busesuye bwo kukubuza kubikuza amafaranga yose cyangwa igice cy'amafaranga ari kuri Konti ya MoKash yawe yo Kubitsa cyangwa ikakwangira kubikuzamo umubare w'amafaranga uyu n'uyu igihe cyose hari amafaranga atari yishyurwa mu rwego rw'inguzanyo ya MoKash wahawe kandi ibyo ikabikora itagombye kuguha integuza ndetse/cyangwa ngo ube wagira icyo uyiryoza kubera izo mpamvu.

5.2.12. Banki ifite igihe cyose uburenganzira bwo guhindura ibisabwa mu guhabwa inguzanyo ndetse n'amafaranga ayitangwaho hashingiwe ku mategeko n'amabwiriza ariho yashyizweho na Banki y'u Rwanda na politiki banki igenderaho.

5.2.13. Banki ifite uburenganzira bwo gufatira amafaranga ufite kuri Konti ya MoKash yawe yo Kubitsa ndetse n'indi konti ya MoKash iyo ari yo yose ufite ndetse no/cyangwa ku yindi Konti ufite muri Banki cyangwa ikaba yayakoresha mu kwiyishyura inguzanyo wahawe.

5.2.14. Banki ifatanyije na MTN igira uburenganzira bwo gufatira amafaranga ufite kuri konti MTN Mobile Money yawe n'ubwo kuba yayakoresha mu kwiyishyura.

5.2.15. Wemereye ku buryo butaziguye Banki uburenganzira bwo gutangariza Urwego rukora imirimo ijyanye no kwegeranya no guhererekanya amakuru ku myenda, kuruha amakuru rukeneye, kurugira inama, kurugaragariza no kurugezaho amakuru arebana na Konti ya MoKash yawe hakurikijwe ibisabwa n'Itegeko rigenga amabanki.

6 AMAFARANGA YISHYURWA

6.1. Wemeye kwishyura amafaranga yose ya komisiyo yishyurwa afatwa nk'ikiguzi cya Serivisi zakoreshejwe.

6.2. Wishyura Banki amafaranga akurikira kandi Banki ifite uburenganzira bwo kuyakura kuri Konti ya MoKash yawe (bitabaye ngombwako ibanza kubikumenyesha):

6.2.1. amafaranga yose yishyurwa nk'ikiguzi cya Serivisi:

6.2.2. Amafaranga yose atangwa mu nkiko harimo ayishyurwa abunganizi mu by'amategeko Banki itanga kubera serivisi z'ubujyanama mu by'amategeko ihawe ku birebana na Konti ya MoKash yawe no ku birebana n'imikoranire yawe na Banki cyangwa ayo Banki yishyura igihe habaye imanza, ubukemuurampaka cyangwa se igihe hiyambajwe ubundi buryo bwo gukemura amakimbirane ku birebana na Konti ya MoKash yawe; ndetse

6.2.3. n'andi mafaranga yose yishyurwa, ayakoreshejwe, imisoro n'andi yose byabaye ngombwa gukoresha hagamijwe kubahiriza ubusabe bwawe.

6.4. Wemeye kwishyura amafaranga Banki yishyuye n'ayo yakoresheje mu rwego rwo kwishyuza cyangwa kugerageza kwishyuza inguzanyo iyi n'iyi igomba kwishyurwa ku birebana na Konti ya MoKash yawe.

7 KUMENYESHWA UKO KONTI IHAGAZE

7.1. Ushobbora gusaba Banki kukumenyesha uko Konti ya MoKash yawe ihagaze cyangwa kukoherereza raporo igaragaza ibyayikoreweho kandi ibyo ikabikora ikoresheje Ibikoresho byawe ("Raporo ngufi igaragaza ibyakorewe kuri konti")

7.2. Raporo ngufi kuri Konti ya MoKash yawe iba igaragaza ibikorwa bitanu (5) (cyangwa se birenze bitewe n'uko Banki yaba ibigennye) biheruka gukorerwa kuri Konti ya MoKash yawe hifashishijwe Ibikoresho byawe.

7.3. Raporo ngufi kuri Konti ya MoKash yawe ntishobora kukohererezwa ku rupapuro ariko hakorwa ibishoboka kugira ngo ikohererezwe hakoreshejwe SMS inyujijwe kuri nimero yawe ya telefoni igendanwa iri ku muyoboro wa MTN RWANDA isanzwe ikoreshwa kuri konti MTN RWANDA MOBILE MONEY yawe cyangwa se hakoreshejwe ubundi buryo koranabuhanga Banki

ishobora kugena mu bubasha bwayo busesuye. Ni wowe wishyura amafaranga yose MTN RWANDA yishyuza kuri serivisi yo kukoherereza raporo ngufi ku birebana na Konti ya MoKash yawe.

7.4. Ushobora guhabwa raporo ngufi ku birebana na Konti ya MoKash yawe ukaba wayihabwa ku rupapuro cyangwa se ukaba wakohererezwa na banki raporo iri ku rupapuro igaragaza uko Konti ya MoKash yawe ihagaze binyujijwe ahatangirwa serivisi ngoboka ku bakiriya ba MTN RWANDA. Ni wowe wishyura amafaranga yose asabwa n'ahatangirwa serivisi ngoboka ku bakiriya kugira ngo ugezweho izo raporo ngufi.

7.5. Uretse igihe hari ikosa ryaba rigaragarako rikabije, raporo ngufi ku birebana na Konti ya MoKash yawe cyangwa raporo wohererejwe na banki ku birebana na Konti ya MoKash yawe ifatwa nk'ikimenyetso ndakuka cy'ibikorwa byakorewe kuri Konti ya MoKash yawe mu gihe kirebwa na raporo ngufi ku birebana na Konti ya MoKash yawe ndetse/cyangwa raporo isanzwe yoherezwa na Banki.

8 UBUBASHA NTAVUGURUZWA BWA BANKI

8.1. Uhaye Banki uburenganzira ntavuguruzwa bwo kugira icyo ikora ku busabe bwawe bwose waba uyihaye (cyangwa bwitwako buvuye kuri wowe) binyujijwe kuri Sisitemu no kuba yagira ibyo ikuryoza kuri ubwo busabe hatitawe ku kuba hari igihe ubwo busabe yaba atari wowe wabutangiye uburenganzira cyangwa se bukaba buciye ukubiri n'ububasha waba witangiye ubwawe.

8.2. Iyo usabye Banki kudakora igikorwa iki n'iki wari wayisabye cyangwa se kudaha agaciro ibwiriza iri n'iri wari wayihaye, Banki ifite uburenganzira busesuye bwo kuba yakubahiriza ubwo busabe bwawe bwo kudakora icyo gikorwa cyangwa kutubahiriza iryo bwiriza ariko na none ikaba nta nshingano ifite yo kubahiriza ubwo busabe.

8.3. Banki ifite uburenganzira bwo kwemera no kubahiriza ubusabe bwose yaba igejejweho kabone n'ubwo ubwo busabe bwaba butuzuye cyangwa bukaba buteye urujijo kubera impamvu iyi n'iyi igihe cyose Banki yashingira ku bubasha bwayo busesuye igasanga ishobora gukosora amakuru atuzuye cyangwa ateye urujijo akubiye muri ubwo busabe bitabaye ngombwako ibanza kubikumenyesha.

8.4. Banki ifite uburenganzira bwo kubahiriza amabwiriza yose yahabwa ku birebana na Konti Mokash yawe igihe cyose yaba iyahawe n'urukiko cyangwa urundi rwego cyangwa ikigo bibifitiye ububasha hakurikijwe amategeko.

8.5. Igihe ibikubiye mu ibwiriza uhaye Banki byaba binyuranye n'ibikubiye muri aya Mabwiriza, ibikubiye muri aya Mabwiriza ni byo byubahirizwa.

9 IBIKORESHO N'INSHINGANO BY'UMUKIRIYA

9.1. Ni wowe wishingira gushaka ibikoresho ukeneye no kubyitaho kugira ngo bikore neza bityo bigushoboze gukoresha Sisitemu na Serivisi.

9.2. Ni wowe ugomba gukora ku buryo Ibikoresho byawe bikora neza. Nta na rimwe Banki ishobora kwishingira amakosa yavuka cyangwa ukutagenda neza kw'ibintu ibi n'ibi byaba bitewe n'uko Ibikoresho byawe bidakora neza. Na none kandi nta kintu na kimwe Banki ishobora kuryozwa igihe hari virusi igaragaye muri mudasobwa cyangwa se igihe haba habaye ibibazo nk'ibyo byavuka bikomotse ku ikoreshwa rya Sisitemu, irya Serivi n'iry'Ibikoresho. Ni wowe ugomba kwishyura amafaranga yaba agomba kwishyurwa uguhaye serivisi ya interineti kandi Banki ntishobora kuryozwa igihombo cyangwa ubukererwe byabaho bitewe n'uwari we wese waguha serivisi.

9.3. Ugomba kubahiriza amabwiriza yose, uburyo bw'imikoreshereze ndetse n'ingingo bikubiye muri aya Mabwiriza no mu yindi nyandiko iyo ari yo yose uhawe na Banki ku birebana n'imikoreshereze ya Sisitemu na Serivisi.

9.4. Wemeye kandi uzi nezako ari wowe ubwawe ugomba kwita neza ku bikoresho byawe no kubikoresha neza kandi ugakora ku buryo PIN ukoresha muri MTN RWANDA MOBILE MONEY igirwa ibanga kandi ikabikwa neza. Ugomba gukora ku buryo hatagira undi muntu umenya PIN ukoresha muri MTN RWANDA

MOBILE MONEY cyangwa ngo ibe yahabwa umuntu utabifiye ububasha. Nta kintu na kimwe Banki ishobora kuryozwa igihe cyose hari undi muntu umenye PIN ukoresha muri MTN RWANDA MOBILE MONEY kandi wemeye kurinda Banki igihombo gishobora guterwa n'uko hari undi muntu umenye PIN ukoresha muri MTN RWANDA MOBILE MONEY ndetse ukaba ugomba kuyiha indishyi igihe cyose haba havutse icyo gihombo.

9.5. Ugomba gufata ingamba zose z'ubushishozi zishoboka kugira ngo hirindwe ko Sisitemu na Serivisi byakoreshwa ku buryo butemewe ubu n'ubu. Kubera iyo mpamvu, ugomba gukora ku buryo wowe ubwawe usuzuma kandi ukagenzura ubutumwa bwose Banki ikohererejе cyanga ugasaba undi muntu gukora iryo suzuma n'iryo genzura ubwo butumwa ukimara kohererezwa ubwo butumwa kugira ngo habe havumburwa umuntu waba yakoresheje Sisitemu ndetse akayijyaho atabyemerewe.

9.6. Ubinyujije ahatangirwa serivisi ngoboka ku bakiriya, ugomba guhita umenyesha Banki iyo:

9.6.1. Hari impamvu ituma ukekako PIN ukoresha muri MTN RWANDA MOBILE MONEY yamenywe cyangwa ishobora kuba yamenywe n'undi muntu utabifitiye ububasha ndetse/cyangwa n'igihe konti yaba yinjiriwe n'undi muntu; ndetse/cyangwa

9.6.2. Hari impamvu ituma ukekako Serivisi yakoreshejwe cyangwa ishobora kuba yakoreshejwe cyangwa ikaba ishobora kuba yakoreshwa n'umuntu utabifitiye ububasha bityo hakaba hari igikorwa cyakozwe ku buryo bw'uburiganya cyangwa konti yawe ikaba yinjiriwe n'undi muntu.

9.7. Ugomba buri gihe kubahiriza uburyo bwo kubungabunga umutekano wa konti yawe Banki ikumenyesha buri gihe cyangwa n'ubundi buryo bw'umutekano bwaba busabwe igihe cyose ku birebana na Serivisi. Wemeyeko igihe cyose waba unaniwe kubahiriza uburyo bw'umutekano busabwa bishobora gutuma hatubahirizwa inshingano yo kugira ibanga ku birebana na Konti MoKash yawe. Ku buryo bw'umwihariko, ugomba gukora ku buryo hirindwako umuntu wese utabifitiye uburenganzira yakoresha Serivisi, yasaba gukorerwa igikorwa iki n'iki cyangwa se ngo abe yakora inshingano izi n'izi.

9.8. Ugomba kwirinda buri gihe gukoresha cyangwa kwifashisha Serivisi mu buryo bubangamiye inyungu za Banki.

10 KUTISHINGIRA UBURYOZWE

10.1. Banki ntishobora kuryozwa igihombo iki n'iki wagira igihe hari undi muntu wivanze muri Serivisi atabyemerewe cyangwa se igihe Serivisi zidashoboye kuboneka kubera (a) Igikoresho cyawe iki n'iki kidashoboye gukora uko bikwiye cyangwa (b) igihe hari indi mpamvu iyi n'iyi idaturutse kuri Banki kandi iyo mpamvu ikaba yaterwa n'ibintu bitandukanye harimo inzitizi ntarengwa cyangwa se igihe Sisitemu yaba igaragaje ikosa, igahagarara by'igihe gito cyangwa ntiboneke, habaye iterabwoba cyangwa se ikindi gikorwa cy'umuntu ufite umugambi mubisha cyatuma ibikoresho bidakora, ibura ry'umuriro, ibihe bibi cyangwa igihe ikirere kigenze nabi ndetse no kuba uburyo bw'itumanaho butangwa na Leta cyangwa abikorera budashoboye gukora uko bikwiye.

10.2. Nta kintu na kimwe Banki ishobora kuryozwa igihe ugize igihombo cyangwa igihe hari ibintu byawe byangiritse bitewe n'impamvu zikurikira cyangwa biturutse kuri zo :-

10.2.1. Kuba nta mafaranga ahagije ari kuri Konti yawe ya MTN RWANDA MOBILE MONEY ndetse/cyangwa no kuri Konti MoKash yawe;

10.2.2. Kuba Sisitemu, Ibikoresho byawe, Umuyoboro, Sisitemu ya MTN RWANDA MOBILE MONEY ndetse/cyangwa na Serivisi ya MTN RWANDA MOBILE MONEY byananiwe gukora, biri gukora nabi, byahagaze gukora by'igihe gito cyangwa bitabonetse;

10.2.3. Kuba amafaranga ari kuri Konti MoKash yawe arebwa n'ikibazo iki n'iki kiri mu nkiko cyangwa hakaba hari indi nzitizi ituma utemererwa gukoresha ayo mafaranga igihe waba ushaka kwishyura cyangwa kohererezа undi muntu amafaranga.

10.2.4. Kuba utashoboye gutanga amabwiriza nyayo cyangwa yuzuye usabako hakishyurwa umuntu uyu n'uyu cyangwa hakohererezwa umuntu

amafaranga aya n’aya hakoreshejwe Konti MoKash yawe.

10.2.5. Kuba Serivisi, Sisiteme ndetse/cyangwa n’Ibikoresho byawe byakoreshejwe mu buryo bw’uburiganya cyangwa bunyuranyije n’amategeko;

10.2.6. Kuba utashoboye kubahiriza aya Mabwiriza ndetse n'indi nyandiko yose cyangwa amakuru aya n'aya uhawe na Banki ku birebana n'Ikoreshwa rya Sisitemu na Serivisi.

10.3. Iyo kubera impamvu iyi n'iyi itandukanye n'izivugwa mu duka 10.1 na 10.2, hari umuntu winjiye muri Serivisi atabyemerewe cyangwa se Serivisi zikaba zidashobora kuboneka, inshingano yonyine Banki iba isabwa kubahiriza iyo bigenze gutyo ni ugukora ku buryo Serivisi zongera kuboneka vuba bishoboka.

10.4. Hashingiwe ibivugwa mu gaka ka 10.3, ntushobora kuryoza Banki ikintu iki n'iki igihe hari umuntu wivanze muri Serivisi atabyemerewe cyangwa se igihe Serivisi zidashoboye kuboneka hatitawe ku mpamvu iyo ari yo yose yaba yabiteye.

10.5. Nta na rimwe Banki ishobora kuryozwa inyungu iyi n'iyi watakaje cyangwa se amafaranga aya n'aya wateganyaga kuzigama cyangwa se igihombo ibyo byaba byaguteye cyangwa ibyawe byakangirika bitewe n'izo mpamvu hatitawe ku cyaba cyabiteye igihe cyose ibyo byaturutse kuri Serivisi cyangwa byatewe na zo kabone n'ubwo Banki yaba yamenyeshejwe icyo gihombo cyangwa uko kwangirika.

10.6. Ibyo kwiyemeza gukora byose ndetse n'inshingano zose biteganywa n'amategeko ntibyitabwaho mu rwego rw'aya mabwiriza kugeza ku kigero cyose cyemewe n'amategeko.

11 UBURENGANZIRA KU MUTUNGO BWITE MU BY'UBWENGE

Wemeyeko uburenganzira ku mutungo bwite mu by'ubwenge ku birebana na Sisitemu (ndetse n'ibyayihindurwaho byose, ibyayongerwamo kugira ngo yisumbureho cyangwa kugira ngo irusheho gukora ku buryo bunoze) ndetse n'inyandiko bijyanye Banki iguha hifashishijwe Sisitemu cyangwa ubundi buryo ari ibya Banki cyangwa abandi bantu cyangwa ibigo biha Banki uburenganzira bwo gukoresha iyo Sisitemu ndetse/cyangwa n'izo nyandiko no guha abandi uburenganzira bwo kubikoresha. Ntiwemerewe kwiha ubwo burenganzira bwite mu by'ubwenge. Ntiwemerewe gukora indi Sisitemu n'inyandiko zijyanye na yo, kubyigana cyangwa kubyinjirira mu bundi buryo Banki itabanje kubiguhera uburenganzira bwanditse.

12 INDISHYI

12.1. Bitewe n'uko Banki yemeye kubahiriza amabwiriza uyihaye cyangwa gukora icyo usabyeko ikora ku birebana na Konti MoKash yawe, wiyemeje kuyiha indishyi no kuyirinda kuba yagira igihombo iki n'iki, yakishyura amafaranga aya n'aya, kuba hari ikintu cyayo cyakangirika, kuba hari amafaranga yakoresha, yakishyura kuri serivisi iyi n'iyi kandi ukaba uniyemeje kuyikuraho uburyozwe bwose bwaterwa n'igihombo wahura na cyo cyangwa bwakomoka ku kwangirika kw'ibintu byawe ibi n'ibi igihe ibyo byaba bitewe n'uko Banki yakoze ikintu iki n'iki yubahiriza amabwiriza wayihaye cyangwa igukorera icyo wasabye cyangwa bitewe n'ikintu yakoze hakurikijwe aya Mabwiriza.

12.2. Na none kandi, indishyi ivugwa mu ngingo ya 12.1 ireba ibintu bikurikira:

12.2.1. Ibintu byose Banki yasabwa gukora, ibyo yasabwa kwishyura, ibirego mu nkiko yashorwamo, ibihombo yahura na byo n'ibintu yakangirizwa mu buryo butandukanye cyangwa ibyo bikaba byayibaho bitewe no gukora cyangwa kudakora ibyo wayisabye gukora cyangwa se bitewe n'uko ibyifashishwa, porogaramu za mudasobwa cyangwa ibikoresho bitari gukora neza cyangwa bitashoboye gukora cyangwa bitabonetse, cyangwa se bitewe n'ibura cyangwa ishwanyagurika ry'amakuru aya n'aya, ibura ry'umuriro, iyinjira rya virusi mu byifashishwa mu kubika amakuru, Ibiza, imyigaragambyo, ibikorwa by'ubwangizi, ibyo guhungabanya ibintu biriho, iby'iterabwoba, ibyo kubuza by'igihe gito imiyoboro y'itumanaho cyangwa gutuma ikora nabi cyangwa se bitewe no gushingira ku muntu uyu n'uyu cyangwa ku makuru aya n'aya atari yo, adasomeka, atuzuye cyangwa atari ukuri akubiye mu busabe Banki yahawe.

12.2.2. Iyo habaye igihombo iki n'iki gishobora kuba cyangwa ikintu cyose gishobora kwangirika bitewe n'uko ukoresha, ukoresheje nabo cyangwa utunze porogaramu ya mudasobwa y'undi muntu harimo ibintu bitandukanye harimo porogramu ikoreshwa mu bikoresho wifashisha ndetse n'izindi porogaramu.

12.2.3. Igihe hari umuntu winjiye muri Konti MoKash yawe atabyemerewe cyangwa se

igihe habayeho kutubahiriza amabwiriza y'umutekano cyangwa se hakabaho ukwangiza amakuru yawe cyangwa kuyinjiramo cyangwa se igihe habayeho kwangiza cyangwa kwiba ibikoresho byawe ibi n'ibi.

12.2.4. Igihombo cyose cyangwa ukwangirika uko ari ko kose bitewe n'uko utubahirije aya Mabwiriza ndetse/cyangwa no gutanga amakuuru atari yo cyangwa igihe habayeho igihombo cyangwa ukwangirika bitewe n'ibikoresho cyangwa sisitemu by'undi muntu bidakora cyangwa bitewe n'uko bitabonetse cyangwa se igihe undi muntu adashoboye gukora igikorwa iki n'iki cyangwa igihe Banki igize igihombo iki n'iki bitewe no kutubahiriza ingingo iyi n'iyi y'aya Mabwiriza.

12.2.5. Igihe hangiritse ibintu ibi n'ibi cyangwa hakoreshejwe amafaranga aya n'aya Banki ikaba igomba kubyishyurwa ku birebana n'ibirego ibi n'ibi Banki iba yarezwe kugira ngo ihabwe indishyi ku gihombo yagize igihe hari icyo uba washoboraga gukora kugira ngo hatabaho impamvu zatumye ibyo biba.

13 GUHINDURA NO GUHAGARIKA IMIKORANIRE

13.1. Iyo Banki imaze kubikumenyesha ishobora igihe cyose guhagarika cyangwa guhindura imikoranire mufitanye bityo ikaba yafunga Konti MoKash yawe ndetse ikaba ku buryo bw'umwihariko ishobora kwisubiza inguzanyo yatanze kandi ibyo ikabikora bitabangamiye imiterere rusange y'ingingo zibanziriza iyi kandi icyo gihe igasabako hishyurwa imyenda yose itari yishyurwa ikomoka kuri izo nguzanyo ikaba yanagena igihe iyo myenda igomba kuba yishyiriweho.

13.2. Bitabangamiye uburenganzira bwa Banki buteganywa mu ngingo ya 13.1, Banki ishobora gukoresha ububasha busesuye igahagarika by'agateganyo cyangwa igafunga Konti MoKash yawe:

13.2.1. iyo ukoresheje Konti ya MoKash ku mpamvu utemerewe cyangwa se igihe Banki ivumbuyeko iyo konti ikoreshwa nabi/mu buryo butari bwo, mu buryo bw'uburiganya cyangwa se hakaba habayeho kugerageza kuyikoresha mu buryo bw'uburiganya ku birebana n'uburyo ukoresha Serivisi.

13.2.2. iyo Konti ukoresha muri MTN RWANDA MOBILE MONEY cyangwa amasezerano ufitanye na MTN RWANDA bihagaritswe ku mpamvu iyo ari yo yose;

13.2.3. iyo Banki itegetswe cyangwa isabwe kubahiriza itegeko cyangwa ibwiriza cyangwa icyifuzo bitanzwe na guverinoma, urukiko, ikigo ngenzuramikorere cyangwa urundi rwego rubifitiye ububasha;

13.2.4. iyo Banki ifite impamvu zituma ikekako cyangwa yemerako utubahiriza aya Mabwiriza (harimo no kuba udashoboye kwishyura inguzanyo iyi n'iyi wahawe usabwa kwishyura);

13.2.5. iyo iryo hagarika ry'igihe gito cyangwa iryo hindura ari ngombwa kubera ibibazo bya tekiniki cyangwa kubera impamvu z'umutekano;

13.2.6. iyo ari ngombwa korohereza abagomba gukora igikorwa cyo kunoza ibikubiye muri Serivisi cyangwa kunoza imiterere yazo igihe icyo ari cyo cyose;

13.2.7. iyo udakoresheje konti yawe hagashira igihe iki n'iki kigenwa na Banki ishingiye ku bubasha bwayo busesuye; cyangwa

13.2.8. Iyo Banki ifashe icyemezo cyo guhagarika ku buryo bw'agateganyo cyangwa bwa burundu Serivisi ku mpamvu zishingiye ku nyungu y'ubucuruzi cyangwa se ku yindi mpamvu iyo ari yo yose yagenwa na Banki ikoresheje ububasha bwayo busesuye.

13.3. Ushobora gufunga Konti ya MoKash yawe igihe cyose ubyifuje ubinyujije ku hantu hatangirwa serivisi ngoboka ku bakiriya ba MTN RWANDA.

13.4. Iyo Konti ya MoKash yawe igomba gufungwa ariko hakaba hari amafaranga asigayeho, ayo mafaranga turayagusubiza ariko tubanje gukuramo amafaranga aya n'aya uba usabwa kwishyura. Iyo Konti MoKash yawe igomba gufungwa ariko hakaba hari amafaranga usigayemo kwishyura, wiyemeza guhita uyatwishyura yose uko yakabaye.

13.5. Guhagarika Konti nta na rimwe bikuraho uburenganzira n'inshingano biba bireba buri ruhande nyuma yo kugirana amasezerano.

13.6. Iyo Banki imaze kumenyako utagihari, nta nshingano iba ifite yo kwemerako hari igikorwa iki n'iki cyakorerwa kuri Konti MoKash yawe cyangwa kugira uwo yemerera kubikuzaho amafaranga igihe cyose yaba atagaragaje inyandiko ya igaragazako ari we ushinzwe gucunga ibyawe cyangwa inyandiko y'izungura ahawe n'abaguhagarariye bemewe n'amategeko baashyizweho n'urukiko.

14 KUMENYEKANISHA AMAKURU

14.1. Wemereye Banki uburenganzira butaziguye bwo kumenyekanisha amakuru yerekeye umwirondoro wawe, kuyakira cyangwa kuyakoresha ndetse n'andi makuru yose yerekeye Konti ya MoKash yawe ndetse n'arebana n'uko ukoresha Serivisi:

14.1.1. ikaba yayasaba kandi ikanayaha inzego zishinzwe umutekano mu gihugu cyangwa mu bindi bihugu by'amahanga cyangwa ibigo ngengamikorere cyangwa ibya Leta bibifitiye ububasha kugira ngo ifashe mu bikorwa byo gukumira ibyaha cyangwa ibikorwa by'uburiganya, kubivumbura, kubikoraho iperereza no gukurikirana ababikoze.

14.1.2. Banki yaha amakuru cyangwa ikayasaba abayiha serivisi, abacuruzi, abayihagararira mu gutanga serivisi cyangwa se indi sosiyete yayikomokaho cyangwa sosiyete yaba yibumbiyemo kandi ibyo ikabikora hagamijwe inyungu y'ubucuruzi ifitanye isano na Serivisi.

14.1.3. ikaba yayaha Urwego rukora imirimo ijyanye no kwegeranya no guhererekanya amakuru ku myenda;

14.1.4. ikaba yayaha abavoka ba Banki, abagenzuzi b'imari bayo cyangwa abandi bajyanama mu by'akazi cyangwa se urukiko uru n'uru cyangwa urukiko nkemurampaka igihe ibyo byaba bikenewe mu rwego rw'imanza izi n'izi cyangwa rw'igenzuramari.

14.1.5. ikaba yayaha MTN RWANDA mu rwego rwa Serivisi ya MTN RWANDA MOBILE MONEY na Serivisi zivugwa muri aya Mabwiriza;

14.1.6. ikaba yayatanga ku mpamvu z'ubucuruzi zifite ishingiro ku birebana n'uko ukoresha Serivisi bityo izo mpamvu zikaba zifitanye isano n'ibikorwa bitandukanye harimo iby'iyamamazabucuruzi n'iby'ubushakashatsi; no

14.1.7. kuba yayatanga mu rwego rw'ibikorwa by'ubucuruzi bitandukanye harimo ibirebana n'igenzura ry'ireme rya serivisi zitangwa, amahugurwa n'ibigamije gutuma sisitemu zikora ku buryo bunoze.

15 INGINGO ZINYURANYE

15.1. Aya Mabwiriza (ndetse n'igihe cyose yaba avuguruwe) afatwa nk'amasezerano ugomba kubahiriza wowe ubwawe n'abazakuzungura.

15.2. Aya Masezerano ndetse n'uburenganzira bwose ndetse n'inshingano bifatiyeho ntushobora kubyegurira undi muntu.

15.3. Banki ishobora igihe cyose guhindura cyangwa kuvugurura aya Masezerano ndetse n'umubare w'amafaranga uba usabwa kwishyura kandi ibyo ikabikora bitabaye ngombwa ko ibanza kubikumenyesha. Ibyo ihinduye cyangwa ivuguruye bishobora gutangazwa ku byapa cyangwa mu nyandiko biba biri ahakorerwa n'abagararira MTN RWANDA mu gutanga serivisi, mu bitangazamakuru bisohoka buri munsi, ku rubuga rwa interineti rwa Banki ndetse/cyangwa n'urwa MTN RWANDA ndetse/cyangwa hakoreshejwe ubundi buryo bwagenwa na Banki kandi ibyo byahindutse cyangwa byavuguruwe bigomba guhita byubahirizwa bikimara gutangazwa.

15.4. Igihe cyose wowe ubwabwe cyangwa Banki mudashoboye gukoresha uburenganzira bwanyu cyangwa mutatse indishyi cyangwa se igihe mwaba mutinze gukoresha ubwo burenganzira cyangwa mugatinda kwaka indishyi ntibivuzeko muba muhisemo kwemera guhara ubwo burenganzira ndetse no kuba hari igihe cy'ubwo burenganzira mudakoresheje cyangwa mukaba hari igice cy'indishyi mutatse ntibivuzeko muba muhisemo kwemera kubihara.

15.5. Uburenganzira ndetse n'indishyi biteganywa n'aya Mabwiriza bigenda byiyongera kandi ntibikuraho uburenganzira ubu n'ubu cyangwa indishyi izi n'izi biteganywa n'amategeko.

15.6. Iyo umukemurampaka ushyizweho, urukiko cyangwa urwego rw'ubutegetsi bifite ububasha bisanzeko hari ingingo iyi n'iyi y'aya Mabwiriza idafite agaciro cyangwa idashobora kubahirizwa uko guta agaciro cyangwa uko kudashobora kubahirizwa nta ngaruka bigira ku zindi ngingo zikubiye muri aya Mabwiriza.

15.7. Ikintu cyose cyongewe cyangwa gihinduwe na Banki muri aya Mabwiriza igihe icyo ari cyo cyose ukaba warakimenyeshejwe binyujijwe mu kugitangaza nk'uko bitaganywa mu gace ka 15.3 uba ugomba kucyubahiriza uko cyakabaye

ukagifata nk'aho ari imwe mu ngingo zigize aya Mabwiriza.

16 KOHEREREZWA UBUTUMWA

16.1.1. Banki ishobora kohereza amakuru yerekeye Konti ya MoKash ibinyujije muri SMS yoherezwa kuri nimero ya telefoni igendanwa iri ku murongo wa MTN RWANDA ukoreshaho Konti yawe ya MTN RWANDA MOBILE MONEY.

16.1.2. Wemeyeko nta kintu ushobora kubaza Banki igihe hagize ibintu byangirika bitewe n'igihombo, ubukererwe, ukudasobanukirwa neza, n'iyangirika iri n'iri, ukwigana cyangwa se igihe habaye ikindi kintu iki n'iki kidakwiye bitewe n'ihererekanya ry'amakuru yerekeye Konti MoKash.

17 GUKEMURA AMAKIMBIRANE, INZEGO ZIFITE UBUBASHA N'UBUKEMURAMPAKA.

17.1. Ushobora kwiyambaza ahatangirwa serivisi ngoboka ku bakiriya ba MTN RWANDA kugira ngo ugaragaze amakimbirane aya n'aya, ikirego iki n'iki cyangwa igihe Konti MoKash hariho amafaranga adahuye n'ayo wari witeze.

17.2. Impaka zose zivutse zikaba ziturutse kuri aya Masezerano cyangwa zikaba zifitanye isano na yo ntizishobore gukemurwa n'abahagarariye serivisi ya MTN RWANDA ishinzwe gutanga serivisi ngoboka ku bakiriya zishyikirizwa nkiko zibifitiye ububasha mu Rwanda.

17.3. Aya Masezerano agengwa n'amategeko ya Repubulika y'u RWANDA kandi isobanurampamo ryayo rikorwa hakurikijwe ayo mategeko.

17.4. Hubahirijwe ibiteganywa n'amategeko, icyemezo cyo kugena Umukemurampaka kigomba kuba ntakuka, ntavuguruzwa kandi kikaba kigomba kubahirizwa n'impande bireba.

17.5. Aya Masezerano agengwa n'amategeko ya Repubulika y'u RWANDA kandi isobanurampamo ryayo rikorwa hakurikijwe ayo mategeko.