

Namibia

Payment System Management Act, 2023

Regulations relating to variation or revocation of designated entities, 2023

Government Notice 253 of 2023

Legislation as at 8 August 2023

FRBR URI: /akn/na/act/gn/2023/253/eng@2023-08-08

There may have been updates since this file was created.

PDF created on 22 September 2023 at 08:32.

Collection last checked for updates: 1 September 2023.

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Regulations relating to variation or revocation of designated entities, 2023

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Republic of Namibia
Annotated Statutes

Payment System Management Act, 2023

Regulations relating to variation or revocation of designated entities, 2023

Government Notice 253 of 2023

[Published in Government Gazette 8171 on 8 August 2023](#)

Assented to on 1 August 2023

Commenced on 8 August 2023

**[This is the version of this document from 8 August 2023 and
includes any amendments published up to 1 September 2023.]**

1. Definitions

In these regulations a word or an expression to which a meaning has been assigned in the Act has that meaning, and unless the context indicates otherwise-

“**the Act**” means the Payment System Management Act, 2023 (Act [No. 14 of 2023](#)).

2. Purpose and application of Regulations

- (1) The purpose of these Regulations is to set out the procedure for variation or revocation of any designation made under section 25 of the Act.
- (2) These Regulations apply to a payment, clearing or settlement system in the national payment system that the Bank has designated under section 25 of the Act.

3. Variation and revocation of designation

- (1) Subject to section 26 of the Act, the Bank may vary or revoke any designation made under section 25 of the Act or the terms and conditions applicable to such designation, by written notice to the designated entity as set in the Annexure, informing the designated entity that the Bank intends to vary or revoke such designation or such terms and conditions and, in that notice, state the grounds for that intended action.
- (2) A designated entity may, within 30 business days from the date of receipt of a notice referred in subregulation (1), make written representations to the Bank.
- (3) On receipt of the written representations, the Bank must consider the representations made by the designated entity, if any, before making a decision.

- (4) Once the Bank has made a decision as contemplated in subregulation (3), the Bank must-
 - (a) in writing, inform the designated entity of its decision and the reasons for such decision; and
 - (b) publish the variation or revocation in a notice in the *Gazette*.
- (5) If the designated entity does not make written representations within the 30 business days from the date of receipt of the written notice, the Bank must, by written notice inform the designated entity of the variation or revocation of the designation and publish such variation or revocation in the *Gazette*.
- (6) The Bank must ensure that it has followed all due diligence processes before the variation or revocation of the designation.

Annexure (Regulation 3(1), Section 26(1))

Forms - Notice of variation or revocation of designation

[Editorial note: The forms have not been reproduced.]