

No. 959/2024

A RESOLUTION
OF THE KDPW MANAGEMENT BOARD
OF 30 SEPTEMBER 2024

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, (as amended), shall be amended as follows:

1/ In § 2, point 5a shall be added after point 5 as follows:

“5a) service group - this shall be understood to mean a list of applications within the Services Portal assigned by KDPW to the participant type indicated in the service regulations, to which access is granted by the rights administrator appointed by the participant;”;

2/ In § 4, subpara. 1 shall be amended as follows:

“1. Subject to subpara. 2 to 3, electronic communication with KDPW shall be available to participants on a 24/7 basis.”;

3/ In § 7:

a/ in subpara. 3, point 2 shall be amended as follows:

“2) the participant delivers to KDPW a statement authorising such person to act on its behalf to the extent defined in the statement and confirming the personal data of the person provided by such person in the form referred to in point 1. Delivery of the statement to KDPW shall not be required where access is granted by the person authorised by the participant referred to in subpara. 7 point 2, or in § 11a; by granting access to the application, that person shall at the same time confirm the personal data of the proxy appointed by them.”,

b/ in subpara. 7, point 2 shall be amended as follows:

“2) grant to other persons who complete the form referred to in subpara. 3 point 1 for access to the KDPW application to the extent defined in point 1, the authorisation to communicate electronically with KDPW on behalf of the participant and to revoke such authorisation by granting or revoking, respectively, their access to the KDPW application and, if the participant uses the service on behalf of another entity or entities, also to do those things on behalf of such entities (service administrator role).”;

4/ § 8 shall be amended as follows:

“§ 8

Taking into account the provisions of § 11a, the terms and conditions of communication defined for a service may provide that KDPW shall accept or reject only requests concerning permissions referred to in § 7 subpara. 7 point 2 (service administrator role). In that case, participants shall authorise at least one person to act on their behalf as service administrator. Access to a KDPW application may be granted or revoked for a person acting on behalf of a participant as user only by the person acting on behalf of the participant who has access to the application as service administrator.”;

5/ In § 10:

a/ in subpara. 1, the first sentence shall be amended as follows:

“1. Persons granted access to a KDPW application as users in connection with the participant’s presentation of the statement referred to in § 7 subpara. 3 point 2 or an authorisation granted to them under § 7 subpara. 7 point 2 or § 11a shall be deemed authorised by the user to communicate electronically with KDPW via the application and actions of such persons shall be deemed actions of the participant on behalf of the participant or on behalf of an entity represented in the application by the participant.”;

b/ subpara. 2 shall be amended as follows:

“Persons granted access to a KDPW application as service administrator in connection with the participant’s presentation of the statement referred to in § 7 subpara. 3 point 2 shall be deemed authorised to authorise other persons to communicate electronically with KDPW via the application for the participant on behalf of the participant or on behalf of an entity represented in the application by the participant. The provisions of the second sentence of subpara. 1 shall apply accordingly.”;

6/ In Chapter 2, Section 4 shall be added after § 11, as follows:

“Section 4

Rights Administrator

§ 11a

1. The regulations of a particular service may indicate that a participant with a given participation type shall be obliged to appoint a rights administrator. In such instances, the participant shall be obliged to authorize at least one person to act on its behalf as the rights administrator.

2. The rights administrator shall be a person authorized by the participant to manage access to applications in which the participant uses or will be using in the future in its relations with KDPW, which on the date of the granting of the authorization to the participant shall be assigned by KDPW to a group of services appropriate for a given participation type, and access to other applications that will be assigned by KDPW to this group of services in the future.

3. Management of access rights to the application by the administrator shall be understood to mean the granting of rights to other persons authorized by the participant to communicate with KDPW, as a

service administrator or user, as well as revoking such rights by, respectively, granting or revoking access to a specific application, and in instances where the participant acts within a given service on behalf of another entity or other entities - also to act in the abovementioned scope on behalf of these other entities.

4. Gaining access to the KDPW applications included in the service group by a person acting as a service administrator or user, or withdrawing access to the KDPW application from such a person, may only be performed by the rights administrator acting on behalf of this participant.

5. Obtaining access to access management by the rights administrator shall require the submission of personal data identifying the person authorized by the participant, these being: the PESEL number - in the case of persons with Polish citizenship, or date of birth - in the case of persons with non-Polish citizenship.

6. Obtaining access to access management by the rights administrator shall require an access account and submission of an application.

7. Submitting an application shall involve:

1) completion by a person authorized by the participant of a dedicated online form available on the Services Portal, and

2) providing KDPW with a declaration submitted by the participant on granting this person authorization to act on its behalf within the scope indicated in this declaration and confirming the personal data of this person indicated by them in the form, referred to in point 1.

8. The participant shall submit the declaration, referred to in subpara. 7 point 2, to KDPW in writing or in electronic form (in the form of a document with a qualified electronic signature).

9. KDPW shall accept or reject the application after its formal and substantive verification.”.

§ 2

This Resolution shall enter into force on 21 October 2024.

Maciej Trybuchowski
President & CEO

Marcin Truchanowicz
Member of the Management Board