



هيئة تشجيع الاستثمار المباشر
KUWAIT DIRECT INVESTMENT PROMOTION AUTHORITY

(Unofficial Translation)

Date: December 9, 2014

Director General Decision No. (35) of 2014
on Principles, Rules and Procedures for Licensing Branches and
Representative Offices of Foreign Companies in the State of Kuwait

Director General of Kuwait Direct Investment Promotion Authority:

- After perusal of the Companies Law as issued in Decree Law No. (25) of 2012 and as amended by Law No. (97) of 2013,
- and Law No. (116) of 2013 regarding the Promotion of Direct Investment in the State of Kuwait,
- and the Ministerial Decision No. (419) of 2014 issued on September 30, 2014, delegating the Director General of Kuwait Direct Investment Promotion Authority (KDIPA),
- and the Board of Directors of Kuwait Direct Investment Promotion Authority (KDIPA) decision taken in their third meeting of 2014 convened on September 25, 2014, approving the principles, rules, and procedures for licensing branches and representative offices,
- and based on the work interest.

It is decided

Licensing Conditions for branches and representative offices
in the State of Kuwait



Article One: The licensed branches and representative offices of foreign companies in the State of Kuwait must commit to fulfill the following:

1. Obtaining a written approval from the competent authority at the Mother Company, such that this approval shall be explicit and unconditional to any other approval inside or outside the State of Kuwait.
2. A certificate from the commercial register of the Mother Company indicating the last amendments or changes that were recorded especially the statement of the branches and representative offices it established in the country of origin or outside it, as well as all the trademarks, patents, and industrial and technological designs registered in its name in the country of origin or outside it including in the State of Kuwait, and any other relevant data related to the above that shall be requested by the authority (KDIPA).
3. A commitment by the Mother Company to fulfill any obligations resulting on the branch or the representative office inside the State of Kuwait.
4. Submitting legal support documents for the designated party for managing the branch or the representative office in the State of Kuwait; such a document shall be issued from the competent authority in the Mother Company, written in it the scope and date of validity.
5. The last three audited balance sheets for the Mother Company, attached to it a certified copy of the Mother Company's memorandum and articles of association.
6. Any other data or clarifications that shall be requested by the authority (KDIPA).



**Terms of Commitment for licensed branches and
representative offices of foreign companies in the State of
Kuwait**

Article Two: The licensed branches and representatives offices in the State of Kuwait shall commit to the following:

1. Notify the authority (KDIPA) in writing about the address and the premises of the branch or the representative office and address of its legal representative, such announcements and notifications issued by the authority (KDIPA) to this address shall maintain its legal effect in litigations against the branch or the representative office; the branch or the representative office shall commit to inform the authority (KDIPA) on any amendments to this address.
2. Notify the authority (KDIPA) on any amendments that occur in the Mother Company, in particular the legal form or the financial status, or the nature of activity and its administration, within a month of the date of the contract or verdict, or approval or measure that results these amendments, such that any of the above that the authority is not notified about shall not have any legal effect in litigations.
3. Install name signs in the premises of the branch or the representative office, as well as the legal status, and the objectives related to its trade name.
4. A statement of the capital and the money transfers from the Mother Company to the branch or the representative office, and the value of shares, if existent.



5. Providing the names and titles of the responsible partners in General Partnership companies, or Limited Partnership companies, date and place of birth of each one of them, nationality, and names of partners or others who are authorized to manage the Mother Company and have the right of signature in its name, indicating level of their authority in management and signing.
6. The branches of foreign companies shall commit to maintain regular audited accounts for all its activities that relates to its work in the State of Kuwait.
7. Any other data or clarifications that shall be requested by the authority (KDIPA) prior or subsequent to the submission of the application.

Article Three: The branch or the representative office manager shall submit to the authority (KDIPA) authentic and approved copies in Arabic of the original version of all the papers mentioned in the previous articles.

Article Four: This decision is to be abided by as of the date of its issuance.



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Article Five : Responsible officials, each in the area of concern, shall execute this decision.

Dr. Meshaal Jaber Al Ahmad Al Sabah
Director General, Kuwait Direct Investment Promotion Authority
(KDIPA)

The original Arabic is signed