Ministry of Finance

Foreign Accounts Tax Compliance Act

Ministry of Finance AEOI FACTA Portal

Financial Institution Enrolment

User Guide

Version No. 1

Contents

Document History

Revision History

Revision No	Revision Date	Summary of changes
1.0	16/11/16	Document baselined and uploaded to FATCA Portal landing page.

1. Introduction

1.1 Purpose

The purpose of this document is to provide a simple 'how-to' guide to assist Financial Institutions seeking to enrol on the Ministry of Finance AEOI FATCA Portal (hereafter referred to as 'the portal').

The portal enables Financial Institutions (hereafter referred to as 'FIs') within the State of Kuwait to satisfy their reporting obligations under the FATCA legislation by reporting the required data pertaining to US persons to the appointed competent authority for the State of Kuwait being The Ministry of Finance (hereafter referred to as 'the MOF'). The MOF will, in turn, securely forward the FI filings which it receives to the United Stated Internal Revenue Service (hereafter referred to as the 'IRS') in accordance with Ministerial Resolution 48/2015 concerning FATCA Implementation.

This document is not intended to provide business, policy, procedural or regulatory guidance to FIs with respect to FATCA. It contains instructional guidance regarding the initial FI registration process within the portal.

1.2 Scope

The guidance in this document is not intended to comprehensively address the extensive range of functionality within the portal. It provides a high-level overview of the enrolment process. For further information regarding the functionality of the portal please refer to the portal Functional Description document which can be accessed via the documents repository within the portal.

1.3 Technical Requirements

The portal requires the use of Transport Layer Security (TLS) 1.2. If users experience difficulty opening the portal, this may be addressed by enabling the security options of the web browser to allow the use of TLS1.2.

To do this using Internet Explorer:

- Open the web browser;
- Using the menu bar navigate to **Tools** > **Internet Options;**
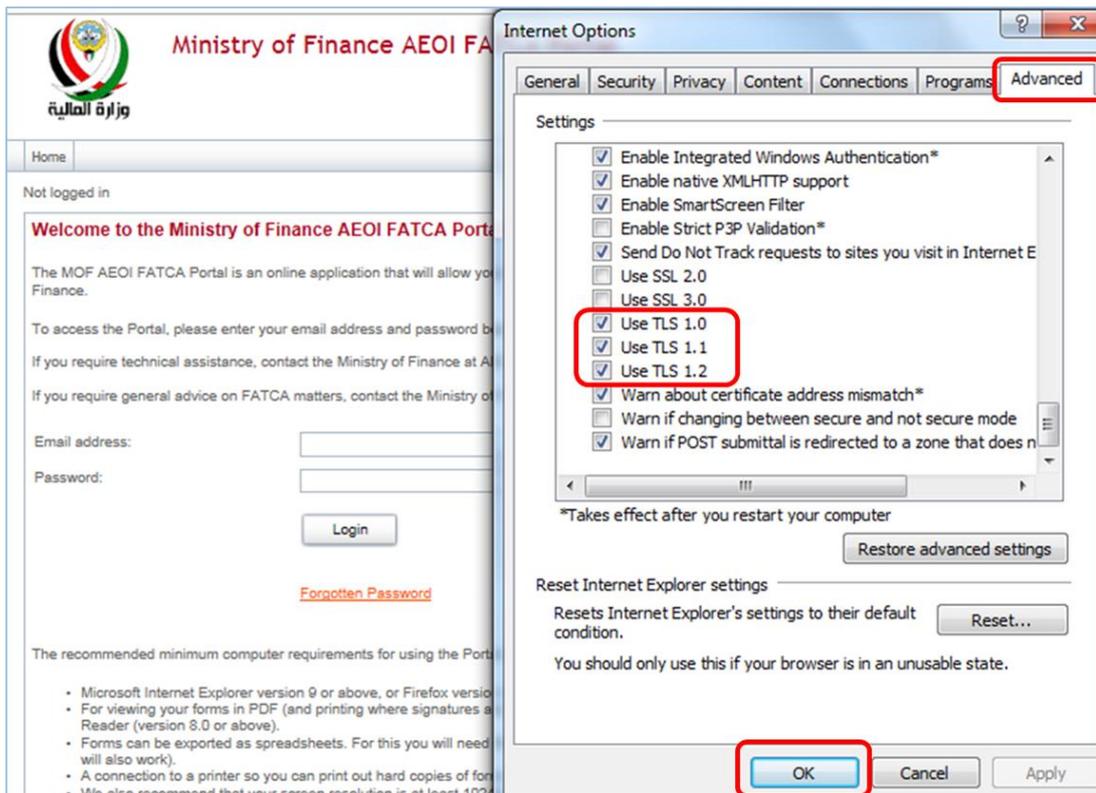- Select the **Advanced tab** and check **Use TLS 1.0**, **Use TLS 1.1** and **Use TLS 1.2**.

Figure 1: Updating Transport Security Layer settings on Internet Explorer

Should problems continue, it is recommended to use a newer version of the web browser i.e. Microsoft Internet Explorer version 9 or above, or Firefox version 4 or above or Google Chrome version 10 or above. For viewing your forms in PDF you will need a PDF viewer, such as Adobe Acrobat Reader (version 8.0 or above). It is also recommended that your screen resolution is at least 1024x768 or higher for optimal display.

1.4   Support

To report an initial registration issue, please email the portal support team at:
AEOI_support@mof.gov.kw

For general FATCA inquiries, please email the Department for Tax and Planning at

FATCA-inquiry@mof.gov.kw

Please provide your name and contact details which should include the name of your financial institution.

2. Financial Institution Enrolment

Prior to being able to submit FATCA filings, FIs must first "**Enrol**" with the MOF as shown below. The following steps are required in order to enrol a Financial Institution within the portal:

- Select **Enrol;**
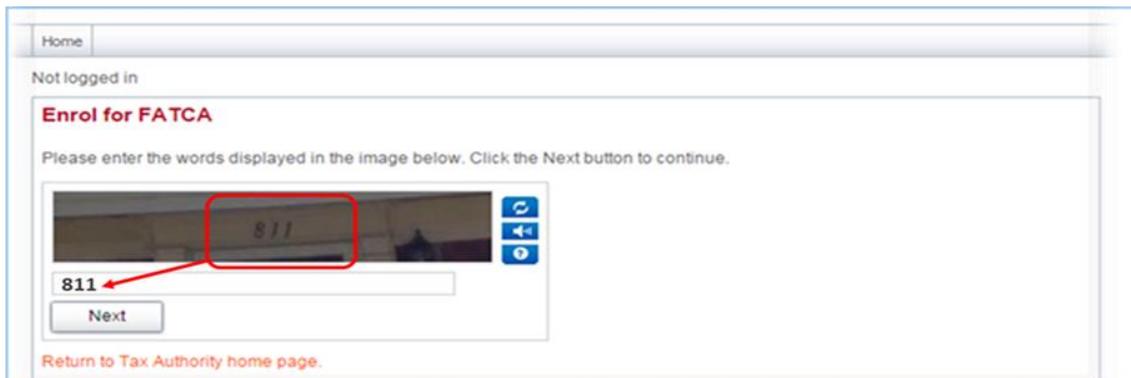- Enter the characters as shown in the CAPTCHA image presented and select **Next**.

Figure 2: Enrol for FATCA: CAPTCHA screen

Having successfully entered the letters and/or digits, the user is brought to the enrolment form. Completion of all input fields applicable to the FI is required. All mandatory fields are marked with a red asterisk and must be completed for the notification form to be successfully validated and transmitted to the MOF. The fields are described below:

Financial Institution Name

Enter the FI name, as provided during registration with the IRS. A Sponsoring Entity that is reporting on behalf of its Sponsored Entities must enter its Sponsoring Entity name.

Under which Regulation(s) does this Financial Institution have a reporting obligation?

Select all checkboxes for which the FI has a reporting obligation.

Financial Institution GIIN (issued by IRS)

Enter the Global Intermediary Identification Number (GIIN) as provided by the IRS. A Sponsoring Entity must enter the GIIN as provided by the IRS. Caution must be taken to ensure that the correct GIIN is entered. It is advised to copy and paste the GIIN which can be located using the GIIN search function on the IRS website.

If an entity has registered with the IRS as both a Sponsoring Entity and a Kuwait Reporting FI, two GIINs will be associated with the entity name.

The accepted GIIN categories within the portal are summarised below:
  o 'LE', 'SL', 'ME', 'BR', 'SP'

Categorization of Financial Institution

Users should choose all categories that apply to the FI. A Sponsoring Entity must choose all categories that apply to their Sponsored Entities.

Institution email address

Please record the contact email address of the FI.

Primary User Information

The email address entered for the Primary User must be specific to the user concerned.

A general email address that is accessible to other person(s), or is shared by other portal users, must not be used for security reasons. If a Primary User represents multiple FIs and wishes to gain access from a single login point, then the same email address must be entered into the Primary User information section whilst populating each FI notification.

Authorization Letter

The Authorization Letter (and any supporting documentation) must form one PDF document. The Authorization Letter must be from the Financial Institution ("FI") and in a customary business format featuring a letterhead. The document must include the following information:

- the date of the request;
- the FI name;
- the GIIN, if applicable (a GIIN must be provided whenever a FI, or Sponsoring Entity, has registered with the IRS);
- The contact details of the person providing the authorisation. The MOF Portal Administrator may use this information should the verification of a Primary User change request be required:
    ▪ full name;
    ▪ job title in relation to FI;

- telephone number;
- email address; and
- physical address.
- The contact details of the selected Primary User. These are required to identify the natural person authorised to be the Primary User. This may be either a named employee of the FI or an employee of a third-party service provider:
  - full name;
  - telephone number;
  - email address; and
  - physical address.
- The Authorisation Letter must be signed by a senior person employed by the FI, or in the case of a third-party service provider, on behalf of the FI. Where a FI has used the mechanism of a board resolution to provide the authorisation it must ensure that the resolution contains all the relevant details of the Primary User (natural person) or the third-party provider authorised to assign a Primary User and act on behalf of the FI. An extract(s) of such resolution(s) must be included in the same PDF behind the Authorisation Letter.
- In cases where the Primary User (natural person) is authorised as such by multiple FIs, the authorisation letter may list all the relevant FIs and the same authorisation letter may be uploaded as part of each separate FI notification.
- To upload the electronic copy of the signed Authorisation Letter, select Browse and locate the file.
- Select Submit when the PDF document has completed uploading.

Figure 3: Financial Institution FATCA online enrolment form.

Once submitted, a 'success' screen is displayed as per figure 4 below. The user is notified that their application form will be processed and responded to in due course.

Figure 4: FATCA enrolment acknowledgement screen.