



What is the Common Reporting Standard (CRS)?

CRS is a Global and Local Regulation for All Financial Institutions to Determine the Tax Identity of Their Clients

什么是统一报告标准（CRS）？

CRS是一种适用于所有金融机构确定其客户的纳税身份的全球及地方性法规

What is the Common Reporting Standard (CRS)?

CRS is a global and local regulation for all financial institutions to determine the tax identity of their clients.

As an NBK customer, you might have to complete some additional data to properly determine and categorize your tax identity for the purpose of protecting your account information. Please consult your legal/tax advisor for information on your tax status.

For more information on CRS and its requirements, please visit our website nbk.com

What is FATCA?

The Foreign Account Tax Compliance Act (FATCA) was issued in the U.S. on 18th March 2010, while in Kuwait FATCA is being addressed under law no. 109 of 2015 and related Ministerial decrees. FATCA requires all non-U.S. financial institutions (Foreign Financial Institutions or FFIs) to identify, document and report on U.S. accounts.

All local and international financial institutions working in and out of Kuwait are expected to comply with FATCA, based on local legislations and commercial perspectives. Any institution or client that does not comply risks regulatory violations, financial loss and isolation from the global financial system.

What is the purpose of FATCA?

FATCA was established to gain information about U.S. taxpayers' accounts worldwide, improve global transparency and combat tax evasion, so that banking privacy becomes a commitment that does not conflict with the principle of tax transparency.

什么是统一报告标准（CRS）？

CRS 是一种适用于所有金融机构确定其客户的纳税身份的全球及地方性法规。

作为一名 NBK 客户，为了保护您的账户信息安全，您可能需要填写额外信息以正确确定及定义您的税务身份。请咨询您的法律/税务顾问，了解您的税务状况。

欲了解有关 CRS 及其要求的更多信息，请访问我们的网站 nbk.com

FATCA 是什么？

美国于 2010 年 3 月 18 日颁布了《外国帐户税务合规法案》(FATCA)，而科威特在 2015 年发布了 FATCA 相关第 109 号法律及相关实施该法案。FATCA 要求所有非美国金融机构（外国金融机构或 FFI）对美国账户进行识别、记录并报告。

所有在科威特境内和境外工作的本地或国际金融机构都应根据当地立法和商业角度遵守 FATCA。任何不遵守规定的机构或客户都有违反监管规定、遭受财务损失及与全球金融体系隔绝的风险。

FATCA 的目的是什么？

FATCA 的设立是为了获得美国纳税人全球账户的相关信息，提高全球透明度，打击偷税漏税，从而使银行保密成为一项不违背税收透明度原则的承诺。

According to FATCA, who is considered a U.S. person?

An individual is considered a “U.S. person” if the individual has any of the following indicia and did not officially withdraw* the U.S. person status with the US authorities:

First: In relation to Individuals:

- A U.S. citizen or holds a U.S. passport (sole or dual or multiple)
- Was born in U.S.
- Permanent Resident or Lawful Permanent Resident (Green card/registered Alien)
- A U.S. taxpayer for any other reason

Second: In relation to non-individuals (companies and legal entities):

- Place of incorporation or Place of active management is U.S.;
- Branch of a U.S. entity;
- Passive non-financial entities with one or more U.S. shareholders that directly or indirectly own more than 25% of the company

*The customer must officially withdraw the U.S. citizenship or the U.S. residence (such an act should be substantiated with U.S. supporting document or certificate)

What is required from customers even if they are non-U.S. persons?

In general, all customers are required to determine their tax identity/residency to the Bank through the forms prepared for this purpose.

依据 FATCA, 谁被定义为美国人?

如果个人满足下列任何条件, 且没有正式被美国当局撤回美国人身份, 则该个人被视为“美国人”:

第一: 关于个人:

- 美国公民或持有美国护照 (单次、双次或多次)
- 出生于美国
- 永久居民或合法的永久居民 (绿卡/经注册的外国人)
- 出于其他任何原因成为美国纳税人

第二: 关于非个人 (公司和法人):

- 公司经营地或注册所在地位于美国;
- 美国公司的分支机构;
- 被一个或多个美国股东直接或间接拥有超过 25% 股权的消极非金融机构

* 客户必须正式被撤回美国公民身份或美国居住权 (此类行为应以美国证明文件或证书为依据)

即便不是美国人, 顾客需要提交什么?

一般来说, 所有客户都要因为税务原因准备表格向银行确定他们的税务身份/税收居住地。

Who is responsible for the accuracy and the completeness of the information mentioned in such forms?

The customer is responsible for the accuracy and completeness of the information given to the Bank and for updating such information in case of any change as soon as possible, or upon the request of the Bank.

What is the self-certificate concept? Is it required to be filled only by U.S. persons?

The self-certificate is a form issued by competent authorities in Kuwait. This form is available in Arabic and English and should be used by the resident customers whenever U.S. indicators are triggered to confirm their tax identity and that they are non-U.S. persons. U.S. persons are only required to fill the W9 form.

What action will be taken against non-compliant customers?

Customers who are unreachable pursuant to their contact details available at the Bank or those who are contacted, but do not complete the information required on time will be classified as “non-cooperative” customers.

The Bank shall furthermore take all necessary precautions against such non-cooperative customers to preserve its rights and to confirm its status as being FATCA compliant.

If my country of tax residence / the country I live in has a tax treaty with the U.S., am I exempt from FATCA or the additional recognition requirements (if any)?

No. Even if a country has entered into a double taxation relief treaty or an exchange of information treaty with the U.S. Government, individuals and entities located in that jurisdiction are not exempt from complying with FATCA or the additional recognition requirements.

谁对这些表格中提及信息的准确性和完整性负责？

客户对提供给银行信息的准确性和完整性负责，并在发生任何变化时尽快或应银行要求更新这些信息。

自我证明的概念是什么？只需要美国人填写吗？

自我证明是科威特主管部门签发的一种表单。当客户满足美国公民的条件但确认其税务身份不是美国人时，应使用该表单。该表单以阿拉伯语和英语提供。美国人只需填写 W9 表格。

对不合规的客户将采取什么行动？

根据银行提供的联系方式无法联系到的客户或未按时完成所需信息的客户将被归类为“不合作”客户。

银行还应采取一切必要措施防范这种不合作客户，以维护其权利并确认其符合 FATCA 规定。

如果我的税收所在国/我居住的国家与美国有税务条约，我是否可以免于 FATCA 或附加的识别要求（如果有的话）？

不。即使一个国家已经与美国政府实行避免双重征税安排的条款或信息互换的条款，并不能因此免除遵守 FATCA 或附加的识别要求。

If you have a joint account, held by a U.S. and a non-U.S. person, is it considered a US account?

Yes, a joint account with a U.S. person is treated as a U.S. account and is therefore reportable.

What are FATCA law requirements for opening or updating accounts for minor customers?

Usually the Bank requests KYC forms from both parties: guardians and minors. If there is any U.S. indicator triggered on either information of the guardian or the minor, the Bank will request that the FATCA form be filled and signed by the guardian on behalf of the minor.

Will non-U.S. accounts be reported?

No, accounts categorized as non-U.S. accounts will not be reported.

Are governmental entities or entities wholly owned by a government exempted from providing the withholding certificate?

No, the bank must identify all non-individual customers and obtain FATCA documentation to ensure proper classification for customers and avoid any reporting.

What is the information that would be exchanged with local authorities?

It depends on the information requested by the local authorities from a year to the other. However, in general may include the following:

- Customer Name
- Tax Identification Number
- Address
- Account number(s)
- Available Balance(s) for each account or product
- Interest or other payments received during the reportable year

如果你有一个联名账户，由一个美国人和一个非美国人持有，那它是美国帐户吗？

是的，与美国人共同拥有的联名账户被视为美国帐户，因此应报告。

FATCA 法案对未成年人客户开立及更新账户的要求是什么？

通常银行要求双方监护人和未成年人双方都提供 KYC 表格。如果监护人或未成年人的信息满足了任何美国人身份的条款，银行将要求监护人代表未成年人填写并签署 FATCA 表单。

非美国帐户会被报告吗？

不，被分类为非美国帐户的帐户将不会被报告。

政府机关或政府拥有的机构能免交扣缴凭证吗？

不，银行必须识别所有非个人客户，并获得 FATCA 相关文件，确保客户的正确分类而避免任何报告。

与地方当局交换的信息是什么？

取决于地方当局每一年所要求的信息。一般包括以下内容：

- 客户姓名
- 税务识别号码
- 地址
- 帐号
- 每个账户或产品的可用余额
- 在报告年份内的收到的利息或其他款项

For non-individual customers, is the self-certificate required to be provided from all corporate bodies even if it is a governmental body or authority or international organization etc.?

Yes, by Ministerial Decree No. 48 of 2015 issued in Kuwait, all non-individual customers must provide the financial institutions with this form. Only non-resident customers are exempted from this application and can provide the bank with the W8 as an alternative to the self-certification certificate.

Do all companies or investment funds need to register with the IRS and obtain a GIIN?

Yes, all investment companies or funds must register and have a GIIN unless they are wholly owned by the government and solely managing the government investments.

对于非个人客户，是否所有的公司机构，即使是政府机构、行政管理机构或国际组织等都需要提供自我证明？

是的，根据科威特发布的 2015 年第 48 号部长令，所有非个人客户必须向金融机构提供此表单。只有非居民个人客户方能豁免，并可向银行提供 W8 表格作为自我证明的替代。

所有的投资公司或基金都需要向国税局登记并获得 GIIN 吗？

是的，所有的投资公司或基金都必须注册并获得 GIIN，除非该等公司完全由政府所有并且只管理政府投资。

Introduction to CRS

What does CRS stand for?

It stands for “Common Reporting Standard” .

What is CRS?

The Common Reporting Standard (CRS) was developed by the Organization of Economic Co-operation and Development (OECD) for the Automatic Exchange of Information (AEOI) to combat tax evasion.

What is the purpose of CRS?

The CRS aims to increase tax transparency, fight against tax evasion and protect the integrity of tax systems.

Which countries are participating in the CRS?

Currently more than 100 countries are members including most of the GCC countries.

For a list of countries participating in the CRS, please go to:

<https://www.oecd.org/tax/transparency/AEOI-commitments.pdf>

Is Kuwait participating in the CRS?

Yes, Kuwait is a member of the CRS.

What is Kuwait's role?

Kuwait is required to identify customers' tax identity and report on accounts that are subject to taxes in foreign participating countries to the relevant authorities in those countries.

CRS 简介

CRS 代表什么？

它表示“统一报告标准”。

什么是 CRS？

统一报告标准 (CRS) 是由经济合作与发展组织 (OECD) 开发的,以打击逃税的信息自动交换 (AEOI) 体系。

CRS 的目的是什么？

CRS 旨在提高税收透明度, 打击偷税漏税, 保护税收体系的完整性。

哪些国家参加了 CRS？

目前有包括 GCC 大多数成员国在内的超过 100 个成员国。

对于参加 CRS 的国家列表, 请访问:

<https://www.oecd.org/tax/transparency/AEOI-commitments.pdf>

科威特是否参与 CRS？

是的, 科威特是 CRS 的成员国。

科威特的角色是什么？

科威特需要识别客户的纳税身份, 并向客户所属国家的相关当局报告外国参与国应纳税的账户。

Implementing CRS Requirements

What is required from NBK being in one of the banks operating in Kuwait, a participating country?

NBK is required to determine - and in some cases, collect additional information - to identify customers' tax identities. In cases where customers are subject to CRS requirements, NBK shall report such information with Kuwait's local authority which in turn will report such information with the relevant authorities in other participating countries.

Are all banks/ financial institutions implementing CRS?

Yes, all financial institutions referred to in CRS (such as banks, insurance companies, reinsurance companies, funds and asset management entities) are required to implement the CRS requirements in all participating countries.

Defining Tax Residency

What is the definition of Tax Residence under CRS?

Tax residency is defined in accordance with local laws of each participating country, which may differ from one country to another and is subject to being updated by participating countries. Accordingly, NBK cannot advise customers about their tax status.

- Residency: refers to a person who resides or works in a country
- Tax Residency: generally, it means that a person is subject to taxation in a county while not necessarily having to personally reside or work in such country, in such case customers are subject to taxation in such country based on the tax residency in that country

实施 CRS 的要求

NBK 作为在一个在参与国科威特运作的银行需要做什么？

NBK 需要——在某些情况下，收集额外信息——以确定客户的纳税身份。如果客户符合 CRS 要求，NBK 应向科威特地方当局报告此类信息，而科威特地方当局又将向其他参与国的有关当局报告此类信息。

所有银行/金融机构都在实施 CRS 吗？

是的，CRS 中提到的所有金融机构（如银行、保险公司、再保险公司、基金和资产管理机构）都必须在所有参与国执行 CRS 要求。

税收居住地的界定

CRS 中税收居住地的定义是什么？

税收居住地是根据每个参与国的当地法律确定的，这些法律可能因国家而异，并由参与国更新。因此，NBK 无法告知客户他们的税务状况。

- 居所：指在个国家居住或工作的人。
- 税收居住地：一般而言，它意味着一个人在某国要纳税，而不必亲自在该国居住或工作，在这种情况下，客户根据在该国的税务居留政策而在该国纳税。

Since there are no individual taxes in GCC, what is the Tax Identification Number (including Kuwait)?

GCC nationals and customs residing in GCC with valid residencies (according to the definition of residents) may use the civil ID number as the Tax Identification Number (TIN) with all financial institutions in Kuwait or abroad.

Can a customer be tax resident in more than one country?

Yes, this is based on the definition of tax residency in each country the customer deals with/ has relations with.

Can a customer have no tax residency in any country?

No, all customers should have at least one country of tax residency.

Is the customer's nationality linked to his/her tax residency?

The nationality of customers is not linked to their tax residency except in rare cases such as the United States of America; and in this case, customers should be referred to their tax advisors/lawyers.

Does CRS replace any current tax laws/regulations (Example: FATCA)?

No, FATCA and CRS laws, regulations and procedures, are completely independent from each other.

由于 GCC 中没有个税，什么是税号（包括科威特）？

GCC 国民及居住在 GCC 的有效居留者（根据居民的定义）可以在科威特或国外金融机构使用公民身份证号码作为纳税人识别号（TIN）。

客户是否可以在一个以上的国家纳税？

是的，这是基于与顾客相关的每个国家对税收政策的定义。

客户可以在任何国家都没有税收居所吗？

不，所有客户都应该至少有一个国家的税收居住地。

客户的国籍是否与他/她的税收居住地有关？

客户的国籍与他们的税收居所没有联系，除非在像美国这样的个案中；在这种情况下，应该由客户咨询他们的税务顾问/律师。

CRS 是否能取代现行的税法/法规（例如：FATCA）？

不，FATCA 和 CRS、是法规和程序，两者完全独立。

FATCA vs CRS

Is it possible for customers to be subject to both FATCA and CRS?

Yes, and in this situation, customers must complete, sign and provide all required FATCA and CRS documents separately.

If a customer is a tax resident of a country that is not CRS mandated, is the customer exempt from the CRS?

Individuals

At account opening: Customers are not exempt from CRS requirements.

At updating data of existing accounts: customers who do not meet any indicia are exempt from CRS requirements.

Non-Individuals, "Legal entities"

Documentation required under CRS should be completed at account opening and at updation of data.

What is the CRS Self-Certificate Form?

The CRS self-certificate is a legal form completed by customers that helps identify customers' tax residency, identity, and status.

FATCA 与 CRS

客户有可能同时遵循 FATCA 和 CRS 吗？

是的，在这种情况下，客户必须分别完成、签署并提供所有必需的 FATCA 及 CRS 相关文件。

如果客户是一个不属于 CRS 国家的税务居民，客户是否可以免除 CRS？

个人

在开户时：客户不能免除 CRS 要求。

在更新现有帐户的数据时：不满足任何条款的客户可免除 CRS 要求。

非个人，“机构”

CRS 要求的文件应在开户及数据更新时完成。

CRS 自我证明表单是什么？

CRS 自我证明表单是一种由客户出具的具有法律效力的表单，有助于识别客户的税收居住地、身份和状况。

What information is required on the CRS Self-Certificate Form?

Individuals

- Name
- Address
- Place of birth
- Country(ies) of tax residence
- Taxpayer Identification Number(s) (if any)

Non-Individuals, "Legal entities"

- Name
- Address
- Country of establishment
- Country(ies) of tax residence
- Taxpayer Identification Number(s) (if any)
- Place of registration
- Entity Type
- Authorized member(s) with controlling rights through management

Change in the Client Information

Which customers will be reportable?

Customers who confirm through the CRS self-certificate form that they are tax resident in one of the participating countries or customers who have met any indicia that they are subject to CRS and were not cooperative with the Bank to determine their tax residency.

CRS 自我证明表单需要哪些信息？

个人

- 姓名
- 地址
- 出生地
- 税收居住国
- 纳税人识别号（如果有的话）

非个人，“机构”

- 姓名
- 地址
- 成立所在国
- 税收居住国
- 纳税人识别号（如果有的话）
- 注册地点
- 机构类型
- 通过管理层拥有控制权的授权成员

客户信息的变化

哪些客户将被报告？

客户通过确认 CRS 自我证明表单表明他们是参与国的纳税居民或曾满足过应受到 CRS 任一条款的客户，且不与银行合作确定他们的税收居住地问题。

CRS Reporting

**If the customer changes his / her personal data?
Will this change affect the validity and validity of the
CRS Self-Certificate Form? If so, what is the data?**

If the customer changes the personal data shown below, this change will affect the validity of the self-certification certificate and in this case, he/she will have to immediately fill out a new certificate with the new personal data:

- Customer name
- Customer's tax residence (for example: the customer is no longer a tax resident in the country mentioned in the self-certification certificate and has become a tax resident in another country that is not mentioned in the self-certification certificate)
- Change in the exercise of the right of control (non-individual clients/legal entity)
- This document is being issued by National Bank of Kuwait S.A.K.P. to provide general information and to increase public awareness about FATCA and CRS
- This document does not provide legal or tax advice and should by no means be considered as doing so. National Bank of Kuwait S.A.K.P. shall not be responsible for the reader's reliance on or any use or misuse of this document

Should the reader require more information or advice regarding FATCA/CRS they should seek their own professional legal and tax advice.

For further information, please visit the IRS website at www.irs.gov.

CRS 报告

如果客户改变了他/她的个人数据，这种改变会影响数据的有效性及 CRS 自我证明表单的有效性吗？如果会，这些数据是什么？

如果客户更改了以下所列的个人数据，该更改将影响自我证明的有效性，在这种情况下，他/她必须即刻使用新的个人数据填写新的证明文件：

- 客户姓名
- 客户的税收居住地（例如：客户不再是自我证明中提及国家的税务居民，而是在自证中未提及的另一个国家的税务居民）
- 行使控制权的变更（非个人客户/法人）
- 本文件由科威特国民银行发布，旨在提供概述信息并提高公众对 FATCA 和 CRS 的认识
- 本文件不提供任何法律或税收建议，决无此意。科威特国民银行对读者对该文件的适用或滥用概不负责。

如果读者需要更多关于 FATCA/CRS 的信息或建议，应寻求自身专业法律及税收的建议。

欲了解更多信息，请访问美国国家税务局网站 www.irs.gov。