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STATUTORY INSTRUMENTS

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**2018 No. 135**

The Financial Services and Markets Act  
2000 (Benchmarks) Regulations 2018

**PART 6**

Amendments to secondary legislation

**Amendments to the Financial Services and Markets Act 2000 (Regulated Activities) Order  
2001**

**51.** After article 63R of the RAO (specified benchmarks) insert—

**“Administering a benchmark**

**63S.**—(1) Administering a benchmark is a specified kind of activity.

(2) In paragraph (1) “administering a benchmark” means acting as an administrator of a benchmark within the meaning of Article 3 of Regulation EU 2016/1011<sup>M1</sup> 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 and amending Directives 2008/48/EC<sup>M2</sup> and 2014/17/EU<sup>M3</sup> and Regulation (EU) No 596/2014<sup>M4</sup>.

**Administration of a benchmark by the FCA**

**63T.** The FCA does not carry on the activity of the kind specified by article 63S(1) in relation to a benchmark where the FCA administers the benchmark itself.”

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**Marginal Citations**

- M1** OJ No. L171, 29.06.2016, p.1.  
**M2** OJ No. L133, 22.05.2008, p.66.  
**M3** OJ No. L60, 28.02.2014, p.34.  
**M4** OJ No. L173, 12.06.2014, p.1.

**Changes to legislation:**

There are currently no known outstanding effects for the The Financial Services and Markets Act 2000 (Benchmarks) Regulations 2018, Section 51.