



KIA Law

IN THE NAME OF GOD, THE COMPASSIONATE, THE MERCIFUL
LAW NO.47 OF 1982, ESTABLISHING
THE PUBLIC INVESTMENT AUTHORITY
[now known as the "Kuwait Investment Authority"]

Having perused Articles 20, 65, 79, 109, 148, 156, 178 of the Constitution, And Law No. 30 of 1964, establishing the Audit Bureau, as amended be Decree Law No. 4 for 1977, And Law No. 22 of 1968, Concerning Currency, the Kuwait Central Bank and the Regulation of the Banking Profession, as amended be Decree Law no. 120 of 1977, And Law No. 32 of 1970, Concerning the Regulation of Dealings in Securities of Companies, And Decree Law No. 106 of 1976, Concerning the Future Generations Fund, And Decree Law No. 31 of 1978, Relating to the Rules for Preparation of Public Budgets and Control of its Implementation and of the State's Annual Account, And Decree Law No. 15 of 1979, Concerning Civil Service, And Decree Law No. 68 of 1980, Promulgating the Law of Commerce, The National Assembly has passed the Law, the text of which reproduced below, and we have sanctioned and enacted the same:

Article 1

An independent public authority shall be established with juridical status to be named the "Public Investment Authority" and be attached to the Minister of Finance. The seat of the authority shall be in the State of Kuwait and it may set up offices outside the State of Kuwait.

Article 2

The objective of the Authority is to undertake, in the name and for the account of the Government of Kuwait, the management of the State's Reserve Fund, the monies allocated for the Future Generations Fund, as well as such other monies that the Minister of Finance may entrust the Authority with its management.

Article 3

The Authority shall be managed by a Board of Directors which shall be composed of the Minister of Finance, as Chairman, the Minister of Oil, the under-Secretary of the Ministry of Finance and the Governor of the Central Bank, as well as five other members from among those Kuwaitis specialized in various fields of investment, to be appointed by an Amiri Decree for a four-year term, who may be re-appointed, provided that at least three of them do not hold any public office. The Board of Directors is the body responsible for the affairs of the Authority and has all powers necessary for attaining its objectives, and in particular, the following: a. Formulation of the general policy of the Authority and supervision of its implementation, preparation and follow-up of investment programs, and issue of decisions necessary thereto. b. Adoption of financial and administrative regulations necessary for the authority and supervision of its implementation. c. Undertaking of various transactions of assets investment whether directly or through other establishments. d. Approval of the Authority's draft budget and its annual accounts, before their submission to the competent authorities.

Article 4

The Board of Directors shall be convened upon an invitation by its Chairman, and the meeting shall not be valid unless attended by the majority of members, provided the Chairman of the Board being among them. The resolutions of the Board of Directors shall be passed by an absolute majority of the members present, and in case of a draw, the Chairman shall have the casting vote. The Board of Directors must be invited for meeting at least four times a year, by a notice of at least three days prior to the date set for the meeting.

Article 5

The Chairman of the Board of directors shall submit the draft budget of the Authority to the council of Ministers together with a detailed report on the activities of the Authority and the position of the invested assets, to include an evaluation of its performance on the basis of the established investment programs and in the light of the public policy for long-term development.

Article 6

The Chairman of the Board of Directors shall represent the Authority before the judiciary and in its relations with third parties. He will also supervise the management of its business, and in so doing he shall have the powers vested in him in accordance with the regulations of the Authority, and he may delegate some of these powers to the Managing Director of the Authority.

Article 7

The Board of directors shall, upon the nomination by the Chairman of the Board appoint a Managing Director for the Authority from among those members of the Board who are not ex-officio members, and shall determine his remunerations and conditions of service. The Managing Director shall be responsible before the Board for the business of the Authority, and he shall supervise the execution of the policy and decisions of the board in accordance with the regulations passed by the Board. The Board of Directors may, upon the nomination by the Chairman of the Board, appoint one or more Kuwaiti managers to assist the Managing Director, and shall determine their remunerations and conditions of service. The Managing director and the managers shall work full-time for the Authority, and neither of them may, during his term of office, undertake any work, with or without pay, except for the Authority and may not carry on any commercial, industrial or professional work.

Article 8

The Authority shall have the body of personnel, in which the employees are appointed in accordance with the regulations adopted by the Board of Directors, but without prejudice to the provisions of Articles 5 and 38 of Decree Law No. 15 of 1979 Concerning Civil Service. The members of the Board of Directors, the employees of the Authority or any of those participating in any form in its activities, may not disclose data or information about their work or the position of the invested assets, without a written permission from the Chairman of the Board of Directors, and this prohibition remains in force even after cessation of the relation of the person with the business of the Authority.

Article 9

Without prejudice to any heavier punishment whoever divulges any of the secrets of the work of the Authority or data or information of which he became aware, by virtue of his work at the Authority, shall be punished with imprisonment for a period not exceeding three years.

Article 10

The Authority shall have a supplementary budget, the revenues of which shall consist of the sums allocated to it by the State in the Public Budget. The fiscal year of the Authority shall correspond to the fiscal year of the State. However, the first fiscal year shall be deemed to run from the effective date of this Law till the end of June of the fiscal year which follows.

Article 11

The Board of directors shall prescribe the annual accountancy rules and procedures. The advance audit regulations stipulated in the referenced Law No. 30 of 1964, shall not apply to the works of the Authority, but this is without prejudice to the powers of the Audit Bureau to examine the Authority's account without interference in the conduct of its functions or policy. The Authority shall have one or more auditors who shall be from the certified accountants and the Board of Directors shall appoint him, upon the nomination by the Minister of Finance, and determine his fees, and he is to audit the accounts of the fiscal year for which he is appointed.

Article 12

The Prime Minister and the Ministers shall, each within his capacity, execute the provisions of this Law which shall be published in the Official Gazette, and shall take effect from the date of its publication.

AMIR OF KUWAIT
JABER AL-AHMAD

Issued at Al-Seif alace on 21 Sha'ban, 1402 Hijra
corresponding to 13 June, 1982 AD

*Published in the Official Gazette "Al-Kuwait Al-Youm" issue No.1422, 28th year

Kuwait Investment Authority
22nd October, 1998