



(Unofficial Translation)

Date: July 10, 2016

**Ministerial Decision No. (280) of 2016 amending Ministerial Decision No. (161) of 2016 for the Establishment and Detailed Tasks of the One Stop Shop (OSS) Department**

**Minister of Commerce and Industry:**

- After perusal of Decree No. (1) of 1959 regarding the commercial registry,
- And Decree Law No. (15) of 1979 regarding the civil service and its amendments,
- And Decree published on 7<sup>th</sup> of Jamadi alawal of 1399 H. equivalent to April 4, 1979 regarding the civil service system and its amendments,
- And Decree Law No. (68) of 1980 regarding the issuance of Commerce Law and its amended laws,
- And Decree No. (191) of 2015 regarding the restructuring of the Ministry of Commerce & Industry (MOCI),
- Law No. (10) of 2007 regarding the protection of competition and its amendments,
- And Law No. (98) of 2013 regarding the National Fund for SME enterprise Development.

- And Law No. (106) of 2013 regarding the combating money laundering and financing terrorism,
- And Law No. (111) of 2013 regarding licensing commercial outlets ,
- And Law No. (116) of 2013 regarding the Promotion of Direct Investment in the State of Kuwait,
- And Law No. (20) of 2014 for e-transactions and its executive regulations,
- And Law No. (39) of 2014 regarding the consumer protection and its executive regulations,
- And Law No. (13) of 2015 regarding the approval of trade patents law for GCC and its executive regulations,
- And Law No. (63) of 2015 regarding combating cyber crimes,
- And Law No. (1) of 2016 issuing the Companies Law,
- And Law No. (13) of 2016 regarding the regulation of commercial agencies,
- And Ministerial Decision No. (161) of 2016 regarding the establishment and tasks of One Stop Shop Department,
- And the approval of the Civil Service Commission in its meeting No. (8/2016) dated April 28, 2016 on establishing the OSS department,
- And what the Undersecretary of MOCI presented,
- And the dictated public interest.

## **It is decided**

### **Article (1)**

A dedicated department is established under the Minister of Commerce & Industry, and is composed of:

- a. Communications & Technical Support Supervisory: under it two sections namely: Public Communications Section; and Technical Support Section.
- b. Companies services Supervisory: under it three specialized technical sections namely: Companies Section; KDIPA Services & Transactions Section; and the National Fund for SME Enterprise Development Services & Transactions Section.

## Article (2)

The OSS Department and its administrative sub-units are specialized in the following detailed tasks:

**The OSS Department is specialized in performing the following tasks:**

1. Completing all the procedures for establishing companies in a declared specified timeframe with transparency and clarity.
2. Receiving applications for establishing companies and issuing licences to assume its activities.
3. Coordinating with relevant entities to complete all procedures in the specified timeframe.
4. Proposing policies and work systems relating to the OSS and developing an annual plan and following it up of all its tasks.
5. Preparing introductory guidelines to show how to implement the transactions for all procedures, and placing it on announcement boards, on the website of MOCI, at the OSS, and at all related entities.
6. Responding to inquiries submitted verbally and in writing by the government and non-government entities regarding the transactions performed within the OSS tasks during a specified period that is committed to it.
7. Keeping electronic records to register transactions and to follow up its progress starting from the time received until completed to ensure best practice.
8. Identifying needed indicators to perform the work by showing how each transaction is carried out within the specialization of OSS and the time it takes to ensure efficiency, quality, and speed.
9. Developing an electronic system for tracking compliance to these indicators such that it signals alarms when failing to oblige the transactions according to it.

10. Preparing monthly reports about achievements indicating time of receipt of transaction and time completed and reason for delay, if any, and suggestions to resolve such delay if it occurs.
11. Follow up transactions in paper format and electronically and its implementation according to instructions and in coordination with the performance follow up unit.

**The Communications & Technical Support Supervisory is specialized in:**

1. Placing automated systems to receive applications submitted to the OSS and ensuring it functions and easy access by the public in reality and electronically.
2. Following up with the delivery and receipt of submitted applications to the OSS and completing work according to the announced timeframe with transparency.
3. Designing internal networks used in coordination with internal and external entities.
4. Updating used systems according to work needs.
5. Tackling technical problems in the receipt and delivery operations, data processing and information and finding adequate solutions.
6. Daily follow-up with public dealing with the transactions through the sections that provide the licensing and other transactions at the OSS.
7. Studying causes of delay of services delivered if any, and developing adequate solutions.
8. Responding to the public inquiries on the transactions and work schemes inside the OSS in accordance with the timeframe defined with transparency.
9. Coordinating with specialized Supervisories and Sections for electronically transforming procedures, documents, and operations of the systems used.
10. Communicating with external entities and information networks regarding the OSS.
11. Responding to all entities, individuals, and companies regarding their submitted transactions and speeding up its implementation.

12. Preparing the monthly progress report on the Supervisory' s achievements and submit to the concerned entity.
13. Establishing an –e-archive and continuously updating it.

**The Technical Support Section is specialized in:**

1. Designing internal networks and its external links according to OSS operations.
2. Developing electronic systems for OSS operations.
3. Updating the systems used according to work needs.
4. Tackling technical problems in the receipt and delivery operations, data processing and information and finding adequate solutions.
5. Coordinating with the IT centers of relevance to OSS.
6. Following electronically internal operations in OSS and determining its achievements and impact.
7. Establishing an electric archive and updating it continuously.
8. Preparing the monthly progress report on the Section' s achievements and submit to the concerned entity.
9. Other required tasks.

**The Communications Section (with entities & the Public) is specialized in:**

1. Developing a system for communication operations with entities and the public both electronically and on paper with transparency and clarity.
2. Performing daily follow up operations to the implemented transactions and those under implementation and those that not implemented and respond to the public about them.
3. Organizing operations regarding the reception of the public and entities in the halls prepared for this purpose.
4. Studying the causes of service delivery delays, if any, and proposing adequate solutions.
5. Responding promptly to complaints received by the public, and to submitted inquiries regarding transactions, within defined timeframe.

6. Coordinating with external and internal entities regarding communications operations and enhancing their effectiveness.
7. Preparing the monthly progress report on the Section's achievements and submit to the concerned entity.
8. Other required tasks

**The Companies Services Supervisory is specialized in:**

1. **Persons companies (limited liability & one single person) include the following tasks:**
  - a) Establishing a company.
  - b) Issuing a new license for the company including temporary licenses.
  - c) Submitting a copy of the information and documents saved in the company's file.
  - d) Selecting a new commercial name.
  - e) Issuing a certificate for the company's information including names of partners, their shares, managers, and authority matrix.
2. **Regarding professional companies & Holding companies include the following tasks:**
  - a) Tasks relates to the company according to its legal form it selects in accordance with item (1) of this Article.
3. **Regarding KDIPA transactions, will include the following tasks:**
  - a) Implementing transactions relating to the investor establishing the company's legal entity and any amendments or changes that occurs.
  - b) Issuing and renewing approvals, permits and licenses of relevance.
  - c) Receiving and delivering all papers, applications, document's, contracts, permits, and fees.

- d) Performing all procedures and issuing all approvals and decisions of relevance and follow up as needed with original entities.
  - e) Providing services that are usually delivered by the original entities and follow up, as needed, with original entities.
  - f) Preparing a list of companies, institutions, and specialized firms, that are qualified and approved and is allowed to submit applications in the investor's name and on his behalf, if the investor so wishes.
4. **Regarding the National Fund for SME enterprise Development will include the following tasks:**
- a) Implementing transactions relating to the entrepreneur establishing the company's legal entity and any amendments or changes that occurs.
  - b) Receiving applications submitted by the Fund and issuing and renewing approvals, permits, and licenses of relevance
  - c) Examining and reviewing documents that are required to be attached to the form and the procedures regulating application submission.

**The Companies Section specialized in:**

1. Establishing persons companies, professional and holding companies and issuing their licenses according to the Law and its executive regulations.
2. Issuing temporary license.
3. Selecting a new commercial name.
4. Delivering a copy of the information and documents saved in the company's file.
5. Issuing a certificate of the company's information covering the names of the partners and their shares, names of the managers and their authority matrix.

6. Issuing a certificate (شهادة قيد) for registering the company in the commercial registry.
7. Preparing the monthly progress report on the Section's achievements and submit to the concerned entity.

**KDIPA's Services & Transaction Section is specialized in:**

1. Implementing transactions relating to establishing a legal entity by the investor and any amendments or changes that occur.
2. Issuing and renewing approvals, permits, and licenses of relevance.
3. Receiving and delivering all papers, applications, documents, contracts, permits and fees.
4. Coordinating with concerned entities with KDIPA's work and follow with them as needed.
5. Preparing the monthly progress report on the Section's achievements and submit to the concerned entity.

**The National Fund for SME enterprise Development Services & Transaction Section is specialized in:**

1. Implementing transactions relating to the entrepreneur establishing the company's legal entity and any amendments or changes that occurs.
2. Receiving applications submitted by the Fund and issuing and renewing approvals, permits, and licenses of relevance.
3. Examining and reviewing documents that are required to be attached to the form.
4. Perform the procedures regulating application submission.
5. Preparing the monthly progress report on the Section's achievements and submit to the concerned entity.



### **Article (3)**

All concerned entities shall execute this decision and it cancels all what contradicts its provisions, and is in effect as of the date of its issuance.

**Dr. Yousef Mohammad Abdallah Al Ali**  
**Minister of Commerce and Industry**

(original signed by the Minister of MOCI).



(Unofficial Translation)

Official Gazette Sunday May 29 2016 issue 1290 Vol. 62

**Ministerial Decision No. (161) of 2016**  
**for the Establishment and Tasks of the One Stop Shop (OSS)**  
**Department**

**Minister of Commerce and Industry:**

- After perusal of Law No. (10) of 2007 regarding the protection of competition and its amendments,
- And Law No. (98) of 2013 regarding the National Fund for SME enterprise Development.
- And Law No. (106) regarding the combating money laundering and financing terrorism,
- And Law No. (111) of 2013 regarding licensing commercial outlets ,
- And Law No. (116) of 2013 regarding the Promotion of Direct Investment in the State of Kuwait,
- And Law No. (20) of 2014 for e-transactions and its executive regulations,
- And Law No. (39) of 2014 regarding the consumer protection and its executive regulations,
- And Law No. (13) of 2015 regarding the approval of trade patents law for GCC and its executive regulations,

- And Law No. (63) of 2015 regarding combating cyber crimes,
- And Law No. (1) of 2016 issuing the Companies Law,
- And Law No. (13) of 2016 regarding the regulation of commercial agencies,
- And decree No. (1) of 1959 regarding the commercial registry,
- And Decree Law No. (68) of 1980 regarding the issuance of Commerce Law and its amended laws,
- And Decree No. (191) of 2015 regarding the restructuring of the Ministry of Commerce & Industry (MOCI),
- And the approval of the Civil Service Commission of the Organizational Structure of the OSS department,
- And what the Undersecretary of MOCI presented,
- and the dictated public interest.

### **It is decided**

#### **Article (1)**

A dedicated department is established under the Minister composed of sufficient number of specialized ministry staff from the following departments:

1. Legal affairs.
2. Commercial registry.
3. Combating Money laundering and financing terrorism.
4. Persons Companies
5. Shareholding companies.
6. Administrative affairs.
7. Development & Training.
8. Information Technology (IT)

Sufficient staff delegated to work in this department from the following entities:

1. Ministry of Justice (Department of Real Estate Registration & Documentation).
2. Kuwait Municipality.
3. Ministry of Social Affairs & Labor.
4. Public Authority for Civil Information (PACI).
5. Ministry of Interior.

6. Kuwait Chamber of Commerce & Industry (KCCI).
7. Kuwait Direct Investment Promotion Authority (KDIPA).
8. The National Fund for SME Enterprise Development.

It is permissible by a decision from the Minister, or whom he delegates, to add or eliminate departments or entities to operate in this department, as dictated by the public interest.

### **Article (2)**

The Director of the One Stop Shop (OSS) Department is one of MOCI's employees, and every entity selects its representative amongst the specialized staff who are fully authorized to perform their duties in the pattern specified in the executive regulations of the Companies Law.

### **Article (3)**

The duration of delegation shall be in accordance with the provisions of the legislations, regulations, and decisions governing this.

### **Article (4)**

The OSS Department specialized in:

1. Facilitating transactions for the public that relates to establishing and issuance of companies licenses for all types, specifically persons companies (limited liability company and single person company), through focusing services in a unified (single) window (OSS) and through one officer (account manager system), or other perceived means.
2. Ensuring that all concerned entities in OSS work harmonized its electronic systems to integrate with the MOCI OSS system towards establishing an online unified entry point on MOCI's website, to be periodically updated, and displays all the decisions and guides.
3. Coordinating amongst concerned entities to ensure exchange of information electronically.

4. Proposing arrangements that will ensure cooperation and coordination amongst all concerned government entities and other entities related to performing the work of OSS within the extent of its tasks, and to unify its procedures, and document its work and continuously communicate its procedures and updates.
5. Identifying any procedures or entities that creates obstacles for implementing transactions, and providing recommendations about it.
6. Participating in the study of draft trade-facilitation agreements, proposed by international or regional organizations, and providing suggestions or recommendations about it.
7. Proposing necessary arrangements to streamline procedures needed to implement the transactions of the OSS.

### **Article (5)**

The OSS Department submits periodically a report on its operations regarding the monitoring and implementation of international and regional quality performance standards for business and services provided to ensure transparency and good practice in providing services to the public.

### **Article (6)**

The organizational structure of the OSS Department and the Supervisory of Service Delivery Quality is composed of:

1. There are two Supervisory units under the OSS Department that include:
  - a. Companies services Supervisory: under it three specialized technical sections namely: Companies Section; KDIPA Services & Transactions Section; and the National Fund for SME Enterprise Development Services & Transactions Section.
  - b. Communications & Technical Support Supervisory: under it two sections namely: Public Communications Section; and Technical Support Section.

## **Article (7)**

The tasks of the organizational units:

### **First: Tasks of OSS Department and its organizational sub-units:**

The OSS Department is specialized in performing the following tasks:

1. Completing all the procedures for establishing companies in a declared specified timeframe with transparency and clarity.
2. Receiving applications for establishing companies and issuing licences to assume its activities.
3. Coordinating with relevant entities to complete all procedures in the specified timeframe.
4. Proposing policies and work systems relating to the OSS and developing an annual plan and following it up of all its tasks.
5. Preparing introductory guidelines to show how to implement the transactions for all procedures, and placing it on announcement boards, on the website of MOCI, at the OSS, and at all related entities.
6. Responding to inquiries submitted verbally and in writing by the government and non-government entities regarding the transactions performed within the OSS tasks during a specified period that is committed to it.
7. Keeping electronic records to register transactions and to follow up its progress starting from the time received until completed to ensure best practice.
8. Identifying needed indicators to perform the work by showing how each transaction is carried out within the specialization of OSS and the time it takes to ensure efficiency, quality, and speed.
9. Developing an electronic system for tracking compliance to these indicators such that it signals alarms when failing to oblige the transactions according to it.
10. Preparing monthly reports about achievements indicating time of receipt of transaction and time completed and reason for delay, if any, and suggestions to resolve such delay if it occurs.

11. Follow up transactions in paper format and electronically and its implementation according to instructions and in coordination with the performance follow up unit.

12. The Department is specialized also in performing the following:

- a. Persons companies (limited liability & one single person) include the following tasks:
  - i. Establishing a company.
  - ii. Issuing a new license for the company including temporary licenses.
  - iii. Submitting a copy of the information and documents saved in the company's file.
  - iv. Selecting a new commercial name.
  - v. Issuing a certificate for the company's information including names of partners, their shares, managers, and authority matrix.
- b. Professional companies & Holding companies include the following tasks:
  - i. Tasks relates to the company according to its legal form it selects in accordance with paragraph (a) of this Article.
- c. KDIPA transactions, the department will include the following tasks:
  - i. Implementing transactions relating to the investor establishing the company's legal entity and any amendments or changes that occurs.
  - ii. Issuing and renewing approvals, permits and licenses of relevance.
  - iii. Receiving and delivering all papers, applications, document's, contracts, permits, and fees.
  - iv. Performing all procedures and issuing all approvals and decisions of relevance and follow up as needed with original entities.
  - v. Providing services that are usually delivered by the original entities and follow up, as needed, with original entities.

- vi. Preparing a list of companies, institutions, and specialized firms, that are qualified and approved and is allowed to submit applications in the investor's name and on his behalf, if the investor so wishes.
- d. National Fund for SME enterprise Development transactions the department will include the following tasks:
  - i. Implementing transactions relating to the entrepreneur establishing the company's legal entity and any amendments or changes that occurs.
  - ii. Receiving applications submitted by the Fund and issuing and renewing approvals, permits, and licenses of relevance.
  - iii. Examining and reviewing documents that are required to be attached to the form and the procedures regulating application submission.
  - iv. Coordinating with the technical department specialized in studying and evaluating submitted projects according to the rule specified by the Fund.

**Second: Tasks of the Companies Services Supervisory:**

The companies Services Supervisory is specialized in the following tasks:

1. Regarding the Persons companies: establishing the company and issuing a new license in accordance with Article (8) paragraph (12) item (a) of Department Tasks.
2. Regarding professional companies & holding companies: the Supervisory is specialized in performing tasks related to the company according to the legal entity it assumes and in accordance with Article (8) paragraph (12) item (b).
3. Regarding KDIPA transactions: the Supervisory is specialized in implementing transactions relating to the investor establishing investment entity or any expansions or changes that occur, and issuing and renewing approvals, permits, and licenses of relevance according to Article (8) paragraph (12) item (c).



4. Regarding National Fund for SME enterprise Development transactions: the Supervisory is specialized in receiving applications; examining and reviewing the documents that need to be attached to the form; coordinating with specialized technical departments for project study and evaluation and review of the projects' feasibility studies; preparing monthly progress report of the Supervisory achievements relating to all services of relevance and submitting it to the concerned entities; and coordinating with external entities of relevance to implement transactions according to Article (8) paragraph (12) item ( d).

### **Third: Tasks of Companies Section:**

The Companies Section performs the following tasks:

1. Establishing persons companies, professional and holding companies and issuing their licenses according to the Law and its executive regulations.
2. Issuing temporary license.
3. Selecting a new commercial name.
4. Delivering a copy of the information and documents saved in the company's file.
5. Issuing a certificate of the company's information covering the names of the partners and their shares, names of the managers and their authority matrix.
6. Issuing a certificate (شهادة قيد) for registering the company in the commercial registry.
7. Preparing the monthly progress report on the Section's achievements and submit to the concerned entity.

### **Fourth: Tasks of KDIPA's Services & Transaction Section:**

The Section is specialized in the following tasks:

1. Implementing transactions relating to establishing a legal entity by the investor and any amendments or changes that occur.
2. Issuing and renewing approvals, permits, and licenses of relevance.

3. Receiving and delivering all papers, applications, documents, contracts, permits and fees.
4. Coordinating with concerned entities with KDIPA's work and follow with them as needed.
5. Preparing the monthly progress report on the Section's achievements and submit to the concerned entity.

**Fifth: Tasks of the National Fund for SME enterprise Development Services & Transaction Section:**

The Section is specialized in the following tasks:

1. Implementing transactions relating to the entrepreneur establishing the company's legal entity and any amendments or changes that occurs.
2. Receiving applications submitted by the Fund and issuing and renewing approvals, permits, and licenses of relevance.
3. Examining and reviewing documents that are required to be attached to the form.
4. Perform the procedures regulating application submission.
5. Coordinating with the technical department specialized in studying and evaluating submitted projects according to the rules specified by the Fund.
6. Preparing the monthly progress report on the Section's achievements and submit to the concerned entity.

**Sixth: Tasks of Communications & Technical Support Supervisory:**

The Supervisory is specialized in the following tasks:

1. Placing automated systems to receive applications submitted to the OSS and ensuring it functions and easy access by the public in reality and electronically.
2. Following up with the delivery and receipt of submitted applications to the OSS and completing work according to the announced timeframe with transparency.

3. Designing internal networks (local Network) used in coordination with internal and external entities.
4. Updating/Modifying used systems according to work needs.
5. Tackling technical problems in the receipt and delivery operations, data processing and information and finding adequate solutions.
6. Daily follow-up with public dealing with the transactions through the sections that provide the licensing and other transactions at the OSS.
7. Studying causes of delay of services delivered if any, and developing adequate solutions.
8. Responding to the public inquiries on the transactions and work schemes inside the OSS in accordance with the timeframe defined with transparency.
9. Coordinating with specialized Supervisories and Sections for electronically transforming procedures, documents, and operations of the systems used.
10. Communicating with external entities and information networks regarding the OSS.
11. Responding to all entities, individuals, and companies regarding their submitted transactions and speeding up its implementation.
12. Preparing the monthly progress report on the Supervisory' s achievements and submit to the concerned entity.
13. Establishing an –e-archive and continuously updating it.

**Seventh: Tasks of Technical Support Section:**

The Section is specialized in the following tasks:

1. Designing internal networks and its external links according to OSS operations.
2. Developing electronic systems for OSS operations.
3. Updating/Modifying the systems used according to work needs.
4. Tackling technical problems in the receipt and delivery operations, data processing and information and finding adequate solutions.
5. Coordinating with the IT centers of relevance to OSS.

6. Following electronically internal operations in OSS and determining its achievements and impact.
7. Establishing an Electronic archive and updating it continuously.
8. Preparing the monthly progress report on the Section's achievements and submit to the concerned entity.
9. Other required tasks.

**Eighth: Tasks of Communications Section (with entities & the Public):**

The Section is specialized in the following tasks:

1. Developing a system for communication operations with entities and the public both electronically and on paper with transparency and clarity.
2. Performing daily follow up operations to the implemented transactions and those under implementation and those that not implemented and respond to the public about them.
3. Organizing operations regarding the reception of the public and entities in the halls prepared for this purpose.
4. Studying the causes of service delivery delays, if any, and proposing adequate solutions.
5. Responding promptly to complaints received by the public, and to submitted inquiries regarding transactions, within defined timeframe.
6. Coordinating with external and internal entities regarding communications operations and enhancing their effectiveness.
7. Preparing the monthly progress report on the Section's achievements and submit to the concerned entity.
8. Other required tasks

## **Article (8)**

In selecting the Department staff and those that are delegated the following should be considered:

1. The representation of all entities that comprise the OSS should be by qualified staff members, who are well prepared academically, professionally, and behaviorally.
2. All the staff members should be qualified before they start their work by receiving the needed training within work teams and on-the-job, and their individual competencies should be determined.

The performance of the staff members will be assessed within various organizational units duly in accordance with quality performance standards and job efficiency.

## **Article (9)**

The MOCI building in *Ishbilyah* is designated for the OSS Department.

## **Article (10)**

All concerned entities shall execute this decision and abide by it as of the date of its publication in the Official Gazette.

**Dr. Yousef Mohammad Abdallah Al Ali**  
**Minister of Commerce and Industry**

Issued on April 20, 2016. (original signed by the Minister)