

CERTIFICATION REGARDING CORRESPONDENT ACCOUNTS FOR FOREIGN BANKS

[OMB CONTROL NUMBER 1506-0043]

*The information contained in this Certification is sought pursuant to Sections 5318(j) and 5318(k) of Title 31 of the United State Code, as added by sections 313 and 319(b) of the USA PATRIOT Act of 2001 (Public Law 107-56).*

This Certification should be completed by any **foreign bank** that maintains a **correspondent account** with any U.S. bank or broker-dealer in securities (a **covered financial institution** as defined in 31 CFR 1010.605(e)). An entity that is not a foreign bank is not required to complete this Certification.

A **foreign bank** is a bank organized under foreign law and located outside of the United States (see definition at 31 CFR 1010.100(u)). A **bank** includes offices, branches, and agencies of commercial banks or trust companies, private banks, national banks, thrift institutions, credit unions, and other organizations chartered under banking laws and supervised by banking supervisors of any state (see definition at 31 CFR 1010.100(d)).<sup>1</sup>

A **correspondent account** for a foreign bank is any account to receive deposits from, make payments or other disbursements on behalf of a foreign bank, or handle other financial transactions related to the foreign bank.

*Special instructions for foreign branches of U.S. banks:* A branch or office of a U.S. bank outside the United State is a foreign bank. Such a branch or office is not required to complete this Certification with respect to Correspondent Accounts with U.S. branches and offices of the same U.S. bank.

*Special instructions for covering multiple branches on a single Certification:* A foreign bank may complete one Certification for its branches and offices outside the United States. The Certification must list all of the branches and offices that are covered and must include the information required in Part C for **each** branch or office that maintains a Correspondent Account with a Covered Financial Institution. Use attachment sheets as necessary.

A. The undersigned financial institution, **NATIONAL BANK OF KUWAIT, SAKP** Head Office and all of its overseas branches and subsidiaries as listed in the attachment (collectively the "**Foreign Bank**") hereby certifies as follows:

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<sup>1</sup> A "foreign bank" does not include any foreign central bank or monetary authority that functions as a central bank, or any international financial institution or regional development bank formed by treaty or international agreement.

**B. Correspondent Accounts Covered by this Certification: Check one box.**

- This Certification applies to **all** accounts established for Foreign Bank by Covered Financial Institutions.
- This Certification applies to Correspondent Accounts established by \_\_\_\_\_ (name of Covered Financial Institution(s)) for Foreign Bank.

**C. Physical Presence/Regulated Affiliate Status: Check one box and complete the blanks.**

- Foreign Banks maintains a **physical presence** in any country. That means:
- Foreign Bank has a place of business at the street address set forth in the attachment hereto, where it employs one or more individuals on a full-time basis and maintains operating records related to its banking activities.
  - The above address is in countries where Foreign Bank is authorized to conduct banking activities.
  - Foreign Bank is subject to inspection by the banking authority that licensed the particular Foreign Bank to conduct banking activities as indicated in the attachment hereto.
- Foreign Bank does not have a physical presence in any country, but Foreign Bank is a **regulated affiliate**. That means:
- Foreign Bank is an affiliate of a depository institution, credit union, or a foreign bank that maintains a physical presence at the following street address: \_\_\_\_\_, where it employs one or more persons on a full-time basis and maintains operating records related to its banking activities.
  - The above address is in \_\_\_\_\_ (insert country), where the depository institution, credit union, or foreign bank is authorized to conduct banking activities.
  - Foreign Bank is subject to supervision by \_\_\_\_\_, (insert Banking Authority), the same banking authority that regulates the depository institution, credit union, or foreign bank.
- Foreign Bank does **not** have a physical presence in a country and is **not** a regulated affiliate.

**D. Indirect Use of Correspondent Accounts: Check box to certify.**

- No Correspondent Account maintained by a Covered Financial Institution may be used to indirectly provide banking services to certain foreign banks. Foreign Bank

hereby certifies that it does **not** use any Correspondent Account with a Covered Financial Institution to indirectly provide banking services to any foreign bank that does not maintain a physical presence in any country and that is not a regulated affiliate.

**E. Ownership Information:** Check box 1 or 2 below, **if applicable.**

- 1. **Form FR Y-7 is on file.** Foreign Bank has filed with the Federal Reserve Board a current Form FR Y-7 and has disclosed its ownership information on Item 4 of Form FR Y-7.
- 2. **Foreign Bank's shares are publicly traded.** Publicly traded means that the shares are traded on an exchange or an organized over-the-counter market that is regulated by a foreign securities authority as defined in section 3(a)(50) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a)(50)).

If **neither** box 1 or 2 of Part E is checked, complete Item 3 below, **if applicable.**

- 3. Foreign Bank has no **owner(s)** except as set forth below. For purposes of this Certification, **owner** means any person who, directly or indirectly, (a) owns, controls, or has power to vote 25 percent or more of any class of voting securities or other voting interests of Foreign Bank; or (b) controls in any manner the election of a majority of the directors (or individuals exercising similar functions) of Foreign Bank. For purposes of this Certification, (i) **person** means any individual, bank, corporation, partnership, limited liability company or any other legal entity; (ii) **voting securities or other voting interests** means securities or other interests that entitle the holder to vote for or select directors (or individuals exercising similar functions); and (iii) members of the same family<sup>2</sup> shall be considered one **person**.

Name	Address

<sup>2</sup> The same family means parents, spouses, children, siblings, uncles, aunts, grandparents, grandchildren, first cousins, stepchildren, stepsiblings, parents-in-law and spouses of any of the foregoing. In determining the ownership interests of the same family, any voting interest of any family member shall be taken into account.

**F. Process Agent:** complete the following.

The following individual or entity: **National Bank of Kuwait SAKP** is a resident of the United States at the following street address: **299 Park Avenue, 17<sup>th</sup> Floor, NY 10171-0023**, and is authorized to accept service of legal process on behalf of Foreign Bank from the Secretary of the Treasury or the Attorney General of the United States pursuant to Section 5318(k) of title 31, United States Code.

**G. General**

Foreign Bank hereby agrees to notify in writing each Covered Financial Institution at which it maintains any Correspondent Account of any change in facts or circumstances reported in this Certification. Notification shall be given within 30 calendar days of such change.

Foreign Bank understands that each Covered Financial Institution at which it maintains a Correspondent Account may provide a copy of this Certification to the Secretary of the Treasury and the Attorney General of the United States. Foreign Bank further understands that the statements contained in this Certification may be transmitted to one or more departments or agencies of the United States of America for the purpose of fulfilling such departments' and agencies' governmental functions.

I, **Isam Al-Sager**, certify that I have read and understand this Certification, that the statements made in this Certification are complete and correct, and that I am authorized to execute this Certification on behalf of Foreign Bank.

**National Bank of Kuwait, SAKP**

\_\_\_\_\_  
[Name of Foreign Bank]

  
\_\_\_\_\_  
[Signature]

**Isam Al Sager**

\_\_\_\_\_  
[Printed Name]

**Group Chief Executive Officer**

\_\_\_\_\_  
[Title]

Executed on this 20<sup>th</sup> day of December, 2021.

**Received and reviewed by:**

Name: \_\_\_\_\_

Title: \_\_\_\_\_

For: \_\_\_\_\_

\_\_\_\_\_  
[Name of Covered Financial Institution]

Date: \_\_\_\_\_

[67 FR 60573, Sept. 26, 2002]

**Branches & Subsidiaries  
Covered by this Certification**

Name	Address	Key Regulators
National Bank of Kuwait SAKP <i>Head Office &amp; Local Branches</i>	Al-Shuhada Street, Sharq, 13001 Safat, Kuwait.	Central Bank of Kuwait Capital Markets Authority Kuwait
National Bank of Kuwait (Int'l) PLC (London)	13 George Street London W1U 3QJ, United Kingdom.	Financial Conduct Authority Prudential Regulatory Authority
National Bank of Kuwait France SA	90 Avenue des Champs-Elysees 75008 Paris, France.	Autorité de contrôle prudentiel et de résolution (ACPR)
National Bank of Kuwait (Lebanon) SAL	BAC Building, Justinien Street Sanayeh, Beirut, Lebanon.	Banque Du Liban
National Bank of Kuwait SAKP (Bahrain)	Building 1411, Road 4626, Block 346 Manama, Kingdom of Bahrain.	Central Bank of Bahrain
National Bank of Kuwait Egypt S.A.E.	Plot No. 155, City Center-First Sector, 5 <sup>th</sup> Settlement, New Cairo P.O. Box 229, 11835 New Cairo, Egypt.	Central Bank of Egypt
National Bank of Kuwait SAKP (Singapore)	9 Raffles Place # 44-01 Republic Plaza, Singapore 048619	Monetary Authority of Singapore
National Bank of Kuwait SAKP (Shanghai) - China	Suite 1501-1502, AZIA Center,1233 Lujiazui Ring Road, Shanghai 200120, China.	China Banking and Insurance Regulatory Commission (CBIRC) The People's Bank of China (PBOC)
National Bank of Kuwait SAKP (Jordan)	19 Mecca Street, Amman, Jordan.	Central Bank of Jordan
National Bank of Kuwait SAKP (Saudi Arabia)	Al Khalidiah District, Al-Mukmal Tower, Jeddah, Saudi Arabia.	The Saudi Central Bank (SAMA)
National Bank of Kuwait SAKP (Dubai) - UAE	Latifa Tower, Ground floor, Next to Crown Plaza, Sheikh Zayed Road P.O Box 9293, Dubai, U.A.E.	Central Bank of the United Arab Emirates
National Bank of Kuwait SAKP (Abu Dhabi) - UAE	Sheikh Rashid Bin Saeed street (Old Airport Road) P.O. Box 113567, Abu Dhabi, U.A.E.	Central Bank of the United Arab Emirates
Credit Bank of Iraq	Street 9, Building 187, Elwiya Building, Al Sadoun Street, Baghdad, Iraq.	Central Bank of Iraq

**PART II**

Regulated Affiliate of Foreign Bank covered by the Certification given for the purposes of complying with Title 31 Section 5318(j) and 5318(k) for Bank Affiliates that Do Not Maintain a Physical Presence in a Country.

Name	Address	Banking Authority	Ownership
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INTERNAL

National Bank of Kuwait SAKP	C/o. Scotiabank & Trust Co. (Cayman) Ltd., Cayman Island Branch, P.O. Box 501, George Town, 6 Cardinal Ave, Cayman Islands	Cayman Islands Monetary Authority; Office of the Comptroller of the Currency	100% by NBK SAKP.
NBK GDM (Caymans) Limited	c/o Walkers Corporate Limited, Cayman Corporate Centre, 27 Hospital Road, George Town, Grand Cayman KY1-19008, Cayman Island	Cayman Islands Monetary Authority; Office of the Comptroller of the Currency	100% by NBK SAKP.