

No 1511 /2021

A Resolution No 1511/2021  
OF THE MANAGEMENT BOARD OF KRAJOWY DEPOZYT PAPIERÓW WARTOŚCIOWYCH  
of December 14, 2021

ON AMENDMENT OF TERMS AND CONDITIONS OF COMMUNICATION WITH THE SECURITIES  
FINANCING TRANSACTIONS TRADE REPOSITORY

In accordance with the provisions of § 23 subpara. 2 of the Statute of Krajowy Depozyt Papierów Wartościowych, the KDPW Management Board has resolved the following:

**§ 1**

The Terms and Conditions of communication with the securities financing transactions Trade Repository, constituting an appendix to the Resolution No 227/2020 of the KDPW Management Board of March 17, 2020 r., shall be amended as follows:

1/ in § 2 subpara. 5 - 8 shall be replaced by the following:

„5) SFTR trade repository application – this shall be understood to mean the IT system used in the securities financing transactions trade repository service, enabling the exchange of information or messages using data transmission;

6) U2A – this shall be understood to mean a graphical user interface supporting manual exchange of data with the SFTR trade repository application;

7) A2A – this shall be understood to mean a communication interface supporting automated exchange of data between the SFTR trade repository application and a participant’s application;

8) direct communication with the trade repository – this shall be understood to mean actions referred to in § 10 subpara. 1 of the Rules carried out in the SFTR trade repository application;”;

2/ in § 3:

a/ subpara. 1 shall be amended as follows:

„1. The communication interfaces of the SFTR trade repository application available to participants include U2A and A2A.”;

b/ subpara. 3 shall be amended as follows:

„The only communication interface of the SFTR trade repository application available to entities authorised to have commercial access to trade repository data is U2A.”;

3/ § 4 shall be amended as follows:

**„§ 4**

1. Communication with KDPW via U2A is available through an access account in the access application. The terms and conditions of opening access accounts and granting access to persons authorised by the participant/entity authorised to have commercial access to trade repository data to communicate with KDPW and the terms and conditions of communication with KDPW are laid down in the Rules of access to the IT systems of Krajowy Depozyt Papierów Wartościowych approved in a resolution of the KDPW Management Board.

2. Communication with KDPW via the A2A interface is established in accordance with the rules specified in the Rules as referred to in subpara. 1”;

4/ after § 4 § 4a shall be added as follows:

„§ 4a

1. In case a participant should receive a feedback message from the SFTR trade repository application, this message shall be sent over the same communication channel as which the participant sent to KDPW the message to which this feedback message refers to.
2. The delivery of a feedback message to the participant is considered to be done by posting of this message in the SFTR trade repository application or - if the participant has an established connection via the A2A interface - placing this message via the A2A interface.”;

5/ in § 5:

a/ subpara. 1 shall be amended as follows:

„1. Persons authorised by a participant/entity authorised to have commercial access to trade repository data may have access to the SFTR trade repository application as:

- 1) user – the authorised person has access to direct communication with the trade repository; or
- 2) administrator – the authorised person has access to granting and revoking other persons’ permissions to communicate directly with the trade repository by granting or revoking, respectively, their access to the SFTR trade repository application.”,

b/ subpara. 3 shall be amended as follows:

„3. To accept a request for access of the first administrator authorised by an entity authorised to have commercial access to trade repository data, in addition to the fulfilment of the conditions laid down in the Rules as referred to in §4 subpara. 1, KDPW must receive the original counterpart of the statement referred to in § 18 subpara. 2 of the Rules. If so agreed with KDPW, the statement may be presented as a scan.”,

c/ subpara. 5 shall be amended as follows:

„5. Requests for access to the SFTR trade repository application as user presented by a person who is the only administrator established for a participant/entity authorised to have commercial access to trade repository data shall be accepted or rejected by KDPW.”;

6/ in § 7 subpara. 1 shall be amended as follows:

„1. The Rules as referred to in §4 subpara. 1 are incorporated into these terms and conditions by reference.”;

7/ in § 8 after subpara. 2 subpara. 2a shall be added as follows:

„2a. Delivery of notification of an amendment to the Rules via e-mail to the e-mail address of the person authorized by a participant to gain access to the application of the SFTR trade repository shall be deemed effectively delivered to that participant.”.

## § 2

This Resolution shall come into force on the date of its adoption.