
STATUTORY INSTRUMENTS

2021 No. 812

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

PART 2

Provision of information and documents – critical benchmarks

Application of Part

4. This Part applies for the purposes of—
- (a) in Article 22A of the Benchmarks Regulation (assessment of representativeness of critical benchmarks: administrator)(1)—
 - (i) a notice given by the FCA to an administrator under paragraph 3 or 11;
 - (ii) a permission given by the FCA to an administrator under paragraph 9;
 - (b) in Article 22B of that Regulation (assessment of representativeness of critical benchmarks: FCA)(2), a notice given by the FCA to an administrator under paragraph 3;
 - (c) in Article 23A of that Regulation (designation of certain critical benchmarks)(3), a notice given by the FCA to an administrator under paragraph 1(b), 4, 7 or 9;
 - (d) in Article 23D of that Regulation (orderly cessation of Article 23A benchmarks)(4), a notice given by the FCA to an administrator under paragraph 2 or 8(b).

Provision of an address to which information or a document may be sent electronically

- 5.—(1) An administrator of a critical benchmark—
- (a) must provide the FCA with an email address to which a notice or permission to which this Part applies may be sent;
 - (b) may provide the FCA with an address (other than an email address) to which such a notice or permission may, with the written agreement of the FCA, be sent electronically.
- (2) An address provided in accordance with paragraph (1) must be provided within five working days beginning with the day on which regulations specifying the benchmark as critical under—
- (a) paragraph 5 or 6 of Article A20 of the Benchmarks Regulation, or
 - (b) paragraph 5 of Article 20 of that Regulation,
- come into force.
- (3) The administrator may provide a different address in substitution for one provided in accordance with paragraph (1).

(1) Article 22A is inserted by section 11(2) of the Financial Services Act 2021 (c. 22).
(2) Article 22B is inserted by section 11(2) of the Financial Services Act 2021 (c. 22).
(3) Article 23A is inserted by section 13 of the Financial Services Act 2021 (c. 22).
(4) Article 23D is inserted by section 15 of the Financial Services Act 2021 (c. 22).

(4) An address provided under paragraph (3) must be provided no less than five working days before the day on which the administrator intends the substitution to take effect.

(5) The conditions in paragraph (1) apply in respect of such an address as they apply to an address provided in accordance with that paragraph.

Date on which information or a document is treated as having been received

6. A notice or permission sent by the FCA to an administrator at an address provided in accordance with regulation 5 shall be deemed to have been received—

- (a) in respect of a notice or permission referred to in regulation 4(a) to (c)—
 - (i) if sent on a working day before 5 p.m., on that day;
 - (ii) otherwise, on the following working day;
- (b) in respect of a notice referred to in regulation 4(d)—
 - (i) if sent before 5 p.m., on the day on which it is sent;
 - (ii) otherwise, on the following day.