

RULES OF MAKING KDPW GROUP REFERENCE AND STATISTICAL DATA AVAILABLE FREE OF CHARGE**CHAPTER 1****GENERAL**

§ 1

1. KDPW makes data available free of charge after access to such data is granted according to these Rules, subject to sub-paragraph 3.
2. Access is granted by logging into the access account, submitting an electronic application for a free-of-charge data download, and accepting these Rules.
3. The procedure necessary to get access according to sub-paragraph 1 is not required to access public data presented by KDPW on the portal <https://data.kdpw.pl> which are required to be collected and made available to the public by KDPW under generally applicable law or rules of services provided by KDPW.

§ 2

Whenever these Rules refer to:

- 1) data/database – this shall be understood to mean a set of reference and statistical data based on source data originating from the KDPW Group IT systems which constitutes a database within the meaning of the Database Protection Act of 27 July 2001 (Journal of Laws of 2019, item 2134, as amended);
- 2) portal – this shall be understood to mean the portal <https://data.kdpw.pl> where KDPW makes data available;
- 3) access account – this shall be understood to mean an access account referred to in the KDPW IT System Access Rules which is required to be opened in order to download data;
- 4) user – this shall be understood to mean a person granted access to data;
- 5) KDPW – this shall be understood to mean Krajowy Depozyt Papierów Wartościowych S.A.;
- 6) KDPW Group – this shall be understood to mean KDPW and the subsidiaries of KDPW;
- 7) electronic application – this shall be understood to mean an application submitted via the portal to get access to data;
- 8) business day – this shall be understood to mean any day of the week which is not a bank holiday or a Saturday;
- 9) data package – this shall be understood to mean a set of generated reports containing data defined by KDPW, made available for download.

CHAPTER 2**DATABASE PROTECTION AND LIABILITY**

§ 3

1. KDPW is the producer of data as a database within the meaning of the Database Protection Act of 27 July 2001 (Journal of Laws of 2019, item 2134, as amended).
2. In connection with making a database available, KDPW shall grant users a non-exclusive, free-of-charge licence throughout the universe to use data on the terms laid down below.
3. This licence transfers no copyright in the database to the user.
4. KDPW grants the user a licence to use data in the following fields of exploitation:
 - 1) copying, storing, uploading, viewing, displaying when using the database for personal use;
 - 2) creating bases (adaptations) derived from data and using database adaptations solely for personal use without the right to disseminate or dispose of database adaptations;
 - 3) entering data and data adaptations to computer memory, making back-up copies and storing such copies on back-up computers and magnetic, digital or other media;
 - 4) making a database available to a third party providing a technical support service to the user only in connection with the provision of such support.
5. The licence shall not authorise the user to disseminate the database in whole or in part, in any way or form, including single data contained in the database, and any adaptations referred to in subparagraph 4 point 2 above, in particular to make them available to the public in any form (including in the internet), to dispose, sell, trade in or give them for use (including by granting a further licence, renting, loaning, leasing), save for dissemination within the enterprise in which the user is employed under an employment agreement or other civil law contract.
6. If the user is in breach of the terms of the licence, KDPW may terminate the licence effective immediately.
7. The licence shall take effect on the date when the user gets access to data and shall remain in force for the duration of the user's access to the database (fixed period).
8. KDPW shall have no liability for any loss in connection with any use of the database, including potential loss of the database or its component data or any loss resulting from any use or inability to use the database or its part.
9. KDPW shall have no liability for any delay or interruption in data access, in particular caused by failures or technical outages.
10. KDPW shall have no liability for any errors of data presented on the portal.

CHAPTER 3**TERMS OF MAKING DATA AVAILABLE**

§ 4

1. Data shall be made available only electronically on the portal <https://data.kdpw.pl>.
2. Data shall be available 24/7 save for necessary repair or maintenance outages.

3. In the case of lack of access to the portal caused by KDPW, service support shall be available on business days within KDPW's office hours.

§ 5

KDPW shall make available on the portal information concerning data packages available free of charge.

§ 6

1. The user acknowledges and accepts that services are provided over public lines (the internet).
2. The user warrants that all information provided to KDPW is true, complete and authentic and shall not provide any content that is illegal, offensive or potentially misleading, contains viruses or may cause malfunction of or damage to IT systems.

§ 7

KDPW shall make the portal available in Polish or in English at the selection of the user. The language selection shall not apply to the database which shall be made available in a language selected by KDPW.

CHAPTER 4

GETTING ACCESS TO DATA

§ 8

1. Data may be downloaded after opening an access account and submitting an electronic application.
2. To submit an application, the user shall complete a dedicated online form and send it to KDPW.
3. Access to data shall be granted automatically after completing the form referred to in subparagraph 2 with all information required in the form and sending the form.
4. The user shall receive a feedback message confirming that the form has been sent and a message confirming that access to data has been granted.

CHAPTER 5

PERSONAL DATA PROTECTION

§ 9

1. KDPW is the controller of personal data obtained in connection with the grant of the user's access to data.
2. Personal data shall be processed in keeping with all security measures required under the law and in compliance with all applicable legislation including Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC ("General Data Protection Regulation") (OJ L 119 of 2016, p. 1).

CHAPTER 6**ENTRY INTO FORCE AND AMENDMENT**

§ 10

1. These Rules shall come into force on 3 February 2021.
2. The Rules and any amendment thereof shall be made available by publication on the KDPW website.
3. Any amendment of the Rules shall come into force on the date of its publication.