DEMONSTRATION OF REQUIREMENTS
in connection with request for access of participant / central depository / other market infrastructure

REQUIREMENTS			Type of requesting person[1]		
			Part.	CSD	OMI
PARTICIPATION CRITERIA					
LEGAL PARTICIPATION CRITERIA					
1.1 Existence of legal status for granting access Art. 6, sec. 6.4 letter a), b) and h), part II. of the Rules of Operation	Entity performing activity on the basis of licence	Relevant authorisation and declaration that the requesting person meets requirements fulfilling of which has been required for granting the authorisation	yes	yes	yes[2]
	Other subject performing activity directly under the rule of law	Document or information proving legal status of the requesting person			
	Foreign entity acting through a branch	Authorisation to open the branch and perform respective activities, and declaration that the requesting person is compliant with requirements for granting the authorisation			
1.2 Authorisation to access to individual types of services Art. 6, sec. 6.4 letter c) and h), part II. of the Rules of Operation	Entity performing activity on the basis of authorisation	Relevant authorisation (e.g. authorisation to provide respective investment services) and declaration that the requesting person meets conditions fulfilling of which has been required for granting the authorisation	yes	yes	yes

[1] Part. – person requesting participant access pursuant to article 33 of CSDR; CSD – person requesting access of the central depository pursuant to article 52 of CSDR; OMI – person requesting access of other market infrastructure pursuant to 53 of CSDR

[2] In extent of article 6, section 6.4, paragraph a) and h) or part II of the Rules of Operation

	Other subject performing its activity directly under the rule of law	Identification of respective legal regulation / other document proving authorisation to perform activity			
1.3 Identification of the supervisory body in case of the requesting person from non-EU country Art. 6, sec. 6.4 letter d), part II. of the Rules of Operation	▪ Complete identification data on the supervisory body ▪ eventually link to web page of the supervisory body ▪ identification of the legal regulation pursuant to which the requesting person is regulated and is subject to supervision, including its possible planned changes		yes	yes	yes
1.4 International and European sanctions (the requesting person is not subject to the sanctions) Art.6 sec.6.4 letter e), part II. of the Rules of Operation	▪ declaration of the subject that it is not a person or has no registered office in the territory of a state to which the international or European sanctions apply, and has no registered office in the territory of a country being listed in the list of high-risk or non-collaborating jurisdictions according to FATF		yes	yes	yes
1.5 Information confidentiality and data protection Art. 6, sec. 6.4 letter f), part II. of the Rules of Operation	▪ description of measures implemented to secure information confidentiality and data protection, primarily implemented measures for protection of personal data in connection to rules stipulated in regulatory requirements and the Rules of Operation of CDCP ▪ declaration of the subject on operating, applying and maintaining of adequate systems and procedures for protection of security, integrity and confidentiality of information, whereas character of information is taken in account; and declaration of the subject that shall ensure the personal data protection in compliance with relevant generally binding legal regulation and protection of the protected data according to the act 566/2001 Coll. on Securities and Investment services in later wording (declaration included in the request for access).		yes	yes	yes

1.6 AML **Art. 6, sec. 6.4 letter g), part II. of the Rules of Operation**	▪ description of ownership and control structure of the requesting person, identification of ultimate beneficial owners and information whether the beneficial owner is politically exposed person or person who is subject to the international sanctions; it is not necessary to submit specified information if CDCP has right to apply simplified customer due diligence to the requesting person, in case of low risk of money laundering and terrorism financing pursuant to legal regulations of the Slovak Republic ▪ declaration of the requesting person on implemented program focused on protection against money laundering and terrorist financing	yes	yes	yes
1.7 Other legal requirements for granting access **Art. 7, sec. 7.6 letter d), e) and p), part II. of the Rules of Operation**	▪ Extract from the Commercial Register or similar register not older than 3 months or other documents that give proof of existence and method the applicant acts pursuant to the applicable regulations, and authorisation of the applicant to act in case the applicant is not registered in the commercial register or official registry; in case that the applicant is interested in performing activities of the participant via branch, it shall submit mentioned documents related to the branch. ▪ information about remedial actions or sanctions, imposed on the applicant by the respective supervisory body respectively by other relevant entity in the last three years before submitting the request, or declaration that neither remedial actions nor sanctions have been imposed on the applicant which could impact execution of services of participant/central depository/other market infrastructure in connection with granted access ▪ declaration of the statutory body of the applicant that data stated in the request for access and the annexes are complete, true and correct.	yes	yes	yes
OPERATIONAL PARTICIPATION CRITERIA (enclosures to the request pursuant to the Rules of Operation)				
2.1 Sufficient operational capacity ***Art. 6, sec. 6.5, letter a), part II. of the Rules of Operation***	▪ organisation structure of the entity which allows to perform all activities necessary for correct execution of participant's obligations ▪ information on two persons responsible for the participant's activities and declaration on their experience to perform participant's activities based on expert knowledge, etc.	yes	yes	yes

	▪ declaration of the entity/applicant on sufficient operational conditions for proper execution of activities and provision of services were created			
2.2 Functional operational risk management system **Art.6 sec. 6.5 letter b), part II. of the Rules of Operation**	▪ declaration of the entity on functional operational risk management system and that it is in compliance with requirements in the field of the risk management resulting from applicable regulations, the Rules of Operation of CDCP and relevant implementing regulations. ▪ information on person responsible for operational risks management system and declaration of adequate qualification of that person in operational risk management field. ▪ prove of implementation of operational risk management system by submitting of relevant policy or other internal regulation, or by submitting of description o operational risks management system of the applicant ▪ information whether the operational risks management system has been audited by the internal audit, in case it has been audited, information in what year the last audit was performed	yes	yes	yes
2.3 Risk management of the applicant which has access through the authorised participant **Art.6 sec. 6.5 letter c), part II. of the Rules of Operation**	▪ declaration of the applicant on systematic identification, monitoring and adequate management of subsequent operational risks which it is exposed to due to utilisation of services provided to the applicant by the authorised participant ▪ declaration of the applicant that the operational risks which it is exposed to due to utilisation of services provided to the applicant by the authorised participant do not exceed valid limits for risk exposition.	yes	yes	no
2.4 Management of conflict of interest **Art. 6, sec. 6.5 letter d), part II. of the Rules of Operation**	▪ declaration of the entity on implementation of procedures for identification, assessment and resolving of conflict of interests which potentially would cause damage or improper preferential treatment of clients	yes	yes	no

2.5 Operation continuity **Art.6 sec. 6.5 letter e), part II. of the Rules of Operation**	▪ declaration of the entity on approval and application of business continuity policy by stating exact name of the document, or submitting the document ▪ submitting list of emergency scenarios which are covered in valid business continuity plans and disaster recovery plans ▪ information whether the operational risks management system has been audited by the internal audit, in case it has been audited, information in what year the last audit was performed	yes	yes	yes[3]
2.6 BIC **Art.6 sec. 6.5, letter f), part II. of the Rules of Operation**	▪ information on the BIC code, by which the entity shall be identified in the system IS CDCP/T2S	yes	yes	yes
2.7 LEI **Art.6 sec. 6.5, letter g), or Art.30 sec 30.7, letter a), part II. of the Rules of Operation**	▪ information on the LEI code of the entity	yes	yes	yes[4]
2.8 MIC **Art. 30 sec. 30.7, letter b), part II. of the Rules of Operation**	▪ information on the MIC code of the trading venue	no	no	yes[5]
2.9 Appropriate IT Instruments and communication with CDCP, participation in IT systems testing **Art. 6 sec. 6.5 letter h) part II. of the Rules of Operation**	▪ prove of existence of appropriate IT Instruments of the entity by submitting of certificate issued by CDCP on completing certification testing, but only if the entity executed the testing ▪ participation in ad-hoc testing by submitting the testing report, but only in case the entity executed the testing in the reviewed period	yes	yes	yes
2.10 Information safety	▪ declaration of the subject on sufficient arrangements on information security, primarily on	yes	yes	yes

[3] does not apply to the trading venue
[4] does not apply to the trading venue
[5] does not apply to the trading venue

Art. 6 sec. 6.5 letter i), part II. of the Rules of Operation	application of best practice, processes and methods related to data protection against loss, unauthorised leak and unauthorised access			
2.11 Meeting other operational requirements for granting access **Art. 7 sec.7.6 letter k) and Art. 7 sec.7.6 letter l), part II. of the Rules of Operation**	▪ description of outsourcing of activities of the entity, detailing activities of the entity related to services with granted access shall be provided by external entity and identification of respective external entity ▪ identification of the entity/participant through whom the entity shall perform participant activities and perform type of services with granted access (identification of the authorised participant) and identification of type of services that the subject is interested to provide through the authorised participant, including prove on meeting participation criteria that shall be fulfilled through the authorised participant; mentioned criteria are proved by the subject in cooperation with the authorised participant.	yes	yes	yes
FINANCIAL PARTICIPATION CRITERIA (enclosures to the request pursuant to the Rules of Operation)				
3.1 Sufficient financial sources to meet contractual obligations **Art. 6 sec. 6.6 letter a), part II. of the Rules of Operation**	▪ submitting of original or copy of the financial statements of the subject for previous three years or stating a link for the financial statements ▪ prove that the subject has sufficient financial sources for 6 months from granting access and submitting the statements on financial situation of the subject if the financial statements are not available due to time of establishment of the subject ▪ or information on insurance or other guarantees securing execution of participant activities, if agreed by the subject in the contract ▪ declaration of the subject on sufficient financial resources for meeting contractual obligations towards CDCP and payment of fees according to the Scale of Fees (declaration included in the request)	yes	yes	yes
3.2 Sufficient financial sources to perform participant activities **Art.6 sec. 6.6 letter b), part II. of the Rules of Operation**	▪ declaration of the subject on sufficient financial sources to perform participant activities (meeting the capital requirements - adequacy)	yes	yes	yes