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Regulation of the Minister of Finance¹

of 27 January 2011

**on the requirements for the calculation systems to be maintained by the entities covered
by the mandatory guarantee system**

(Journal of Laws of 2011 No. 25 item 132)

Pursuant to Art. 38j of the Bank Guarantee Fund Act of 14 December 1994 (Journal of Laws of 2009 No. 84 item 711, No. 144 item 1176 and Journal of Laws of 2010 No. 140 item 943, No 257 item 1724), it is hereby ordered as follows:

§1 This Regulation specifies:

- 1) minimal requirements that should be met by the calculation system as referred to in Article 2 point 12 of the Bank Guarantee Fund Act of 14 December 1994, hereinafter referred to as “the Act”;
- 2) the detailed scope and structure of data stored in the calculation system;
- 3) technical standards of data preparation and its record in the calculation system, as well as format and procedure of data transmission to the Bank Guarantee Fund;
- 4) manner of designation of guaranteed funds, applicable to proceedings referred to in Article 165a or Article 299 of the Penal Code of 6 June 1997 (Journal of Laws of 1997 No. 88 item 553, as amended²);
- 5) the procedure and manner of verification of correctness of data included in the calculation system.

§2. 1. The Appendix No. 1 of the Regulation specifies minimal requirements that should be met by the calculation system.

2. The Appendix No. 2 of the Regulation specifies a detailed scope and structure of data stored in the calculation system.

¹ The Minister of Finance runs the government administration department of financial institutions, on the basis of §1 Article 2 point 3 of the Regulation of the Prime Minister of 16 November 2007 on the detailed scope of the Minister of Finance activities (Journal of Laws No. 216 item 1592).

² Amendments of the aforementioned Act were published in the Journal of Laws of 1997 No. 128 item 840, Journal of Laws of 1999 No. 64 item 729 and No. 83 item 931, Journal of Laws of 2000 No. 48 item 548, No. 93 item 1027 and No. 116 item 1216, Journal of Law of 2001 No. 98 item 1071, Journal of Laws of 2003 No. 111 item 1061, No.121 item 1142, No. 179 item 1750, No. 199 item 1935 and No. 228 item 2255, Journal of Laws of 2004 No. 25 item 219, No. 69 item 626, No. 93 item 889 and No. 243 item 2426, Journal of Laws of 2005 No. 86 item 732, No. 90 item 757, No. 132 item 1109, No.163 item 1363, No. 178, item 1479 and No. 180 item 1493, Journal of Laws of 2006 No. 190 item 1409, No. 218 item 1592 and No. 226 item 1648, Journal of Laws of 2007 No. 89 item 589, No. 123 item 850, No. 124 item 859 and No. 192 item 1378, Journal of Laws of 2008 No. 90 item 560, No. 122 item 782, No. 171 item 1056, No. 173 item 1080 and No. 214 item 1344, Journal of Laws of 2009 No. 62 item 504, No. 63 item 533, No. 166 item 1317, No. 168 item 1323, No. 190 item 1474, No. 201 item 1540 and No. 206 item 1589, Journal of Laws of 2010 No. 7 item 46, No. 40 item 227 and 229, No. 98 item 625 and 626, No. 125 item 842, No. 127 item 857, No. 152 item 1018 and 1021, No. 182 item 1228, No. 225 item 1474 and No. 240 item 1602 and Journal of Laws of 2011 No. 17 item 78 and No. 24 item 130.

3. The amounts reported pursuant to the Appendix No. 2 of the Regulation are expressed in PLN.

§3. 1. The data stored in the calculation system should be saved as an XML file, version 1.0, in accordance with the W3C recommendation (<http://www.w3.org/TR/REC-xml/>). File encoding should be prepared in UTF-8 standard.

2. The structure and content of the XML file, shall be compatible with XSD scheme (W3C recommendation: XML Schema 1.1 <http://www.w3.org/XML/Schema>), which the Bank Guarantee Fund will make available to an entity covered by a mandatory guarantee system, hereinafter referred to as "entity", in electronic version in the manner stipulated in §4 Article 3.

3. The Bank Guarantee Fund shall provide the dictionaries' values and their updating in electronic version, in the manner stipulated in §4 Article 3.

§4. 1. XML files containing data prepared in the calculation system shall be signed with an electronic signature, verified on the basis of valid qualified certificate, as referred to in the Act of 18 September 2001 on Electronic Signature (Journal of Laws No. 130 item 1450, as amended³), by the persons authorised to represent the entity externally.

2. Signatures of the authorised persons, as referred to in Article 1, represent also a confirmation of the reliability and accuracy of reported data.

3. In order to transfer electronic documents, the Bank Guarantee Fund shall make available on the Website an application, hereinafter referred to as "portal", that allows transmitting files using SSL channel.

4. The entity shall notify the Bank Guarantee Fund of the persons authorised to represent the entity and possessing qualified certificates, as well as those persons who facilitate communication with the Bank Guarantee Fund and holding certificates to authenticate the user in ICT systems.

5. Prior to sending, the electronic documents shall be compressed in RAR or ZIP archives and encrypted with the public key provided by the Bank Guarantee Fund.

§5. 1. Data stored in the calculation system is transferred to the Bank Guarantee Fund within the period specified in the request which is stipulated in Article 38h (1) of the Bank Guarantee Fund Act.

2. Under the agreement concluded between the Bank Guarantee Fund and the entity, the data is transmitted via portal.

3. In justified cases, subject to the approval of the Bank Guarantee Fund, the data can be transferred on the write-once computer storage medium.

³ Amendments of the aforementioned Act were published in the Journal of Laws of 2002 No. 153 item 1271, Journal of Laws of 2003 No. 124 item 1152 and No. 217 item 2125, Journal of Laws of 2004 No. 96 item 959, Journal of Laws of 2005 No. 64 item 565, Journal of Laws of 2006 No. 145 item 1050, Journal of Laws of 2009 No. 18 item 97 and Journal of Laws of 2010 No. 40 item 230 and No. 182 item 1228.

§6. 1. Verification of data transferred to the Bank Guarantee Fund in the course of control stipulated in Article 38h (1) of the Act, shall be conducted in the headquarters of the Bank Guarantee Fund.

2. Verification, conducted by the Bank Guarantee Fund, referred to in Article 1 covers the assessment of correctness and completeness of data necessary to identify depositors and the amounts of guaranteed funds due them.

3. The entity is obliged to immediately provide the Bank Guarantee Fund with a clarification of transferred data.

4. The Bank Guarantee Fund shall immediately provide the entity with a written notification of data verification results.

§7. Verification of the data in the course of the control stipulated in Article 38g (3) of the Act, shall be conducted in the registered office of the entity and shall include, in particular, an assessment of the correctness of:

- 1) data stored in the calculation system on the basis of source documents possessed by the entity;
- 2) use by the entity the definitions of depositor and guaranteed funds, as specified in the Act.

§8.1. After the verification conducted by the Bank Guarantee Fund, referred to §7, the protocol shall be drawn up.

2. The protocol shall be signed, within 7 days from the date of submitting for signature, by the persons authorised to represent the entity externally.

§9. Within 14 days since the receipt of the information referred to in §6 Article 4, or since the date of protocol signing referred to in §8 Article 1, the entity shall notify in written the Bank Guarantee Fund about measures taken to remedy irregularities by the Bank Guarantee Fund.

§10. This Regulation shall enter into force after 3 days as from the day of its publication in the Journal of Laws.

Minister of Finance

Appendix No. 1

Minimal requirements to be met by the calculation system

1. The calculation system shall be either an independent logically unit or an independent application that implements exclusively the functions specified in the Bank Guarantee Fund Act of 14 December 1994.
2. The system shall include a full documentation specifying:
 - a) system technical requirements,
 - b) system installation and startup procedure,
 - c) scope, structure and format of the inputs, outputs and intermediate data sets,
 - d) input sources,
 - e) definitions adopted for the construction of the calculation system,
 - f) algorithms of all operations performed on the data,
 - g) system user manual,
 - h) system administration manual (principles),
 - i) assumptions (scenarios) and the results of functional implementation tests and users acceptance tests,
 - j) documentation of changes being implemented to the calculation system,
 - k) data backup policy.
3. The calculation system shall be supplied with data via automatic interface.
4. If data supplying the calculation system are processed in relation to the source data before the system is supplied with, the system shall contain documentation describing these operations to the extent specified in subparagraph 2, points c-e.
5. The calculation system is a mission-critical application.

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Appendix No. 2 The scope and structure of data stored in the calculation system

Name		Description	Type	Data required 1)2)
Package		The list of deponents		
Clients				
Client		Single Customer View (SCV)		
SCVID		The unique ClientID assigned in the bank	xs:string	yes
ClientType		The parameter takes the dictionaries' values from the dictionary "ClientType"	xs:string	yes
Location		Location of bank's branch competent for the client	xs:string	yes
Bank'sBranch		The name of bank's branch competent for the client	xs:string	yes
ClientStatus		The parameter takes the dictionaries' values from the dictionary "ClientStatus"	xs:string	yes
BusinessBreakdownStructure		The parameter takes the dictionaries' value from the dictionary "BusinessBreakdownStructure"	xs:string	yes
Resident		Resident=1; non-resident=0	xs:boolean	yes
Details				yes
Legal address of residence		Client legal address of residence or client business address		yes
StreetNo.		Street name, building No., flat No.	xs:string	yes
Town		Town	xs:string	yes
Postcode		Postalcode	xs:string	yes if Resident=1
Country		Country	xs:string	yes if Resident=0
Contact Address		Data on client's contact address	xs:string	no
StreetNo.		Street name, building No., flat No.	xs:string	no
Town		Town	xs:string	no

Postalcode		Postalcode	xs:string	yes if Resident=1
Country		Country	xs:string	yes if Resident=0
Email		email address	xs:string	no
Phones				
	Phone	Phone number	xs:string	no
...				
Personal data		Client personal data	xs:string	yes
PESEL		Personal number PESEL	xs:string	yes if "ClientType"=OF (an individual) and Resident=1
Family name		Family name or client business name	xs:string	yes
Name		First name	xs:string	yes if ClientType=OF
Name 2		Middle name	xs:string	no
Place of birth		Place of birth	xs:string	no
Date of birth		Date of birth	xs:date	yes if ClientType=OF
Mother's maiden name		Mother's maiden name	xs:string	no
Father's name		Father's name	xs:string	no
Mother's name		Mother's name	xs:string	no
KRS		National Court Register Number; a legal person (OP) in the process of formation should be identified as "0000000000".	xs:string	no
REGON		Number of the National Official Business Register REGON; a legal person (OP) or business unit (JO) in the process of formation should be identified as "0000000000".	xs:string	yes if (ClientType=OP or ClientType=JO) and Resident=1
Documents		Data on client identification documents.	xs:string	yes if ClientType=OF
	Document		xs:string	yes if ClientType=OF

	DocumentType	The parameter takes the dictionaries' values from the dictionary "DocumentType"	xs:string	yes if ClientType=OF
	Number	ID serial number	xs:string	yes if ClientType=OF and DocumentType≠OM (OM - a minor)
	...		xs:string	
	Comments	Additional information on client	xs:string	no
	Claims	Data on client claims		yes
	Claim			yes
	Account number	Account number	xs:string	yes
	Amount	Claim amount	srg:money	yes
	The amount specified in an instruction concerning the deposit in the event of death	The amount stipulated in Art. 56 (1) of The Banking Act	srg:money	yes
	Individual Retirement Account Withdrawals	Meeting the condition specified in Art. 34 (1) or Art. 34a (1) of The Act on Individual Retirement Accounts and individual pension security accounts Yes=1; No=0	xs:boolean	yes
	Interests	Interests calculated in accordance with Art. 23 (1) of The Bank Guarantee Fund Act	srg:money	yes
	Comments	Additional information on claims	xs:string	no
	BlockedFunds	Funds blocked on an account in accordance with Art. 26s (1) of the Bank Guarantee Fund Act Yes=1; No=0	xs:boolean	yes

			Funds on an account that are not benefited from the protection of the guaranteed funds in accordance with Art. 26s (2) of the Bank Guarantee Fund Act.		
		The amount of lost		srg:money	yes
		The amount of participation	Part of the claim and interest corresponding to the value of client's participation in the joint account	srg:money	yes
		ClaimStatus	The parameter takes the dictionaries' values from the dictionary "ClaimStatus"	xs:string	yes
		ProductStructure	The parameter takes the dictionaries' values from the dictionary "ProductStructure"	xs:string	yes
	Guaranteed amounts				
		The amount of funds guaranteed by the guarantee system	The amount of funds guaranteed by the guarantee system which is calculated in accordance with the Bank Guarantee Fund Act, including:	srg:money	yes
		The amount of funds on the individual retirement account (IKE)	The amount of funds guaranteed by the guarantee system under the individual retirement accounts (IKE) and individual pension security accounts (IKZE) which is calculated in accordance with the Bank Guarantee Fund Act, in particular with Art. 26d (2) of the Act.	srg:money	yes
		The amount of funds guaranteed by the guarantee system under the trust accounts	The amount of funds guaranteed by the guarantee system under the trust accounts which is calculated in accordance with the Bank Guarantee Fund Act, especially with Art. 26d (2) of the Act.	srg:money	yes
		The amount of seizure	The amount of seizure under a writ of execution	srg:money	yes
	General ledger				yes
	Aggregates				yes
		Aggregate	Aggregated item in general ledger		yes

			Name of aggregate	The parameter takes the dictionaries' values from the dictionary " Dictionary of general ledger aggregates definition"	xs:string	yes
		...	The dictionary's value of aggregate	The dictionary's value of aggregate	srg:money	yes
			The number of clients	The number of bank's clients in SCV's package	xs:int	yes
			The sum of claims	The sum of claims in SCV's package	srg:money	yes
			The sum of interest on claims	The sum of interest on claims in SCV's package	srg:money	yes
			The sum of guaranteed amounts	The sum of guaranteed amounts in SCV's package	srg:money	yes
			EUR exchange rate	The exchange rate for EUR used to calculate the guaranteed limit	srg:kursEuro T	yes
			Date of exchange rate	The date of EUR exchange rate used to calculate the guaranteed limit	xs:date	yes
			Bank Ident	Bank identification number (3 or 4 digits)	xs:int	yes
			Date	The date on which data are prepared in SCV's package	xs:date	yes

- 1) If the bank possesses such data it is obliged to place them in the Single Customer View (SCV) despite the indication of data as not required.
- 2) If the bank does not possess data indicated as not required, cells are left blank.