

MINISTRY OF TRADE
MINISTERIAL INSTRUCTION NO. 149 DATED FEBRUARY 29, 2004: ANNEX I
Registration of Branches and Trade Representation Offices by Foreign Companies

1. Legal name: _____	7. Will business in Iraq be involved in: <table style="float: right; text-align: center;"> <tr> <td>Yes</td> <td>No</td> </tr> <tr> <td>☐</td> <td>☐</td> </tr> </table>		Yes	No	☐	☐						
Yes	No											
☐	☐											
2. Trade name: _____	a. land ownership? ☐ ☐ b. natural resource extraction or initial processing? ☐ ☐ c. retail sales? ☐ ☐											
3. Type of business activity: _____	8a. Name of agent for service of legal process in home country of establishment: _____											
4. Business address of offices in Iraq (see instructions): Local address line 1 _____ Local address line 2 _____ City _____ Governorate _____ Postal code _____	8b. Business address of person named in 8a.: Local address _____ City _____ Province/ State _____ Postal code _____ Country _____											
5a. Business telephone in Iraq: _____ 5b. Business facsimile in Iraq: _____ 5c. Business e-mail in Iraq: _____	8c. Business telephone of 8a.: _____ 8d. Business facsimile of 8a.: _____ 8e. Business e-mail of 8a.: _____											
6a. Name of chief management official in Iraq (must reside in Iraq): _____	8f. Name of chief executive officer in home country of establishment: _____											
6b. Address of person named in 6a. (must be in Iraq): Local address _____ City _____ Governorate _____ Postal code _____	8g. Business address of person named in 8f.: Local address _____ City _____ Province/ State _____ Postal code _____ Country _____											
6c. Telephone number of 6a.: _____	8h. Business telephone of 8f.: _____ 8i. Business facsimile of 8f.: _____ 8j. Business e-mail of 8f.: _____											
6d. Name of agent for service of legal process in Iraq (must reside in Iraq): _____	9a. Amount of charter or authorized capital (specify currency): _____											
6e. Address of person named in 6d. (must be in Iraq): Local address _____ City _____ Governorate _____ Postal code _____	9b. Net worth at close of most recent financial period: Amount (specify currency): _____ Date of report (DD/MM/YYYY): _____											
6f. Telephone number of 6d.: _____	9c. Name and address of owners of 10% or more of company equity: <table style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%; text-align: center;">Name</th> <th style="width: 50%; text-align: center;">Address</th> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> </table>		Name	Address								
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6g. Name of authorized representative for filings with the registrar (must reside in Iraq): _____	9c. Name and address of owners of 10% or more of company equity: <table style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%; text-align: center;">Name</th> <th style="width: 50%; text-align: center;">Address</th> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> </table>		Name	Address								
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Continuation of any items above (<i>please make note of item number from page 1</i>)		
Continuation of Item _____	Continuation of Item _____	
Continuation of Item _____	Continuation of Item _____	
Continuation of Item _____	Continuation of Item _____	
10. Under the penalty of law, I hereby declare that all information contained in this form and other submitted materials is correct, complete and authentic.		
Printed name (<i>authorized representative for filings</i>)	Signature (<i>authorized representative for filings</i>)	Date (DD/MM/YYYY)
REGISTRAR USE ONLY BELOW THIS LINE		
Checklist for receipt of other required items		<i>Initials of official</i>
1. Authenticated certificate of registration from home country of origin.		
2. Copy of the company's charter or equivalent, authenticated by competent authority in home country of origin.		
3. Letter from authorized director or officer of company calling for operation of business in Iraq (see instructions).		
4. Financial statements of company for the last fiscal year.		
5. (<i>Only necessary if answer to 7c is "yes" – see instructions</i>) Documentation from bank in Iraq of \$100,000 deposit.		
6. Copy and original of passport or civilian identification card of authorized representative for filings with the registrar.		
Verification information – I hereby declare that this application is complete and the necessary fee has been paid.		
Temporary tracking number for application		
Registrar official information: Printed name	Signature	Date (DD/MM/YYYY)

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Instructions for completion of application form

General instructions:

Bring two (2) copies of this completed form to the registrar at the time of application (one will be retained by the registrar and the second will be returned to the applicant as a receipt of application). This form has enhanced features and can be completed using Adobe Acrobat Reader, after which it can be printed. This is the preferable format for submission. It is also acceptable to complete this form using a typewriter or by hand with black or blue ink.

Part I – Items pursuant to Section II, Article 2 of Ministerial Instruction No. 149 Dated February 29, 2004.

1. Legal name: the official name of incorporation on record in the home country of establishment.
2. Trade name: the name under which business is conducted and marketing is carried out.
3. Type of business activity: Please provide a brief description of the main activities the branch office will perform.
4. Business address of offices in Iraq: On page one of the application form, list the **main office in Iraq**. List all other offices, if any, in the Continuation section on page 2. Specify that the information is "Continuation of Item 4." If still more space is needed, attach additional sheets; be sure to label "Continuation of Item 4." If no offices are yet established, write "not yet established." Upon the establishment of the offices, the information must be provided to the registrar within 7 days.
5. This should contain the main telephone number, fax number, and e-mail address in Iraq. If these are not established yet, please indicate so. They will need to be updated at the registrar when established.
6. The chief management official in Iraq is the person selected by the officers of the company to act on behalf of the company in its activities in Iraq. The agent for service of legal process is the person to be notified in the event legal charges have been brought against the business in Iraq. The authorized representative for filings with the registrar (who may be the same as the agent for service of legal process) is the person who will physically deliver the application and future filings to the registrar. All three of these individuals must also be named in letter of Item 3 in the additional documentation required.
7. This question refers to activities that foreigners are prohibited in engaging (items a. and b.) or where additional documentation must be filed (item c.). Please place an X on top of the appropriate line for each of the items. If the answer is "yes" to items a. or b., the company will not be allowed to do business in Iraq. If item c. is answered yes, additional documentation pursuant to the Ministerial Instruction on retail trade must be filed. However, this documentation does not need to be filed at the time of this application.
8. The agent for service of legal process in the home country of establishment is the person to be notified in the event legal charges have been filed against the business in its home country. The chief executive officer (or equivalent) is the person who is ultimately in charge of the management decisions of the company.
9. Item a. may or may not apply. If it does not, please indicate "does not apply." For item b., be sure to indicate the date and currency. If more space is needed for part c., please use one of the available boxes in the Continuation section on page 2.

Continuation space: Please use this space for the continuation of any of the above items. Be sure to fill in the item number. If still more space is needed, attach additional sheets; label them with the corresponding item numbers.

10. This application is to be signed by the authorized representative for filings with the registrar, as named in Item 6 of the application and as stipulated in the letter pursuant to Item 3 in additional documentation below.

Part II – Additional items required pursuant to Section II, Article 3 of Ministerial Instruction No. 149 Dated February 29, 2004.

1. The authenticated certificate of registration from home country of origin should be a registration certificate or similar certification prepared by the registrar or similar entity and marked with that entity's official seal.
2. The authenticated copy of the charter or articles of incorporation or equivalent should be certified by the registrar or similar entity in the home country of establishment and marked with that entity's official seal.
3. A letter on the stationery of the applicant company, signed by an authorized officer or director of the company, authorizing the registration of the business entity in Iraq, consenting to service of process in Iraq, and identifying the chief management official in Iraq, the agent for service of legal process in Iraq, and the authorized representative for filings with the registrar (all 3 must reside in Iraq).
4. This should include the balance sheet and profit and loss (income) statement.
5. If the answer to item 7c. above is "yes", a bank statement showing that \$100,000 has been deposited in a non-interest bearing account must be submitted to the registrar before actual sales activity may begin. This, however, pursuant to the Ministerial Instruction on retail trade does not need to be submitted at the time of this application, and non-submission will not be grounds for rejection of this application.
6. The authorized representative for filings should bring with him at the time of application both the original and a copy for submission of his passport (for a foreign citizen) or a civilian identification card (for an Iraqi citizen).