

Chapter 2

Commission Delegated Regulation (EU) 2016/2021



Article 3 Differentiation and non-discrimination

(1) Where a person with proprietary rights to a benchmark sets, in accordance with Article 37(1) of Regulation (EU) No 600/2014, different conditions, including fees and their payment conditions, those conditions shall apply in a manner specific to each category of licensees.

(2) A person with proprietary rights to a benchmark shall set the same rights and obligations for the licensees within the same category.

(3) A person with proprietary rights to a benchmark shall make the criteria defining the different categories of licensees publicly available.

(4) A person with proprietary rights to a benchmark shall, on request, provide to any CCP or trading venue for free the conditions applying to the category to which that CCP or trading venue belongs.

(5) A person with proprietary rights to a benchmark shall make available to all licensees within the same category any additions to or modifications of the conditions for licensing agreements agreed with a licensee within that category under the same conditions.