
First published in the *Government Gazette*, Electronic Edition, on 31st July 2015 at 5:00 pm.

No. S 463

PAWNBROKERS ACT 2015 (ACT 2 OF 2015)

PAWNBROKERS (CLASS WAIVERS) RULES 2015

ARRANGEMENT OF RULES

Rule

1. Citation
 2. Waiver for certain manners of making advances
 3. Request for advance other than in money that is legal tender
 4. Advance by cheque
 5. Advance by electronic funds transfer
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In exercise of the powers conferred by sections 46 and 83 of the Pawnbrokers Act 2015, the Minister for Law makes the following Rules:

Citation

1. These Rules may be cited as the Pawnbrokers (Class Waivers) Rules 2015.

Waiver for certain manners of making advances

2. Section 72(2) of the Act does not apply to a licensee which makes an advance on a pledge —

- (a) by a cheque in accordance with rule 4; or
- (b) by an electronic funds transfer in accordance with rule 5.

Request for advance other than in money that is legal tender

3.—(1) A pawner may request a licensee to make an advance on a pledge —

- (a) by a cheque made payable to the order of the pawner; or

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- (b) by an electronic funds transfer to a bank account held by the pawner (whether solely or jointly with any other person).
- (2) A request under paragraph (1) —
- (a) must be made in writing and signed by the pawner; and
- (b) must state —
- (i) whether the pawner wishes for an advance to be made by a cheque or by an electronic funds transfer;
 - (ii) where the pawner wishes for an advance to be made by a cheque, the full name of the pawner to whose order the cheque is payable; and
 - (iii) where the pawner wishes for an advance to be made by an electronic funds transfer —
 - (A) the account number of the bank account to which the transfer is to be made;
 - (B) the name of the bank in which that bank account is opened; and
 - (C) the name of each holder of that account.

Advance by cheque

4.—(1) Subject to this rule, a licensee may make an advance on a pledge to a pawner by a cheque made payable to the order of the pawner, if the pawner so requests in accordance with rule 3.

(2) The cheque must be made payable to the order of the pawner.

(3) The licensee must issue the cheque to the pawner at the same time the licensee issues to the pawner a pawn ticket under section 49 of the Act.

(4) The pawn ticket must state that the pawner has requested for the advance on the pledge to be made by cheque payable to the order of the pawner.

Advance by electronic funds transfer

5.—(1) Subject to this rule, a licensee may make an advance on a pledge to a pawner by an electronic funds transfer to a bank account held by the pawner (whether solely or jointly with any other person), if the pawner so requests in accordance with rule 3.

(2) The licensee —

- (a) must take reasonable steps to verify, and satisfy itself, that the bank account specified in the pawner's request is held solely by the pawner or held jointly by the pawner and any other person specified in the pawner's request; and
- (b) must decline to make the advance by way of an electronic funds transfer if the licensee is not so satisfied.

(3) The licensee must make the electronic funds transfer to the bank account specified by the pawner within one hour after issuing to the pawner a pawn ticket under section 49 of the Act.

(4) The pawn ticket must state that the pawner has requested for the advance on the pledge to be made by an electronic funds transfer to the bank account specified by the pawner.

Made on 16 July 2015.

NG HOW YUE
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Ministry of Law,
Singapore.*

[LAW 22/001/001; AG/LEGIS/SL/222/2015/2 Vol. 1]