Template No. 23

 ……………………………………………….…………

  *(place, date)*

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*Clearing member’s details:(company) name, address, tel., fax, e-mail*

 **KDPW\_CCP S.A.**

**DECLARATION OF THE CLEARING MEMBER (SFTR)\***

In order to ensure correct performance of the obligation of reporting securities financial transactions to a trade repository, this is to declare that we are a financial counterparty within the meaning of 2) Article 3(3) of Regulation of the European Parliament and of the Council (EU) No 2015/2365 of 25 November 2015 on transparency of securities financing transactions and of reuse and amending Regulation (EU) No 648/2012 (SFTR), and that we have been issued the following LEI :

…………………………………………………………………………………………………………………………………………………………………………….

This is also to declare as follows:

**(i) we designate / do not designate\*\*** KDPW\_CCP S.A. as the entity to report transactions to the trade repository, referred to in § 3 subpara. 26 of the Rules of Transaction Clearing (Organised Trading), on our behalf;

**(ii) we designate / do not designate\*\*** KDPW\_CCP S.A. as the entity to report transactions to the trade repository, referred to in § 3 subpara. 26 of the Rules of Transaction Clearing (Organised Trading), for transactions registered in clearing account designated by us according to the Rules and the regulations issued under the Rules;

**(iii) we represent in clearing the following entity (entities) which conclude(s) transactions directly and is (are) subject to the reporting obligation referred to in Article 4(1) of SFTR:** *[If KDPW\_CCP S.A. is designated as the entity to report transactions, enter the details of the entity (entities) and the identifiers to be used in reports for transactions to which the entity (entities) is (are) a counterparty within the meaning of Regulations. The declaration should be made for all such entities which are transaction counterparties within the meaning of the Regulation. For other entities represented by the Member in clearing, transactions of clients concluded through their intermediation will be reported without indicating such entities as counterparties subject to the reporting obligation]\*\**

- entity’s (company) name: …………………………………………………………………………………………………………………

- LEI:…………………………….……………………………………………………………………………………………………………………..

- NKK: …………………………………………………………………………………………………………………………………………………

- it is a financial entity,

- entity’s corporate sector (bank, investment firm, etc.): ……………………………………………………………………

- entity is established outside EEA: (YES/NO)………………………………………………………………………………………

Further to the foregoing, **we designate / do not designate\*\*** KDPW\_CCP S.A. as the entity to report transactions to the trade repository, referred to in § 3 subpara. 26 of the Rules of Transaction Clearing (Organised Trading), for transactions concluded directly by the above mentioned entity (entities) represented by us in clearing.\*\*

We agree to:

- pay the cost incurred by KDPW\_CCP S.A. in favour of the trade repository in respect of such reporting according to the Rules of Transaction Clearing (Organised Trading).\*\*

- provide KDPW\_CCP with all information necessary for such reporting.\*\*

We request for transactions to be reported\*\* **as of the reporting start date according to applicable legal provisions / as of the first day of our operation in the clearing system\*\*\***

We agree to notify KDPW\_CCP S.A. immediately of any change of data contained herein.

 …………………………….………………………………………………..

 *(stamps and signatures of the member’s authorised representatives)*

\* the declaration must be submitted no later than one day before the first day of reporting transactions to the trade repository;

\*\* delete where inapplicable;

\*\*\* if the declaration is made:

- by an existing participant before the reporting start date according to applicable legal regulations for such clearing member – enter that date;

- by an applicant seeking the status of participant after the reporting start date according to applicable legal regulations – enter the first day of operation in the clearing system.