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# EMIR 3.0 Active Accounts

# What is the legal basis for the obligation to have an active account at an EU-based CCP?

In order to increase the attractiveness and financial stability of EU clearing services, the European Commission has introduced the EMIR 3.0 package, which will mandate entities trading OTC derivatives to open so-called active accounts (clearing accounts) in EU-authorised CCPs for eligible instruments cleared in EUR and PLN, which have been recognised as products having systemic importance for the financial stability of the European Union.

The introduction of the requirement for market participants subject to the clearing obligation to maintain active accounts in CCPs based in the EU is intended to mitigate the risks resulting from a disproportionate concentration of OTC derivatives being cleared by EU market participants in third-country CCPs and as a result, to reduce the relatively high exposure to these CCPs.

# When did the obligation to have an active account with an EU-based CCP come into force?



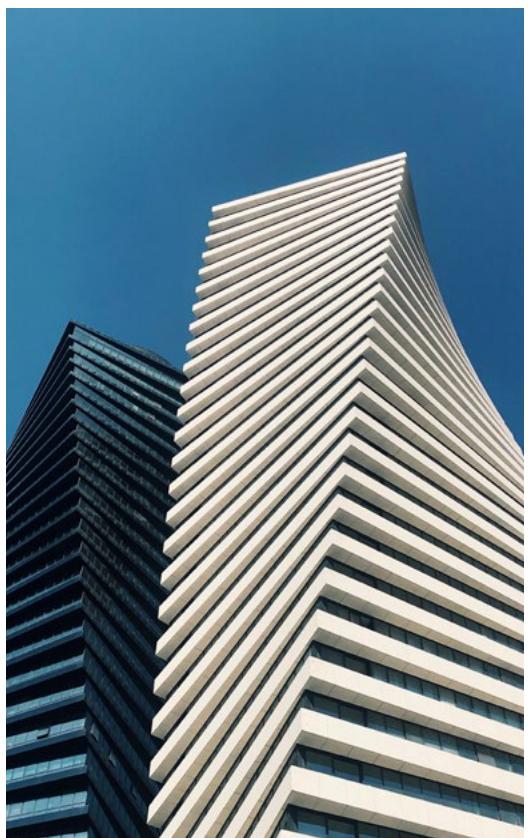
EMIR 3.0 was published on 4 December 2024 in the Official Journal of the European Union. The date of entry into force of the provisions of the Regulation is 24 December 2024.

The specific requirement to have an active account (clearing account) with an authorised EU-based CCP comes into effect 6 months after the entry into force of EMIR 3.0.

**KDPW\_CCP is an authorised CCP headquartered in the EU, which clears OTC derivatives in EUR and PLN. This is why we are actively encouraging those entities covered by the new obligation to ensure advance compliance with EMIR 3.0 and to open a clearing account well before the close of the deadline.**

# What exactly is an active account under EMIR 3.0?

The EMIR 3.0 regulation introduces the obligation for EU market participants who clear certain OTC derivatives in EUR and PLN in third-country CCPs, to open an active account - i.e. at least one clearing account - either directly or indirectly in [an EU-authorised CCP](#).



Active accounts must meet [the requirements set out in EMIR 3.0](#).

Additional requirements for active accounts are set out in the Regulatory Technical Standards. Commission Delegated Regulation (EU) 2026/305 of 29 October 2025 supplementing Regulation (EU) No 648/2012 of the European Parliament and of the Council with regard to regulatory technical standards specifying the operational conditions, the representativeness obligation and the reporting requirements related to the active account requirement was published in the Official Journal of the European Union on 6 February 2026, with an effective date of 26 February 2026.

# Who is obliged to open an active account?

The obligation to hold an active account with an EU-authorised CCP - either directly or indirectly - applies both to financial counterparties (FC) and non-financial counterparties (NFC) which:

- are covered by [the central clearing obligation](#);
- are clearing members of a third-country CCP;
- exceed the clearing threshold (Article 7a(6) of the Regulation) for any of the instruments subject to the obligation to clear via an active account (interest rate derivatives denominated in EUR and PLN and short-term interest rate derivatives denominated in EUR).

If an entity is mandated to open an active account, it has **6 months** from the date of becoming subject to the obligation to do so.

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# Active Accounts in KDPW\_CCP

## We offer new clearing members:

- an attractive participation fee - PLN 20,000 per year (around EUR 4660);
- **asset segregation**;
- standardised **onboarding** for EU market participants with no additional requirements;
- simple **set-up of an active account (clearing account)**;
- individual schedule and scenarios of onboarding;
- risk mitigation tools (what if, trade netting);
- regular stress tests;
- communication via **FpML and XML messages**;
- online access to the clearing system with the ability to view information on cleared derivatives and with the option to send and receive information to and from KDPW\_CCP -GUI application;
- free test environment and support in implementing test scenarios.

## Entities subject to the new active account obligation are encouraged to ensure compliance with EMIR 3.0 well in advance.

If you are interested in becoming a KDPW\_CCP participant, or would like to find out more about what the KDPW\_CCP clearing system can offer you, or you need support in setting up an A2A communication channel, gaining online access to the clearing system or an onboarding schedule and scenarios, please contact us at: [ccp@kdpw.pl](mailto:ccp@kdpw.pl)

# OTC Derivatives in KDPW\_CCP

- [List of derivatives](#) cleared in KDPW\_CCP - interest rate derivatives denominated in EUR and PLN: FRA, IRS, Basis Swap and OIS
- [List of participants](#) – banks clearing OTC derivatives in KDPW\_CCP
- Client Clearing – [client asset protection through dedicated KDPW\\_CCP tools](#)