

No. 357/2023

A RESOLUTION
OF THE KDPW MANAGEMENT BOARD
OF 27 APRIL 2023

ON AMENDMENTS TO
THE RULES OF ACCESS TO THE KDPW IT SYSTEMS

On the basis of § 23 subpara. 2 of the KDPW Articles of Association, the KDPW Management Board has resolved the following:

§ 1

The Rules of access to the KDPW IT systems, approved through Resolution No. 228/2020 of the KDPW Management Board of March 17, 2020, (i.e. approved through Resolution No. 959/2022 of 21 October 2022, as amended), shall be amended as follows:

1/ In § 1, subpara. 1 shall be amended as follows:

“1. The Rules of access to the KDPW IT systems, hereinafter the “Rules”, describe the rules of opening access accounts, authenticating of access accounts and the rules of obtaining access to the KDPW applications made available on the Services Portal: <https://online.kdpw.pl>.”;

2/ In § 2:

a/ point 1 shall be amended as follows:

“1) KDPW application – this shall be understood to mean any application used for electronic communication with KDPW as part of a specific service, enabling the exchange of messages between a participant and KDPW using data transmission, available via a dedicated access point;”

b/ point 3a shall be added after point 3, as follows:

“3a) U2A interface – this shall be understood to mean a graphical user interface supporting manual exchange of data with KDPW;”

c/ point 11 shall be repealed;

3/ In § 3:

a/ subparas. 1 and 2 shall be amended as follows:

“1. Electronic communication with KDPW using the U2A interface is available through:

1) the interface used to upload data, or

2) the transmission of structured messages to dedicated message queues.

2. Electronic communication with KDPW using the U2A interface shall only be possible in instances where permitted by the rules of the specific service.”

b/ subparas. 4 and 5 shall be amended as follows:

“4. Messages sent to KDPW via the U2A interface using structured messages to dedicated message queues, shall be deemed to have been delivered upon the receipt of the message by KDPW; the receipt of the message shall be the moment the message is subject to validation in the KDPW application.

Messages sent by KDPW to a participant shall be deemed to have been delivered upon their entry in the participant's output queue.

5. The communication rules adopted for a given service may create additional obligations for the participant related to the transmission of messages, in particular they may require verification of the identity of the person transmitting the message or appending an electronic signature to the message.”;

4/ In § 4, subparas. 4 and 5 shall be repealed;

5/ Chapter 3 shall be repealed (§ 12-17);

6/ In § 18 subpara. 4 shall be amended as follows:

“4. The transmission of information concerning amendments to the Rules via email sent to the email address of a person authorised by a participant to access a KDPW application shall be deemed to have been the legally effective delivery of the notification of the amendment to the participant, unless otherwise stated in the provisions of the rules of the service.”.

§ 2

1. Subject to the provisions of subparas. 2 - 5, the amendments to the Rules of access to the KDPW IT systems, described in § 1, shall enter into force on 22 May 2023.

2. From 22, May 2023, participants will no longer be able to obtain the electronic certificates, referred to in the Rules of access to the KDPW IT systems.

3. Electronic certificates obtained before May 22 2023 under the rules provided for in the provisions of the Rules of access to the KDPW IT systems, and whose expiry date does not expire before that date, may be used for electronic communication with KDPW until November 30, 2023, however, no later than their expiry date. In the period from May 22, 2023 to November 30, 2023, inclusively, electronic communication via the A2A between KDPW and participants may continue under the existing rules; in such cases, the provisions of the Rules of access to the KDPW IT systems in their current wording shall apply accordingly.

4. Participants shall be obliged to adapt the method of A2A electronic communication with KDPW to the provisions of the Rules for establishing electronic communication through system connections, adopted by Resolution No. 356/2023 of the KDPW Management Board of April 27, 2023, on or before November 30, 2023 or until the expiry date of the electronic certificate obtained on the basis of the provisions of the Rules for establishing electronic communication through system connections, if this date falls earlier.

5. After the expiry of the period specified in subpara. 4, A2A electronic communication between the participant and KDPW will only be possible on the basis of the provisions specified in the rules referred to in subpara. 4.

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