

## Attachment 14: Compliance statement

### Compliance statement under Article 26 (3) of Regulation (EU) 2016/1011

<b>A. General Information</b>	
1. Date of creation of the compliance statement and of the latest update	Created: 27 <sup>th</sup> February 2019 Last updated: 26 <sup>th</sup> October 2021
2. Identity of the administrator	LPX AG
<b>B. LPX AG chooses not to apply the following provisions of Regulation (EU) 2016/1011 with respect to its non-significant benchmarks listed below</b>	
3. LPX and NMX Indices	List of names of all single benchmarks including their ISINs can be found in appendixes 11
4. i. Provisions not applied	4. ii. Explanation on the appropriateness of non-compliance
Art. 4 (2) The provision of a benchmark shall be operationally separated from any part of an administrator's business that may create an actual or potential conflict of interest.	Benchmarks provided by LPX non-significant and non-critical according to Art. 20 and Art. 24. According to Art. 26 (1) this paragraph shall not apply.
Art. 4 (7) Administrators shall ensure that their employees and any other natural persons whose services are placed at their disposal or under their control and who are directly involved in the provision of a benchmark: (c) do not have any interests or business connections that compromise the activities of the administrator concerned; (d) are prohibited from contributing to a benchmark determination by way of engaging in bids, offers and trades on a personal basis or on behalf of market participants, except where such way of contribution is explicitly required as part of the benchmark methodology and is subject to specific rules therein; and (e) are subject to effective procedures to control the exchange of information with other employees involved in activities that may create a risk of conflicts of	Benchmarks provided by LPX non-significant and non-critical according to Art. 20 and Art. 24. According to Art. 26 (1) this paragraph shall not apply.

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<p>interest or with third parties, where that information may affect the benchmark.</p>	
<p>Art. 4 (8)</p> <p>An administrator shall establish specific internal control procedures to ensure the integrity and reliability of the employee or person determining the benchmark, including at least internal sign-off by management before the dissemination of the benchmark.</p>	<p>Benchmarks provided by LPX non-significant and non-critical according to Art. 20 and Art. 24. According to Art. 26 (1) this paragraph shall not apply.</p>
<p>Art. 5 (2)</p> <p>Administrators shall develop and maintain robust procedures regarding their oversight function, which shall be made available to the relevant competent authorities.</p>	<p>Benchmarks provided by LPX non-significant and non-critical according to Art. 20 and Art. 24. According to Art. 26 (1) this paragraph shall not apply.</p>
<p>Art. 5 (3)</p> <p>The oversight function shall operate with integrity and shall have the following responsibilities, which shall be adjusted by the administrator based on the complexity, use and vulnerability of the benchmark: (a) reviewing the benchmark's definition and methodology at least annually; (b) overseeing any changes to the benchmark methodology and being able to request the administrator to consult on such changes; (c) overseeing the administrator's control framework, the management and operation of the benchmark, and, where the benchmark is based on input data from contributors, the code of conduct referred to in Article 15; (d) reviewing and approving procedures for cessation of the benchmark, including any consultation about a cessation; (e) overseeing any third party involved in the provision of the benchmark, including calculation or dissemination agents; (f) assessing internal and external audits or reviews, and monitoring the implementation of identified remedial actions; (g) where the benchmark is based on input data from contributors, monitoring the input data and contributors and the actions of the administrator in challenging or validating contributions of input data; (h) where the benchmark is based on input data from contributors, taking effective measures in respect of any breaches of the code of conduct referred to in Article 15; and (i) reporting to the relevant competent authorities any misconduct by contributors, where the benchmark is based</p>	<p>Benchmarks provided by LPX non-significant and non-critical according to Art. 20 and Art. 24. According to Art. 26 (1) this paragraph shall not apply.</p>

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<p>on input data from contributors, or administrators, of which the oversight function becomes aware, and any anomalous or suspicious input data.</p>	
<p>Art. 5 (4)</p> <p>The oversight function shall be carried out by a separate committee or by means of another appropriate governance arrangement.</p>	<p>Benchmarks provided by LPX non-significant and non-critical according to Art. 20 and Art. 24. According to Art. 26 (1) this paragraph shall not apply.</p>
<p>Art. 6 (1)</p> <p>Administrators shall have in place a control framework that ensures that their benchmarks are provided and published or made available in accordance with this Regulation.</p>	<p>Benchmarks provided by LPX non-significant and non-critical according to Art. 20 and Art. 24. According to Art. 26 (1) this paragraph shall not apply.</p>
<p>Art. 6 (3)</p> <p>The control framework shall include: (a) management of operational risk; (b) adequate and effective business continuity and disaster recovery plans; (c) contingency procedures that are in place in the event of a disruption to the process of the provision of the benchmark.</p>	<p>Benchmarks provided by LPX non-significant and non-critical according to Art. 20 and Art. 24. According to Art. 26 (1) this paragraph shall not apply.</p>
<p>Art. 6 (5)</p> <p>The control framework shall be documented, reviewed and updated as appropriate and made available to the relevant competent authority and, upon request, to users.</p>	<p>Benchmarks provided by LPX non-significant and non-critical according to Art. 20 and Art. 24. According to Art. 26 (1) this paragraph shall not apply.</p>
<p>Art. 7 (2)</p> <p>An administrator shall designate an internal function with the necessary capability to review and report on the administrator's compliance with the benchmark methodology and this Regulation.</p>	<p>Benchmarks provided by LPX non-significant and non-critical according to Art. 20 and Art. 24. According to Art. 26 (1) this paragraph shall not apply.</p>
<p>Art. 11 (1) b)</p> <p>the input data referred to in point (a) shall be verifiable;</p>	<p>Benchmarks provided by LPX non-significant and non-critical according to Art. 20 and Art. 24. According to Art. 26 (1) this paragraph shall not apply.</p>
<p>Art. 11 (2) b)</p> <p>Administrators shall ensure that their controls in respect of input data include: [...]</p> <p>(b) a process for evaluating a contributor's input data and for stopping the contributor from providing further input data, or applying other</p>	<p>Benchmarks provided by LPX non-significant and non-critical according to Art. 20 and Art. 24. According to Art. 26 (1) this paragraph shall not apply.</p>

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penalties for non-compliance against the contributor, where appropriate;	
Art. 11 (2) c) a process for validating input data, including against other indicators or data, to ensure its integrity and accuracy.	Benchmarks provided by LPX non-significant and non-critical according to Art. 20 and Art. 24. According to Art. 26 (1) this paragraph shall not apply.
Art. 11 (3)	Benchmarks provided by LPX non-significant and non-critical according to Art. 20 and Art. 24. According to Art. 26 (1) this paragraph shall not apply.
Art. 13 (2) The procedures required under point (c) of paragraph 1 shall provide for: (a) advance notice, with a clear time frame, that gives the opportunity to analyse and comment upon the impact of such proposed material changes; and (b) the comments referred to in point (a) of this paragraph, and the administrator's response to those comments, to be made accessible after any consultation, except where confidentiality has been requested by the originator of the comments.	Benchmarks provided by LPX non-significant and non-critical according to Art. 20 and Art. 24. According to Art. 26 (1) this paragraph shall not apply.
Art. 14 (2) An administrator shall monitor input data and contributors in order to be able to notify the competent authority and provide all relevant information where the administrator suspects that, in relation to a benchmark, any conduct has taken place that may involve manipulation or attempted manipulation of the benchmark, under Regulation (EU) No 596/2014, including collusion to do so.  The competent authority of the administrator shall, where applicable, transmit such information to the relevant authority under Regulation (EU) No 596/2014.	Benchmarks provided by LPX non-significant and non-critical according to Art. 20 and Art. 24. According to Art. 26 (1) this paragraph shall not apply.
Art. 15 (2) The code of conduct shall include at least the following elements:  (a) a clear description of the input data to be provided and the requirements necessary to ensure that input data is provided in accordance with Articles 11 and 14;	Benchmarks provided by LPX non-significant and non-critical according to Art. 20 and Art. 24. According to Art. 26 (1) this paragraph shall not apply.

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<p>(b) identification of the persons that may contribute input data to the administrator and procedures to verify the identity of a contributor and any submitters, as well as authorisation of any submitters that contribute input data on behalf of a contributor;</p> <p>(c) policies to ensure that a contributor provides all relevant input data;</p> <p>(d) the systems and controls that a contributor is required to establish, including:</p> <p>(i) procedures for contributing input data, including requirements for the contributor to specify whether input data is transaction data and whether input data conforms to the administrator's requirements;</p> <p>(ii) policies on the use of discretion in contributing input data;</p> <p>(iii) any requirement for the validation of input data before it is provided to the administrator;</p> <p>(iv) record-keeping policies;</p> <p>(v) reporting requirements concerning suspicious input data;</p> <p>(vi) requirements concerning the management of conflicts of interest.</p>	
<p>Art. 16 (2)</p> <p>A supervised contributor shall have in place effective systems and controls to ensure the integrity and reliability of all contributions of input data to the administrator, including:</p> <p>(a) controls regarding who may submit input data to an administrator including, where proportionate, a process for sign-off by a natural person holding a position senior to that of the submitter;</p> <p>(b) appropriate training for submitters, covering at least this Regulation and Regulation (EU) No 596/2014;</p> <p>(c) measures for the management of conflicts of interest, including organisational separation of employees where appropriate and consideration of how to remove incentives, created by</p>	<p>Benchmarks provided by LPX non-significant and non-critical according to Art. 20 and Art. 24. According to Art. 26 (1) this paragraph shall not apply.</p>

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<p>remuneration policies, to manipulate a benchmark;</p> <p>(d) record-keeping, for an appropriate period of time, of communications in relation to provision of input data, of all information used to enable the contributor to make each submission, and of all existing or potential conflicts of interest including, but not limited to, the contributor's exposure to financial instruments which use a benchmark as a reference;</p> <p>(e) record-keeping of internal and external audits.</p>	
<p>Art. 16 (3)</p> <p>Where input data relies on expert judgement, supervised contributors shall establish, in addition to the systems and controls referred to in paragraph 2, policies guiding any use of judgement or exercise of discretion and shall retain records of the rationale for any such judgement or discretion. Where proportionate, supervised contributors shall take into account the nature of the benchmark and its input data.</p>	<p>Benchmarks provided by LPX non-significant and non-critical according to Art. 20 and Art. 24. According to Art. 26 (1) this paragraph shall not apply.</p>