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| **Foreign Account Tax Compliance Act (“FATCA”) – Individual Customer KYC Guidance** | | | | |
| Please use the below mentioned criteria as a guideline while preparing to Know Your Customer form (KYC) or other forms related to individual customers for the purpose of being FATCA compliant. Financial institutions should ensure that at minimum the information contained herein is included in the KYC forms and appropriate documentation and supporting information collected from the individual customers.  Financial institutions can embed this information into the existing KYC forms currently used for individual customers. | | | | |
| 1. **Nationality:** 2. **Other Nationality(ies) /passport(s) (if applicable): The Financial Institution can create more than one field on the KYC to identify other nationality(ies)/passport(s)** 3. **Are you holding a US passport/ nationality (please add either Question 1 and 2 together or 3 only)** 4. **Country of Birth** 5. **Date of birth** 6. **International mailing/ residential address outside Kuwait (if applicable). The Financial Institution can create more than one field on the KYC to identify the address** 7. **International telephone number outside Kuwait (if applicable). The Financial Institution can create more than one field on the KYC to identify the telephone number** 8. **Any residency outside Kuwait for tax purposes (it is essential to mention the tax identification number). The Financial Institution can create more than field on the KYC to identify the residency for tax purposes. (In the case the customer is uncertain about their tax obligations/position, the customer must consult their legal or tax advisor). This question may be replaced by the following question** 9. **Any residency in the United States of America for tax purposes (it is essential to mentioned the tax identification number). (In the case the customer is uncertain about their tax obligations/position, the customer must consult their legal or tax advisor). This question may be replaced by the previous question** | | | |
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| **The customer’s declaration to disclose their information in case the customer has been identified by the Financial institution as subject to reporting** | | | | |
| Financial Institutions should consult their legal advisors to create a relevant declaration.  The declaration should be final and irrevocable and is not subject to cancellation or amendments | | | | |
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| **FATCA guidance to Financial Institutions only:**   * Please collect W9 if customer has mentioned USA for questions 1-4. If he/she declared he/she is not US person please collect Certificate of Loss of Nationality of the United States (DS-4083) * Also for question 4 if the answer is USA and he/she declared that he/she is not US person and the (DS-4083) is not available; please obtain a reasonable clarification with the individual self-certification form. * Please collect W 9 if customer has mentioned USA for questions 6 – 7. If he/she declared that he/she is not US person please collect the individual self-certification form from the customer. * Please collect W-9iIf customer has mentioned USA for questions 8 – 9. If the customer declared that he/she is not a US person, please collect form I-407 Abandonment of Lawful Permanent Resident Status | | | | | | |
| **Additional Guideline:** | | | | | |
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| **If the customer:**   1. **Create or already has standing order instructions to transfer funds to the United States of America.**   **Or**   1. **Provides Power of Attorney to a person with a US address** | | | | | |

Please request customer to update their personal information by filling a new KYC form and obtain the W-9 form or the self-certification form from the customer.