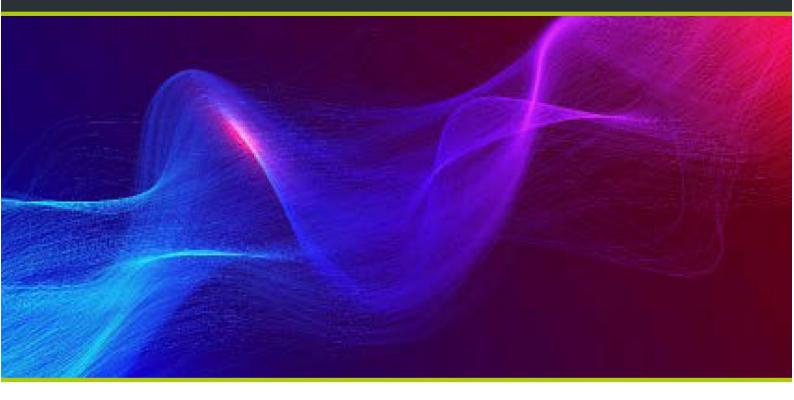# KDPW |

How to become
an EMIR Trade Repository participant?

How to become an EMIR Trade Repository participant with GUR, ZUR, IUR or PUR status?

If you have read the EMIR Trade Repository's offer and Rules and want to use our service, please follow the instructions below to become a EMIR Trade Repository participant.

STEP 1 – Submitting an application for participation

Application. A model application for the conclusion of a participation agreement and the granting of participant status is available here.

Enclosures. The application must be accompanied by the following:

- up-to-date copy or extract from the relevant register or other document identifying the applicant*

– copies of powers of attorney and specimen signatures of persons authorised to represent the applicant (in accordance with the template) if the right to represent the applicant does not result from the document referred to above.

Form. The application should be made in writing or in electronic form (in the form of a document bearing a qualified electronic signature) and signed in accordance with the rules of representation or by other persons authorised to do so. The application may be drawn up in Polish or English.

A copy or an extract from the relevant register or any other document identifying the applicant should be submitted in the original or in the form of a copy certified officially, by a notary public or signed in accordance with the rules of representation of the applicant.

If the application is signed by a proxy, the power of attorney attached to the application should be submitted in the original or as a copy certified in accordance with the rules of representation of the applicant.

If the application is signed by a proxy in writing, the specimen signature card of the proxy should be submitted in the original signed in accordance with the rules of representation of the applicant. If the application is signed with a qualified electronic signature of the proxy, a specimen signature card of the proxy is not required.

Enclosures to the application may also be submitted in the form of scans. In this case, the applicant is required to submit a declaration to KDPW naming the person authorised to forward such documents and his/her email address. The declaration should be made in writing or electronically (in the form of a document bearing a qualified electronic signature).

Delivery. The application and the required enclosures should be sent to the postal address of KDPW: Warsaw (00-498), ul. Książęca 4, or submitted to the Registry at the KDPW registered office. Documents prepared electronically can be sent to the email address kdpw@kdpw.pl.

STEP 2 – Signing the agreement

The participation agreement is concluded after the application has been analysed. KDPW may, within 10 working days of the submission of a complete application, request the applicant to provide necessary amendments or additions.

The KDPW Management Board adopts a resolution regarding the conclusion of the participation agreement.

In the resolution, KDPW indicates the four-character institution code(s) assigned to the participant, which the participant will use in communication with KDPW.

STEP 3 – Accessing the trade repository communication system

The trade repository can be accessed via the U2A or A2A interface.

U2A interface

The U2A interface is accessible via the GUI application "Trade Repository EMIR" available on the KDPW Service Portal https://online.kdpw.pl/.

The rules for access to the application by a person authorised by a participant to act on its behalf, the rules for such a person to open an access account and the rules for the authentication process are set out in the Rules of access to the KDPW IT systems.

Detailed information on the establishment of communication via the U2A interface can be found here.

Roles in the application. A person authorised by the participant can access the application in the role of user or service administrator. A user is a person who directly transfers prepared XML messages or enters data via a form available in the application. A service administrator is a person authorised by the participant to grant and revoke access to the application to persons in the role of user. Each participant is required to appoint at least one administrator, which means that user requests for access to the application are approved by an authorised administrator rather than by KDPW.**

Requesting access to the application. To access the application, a person with an access account is required to submit an application access request in the KDPW Service Portal. In the case of a request submitted by the service administrator, once the request has been submitted, it is necessary to provide KDPW with a declaration from the participant confirming the details of the person submitting the request and authorising that person to act on behalf of the participant in the application. Access of a person acting as a user is granted by the service administrator. Requests for access to the application are handled in accordance with the instructions posted on the KDPW website.

**NOTE: The above rules do not apply to a participant which is also a KDPW direct participant. In that case, the participant is not required to appoint a service administrator, and access to the application by a person acting in the role of user or service administrator is granted or withdrawn by the permission administrator appointed in accordance with the KDPW direct participation agreement. However, access of persons acting in the role of user may also be granted or withdrawn by the service administrator.

A2A interface

The A2A interface is accessible through a communication channel authenticated by an electronic certificate downloaded by the participant under the Rules for establishing electronic communication through system connections. The certificate can be downloaded under the participant's institution code using the application "A2A Certificates" available on the KDPW Service Portal.

Detailed information on establishing communication via the A2A interface can be found here.

How to get KUR status?

STEP 1 – Submitting an application

The application should include:

- a declaration to the effect that you intend to sign the agreement concerning access to derivative contract details and non-disclosure;

  and the following enclosures:

- valid copy or extract from the relevant register and, where the applicant is not required to be entered into a relevant register, a copy of entry in the register of businesses or other document which identifies the applicant*;

- copies of powers of attorney and sample signatures of duly authorised representatives of the applicant, certified by a notary - where the authority to represent the applicant is not entered in the document referred to in the point above*;

- a declaration of the trade repository participant authorising the applicant to access information of derivative contracts to which the participant is a counterparty;

- a declaration concerning the place of establishment or the fixed establishment, for which the non-disclosure agreement is concluded, including the applicant's tax identifier.

*The documents should be submitted by the applicant in the original or a copy certified in accordance with the rules of representation of the applicant, in writing or in a form bearing a qualified electronic signature, or in the form of a scan. In that case, the applicant should provide KDPW with a declaration naming the person authorised to submit such documents as well as that person's email address. The declaration should be made in writing or bear a qualified electronic signature.

STEP 2 – Signing the agreement

Following verification of the application and the attached documents, KDPW provides the KUR applicant with an initialled agreement concerning access to derivative contract details and non-disclosure. By signing the agreement, the entity becomes a KUR.

STEP 3 – Accessing the EMIR Trade Repository application

An entity holding KUR status may access the trade repository only via the U2A interface of the application "Trade Repository EMIR". Details of how to access the application are described above - step 3 in the instructions for GUR, ZUR, IUR and PUR.

Document templates for KUR