

Provisions Under Regulation for Enforcement of the Money Lending Business Act Concerning  
Loans Exempted from the Statutory Total Lending Limits Requirements

- Persons applicable to exceptions under Clause 6 of Supplementary Provisions to Regulation for Enforcement of Money Lending Business Act

Persons applicable to special measures (“Applicable Persons”) are patients infected with coronavirus and those who have difficulty in submitting documents specified under Clause 6 due to the coronavirus outbreak.

Applicable Persons would include those who cannot submit necessary documents due to the coronavirus outbreak, including coronavirus infected patients, their close contacts who are unable to leave their homes, and those who are unable to get receipts issued in relation to specified urgent loan contracts. In this case, money lenders shall confirm and keep records of the fact that the related customer is unable to submit the required document.

- Specific expenses pertaining to specified urgent loan contracts under Article 10-23(1)(ii)-2 of Regulation for Enforcement of the Money Lending Business Act

Specific expenses are defined as “expenses that are found to be urgently necessary in light of socially accepted conventions” in Article 10-23(4)(ii). They would include costs of living of coronavirus infected patients and other expenses.

- Loan contracts specified under Article 10-23(1)(iv) of the Regulation for Enforcement of the Money Lending Business Act

In relation to the loan contracts above, Article 10-23(2)(iv) requires the keeping of records on “the final return set forth in Article 10-17, paragraph (1), item (iv), financial statement for blue return set forth in item (v) of that paragraph, statement of earnings and expenses set forth in item (vi) of that paragraph, notification of tax set forth in item (vii) of that paragraph, or any other documents evidencing the confirmation of the actual condition of the business performed by the relevant individual customer.” These are merely examples, and such formal certificates are not mandatory. Confirmation and record keeping by the money lenders that confirms the customer’s actual status is deemed sufficient.