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DRAFT STATUTORY INSTRUMENTS

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**2019 No.**

**The Benchmarks (Amendment and Transitional Provision) (EU Exit) Regulations 2019**

**PART 3**

Transitional provision

**CHAPTER 1**

Registration

**Conditions to be satisfied for information to be recorded on the FCA register**

**51.**—(1) Information that satisfies conditions A and B must, on exit day, be recorded on the register to be established by the FCA under Article 36 of the UK Benchmarks Regulation.

(2) Condition A is that the information is recorded on the ESMA register at 5pm on the day on which exit day occurs.

(3) Condition B is that the information is listed in regulation 52.

**Information to be recorded on the FCA register**

**52.** The information is—

- (a) the identity of an administrator who has acquired recognition from the FCA in accordance with Article 32 of the EU Benchmarks Regulation, the list of benchmarks referred to in Article 32(7) of that Regulation and, where applicable, the third country competent authority responsible for the administrator's supervision;
- (b) where the FCA has authorised the endorsement of a benchmark under Article 33 of the EU Benchmarks Regulation, the benchmark that has been endorsed, the identity of the benchmark's administrator and the identity of the endorsing administrator or endorsing supervising entity;
- (c) the identity of an administrator who has been authorised or registered by the FCA under Article 34 of the EU Benchmarks Regulation and that the FCA is responsible for the supervision of the administrator.

**Application of the UK Benchmarks Regulation**

**53.** Where the FCA approved an application made under Article 32, 33 or 34 of the EU Benchmarks Regulation before exit day, the UK Benchmarks Regulation applies as if the application were approved under Article 32, 33 or 34 (respectively) of the UK Benchmarks Regulation.