

Account Disclosures - Kuwait

The following are the disclosures which supplement the applicable Relationship Documents entered into between the Bank and the Customer. This is a Supporting Document and should be read together with the Kuwait Country Conditions and all other Relationship Documents. These disclosures may be updated from time to time, and the latest version will be available at:

<https://www.business.hsbc.com.kw/en-gb/kw/generic/download-centre>

1 How to make a complaint

1.1 Upon notice from the Customer that the Bank has not delivered the standard of service the Customer expects or that the Customer believes there is an error in relation to any Account, the Bank will investigate the matters raised in such notice from the Customer and, where appropriate, take steps necessary to resolve such issues and prevent their recurrence.

1.2 Any notice referred to in the clause above shall be directed to the Bank's relationship manager in the first instance. If the Customer remains dissatisfied following the response received, the Customer can send a complaint to the Bank via the complaints and feedback section of the Bank's website available at:
<https://www.business.hsbc.com.kw/en-gb/kw/generic/contact-us>.

1.3 In accordance with Central Bank of Kuwait requirements, if you are unsatisfied with the resolution of your complaint after due inquiry by the Bank in accordance with the procedures set forth above, you may file a complaint with the Customer Protection Unit of the Central Bank of Kuwait.

2 Fees and Charges

The Bank's standard fees and charges are available at:
<https://www.business.hsbc.com.kw/en-gb/>.

3 Standard Interest Rates

The Bank's standard interest rates are available at:
<https://www.business.hsbc.com.kw/en-gb/kw/generic/standard-credit-interest-rates>.

4 Statements

The Bank will provide statements showing the payments into and from each Account through electronic channels, or to the address the Bank has in its records for the Customer. The Customer is responsible for updating its contact details to ensure that statements are received from the Bank.

5 Cheques

5.1 Issuance of Cheque Books

Cheque books are only issued for current accounts in the State of Kuwait denominated in KWD.

5.2 Use of Cheques

Cheques should be clearly written in permanent ink and there should be no spaces between words or figures. When inserting the date please use the following format [DD/MM/YY].

5.3 Protecting Cheques

The Customer must take reasonable precautions to stop anyone altering or forging cheque including:

- (a) only using cheques in the form issued by the Bank;

- (b) always writing on cheques in non-erasable ink;

- (c) not leaving any space for insertions and add the word "only" after the written amount;

- (d) never pre-signing blank cheques; and

- (e) never using corrective fluid.

5.4 Mistakes

If there is a mistake on a cheque or the Bank considers (in its sole discretion) that there is a signature mismatch, the Bank may reject the cheque for technical reasons (as opposed to insufficient funds), in which case it will not be honoured.

5.5 The Customer is responsible for ensuring that cheques are filled in properly. If any cheques written are not honoured due to technical reasons, the Customer is responsible for ensuring that any payment obligations are met through other means. The Bank will keep a record of the number of technical cheque returns on an Account.

5.6 Cheque Clearing

Cut off times are indicative only and are available on the Bank's website. Cheque clearance timing depends on the time of day and the method a cheque is presented. The Bank will treat post-dated cheques as though they were presented on the cheque date.

5.7 When paying a cheque into an Account, the Customer will normally have to wait up to 2 working days until funds can be utilised, unless agreed otherwise with the Bank. This may take longer if the Bank considers, in its sole discretion, that there are credit or fraud prevention reasons why the Bank is unable to credit the applicable Account within the usual time frame.

5.8 Stopping Cheque Payments

A cheque can be stopped only if it is lost or stolen (and there is a police report confirming this) or if the beneficiary of the cheque is declared bankrupt (and a request is received from the receiver or liquidator of the beneficiary) and the Customer provides the Bank with an indemnity or any other form as may be required.

5.9 A request to cancel the processing or clearing of a post-dated cheque must be made in writing to the Bank no later than 3 working days before the cheque date.

5.10 The Bank may decide to cancel a cheque from the system or issue a replacement according to its own policies and in compliance with the applicable laws and regulations. The Bank may also require attendance of the other party to the cheque to jointly provide an indemnity to the Bank as may be required.

5.11 What if a Cheque is more than 6 months' old?

The Bank may (but is not obliged to) pay a cheque which is more than 6 months' old, in accordance with the applicable laws and regulations and our policies and procedures. In case of a cashier order (manager cheque) or demand draft, the Bank allows extended time for paying the cheque which may reach 5 years.

5.12 What happens if a Cheque I write from my Account bounces?

The Customer must ensure that sufficient funds are available in the applicable Account to meet any cheques written.

5.13 In the event that a cheque is not processed due to insufficient

funds in an Account (a "Bounced Cheque") and where a Bounced Cheque occurs more than three (3) times during a single calendar year, then in addition to criminal penalties, including imprisonment, which may be imposed under Law No. 16 of 1960 promulgating the Penal Code of the State of Kuwait the Bank, may in its sole discretion, close the Customer's Account and identify Customer, to the Central Bank of Kuwait, as a person whose accounts have been closed due to a Bounced Cheque.

5.14 There are also other consequences to having a cheque returned for insufficient funds, including but not limited to facing difficulties obtaining credit in the future and/or the Bank closing the Account. The Bank will keep a record of the number of bounced cheques returns on an Account.

5.15 Unclaimed cheques

Cheques can become dormant or unclaimed in accordance with applicable Central Bank regulations. If a Cheque becomes unclaimed then the amount of the cheque will be transferred to the Central Bank of Kuwait whether that cheque was payable to the Customer or to a third party.

5.16 What happens if a Cheque is returned unpaid?

If a cheque paid into an Account is returned unpaid the Bank will deduct the amount of the cheque from the Account.

6 Regulatory Disclosure

HSBC Bank Middle East Limited (Kuwait Branch), P.O. Box 1683 Safat 13017, is regulated by the Central Bank of Kuwait, the Capital Markets Authority for licensed securities activities and lead regulated by the Dubai Financial Services Authority.