

No. S 68

DEPOSIT PROTECTION ORDER, 2010

DEPOSIT PROTECTION (AMENDMENT) REGULATIONS, 2012

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Regulation

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DEPOSIT PROTECTION ORDER, 2010

DEPOSIT PROTECTION (AMENDMENT) REGULATIONS, 2012

In exercise of the power conferred by section 86 of the Deposit Protection Order, 2010, the Minister of Finance, with the approval of His Majesty the Sultan and Yang Di-Pertuan, hereby makes the following Regulations —

Citation and commencement.

1. These Regulations may be cited as the Deposit Protection (Amendment) Regulations, 2012 and shall be deemed to have commenced on 1st. September, 2012.

Amendment of regulation 2 of S 111/2010.

2. The Deposit Protection Regulations, 2010, in these Regulations referred to as the principal Regulations, is amended by inserting the following new definition immediately after the definition of “financing facility” —

“ “foreign bank” means a full bank which is incorporated in a jurisdiction other than Brunei Darussalam and has operating branches or offices located within Brunei Darussalam;”.

Amendment of regulation 3.

3. Regulation 3 of the principal Regulations is amended —

(a) by repealing sub-regulation (2) and by substituting the following new sub-regulation therefor —

“(2) For the purposes of sub-regulation (1) —

(a) a licensed bank which is incorporated in Brunei Darussalam shall at all times maintain an asset maintenance ratio of not less than 2; and

(b) a licensed bank which comprises a branch of a foreign bank located within Brunei Darussalam shall at all times maintain an asset maintenance ratio of not less than 2.5.”.

Amendment of regulation 4.

4. Regulation 4 of the principal Regulations is amended, in sub-regulation (1), by deleting “regulation 3(2) and subject to sub-regulation (2)” and by substituting “these Regulations” therefor.

Substitution of regulation 5.

5. Regulation 5 of the principal Regulations is repealed and the following new regulation substituted therefor —

“Determination of premium rates.

5. (1) For the purposes of determining the premium rates applicable to member institutions for any premium year, all member institutions shall be classified into the categories specified in the first column of the Second Schedule.

(2) The premium rate applicable to each category of the member institutions is specified in the second column of the Second Schedule.

(3) For the purposes of determining the category in which a branch of a foreign bank shall be classified, the Corporation shall compute the asset maintenance ratio of such branch in accordance with the formula set out in regulation 4.

(4) A member institution which is incorporated in Brunei Darussalam shall be classified in the same category as a branch of a foreign bank with an asset maintenance ratio of more than 2.5 but less than 4.”.

Amendment of Schedule.

6. The Schedule to the principal Regulations is amended by inserting “FIRST” immediately before “SCHEDULE”.

Amendment of principal Regulations.

7. The principal Regulations are amended by adding the following new Schedule —

“SECOND SCHEDULE
(regulation 5)

CATEGORY OF MEMBER INSTITUTIONS AND PREMIUM RATES

Category of member institutions	Premium rates
1. A foreign bank with an asset maintenance ratio of less than 2.5	0.2%
2. (a) Member institution which is incorporated in Brunei Darussalam	0.1%
(b) A foreign bank with an asset maintenance ratio of between 2.5 and 4	
3. A foreign bank with an asset maintenance ratio of more than 4	0.075%”.

Made this 23rd. day of Zulkaedah, 1433 Hijriah corresponding to the 9th. day of October, 2012.

HAJI HISHAM BIN HAJI MOHD. HANIFAH
Permanent Secretary,
Ministry of Finance,
Brunei Darussalam