

TÜKETİCİ KREDİSİ SÖZLEŞMESİ

Madde 1- KREDİ DETAYI ve ÖDEME PLANI

Müşteri İsim ve Soyad:	
Adresi ve İletişim Bilgileri:	
Kredi Referansı / Kredi Hesap Numarası :	

Kredinin Sözleşmesinin Süresi (Vade):ay
Kredinin Toplam (Anapara) Tutarı:TL
Aylık Taksit Tutarı:	Aylık taksit tutarı (eşit taksitli kredi)TL Esnek ödemeli krediler için ödeme planına bakınız.
Aylık / Yıllık Akdi Faiz Oranı:	Aylık % Yıllık %
Aylık / Yıllık Gecikme Faiz Oranı:	Aylık % Yıllık %
Efektif Yıllık Faiz Oranı / Yıllık Maliyet Oranı:	Yıllık %
Toplam Kredi Geri Ödeme Tutarı:TL
Kredi Tahsis Ücreti:TL+ BSMV
Tüketici Tarafından Ödenecek Toplam Tutar :	Toplam Anapara :TL Toplam Faiz :TL Toplam KKDF :TL Toplam BSMV :TL Toplam Ücretler :TL + BSMV Toplam Ödenecek Tutar :TL
Kredili Hayat Sigortası Primi: TL
KKDF: Kaynak Kullanımı Destekleme Fonu BSMV: Banka Sigorta Muamele Vergisi	

Bu sözleşme “İhtiyaç Kredisi”, “İhtiyaç Kredisi-Mevduat ve/veya Menkul Kıymet Rehinli, isimleri ile sunulan krediler için ortak kullanılmak üzere hazırlanmıştır. Yukarıdaki tabloda herhangi bir kısım boş bırakılmışsa o kredi türüne göre uygulaması yok anlamındadır.

Bu kredilere ortak uygulanan şartlar “Genel Şartlar” bölümünde, her kredi özelinde uygulanan şartlar ise “Özel Şartlar” bölümünde yer almaktadır.

I-GENEL ŞARTLAR

Madde 2- SİGORTA ve DİĞER TEMİNATLAR

Sigorta: Kredili hayat sigortası, mevzuat gereği yaptırılması zorunlu olmayan ihtiyari (isteğe bağlı) sigortalardır. Kredili hayat sigortası Müşteri'nin yazılı veya herhangi bir kayıtlı veri saklayıcısıyla Banka'ya ilettiği açık bir talebi yoksa kredi ile bağlantılı olarak yaptırılamaz. Müşteri, kredi bağlantılı olarak sigorta yaptırılmasını talep etmesi halinde sigorta poliçelerini Banka'nın acentesi olduğu sigorta şirketinden veya dilediği başka bir sigorta şirketinden ya da acentesinden yaptırabilir. Müşteri isterse, yeni bir sigorta yaptırmak yerine kredinin konusu, tutarı ve vadesi ile uyumlu olması durumunda mevcut sigorta poliçelerini de sunabilir. Banka aracılığı ile sigorta yapılmak istenirse sigorta primleri yukarıdaki tabloda gösterilmiştir. Her durumda sigorta poliçelerinde Banka dain-i mürtehin (rehin alacaklısı) olmalıdır. Bankanın dain-i

HSBC BANK A.Ş.

Adres: Esentepe Mah. Büyükdere Caddesi No:128 Şişli 34394 İstanbul. MERSİS No: 0621002428200197

Sicile kayıtlı olduğu yer: Esentepe Mah. Büyükdere Caddesi No:128 Şişli 34394 İstanbul- İstanbul Ticaret Sicil Md.

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Müşteri İmzası

Madde 5- UYUŞMAZLIKLARIN ÇÖZÜMÜ

Müşteri bu sözleşmeden doğan uyuşmazlık konusundaki başvurularını Tüketici Hakem heyetine veya 6502 sayılı Tüketicinin Korunması Kanununun 73/A maddesi uyarınca dava açılmadan önce arabulucuya başvurulması şartı ile Tüketici Mahkemesine yapabilir.

Madde 6- DİĞER HÜKÜMLER ve YÜRÜRLÜK

- Sağlayıcı: Kredi veren olarak Bankanın unvanı, açık adresi, telefonu ve diğer iletişim bilgileri aşağıdadır.
- Bağlı kredi niteliği: Bu sözleşme kapsamında kullanılan kredi, bağlı kredi niteliğinde değildir.
- Akdi faiz oranı: Kredinin ödeme planı oluşturulmasında kullanılan faiz oranıdır. Bu kredi için akdi faiz oranı aylık/yıllık olarak yukarıda belirtilmiştir.
- Temerrüt hali de dahil olmak üzere bu sözleşmede yer alan kredilere bileşik faiz uygulanmaz.
- Etketif yıllık faiz oranının hesaplanması amacıyla kullanılan kredi tutarı, akdi faiz, tahsis ücreti gibi tüm bileşenler yukarıda yer alan tabloda ayrıca gösterilmiştir. Tabloda yer alan kredi tahsis ücreti, varsa sigorta primi Müşteri tarafından ödenir.
- Ödeme Planı ve Sözleşme: Ödeme planı sözleşmenin eki ve ayrılmaz bir parçası olup, bu sözleşme ekinde yer almaktadır. Kredinin kullandırılmasından itibaren ilk yıl içinde müşteri kredi sözleşmesinin bir örneğini ücretsiz olarak alma hakkına sahiptir. Ödeme planı ve sözleşmenin bir nüshası müşteriye elden teslim edilmiştir.
- Kredi sözleşmesine ilişkin bir hesap açılması ve bu hesaptan sadece kredi ile ilgili işlemler yapılması durumunda, bu hesaba ilişkin herhangi bir isim altında ücret veya masraf talep edilmez. Kredinin bağlı olduğu bu hesabın; sadece kredi ile ilgili işlemler için kullanılması, kredi kapandığında bu hesapta herhangi bir bakiye olmaması ve aynı zamanda hesaba bağlı herhangi bir bankacılık ürününün bulunmaması durumunda kredinin kapandığı günün sonunda, bu tarihe kadar yazılı veya kayıtlı veri saklayıcısıyla Bankamıza ulaşan aksi yönde bir talebiniz olmaması halinde bu hesap sistem tarafından otomatik olarak kapatılır. Hesabın kapatılmasına engel durumunların oluşması halinde ise hesabın kapatılmasına ilişkin yazılı veya kalıcı veri saklayıcısıyla talebinizin alınması gerekli olup, talebiniz üzerine kapama işlemi müşteri temsilcilerimiz tarafından gerçekleştirilebilir.
- Taksit vadesinin, kanunlarda tatil olarak kabul edilen bir güne rastlaması durumunda kendiliğinden bugünü izleyen ve tatil olmayan ilk güne geçer.
- Esnek ödeme planlı kredilerde, belirlenen aylık taksit tutarının, aylık olarak ödenmesi gereken toplam faiz, fon ve vergilerden az olması durumunda "devreden faiz bakiyesi" oluşur ve kredi işlemlerinde varsa bu toplam devreden faiz ve buna ait vergi ve fonlar kredi bakiyesine eklenir.
- Müşteri, bu sözleşme gereğince ödeyeceği anapara ve faizleri, BSMV ve KKDF ile birlikte ödemeyi, sözleşmenin gerektirebileceği her türlü vergi ve diğer mali yükümlükleri, ileride konabilecek tüm vergi, harç ve fon tutarları, halen mevcut vergi, harç ve fonlara yapılabilecek zamları ve ilaveleri, ayrıca bir ihbara gerek olmaksızın, bunların yürürlük tarihlerinden itibaren ödemeyi taahhüt eder. Kredi vadesi içinde gerçekleşen BSMV, KKDF ve sair vergi yükümlülüklerine dair değişiklikler yürürlük tarihinden itibaren uygulanır.
- Kişisel Verilerin Korunması Aydınlatma Metni: Kişisel Verilerin Korunması Kanunu uyarınca HSBC Bank A.Ş. tarafından kişisel verilerin tüketici kredisi işlemlerinin gerçekleştirilmesi amacıyla işlenmesine dair detaylı bilgi edinmek için <https://www.hsbc.com.tr/hsbc/kisisel-verilerin-korunmasi> web sitesi ziyaret edilebilir veya banka ile iletişime geçilebilir.

II- ÖZEL ŞARTLAR

Madde 7- İHTİYAÇ KREDİSİ

Tür: Müşterinin nakit finansman ihtiyacını karşılamak için kullandırılan tüketici kredisidir.

Sigorta: Bu kredi ile birlikte sunulan kredi bağlantılı sigortanın ismi "Kredili Hayat Sigortası"dır. Kredili Hayat Sigortasının süresi kredi vadesi ile aynıdır. Kredili Hayat Sigortası kredi vadesi boyunca geçerlidir ve yenilemeye tabi değildir. Yukarıda Genel Şartlar bölümünde bilgisi verilen ihtiyari(isteğe bağlı) sigortalardan olan kredili hayat sigortası, müşterinin açık yazılı veya kayıtlı veri saklayıcısı ile iletildiği talebine istinaden Genel Şartlar bölümünde tariflendiği gibi yapılır. Sigorta poliçesinde Banka dain-i mürtehin (rehin alacaklısı) olmalıdır.

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Kredinin Dijital Kredi Kanallarından Kullanılması: İhtiyaç kredinizi HSBC İnternet Bankacılığı veya HSBC Mobil Kanallarında da Mesafeli Sözleşmeler kapsamında kullanabilirsiniz. Bu durumda kredi sözleşmesi uzaktan iletişim aracı ile akdedilecektir. Bankamız ile aranızda ayrıca yazılı bir sözleşme imzalanmayacaktır. Kullanım öncesinde bilgilendirme ve sözleşme ile ilgili onayınıza istinaden kredi kullanımı yapılacaktır. Dilediğiniz zaman kredinize ait bu belgelere HSBC İnternet Bankacılığından veya HSBC Mobil Kanallarından ulaşabilirsiniz. Sizin veya Bankamızın haklı sebeplerin varlığı halinde dilediği zaman, yazılı olarak veya kalıcı veri saklayıcısı ile bildirimde bulunarak, ihtiyaç kredisi borcunun tahakkuk edecek faiz ve diğer ferileri ile birlikte ödenmesi şartı ile sözleşmeyi fesih hakkı bulunmaktadır. Bu durumda cezai şart söz konusu olmayacaktır.

Cayma Hakkı: Müşteri, 14 gün içinde herhangi bir gerekçe göstermeksizin ve cezai şart ödemeksizin kredi sözleşmesinden cayma hakkına sahiptir. Cayma hakkı süresi, sözleşmenin kurulduğu tarihte başlar. Cayma hakkının kullanıldığına dair bildirim cayma hakkı süresi içinde bankaya yöneltilmiş olması yeterlidir. Cayma hakkını kullanan müşteri anaparayı ve kredinin kullanıldığı tarihten anaparanın geri ödendiği tarihe kadar olan sürede tahakkuk eden faizi en geç cayma bildirimini bankaya göndermesinden sonra 30 (otuz) gün içinde geri ödemelidir. Aksi takdirde krediden cayılmamış sayılır. Bu durumda da cayma bildiriminde bulunulmasından sonraki otuz günlük süreye denk gelen kredi taksitlerinin geç ödenmesi sebebiyle temerrüt durumu oluşur ve gecikme faizi işlemeye başlar. Faiz, akdî faiz oranına göre hesaplanır. Müşteriden, hesaplanan akdî faiz ve bir kamu kurum veya kuruluşuna veya üçüncü kişilere ödenmiş olan masraflar dışında herhangi bir bedel talep edilemez. Cayma hakkı süresi içinde kredi borcunun tamamının erken ödenmesi halinde cayma ile ilgili bildirim aranmaksızın krediniz cayma hakkınız kullanılarak kapatılır.

Madde 8- İHTİYAÇ KREDİSİ MEVDUAT/ MENKUL KIYMET REHİNLİ

Tür: Müşterinin nakit finansman ihtiyacını karşılamak amacıyla mevduat /menkul kıymet rehni karşılığında kullanılan tüketici kredisidir.

Sigorta: Bu kredi ile birlikte banka tarafından tek bir akdi faiz oranı ile kredi teklifi sunulmakta olup, kredinin kredili hayat sigortalı veya kredili hayat sigortasız olmasına göre akdi faiz oranı farklılaşmamaktadır. Yukarıda Genel Şartlar bölümünde bilgisi verilen ihtiyari (isteğe bağlı) sigortalardan olan kredili hayat sigortası, müşterinin açık yazılı veya kayıtlı veri saklayıcısı ile ilettiği talebine istinaden Genel Şartlar bölümünde tariflendiği gibi yapılır. Sigorta poliçesinde Banka dain-i mürtehin (rehin alacaklısı) olmalıdır.

Cayma Hakkı: Müşteri, 14 gün içinde herhangi bir gerekçe göstermeksizin ve cezai şart ödemeksizin kredi sözleşmesinden cayma hakkına sahiptir. Cayma hakkı süresi, sözleşmenin kurulduğu tarihte başlar. Cayma hakkının kullanıldığına dair bildirim cayma hakkı süresi içinde bankaya yöneltilmiş olması yeterlidir. Cayma hakkını kullanan müşteri anaparayı ve kredinin kullanıldığı tarihten anaparanın geri ödendiği tarihe kadar olan sürede tahakkuk eden faizi en geç cayma bildirimini bankaya göndermesinden sonra 30 (otuz) gün içinde geri ödemelidir. Aksi takdirde krediden cayılmamış sayılır. Bu durumda da cayma bildiriminde bulunulmasından sonraki otuz günlük süreye denk gelen kredi taksitlerinin geç ödenmesi sebebiyle temerrüt durumu oluşur ve gecikme faizi işlemeye başlar. Faiz, akdî faiz oranına göre hesaplanır. Müşteriden, hesaplanan akdî faiz ve bir kamu kurum veya kuruluşuna veya üçüncü kişilere ödenmiş olan masraflar dışında herhangi bir bedel talep edilemez. Cayma hakkı süresi içinde kredi borcunun tamamının erken ödenmesi halinde cayma ile ilgili bildirim aranmaksızın krediniz cayma hakkınız kullanılarak kapatılır.

Rehin: Kredinin teminatı, TL veya yabancı para mevduat (USD, GBP, EURO, Altın, Gümüş) ve/veya menkul kıymet (yatırım fonu, devlet tahvili, hazine bonosu ve Euro Bond) rehinidir. Teminat tutarı Bankaya rehinlidir. Bu amaçla taraflar arasında rehin sözleşmesi imzalanır. Kredinin teminatı olarak TL veya yabancı para mevduat rehni tesis edilmesi halinde, rehlinli bakiyeye banka tarafından vade süresince bloke konur ve Müşteri bu tutar üzerinde tasarruf edemez. Kredinin teminatı olarak menkul kıymet rehni tesis edilmesi durumunda teminatın durumuna göre Merkezi Kayıt Kuruluşu veya diğer ilgili saklama kuruluşları nezdinde banka adına rehin tesis edilir.

Teminat değişikliği talebi, Banka nezdindeki mevcut ve ileride açılacak hesapların rehin kapsamında olmaya devam etmesi kaydıyla ve rehin limitinin azaltılması anlamında olmamak üzere Müşteri talebine istinaden Banka tarafından değerlendirmeye alınır. Banka teminat değişikliği talebini kabul ederse; mevcut rehni kaldırarak, kalan borç tutarı üzerinden Bankanın uygun gördüğü teminat oranları ile yeni bloke koyar. Rehlinli krediler için, bankanın inisiyatifi ile teminat değişikliği durumunda ek bir rehin sözleşmesi yapılır veya müşteri talimatı ile teminat değişikliği gerçekleştirilir. Teminata alınan ürünlerde valör uygulaması bulunması

HSBC BANK A.Ş.

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Sicile kayıtlı olduğu yer: Esentepe Mah. Büyükdere Caddesi No:128 Şişli 34394 İstanbul- İstanbul Ticaret Sicil Md.

Sicil No: İstanbul Ticaret Sicil Müdürlüğü-268376

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halinde ve teminat deęişiklięi veya kredi kapama/ödeme amacı ile banka rehinli tutarın vadesiz hesabınıza aktarılması durumunda bu tutar üzerinde banka rehni olduęu için Müşterinin tasarruf hakkı bulunmamaktadır. Teminat deęişiklikleri, teminat oranlarının düzenlenmesi veya kredi kapanması amacı ile yapılacak rehinli veya rehne alınacak olan menkul kıymetler alış/ satış işlemlerinde bankamız standart komisyon tarifesi uygulanır.

Piyasa koşullarından dolayı teminata alınan menkul kıymetlerin değerlerinde düşüş olması sebebi ile teminat açığı oluşması durumunda, bankanın yapacağı bilgilendirmeye istinaden eksik kalan teminat tutarının Müşteri tarafından en fazla 5 işgünü içinde tamamlanması talep edilebilir. Teminat açığının tamamlanmaması durumunda banka kredinin kapatılmasını Müşteriye tavsiye edebilir. Menkul kıymet rehinli kredinin kullandırılması aşamasında 100TL tutarında mevduat rehni alınır ve bu işlem için ayrı bir rehin sözleşmesi alınmayacak olup bu madde rehin sözleşmesi niteliğindedir.

HSBC BANK A.Ş

Cem Muratoęlu
Bireysel Bankacılık ve
Birikim Yönetimi
Genel Müdür Yardımcısı

Sema Çetinkaya
Bireysel Bankacılık ve
Birikim Yönetimi
Ürün Yönetimi Grup Başkanı

MÜŞTERİ

Tarih:

Ad/Soyad:

Lütfen aşağıdaki kendi el yazınız ile yazınız
“Sözleşmenin ve Ödeme planının bir nüshasını elden aldım”

Müşteri İmzası

KEFALET SÖZLEŞMESİ

KEFİL: Lütfen aşağıya el yazınız ile aynen şunu yazınız : ”(Kefalet tutarı, hem rakam hem yazı ile yazılmalıdır.)

“Yukarıdaki krediye TL'ye kadar(rakam ile)
..... (yazı ile) (toplam geri ödeme tutarına kadar) kefilim.

Kefalet Tarihi: ____/____/____

Ad/Soyad:

Kefilin İmzası

KEFİLİN EŞİNİN RIZASI:

“Yukarıdaki krediye TL'ye kadar (rakam ile)
.....(yazı ile) (toplam geri ödeme tutarına kadar) eşimin kefil olmasına rıza gösteriyorum”

Rıza Beyan Tarihi: ____/____/____

Ad/Soyad: _____

Kefil Eşi İmza

HSBC BANK A.Ş.

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