

Legalese

STARTING YOUR OWN BUSINESS

By Attorney Fajer Ahmed

As a young Kuwaiti myself (relatively young to be honest), it is only normal that I have been surrounded by other young Kuwaitis, especially since I have been brought up and lived most of my life in Kuwait.

I have watched my generation go through trends and phases, trying to balance the interesting dynamics of Kuwait with our multicultural population and our traditions, yet I can proudly say that my generation in the past few years has been extremely brave and talented and has contributed to the progression of this country and the region in so many ways. How? From F & B chains that have franchises in the GCC (like Slider Station, Pick Yo, Luscious and many more) to magazines that are also leading in the GCC industry (Khaleejessque) to fashion designers, sportspeople, writers, innovators photographers and artists. The list goes on and on - what a creative generation!

The government has fortunately realized how important it is to have regulations that can assist young Kuwaitis and make the process of obtaining a commercial license easier, lessening bureaucratic and legal hurdles. So today not only do I want to answer common questions I get from SMEs, but also say that I am willing to support SMEs in any way possible, because I believe they are a vital part of our economy.

Minimum capital

Question: Is it true that the minimum capital for establishing a company has gone down to KD 1,000? And what exactly is minimum capital?

Fajer: Yes, it is true the minimum capital for starting a Limited Liability Company (WLL) is now KD 1,000. As I have said before, I try to make my writing as simple as possible because I want as many people as possible to understand the law. I believe in making the law easy. Once the amount is deposited in the bank, the amount will be frozen until you have obtained the commercial license.

Steps needed

Question: What are the steps that I need to carry out to obtain a commercial license?

Fajer: The answer to this question depends on the type of license, which also depends on the type of activity and the relationship you want to have with your partners. But I will go ahead and describe the process for a Limited Liability Company.

1. Ministry of Commerce and Industry.

You need to register at the department designated for companies at the ministry. You will need a copy of your civil ID, a paper from the Social Security Authority confirming that both of the partners work in the private sector, the lease contract, a receipt of rent payment and a paper from the Public Authority of Civil Information confirming the use of the space for commercial activities. You should also be able to obtain a paper from the department addressed to your bank so that you can deposit the minimum capital. Different papers will also be issued according to the activity that the company will undertake.

2. Copyright of the company name

You will need to reserve a commercial name for your company that has not been used or is not in use by any other company. This should be according to the commercial register guidelines. The name is then published in the official gazette to confirm that no one else is using the said name.

3. Inspection

The Municipality will come and check that the location complies with the Municipality's health and safety regulations. The Fire Department will also carry out an inspection.

4. Memorandum of Association

A Memorandum of Association in simple terms is an official document that lays out the company's relationship with any third parties. It's a very important document and should be drafted with care, although in Kuwait it is very common to "copy/paste" an MOA, and this is because the Ministry of Commerce has a standard draft. It has to be approved by the Ministry of Commerce and it has to also be notarized by the Ministry of Justice.

5. Commercial License

The commercial license is then issued and a membership to the Kuwait Chamber of Commerce and Industry is issued, as well as registers at the Ministry of Labor and Social Affairs.

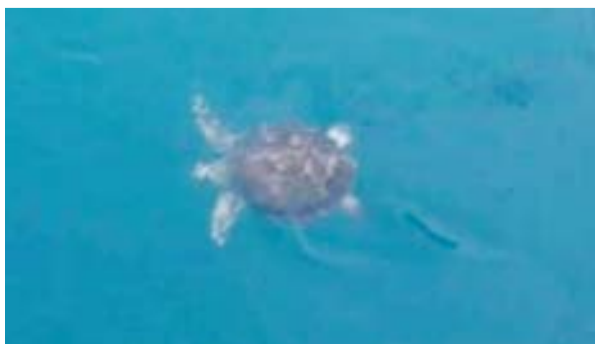
The process can take as little as three weeks and up to a few months depending on the circumstances. I really hope that you get inspired to start your own company, a company that will contribute to the Kuwaiti society hopefully by resolving a social issue. We are blessed to have a supportive system in Kuwait and many young talents, so start with the ideas you have and ask for the support around you.

For any legal questions or queries, email ask@fajerthelawyer.com.

TURTLE TRAPPED AT PLANT'S BASIN

By Meshaal Al-Enezi

KUWAIT: A turtle was found trapped inside a Shuaiba Plant basin, a Ministry of Electricity and Water (MEW) official said yesterday. Arrangements were made with the Kuwait Dive Team to free the marine animal, said Fouad Al-Oun, Assistant Undersecretary for Operating and Maintaining Power and Water Plants. The incident did not affect production at the plant, Oun said. The official made reference to an incident that happened nearly ten years ago when a turtle was trapped at the same site, and later freed safely.



PANEL DID NOT RECOMMEND RAISING SCHOOL FEES: MP

By A Saleh

KUWAIT: Chairman of the parliament's educational affairs committee MP Oudah Al-Rowaei stressed yesterday that the committee had not recommended any tuition fee increases for private schools. Meanwhile, Minister of Education Dr Bader Al-Essa issued a decision yesterday, officially increasing fees collected by private schools by three percent for the school year 2016-2017 and by another three percent for the following year (2017-2018). The increases would be then be reconsidered and reviewed. Essa also made a decision to allow grandchildren of retired or serving bedoons working for the army or the police to be accepted in public schools starting from 2016-2017.

In a different concern, Essa said the delay in the Shadadiya university project was due to several changes and called for shifting the responsibility of the project to the Ministry of Public Works (MPW), because the university did not have enough technical staff to supervise and follow up the construc-



MP Oudah Al-Rowaei



Minister of Education Dr Bader Al-Essa

tion process. Responding to a question about scholarships, Essa denied they were reduced this year, and stressed that the numbers are still the same - 6,000 foreign and 4,000 local scholarships. In other news, Kuwait University employees syndicate expressed criticized the 'sudden decision' in issuing the government universities law separating Kuwait University from the new Sabah Al-

Salem University in Shadadiya. In this regard, syndicate chairman Haitham Al-Hajri said that the decision was shocking to all employees, especially those who had supervised some of the construction works at the new project and dream of working there. Hajri called for reconsidering the government universities bill while it was still at the Cabinet and before submitting it to the parliament.



Firefighters stand outside a building in Bneid Al-Gar where a fire was reported.

MAID PUSHED OUT OF MOVING VEHICLE

SPONSOR ARGUED WITH MAID ON WAY BACK TO OFFICE

By Hanan Al-Saadoun

KUWAIT: An Asian woman was rushed to Jahra Hospital with cuts and bruises on her body after she was pushed out of a moving vehicle, said security sources. Eyewitnesses said that the woman, who works as a maid, had an argument with her sponsor, who fought with her and asked her to get into the vehicle to return her to the recruitment office. The witness said that the sponsor pushed the maid out of the moving vehicle and fled the scene. A case was filed and the sponsor is being summoned for further investigations.

Drunk woman caught

A British woman was arrested in Ahmadi for drinking, said security sources, noting that on stopping her, the woman was extremely drunk and had a plastic bottle with a yellowish liquid. A case was filed.

Drug dealer arrested

A citizen was arrested in Mubarak Al-Kabeer with half a kilogram of hashish divided into small bars. He was in the process of selling the drugs to an undercover agent for KD 900.

Body found

The corpse of a 29-year-old Indian man was found hanging by a rope tied to the neck inside a bathroom at his sponsor's house in Salwa, said security sources. A suicide investigation was opened in the case.

Woman arrested for begging

Ahmadi detectives arrested a Jordanian woman and her minor daughter while begging at Reaqa Co-op Society, said security sources. They noted that they are both dependents sponsored by the girl's father, who will be summoned and legally held accountable for allowing his wife and daughter to go out begging.

Absconding maids detained

Eight absconding Filipina maids were arrested in Hawally after a citizen reported seeing his absconding maid in Hawally, said security sources, noting that the suspects used to provide private nursing and day-to-day housemaid services. A case was filed and the suspects were referred to relevant authorities. Separately, residency affairs department detectives arrested 11 people in violation of residency laws in Jahra and Ardhya industrial area, said security sources, noting that all those arrested were Asians.

No injuries in fires

Hilali and Shuhada firefighters controlled a fire that broke out in an 11-storey building under construction in Bneid Al-Gar, said security sources, noting that the fire was on the third floor. No injuries were reported. Separately, a vehicle caught fire in Maidan Hawally, said security sources, noting that firemen from Hawally rushed to the scene and managed to control the fire without any casualties.

Fines collected

The Ministry of Interior's relations and security media department announced that the decision to unblock traffic fines committed in 2015 and earlier would remain in effect during Ramadan, except those related to driving without driving licenses for non-Kuwaitis, speeding and violations committed in 2016. The department added that fines could be paid online at the ministry's website, various traffic departments and at citizen



This photo provided by the Interior Ministry shows a sports car involved in an illegal race.



A Kuwait Municipality inspector checks the quality of meat during a campaign in Farwaniya.

In my view

COMBATING TERRORISM IS A GLOBAL DUTY



By Labeed Abdal

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Condemnation by Turkish President Recep Tayyip Erdogan over the recent explosion in Istanbul and the promises he made to continue combating terrorism has become a duty of all countries around the world. Erdogan described the attack as one against humanity and stressed that there would be no tolerance for such attacks. He vowed to tirelessly fight terrorism all the way to the end, which is a very hard choice to make at such a critical time when friends are turning into foes and vice versa.

This terrorist attack killed seven policemen and four civilians and injured 36 others, when a car bomb went off while a riot police bus was going past, which once more proves how brainwashed the executors of such attacks are. The fact that the attack was made on the second day of Ramadan proves that terrorism can happen anytime and anywhere, because the executors do not only go through 'zero hour' to kill themselves and other innocent people, but also have other goals greater than dying in small pieces.

This calls for uniting world efforts to counter the destruction taking place in Syria, Iraq, UK, India, Egypt, France or here in Kuwait last Ramadan by considering the message culprits may have wanted to convey by their crimes. The explosions in Turkey that destroyed several university buildings, the Istanbul municipality headquarters and mosques that go back to the Ottoman era involve political competition. The age of information, the Internet and other such matrices call for comprehensive international readiness and fully constructive cooperation instead of establishing more clubs, especially by countries that have accidentally or deliberately forgotten all about the concepts of international equality and justice.

Crimes

report

'Homeless' citizen arrested

KUWAIT: Responding to reports about a man and a dog sleeping in the toilets of the beach near the Scientific Center in Salmiya, detectives rushed to the scene and found that the man is a 41-year-old homeless citizen wanted for second degree murder. The man was arrested and referred to the relevant authorities for further action.

Driver arrested for selling liquor

An Asian driver working for a female ruling family member was arrested with 77 bottles of homebrewed liquor hidden in a vehicle owned by the 'sheikha', said security sources. Case papers indicate that a police patrol saw the vehicle driven in an unsteady course in Salmiya, and on asking the driver to pull over, he tried to force the patrol car off the road. However, on stopping the Asian driver and searching the vehicle, policemen found the liquor and that the vehicle belonged to a sheikha. Security sources said Salmiya police station received several calls requesting releasing the driver, before they were told that he was carrying alcohol in the vehicle. Separately, an Asian man was arrested when he was spotted walking around Fahaheel market while heavily drunk, said security sources.

Women fight

An Indian woman filed a case against a compatriot accusing her of breaking her nose and front teeth during a fight in a Rumaithiya street. A case was filed and the other woman is being summoned for further investigations.

Armed robbery

A Filipino man reported that an armed robber stole KD 300 and his mobile phone in Maidan Hawally, said security sources, noting that the man said that he had just withdrawn the money from an ATM when someone dressed in a dishdasha and driving a vehicle stopped, assaulted him and used a knife to threaten to harm him unless he handed over his wallet and mobile phone. A case was filed.

Motorist injured

A citizen sustained various fractures and injuries when his vehicle collided into another along Gulf Road and then hit a concrete barrier, said security sources. They noted that the man was rushed to Amiri Hospital for treatment, while the other driver was unharmed.

Murder threat

A female citizen called police reporting that she had received a call from her ex-husband telling her that he was on his way to 'kill her', said security sources, noting that policemen were dispatched to the woman's house in Salwa, but the man did not show up. A case was filed and further investigations are in progress.

Domestic violence

Another Kuwaiti woman called the police reporting that her brother was attacking her and that she had locked herself in her room to escape his rage. Rushing to the house in Firdous, the brother opened the front door, claiming that he was angry because his sister always challenged and disobeyed his orders. A case was filed and both siblings were taken to the police station pending further investigations.

Caravan stolen

A citizen recently reported that someone stole a caravan he had parked in his garden, said security sources, noting that the man said that the janitor told him that while he was out of the house, someone driving an SUV towed the caravan out of the garden and that he failed to jot down the vehicle's license plate number.

Officer insulted

A police colonel reported that he spotted someone driving in a suspicious way in Mansouriya and that on stopping him and showing his ID, the suspect made fun of him, pushed him and sped off. However, the colonel provided detectives with the suspect's vehicle license plate number and a search is on.

Search for armed suspect

A search is on for an unidentified person in a car who had fired several shots at a citizen's house in Saad Al-Abdullah, said security sources.

Smokers fined

Four people were recently fined by the environment police on the spot for smoking inside a shopping mall, said security sources. — Al-Rai and Al-Anbaa