

Resolution No. 54/462/20
of the KDPW_CCP S.A. Supervisory Board
dated 6 August 2020

amending Resolution No. 8/416/20 of the KDPW_CCP S.A. Supervisory Board dated 4 March 2020

Pursuant to Article 48(15) of the Act on Trading in Financial Instruments of 29 July 2005 (consolidated text: Journal of Laws of 2020, item 89, as amended) and § 15 subpara. 2 point 13 of the Statute of KDPW_CCP S.A., the Supervisory Board of KDPW_CCP S.A. resolves as follows:

§ 1

In § 1 of Resolution No. 8/416/20 of the KDPW_CCP S.A. Supervisory Board dated 4 March 2020:

1/ point 1 (e) shall be replaced by the following:

“e/ after point 34, point 34a shall be inserted as follows:

“34a/ GUI, this shall be understood to mean an electronic communication system operating via the KDPW_CCP S.A. website under an agreement between a participant and KDPW_CCP S.A. whereby information and declarations defined in that system, referred to herein, in the Detailed Rules of the OTC Clearing System and other resolutions issued under the rules are delivered in electronic format from KDPW_CCP S.A. to the participant or participants of the clearing system or by the participant of the clearing system to KDPW_CCP S.A. according to the agreement.”;”;

2/ point 3 shall be replaced by the following:

“3/ § 23 subpara. 1 point 6 shall be replaced by the following:

“6/ a declaration concerning establishment or fixed establishment within the meaning of Council Implementing Regulation (EU) No 282/2011 of 15 March 2011 laying down implementing measures for Directive 2006/112/EC on the common system of value added tax (Official Journal of the European Union L 77 of 2011, p. 1, as amended) for which the participation agreement is to be concluded, where the applicant is a non-resident within the meaning of the Foreign Exchange Law of 27 July 2002 (consolidated text: Journal of Laws of 2019, item 160, as amended).”;

3/ point 8 shall be replaced by the following:

“8/ § 111 subpara. 1 point 4 (e) shall be replaced by the following:

“e/ KDPW_CCP is in liquidation and, at the same time, where the dissolution of KDPW_CCP does not take place on the basis of a legally valid court decision, a resolution of the General Meeting of KDPW_CCP preventing the dissolution, referred to in Article 460 § 1 of the Code of Commercial

Companies of 15 September 2000 (consolidated text: Journal of Laws of 2019, item 505, as amended), is not adopted within 30 calendar days after liquidation is initiated,”.

§ 2

This Resolution shall come into force on the date of adoption.

Chairman of the KDPW_CCP S.A.
Supervisory Board

Dr Marek Dietl