

No. 358/2023

A RESOLUTION
OF THE KDPW MANAGEMENT BOARD
OF 27 APRIL 2023

ON AMENDMENTS TO THE ARM RULES

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

§ 1

The ARM Rules, forming an annex to Resolution No. 775/17 of the KDPW Management Board of 13 November 2017 (as amended), shall be amended as follows:

1/ In § 2, in subpara. 1:

a/ point 8 shall be amended as follows:

“8) ARM system – this shall mean a range of organisational and technical IT tools, including the ARM application itself, managed by KDPW, which enable KDPW to generate ARM reports, on the basis of messages received from ARM participants and on the basis of other information held by KDPW, and to send ARM reports on behalf of ARM participants, to the competent supervisory authorities”,

b/ point 11 shall be amended as follows:

“11) electronic certificate – this shall mean a certificate issued by KDPW used to establish system connectivity between the ARM participant’s application and the ARM application;”;

2/ § 15 and § 15a shall be amended as follows:

“§ 15

1. ARM application communication interfaces available to ARM participants shall include the U2A interface and the A2A interface.

2. Communication between ARM participants and KDPW using the A2A interface shall take place via communication channels authenticated using one of the following electronic certificates:

1) an electronic certificate issued to an ARM participant on the basis of the Rules for establishing electronic communication through system connections, adopted in a separate Resolution of the KDPW Management Board,

2) an electronic certificate issued to an ARM participant, being at the same time a direct KDPW participant, on the basis of provisions of the SWI Rules, which forms an annex to Resolution no. 166/16 of the KDPW Management Board of 11 March 2016, as amended, subject to the provisions of § 3 subpara. 5.

3. The method for determining communication with KDPW via an A2A interface using a communication channel authenticated with a certificate referred to in sub-para. 2 item 1, shall be defined by the rules described in the provisions of this paragraph.

4. Communication between ARM participants and KDPW using the A2A interface shall take place using interfaces of the ARM application, or EMIR Trade Repository applications, which may be accessed via the service portal <https://online.kdpw.pl>.

5. The rules for obtaining access to the applications, referred to in subpara. 4, via the U2A interface by a person authorised by an ARM participant to act on behalf of the participant, the rules for opening an

access account by such a person and the rules of the authentication process, shall be defined in the Access Rules.

§ 15a

1. A person authorised by an ARM participant may obtain access to the ARM application via the U2A interface as:

1) a user – where the person is authorised to communicate directly with KDPW on behalf of the ARM participant, or

2) an administrator – where the person is authorised to grant other persons that have applied for access to the ARM application as a user, authorisation to communicate directly with KDPW on behalf of the ARM participant, as well as to revoke such authorisation by granting them or withdrawing from them, as applicable, access to the ARM application.

2. When applying for access to the ARM application, the ARM participant shall be obliged to authorise at least one person to act on their behalf within the application in the role of administrator.

3. Requests for access on behalf of the ARM participant to the ARM application as administrator shall only be approved or rejected by KDPW, while requests for such access as user shall only be approved or rejected by the person authorised by the ARM participant to use the application in the role of administrator, subject to the provisions of subpara. 4.

4. Requests for access to the ARM application as a user on behalf of an ARM participant, submitted by a person who holds sole rights to act on their behalf in this application as an administrator, shall be approved or rejected by KDPW.

5. The access rights of a person authorised to use the ARM application as administrator may only be revoked by KDPW.

6. The access rights of a person authorised to act as a user may only be revoked by a person authorised by the ARM participant to perform the role of administrator, or by KDPW.

7. Each ARM participant shall be obliged to authorise at least one person to act on its behalf as an administrator.

8. The Access Rules and the Rules for establishing electronic communication through system connections, referred to in § 15 subpara. 2 item 1, shall constitute an integral part of the ARM Rules.

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9. By concluding a participation agreement, an ARM participant accepts the Rules, referred to in subpara. 8.”;

3/ § 16 shall be repealed.

§ 2

This Resolution shall enter into force on 22 May 2023.

Maciej Trybuchowski
President & CEO

dr Paweł Górecki
Vice President

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Vice President

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