



# Critical Benchmarks (References and Administrators' Liability) Act 2021

## 2021 CHAPTER 33

### 2 Liability of administrator of Article 23A benchmark

In the Benchmarks Regulation, after Article 23FB (inserted by section 1) insert—  
“*Article 23FC*

#### *Liability of administrator of Article 23A benchmark*

1. An administrator of an Article 23A benchmark, and its officers and employees, are not liable in damages—
  - (a) for action or inaction required by a notice under Article 23D(2) or by Article 23D(8), or
  - (b) for publishing the benchmark as it exists as a result of such action or inaction.
2. Paragraph 1 does not remove liability in respect of loss or damage arising from the exercise of a discretion conferred on the administrator under Article 23D(2) or as part of a permission given under Article 23D(8)(b).
3. Paragraph 1(b) does not remove liability in respect of loss or damage arising from the exercise of any other discretion of the administrator as to the time or manner of publication.”

#### **Commencement Information**

**II** S. 2 in force at Royal Assent, see [s. 4\(3\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Critical Benchmarks (References and Administrators' Liability) Act 2021, Section 2.