This Statutory Instrument has been printed to correct errors in S.I. 2021/812 and is being issued free of charge to all known recipients of that Statutory Instrument.

STATUTORY INSTRUMENTS

2021 No. 920

FINANCIAL SERVICES AND MARKETS

The Benchmarks (Provision of Information and Documents) (Amendment) Regulations 2021

Made - - - -	*3rd August 2021*
Laid before Parliament	*4th August 2021*
Coming into force - -	*8th August 2021*

The Treasury make the following Regulations in exercise of the powers conferred by Articles 48A and 49(2) of Regulation (EU) 2016/1011 of the European Parliament and of the Council of 8 June 2016 on indices used as benchmarks in financial instruments and financial contracts or to measure the performance of investment funds(**a**).

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Benchmarks (Provision of Information and Documents) (Amendment) Regulations 2021 and come into force on 8th August 2021.

(2) These Regulations extend to England and Wales, Scotland and Northern Ireland.

Amendment of the Benchmarks (Provision of Information and Documents) Regulations 2021

2. In the Benchmarks (Provision of Information and Documents) Regulations 2021(**b**)—

(a) omit regulation 3 (transitional provision);

(b) for regulation 5(2) (provision of an address to which information or a document may be sent electronically) substitute—

"(2) An address provided in accordance with paragraph (1) must be provided—

(a) where the benchmark is listed in Commission Implementing Regulation (EU) 2016/1368 of 11 August 2016 establishing a list of critical benchmarks used in financial markets pursuant to Regulation (EU) 2016/1011 of the European Parliament and of the Council(**c**), before 14 August 2021;

(b) where regulations are made specifying the benchmark as critical under paragraph 5 or 6 of Article 20A, or paragraph 5 of Article 20, of the Benchmarks Regulation, within five working days beginning with the day on which those regulations come into force.".

(**a**) EUR 2016/1011. Article 48A is inserted by paragraph 11 of Schedule 5 to the Financial Services Act 2021 (c. 22).
(**b**) S.I. 2021/812.
(**c**) OJ No. L 217, 12.8.2016, p.1; amended by S.I. 2019/657.

Rebecca Harris
James Morris
3rd August 2021 Two of the Lords Commissioners of Her Majesty's Treasury

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Benchmarks (Provision of Information and Documents) Regulations 2021 (S.I 2021/812)("the 2021 Regulations"), which make provision in respect of a notice or permission given by the Financial Conduct Authority to a benchmark administrator under Articles 22A, 22B, 23A and 23D of Regulation (EU) 2016/1011 of the European Parliament and of the Council of 8 June 2016 on indices used as benchmarks in financial instruments and financial contracts or to measure the performance of investment funds. These Regulations are being issued free of charge as they rectify errors in the 2021 Regulations.

These Regulations amend the 2021 Regulations so that:

— the transitional provision in the 2021 Regulations is omitted;

— an administrator of a critical benchmark listed in Commission Implementing Regulation (EU) 2016/1368 of 11 August 2016 establishing a list of critical benchmarks used in financial markets pursuant to Regulation (EU) 2016/1011 of the European Parliament and of the Council must provide an address in accordance with regulation 5(1) of the 2021 Regulations before 14th August 2021.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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