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CF BENCHMARKS LIMITED
ISAE 3000 INDEPENDENT LIMITED ASSURANCE REPORTING AS AT
31 JULY2020

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SECTION I: BACKGROUND

CF Benchmarks Ltd ("CFB" or "the Company") is a company incorporated in England and Wales with registered company number 11654816. The firm received its regulatory authorisation from the competent authority, the UK Financial Conduct Authority ("FCA") on 19 August 2019. The purpose of the company is to administer financial benchmarks for digital assets.

Overview of the EU BMR

The EU Benchmark Regulation ("EU BMR") became effective on 1 January 2018 and seeks to ensure the proper functioning of the internal market and improve the conditions of its functioning, in particular with regard to financial markets, and to ensure a high level of consumer and investor protection.

CFB established the governance, processes and controls to comply with EU BMR. Deloitte LLP has provided independent limited assurance in respect of the CFB's control procedures that relate to compliance with the EU BMR as described in Section III, as at 31 July 2020.

SECTION II: MANAGEMENT STATEMENT OF ADHERENCE

As Directors of CFB we are, and shall be, responsible for ensuring that CFB, as the Benchmark Administrator for CME CF Cryptocurrency Pricing Products and CF Cryptocurrency Index Family, complies with Article 4 to Article 14 and Article 26 to Article 28 of EU Benchmark Regulation 2016/1011 ("EU BMR")¹. This includes responsibility for designing, implementing and monitoring compliance with policies and procedures that achieve compliance with EU BMR.

We are also responsible for preparing this Management Statement of Adherence and CFB's Response to the EU BMR articles presented in Section IV that is free from misstatement, whether due to fraud or error. CFB's response in Section IV includes the policies, procedures and control activities in operation to comply with EU BMR.

We confirm that, to the best of our knowledge and belief,

- (a) CFB's response in Section IV is fairly stated in that it presents the activities undertaken to achieve compliance with EU BMR as at 31 July 2020; and
- (b) The procedures and control activities identified in CFB's response are suitably designed and have operated with sufficient effectiveness to comply with EU BMR and the Benchmark Methodologies as at 31 July 2020.

Signed for and on behalf of the CFB Board of Directors



Sui Chung

CEO & Director, CF Benchmarks Ltd

20 August 2020

Date

¹ No exemptions applied

SECTION III: INDEPENDENT ASSURANCE REPORT



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INDEPENDENT ASSURANCE REPORT ON CONTROL PROCEDURES NOTED BY CF BENCHMARKS LTD ("CFB" or "the Company") REGARDING COMPLIANCE WITH EU BENCHMARK REGULATION AS AT 31 JULY 2020

Use of Report

We have carried out a limited assurance engagement in respect of the Company's control procedures that relate to compliance with the EU Benchmark Regulation, in accordance with the terms of our engagement letter dated 01 June 2020.

This report covers the design effectiveness of control procedures noted by the Company, related to the application of the requirements of the EU Benchmark Regulation for CF Benchmarks Ltd as at 31 July 2020.

This report is made solely for the use of the Directors, as a body, of the Company solely for the purpose of reporting on the internal controls of the Company in relation to Article 4 to Article 14 and Article 26 to Article 28 of EU Benchmark Regulation 2016/1011 ("EU BMR") as a non-significant benchmark administrator of benchmark families, CME CF Cryptocurrency Pricing Products and CF Cryptocurrency Index Family assuming no exemptions have been applied and in accordance with the terms of our engagement letter dated 01 June 2020.

Our work has been undertaken so that we might report to the Directors and where appropriate, those charged with governance, those matters that we have agreed to state to them in this report and for no other purpose. Our report must not be recited or referred to in whole or in part in any other document nor made available, copied or recited to any other party, in any circumstances, without our express prior written permission; save that such consent is not required for you to disclose the report provided any other user or entity other than stated above understand and accept either in writing or electronically the limitations of use of the report as stated below:

- This Report has been made available only after acceptance of the limitations of use based upon the Notice from Deloitte LLP. This Report has been prepared in accordance with the terms of our contract with CF Benchmarks Ltd ("the Client") dated 01 June 2020 (the "Contract"), and is subject to the restrictions on use specified in the Contract. No party other than the Client is entitled to rely on this Report for any purpose whatsoever and we accept no responsibility or liability to any party other than the Client in respect of the contents of this Report. All copyright and other proprietary rights in the Report remain the property of Deloitte LLP and any rights not expressly granted in these terms or in the Contract are reserved. This Report and its contents do not constitute financial, investment or other professional advice. Specific advice should be sought about your specific circumstances. To the fullest extent possible, both Deloitte LLP and the Client disclaim any liability arising out of the use (or non-use) of the Report and its contents, including any action or decision taken as a result of such use (or non-use).

The report is otherwise confidential and will be provided only for the purpose as set out in our engagement letter dated 01 June 2020. To the fullest extent permitted by law, we do not accept or assume responsibility to anyone other than the Directors and the Company for our work, for this report, or for the conclusion we have formed, save where expressly agreed in writing.



Scope

Our opinion covers Section IV, as provided to us and in effect as at 31 July 2020. Internal controls are processes designed to provide limited assurance regarding the compliance with EU BMR. Our engagement does not constitute an audit or review performed in accordance with the International Standards on Auditing or International Standards on Review Engagements and consequently an audit or review opinion will not be expressed.

Respective responsibilities of the Company

Responsibility for the compliance with EU BMR, including adequate disclosure, is that of the Directors, and where appropriate, those charged with governance. This responsibility includes designing, implementing and maintaining internal control relevant to their benchmark/index activities, whether due to fraud or error. The Directors, and where appropriate, those charged with governance, are solely responsible for providing accurate and complete information requested by us. Deloitte LLP has no responsibility for the accuracy or completeness of the information provided by or on behalf of the Company.

The Directors are and shall be responsible for the design, implementation and operation of control procedures that provide adequate level of control over their benchmark/index activities. The Directors' responsibilities are and shall include:

- (a) acceptance of responsibility for internal controls;
- (b) evaluation of the effectiveness of the organisation's control procedures using suitable criteria;
- (c) supporting their evaluation with sufficient evidence, including documentation; and
- (d) providing a written report of the effectiveness of the Company's internal controls for the relevant financial period.

Our responsibilities

Our responsibility is to form an independent conclusion, based on the work carried out in relation to the control procedures with respect to the Company's compliance with EU BMR, and report this to you as the Directors of Company.

Our approach

We conducted our engagement in accordance with International Standard on Assurance Engagements 3000 (Revised) and ICAEW Technical Release TECH 02/14 FSF. The criteria against which the control procedures were evaluated are the EU BMR.

We applied International Standard on Quality Control (ISQC) 1 and accordingly maintain a comprehensive system of quality control including documented policies and procedures regarding compliance with ethical requirements, professional standards and applicable legal and regulatory requirements. We have complied with the independence and other ethical requirements of the Code of Ethics for Professional Accountants issued by the International Ethics Standards Board for Accountants (IESBA), which is founded on the fundamental principles of integrity, objectivity, professional competence and due care, confidentiality and professional behaviour.

Our work was based upon obtaining an understanding of the control procedures provided to us by the Directors of the Company and evaluating the Directors' assertions as described in Section I of this Report to obtain limited assurance so as to form our conclusion. The objective of a limited assurance engagement is to perform such procedures on a sample basis so as to obtain information and explanations which we consider necessary in order to provide us with sufficient appropriate evidence to express our conclusion. The extent of procedures performed is more limited than for a reasonable assurance engagement, and therefore less assurance is obtained. Our engagement includes examination, on a test basis, of evidence relevant to assessing the control processes noted in the Company's response as provided in Section IV and in accordance with our engagement letter.



Inherent limitations

Due to the inherent limitations of a system of internal control, errors or fraud may not be prevented or detected, and a properly designed and performed assurance engagement may not necessarily detect all irregularities.

Our opinion does not provide assurance on any controls over the completeness and accuracy of underlying data, market information, or inputs used in your benchmark administration activities, nor on any such underlying data, market information or inputs itself. Such assurance is not considered as part of this engagement. Our procedures include the examination, on a selection basis, of evidence that supports the applicable processes are designed and performed to provide assurance.

Control procedures designed to address specified controls are subject to inherent limitations and, accordingly, errors or irregularities may occur and not be detected. Such control procedures cannot guarantee protection against (among other things) fraudulent collusion especially on the part of those holding positions of authority or trust. Furthermore, the opinion set out in our report will be based on historical information and the projection of any information or conclusions in our report to any further periods will be inappropriate.

Consequently, and because of the inherent limitations in internal controls and the test nature of our limited assurance procedures, our engagement provides only limited assurance that all instances of non-compliance will be identified.

Conclusion

Based on the results of our procedures nothing has come to our attention to indicate that the control processes as described in the Company's response as provided in Section IV, are not fairly stated as at 31 July 2020 in all material respects.

The information included in Section I and Section II describing the Company's background and Statement of Adherence is presented by the directors and is not part of the Company's detailed responses to the EU BMR requirements in Section IV. Such information has not been subjected to the procedures applied in the examination of the Company's detailed responses to the EU BMR requirements, and accordingly, we express no opinion on it.

Deloitte LLP

Deloitte LLP
London
20 August 2020

SECTION IV: EU BMR Articles, CFB’s response and Assurance Provider’s testing

The following table shows the EU BMR requirements that are applicable (Article 4 – Article 14, Article 26 – Article 28 with no exemptions applied) to the benchmarks administered by CFB, as a non-significant benchmark administrator, and a description of how CFB complies with them.

Title II BENCHMARK INTEGRITY AND RELIABILITY			
ARTICLE 4 Governance and conflict of interest requirements			
BMR ref	BMR Requirement	CFB’s response	Assurance Provider’s testing
1.	An administrator shall have in place robust governance arrangements which include a clear organisational structure with well-defined, transparent and consistent roles and responsibilities for all persons involved in the provision of a benchmark. Administrators shall take adequate steps to identify and to prevent or manage conflicts of interest between themselves, including their managers, employees or any person directly or indirectly linked to them by control, and contributors or users, and to ensure that, where any judgement or discretion in the benchmark determination process is required, it is independently and honestly exercised.	<p>The organisational and governance structure of CF Benchmarks’ operations is clearly defined and transparent with clear operational roles and responsibilities for its staff.</p> <p>As a separate legal entity, CFB staff are the only individuals involved in the administration of benchmarks. The benchmarks are calculated in a dedicated technology environment that can only be accessed by CF Benchmarks staff and CF group ancillary support staff.</p> <p>All staff of CFB have well defined and documented job descriptions.</p>	<ul style="list-style-type: none"> • We obtained and reviewed the Organisational Structure to understand the composition of CFB and noted that it demonstrates clear roles and responsibilities. It comprises the Index Provision team, supporting functions, relevant Oversight Organs, Management and the Board of Directors. • We obtained and reviewed the CFB Board Terms of Reference and confirmed that it states it is an independent board comprising of executive directors and an independent non-executive. • We obtained and reviewed the job descriptions and profiles of the Index Provision team and confirmed that the roles and responsibilities and their respective reporting lines are defined. • We obtained and reviewed the Conflicts of Interest Policy that outlines the procedures to identify, manage, monitor and report conflicts. We reviewed and confirmed the public disclosure of CFB ownership by Payward Inc., on the website. • We obtained and reviewed a sample of the CFB’s Board of Directors minutes and noted the approval of the Conflicts of Interest policy by the Board. • We obtained and reviewed the Conflicts of Interest Register and noted it’s in line with CFB’s response. • We obtained and reviewed CFB staff Code of Conduct for its employees and noted it includes conflicts of interest procedures including Personal Account dealing. We obtained evidence of attestation of the Code of Conduct by the Index Provision team. • We obtained the training materials that the Index Provision team is subject to and noted that it covers conflicts of interest. We obtained evidence of training completion by Index provision team.
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.	<p>The management of the CFB index team is undertaken by Sui Chung. Sui Chung is also a Company Director of Crypto Facilities Ltd, this is recorded in the CFB’s Conflicts Register and is managed in accordance with the CFB Conflicts of Interest Policy. Sui Chung holds no other positions within the Payward group of companies. No members of the CFB index team hold any other positions within the Payward group of companies. Should this change, the provisions of the CFB Conflicts of Interest Policy ensures that this is required to be recorded with mitigating measures in the CFB Conflicts of Interest Register.</p> <p>To manage Conflicts of interest that may arise in the provision of the benchmarks, all staff are subject to the following policies:</p> <p>(a) Conflicts of Interest Policy</p>	

		<p>(b) Staff Code of Conduct (including Personal Account Dealing).</p> <p>All staff are trained on all policies as well as EUBMR regulatory requirements upon joining.</p> <p>The Conflicts of Interest policy is subject to annual review and sign off from CFB Board of Directors.</p> <p>The Conflicts of Interest policy is supported by the Conflicts of Interest register which records all current and potential conflicts including the mitigants, owners of conflicts and review date.</p>	
ARTICLE 4 Governance and conflict of interest requirements			
BMR ref	BMR Requirement	CFB's response	Assurance Provider's testing
		<p>CF Benchmarks is a member of the Crypto Facilities group of companies which is in turn a member of the Payward, Inc. group of companies. Payward, Inc. is the owner and operator of the Kraken Exchange, a venue that facilitates the trading of cryptocurrencies. The Kraken Exchange is a source of input data for CF Benchmarks indices.</p> <p>CF Benchmarks is a company solely dedicated to the provision of benchmarks and is governed by its own Board of Directors, including an independent non-executive member.</p>	<ul style="list-style-type: none"> • We made enquiries with Compliance and reviewed management's analysis of the physical and logistical working arrangements put in place for CFB. We also obtained evidence of CFB's communication of this analysis to the FCA. • We obtained and reviewed the CFB Operational Framework and noted that it references the details on the dedicated CF Benchmarks System for use by CFB only for the benchmark determination process. • We obtained and reviewed the user access rights for the dedicated CFB's benchmark determination process system and confirmed that full write access is restricted to only members of the Index Provision Team and the CF Group Chief Information Security Officer (CISO) team. Additionally, we noted that read-only access to certain sections of the system is granted based on role and restricted to Compliance function and CFB Management only. • We obtained and reviewed the last user access review undertaken by management, and noted that it highlights details around new access granted, terminations and access modifications in line with the procedures documented in the Operational Framework. • We obtained and reviewed the Operational Framework and noted that it references the procedures for system security including user access request and change management. We obtained

			evidence of a sample of a change implemented which was approved by another member and recorded accordingly in the logs in line with management expectation.
ARTICLE 4 Governance and conflict of interest requirements			
BMR ref	BMR Requirement	CFB's response	Assurance Provider's testing
3.	Where a conflict of interest arises within an administrator due to the latter's ownership structure, controlling interests or other activities conducted by any entity owning or controlling the administrator or by an entity that is owned or controlled by the administrator or any of the administrator's affiliates, that cannot be adequately mitigated, the relevant competent authority may require the administrator to establish an independent oversight function which shall include a balanced representation of stakeholders, including users and contributors.	CF Benchmarks enforces a Conflicts of Interest Policy that has been the product of a thorough analysis of the potential conflicts that could impact the firms Benchmarks. The firm maintains a Conflicts of Interest Register to record all realised and potential conflicts.	Please refer to responses in Article 4(1) and 4(2) above.
4.	If such a conflict of interest cannot be adequately managed, the relevant competent authority may require the administrator to either cease the activities or relationships that create the conflict of interest or cease providing the benchmark.		
5.	An administrator shall publish or disclose all existing or potential conflicts of interest to users of a benchmark, to the relevant competent authority and, where relevant, to contributors, including conflicts of interest arising from the ownership or control of the administrator.	<p>CF Benchmarks publishes the fact that its ultimate owner is Payward, Inc. operator of the Kraken Exchange, a source of input data to the benchmarks the firm provides on its website.</p> <p>Individuals that are members of the firm's oversight organs are required to disclose conflicts of interest in advance of any oversight meeting which are recorded and analysed by the firm's compliance functions.</p> <p>The conflict and any controls or mitigants are recorded in the firms Conflicts of Interest Register and if necessary additional controls will be put in place and recorded in the firms Control Framework.</p>	<ul style="list-style-type: none"> • We obtained and reviewed the Conflicts of Interest Register which hold entries of existing and potential conflicts including the control mitigants and review frequency. • We reviewed the public disclosure of the conflicts of interest regarding the ownership of CFB as published on their website. • We obtained the Conflicts of Interest policy which outlines the procedures to identify, manage, monitor and report conflicts which are available to users as part of the Oversight Committee. Additionally the published CME CF Conflicts of Interest policy outlines the duty and obligation of members of the CME CF Oversight Committee to disclose conflicts pertaining to their role. • We obtained and reviewed the Control Framework to understand the level of controls put in place based on the level of conflicts

			identified in the Conflicts of Interest Register and also noted that it references the controls in place covering Input Data and the relevant Operational Controls such as System, Security, Change and Contingency Procedures.
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ARTICLE 4 Governance and conflict of interest requirements			
BMR ref	BMR Requirement	CFB's response	Assurance Provider's testing
6.	An administrator shall establish and operate adequate policies and procedures, as well as effective organisational arrangements, for the identification, disclosure, prevention, management and mitigation of conflicts of interest in order to protect the integrity and independence of benchmark determinations. Such policies and procedures shall be regularly reviewed and updated. The policies and procedures shall take into account and address conflicts of interest, the degree of discretion exercised in the benchmark determination process and the risks that the benchmark poses, and shall:	<p>The organisational and governance structure of CF Benchmarks' operations is clearly defined and transparent with clear operational roles and responsibilities for its staff.</p> <p>All staff of CF Benchmarks have well defined and documented job descriptions.</p> <p>CF Benchmarks is a member of the Crypto Facilities group of companies which is in turn a member of the Payward, Inc. group of companies. Payward, Inc. is the owner and operator of the Kraken Exchange, a venue that facilitates the trading of cryptocurrencies. The Kraken Exchange is a source of input data for CF Benchmarks indices.</p> <p>CF Benchmarks is a separate legal entity whose staff are the only individuals involved in the provision of Benchmarks. The firm is governed by a Board of Directors that includes an Independent Non-Executive Director. The board has no representation from Payward, Inc.</p> <p>The management of the CFB index team is undertaken by Sui Chung. Sui Chung is also a Company Director of Crypto Facilities Ltd, this is recorded in the CFB's Conflicts Register and is managed in accordance with the CFB Conflicts of Interest Policy. Sui Chung holds no other positions within the Payward group of companies. No members of the CFB index team hold any other positions within the Payward group of companies. Should this change, the provisions of the CFB Conflicts of</p>	<ul style="list-style-type: none"> We obtained the organisational structure and job descriptions and confirmed that reporting lines are clear and well defined and that the Index Provision team report to the CEO of CFB. We obtained and reviewed the CFB Board Terms of Reference and the two oversight organs Terms of Reference for their composition and structure and noted that the document states that they were independent with no attendance from the parent company, Payward Inc. We obtained and reviewed the Conflicts of Interest Policy that outlines the procedures to identify, manage, monitor and report conflicts. We reviewed and confirmed the public disclosure of CFB ownership by Payward Inc., on the website. We obtained and reviewed the Conflicts of Interest Register and noted it's in line with CFB's response. We obtained and reviewed a sample of the CFB's Board of Directors minutes and noted the approval of the Conflicts of Interest policy by the Board. We obtained and reviewed CFB staff Code of Conduct for its employees and noted it includes specific confidentiality requirements. We obtained the methodology documents for both benchmark families and confirmed they are both publicly available on the website. We obtained the Constituent Exchanges and Constituent Exchanges Criteria documents for both benchmark families and confirmed they are both publicly available on the website and noted that they outline the relevant exchange where input data is sourced for each benchmark and the criteria for their selection

ARTICLE 4 Governance and conflict of interest requirements			
BMR ref	BMR Requirement	CFB's response	Assurance Provider's testing
		<p>Interest Policy ensures that this is required to be recorded with mitigating measures in the CFB Conflicts of Interest Register.</p> <p>To manage Conflicts of interest that may arise in the provision of the benchmarks, all staff are subject to the following policies:</p> <ul style="list-style-type: none"> • Conflicts of Interest Policy • Staff Code of Conduct (including Personal Account Dealing and Confidentiality of Benchmark Determinations provisions). <p>The Conflicts of Interest policy is supported by the Conflicts of Interest register which records all current and potential conflicts including the mitigants, owners of conflicts and review date.</p> <p>The Conflicts of Interest policy is subject to annual review and sign off from CFB Board of Directors.</p>	<p>respectively. We also noted that the documents highlight the availability of the data publicly.</p> <ul style="list-style-type: none"> • For a sample of dates for both benchmark families, we tested the calculation process of the benchmark levels against the methodologies and noted no discretion was applied other than input data validation and filtering as documented in the methodology documents.
		<p>All staff are trained on all policies as well as regulatory requirements upon joining.</p> <p>CF Benchmarks staff are the only individuals involved in the provision of Benchmarks The Benchmarks are calculated in a dedicated technology environment that can only be accessed by CF Benchmarks staff and CF group ancillary support staff.</p>	<ul style="list-style-type: none"> • We obtained and reviewed the Operational Framework that highlights the details on the dedicated CF Benchmarks system only for use by CFB for the benchmark determination process and the relevant procedures for System Security including user access request, change management. • We obtained and reviewed the user access rights for the dedicated CFB's benchmark determination process system and confirmed that full write access is restricted to only members of the Index Provision Team and the CF Group Chief Information

ARTICLE 4 Governance and conflict of interest requirements			
BMR ref	BMR Requirement	CFB's response	Assurance Provider's testing
6(a).	(a) ensure the confidentiality of information contributed to or produced by the administrator, subject to the disclosure and transparency obligations under this Regulation; and	<p>All benchmarks are calculated utilising public data under public methodologies and benchmark determinations are published immediately after calculation.</p> <p>Benchmarks provided CF Benchmarks are calculated without the use of discretion in their day to day determination. The firm's public methodologies document this clearly and Expert Judgement is only used in exceptional unforeseen circumstances.</p>	Security Officer (CISO) team. Additionally, we noted that read-only access to certain sections of the system is granted based on role and restricted to Compliance function and CFB Management only.
6(b).	(b) specifically mitigate conflicts of interest due to the administrator's ownership or control, or due to other interests in the administrator's group or as a result of other persons that may exercise influence or control over the administrator in relation to determining the benchmark.		
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:	Please see responses below.	Please see responses below.
7(a).	(a) have the necessary skills, knowledge and experience for the duties assigned to them and are subject to effective management and supervision;	CF Benchmarks enforces HR procedures including formal appraisals and probationary periods for new hires. Furthermore the firm carries out periodic training and appraises the performance of its staff on an annual basis.	<ul style="list-style-type: none"> • We obtained the job descriptions of the Index Provision team and the CEO to understand the roles and responsibilities across CFB and confirmed that the reporting lines were clear and well defined. • We obtained the profiles of the Index Provision team and noted that team's relevant skills are aligned with the job descriptions. • We reviewed the Staff Code of Conduct and obtained evidence of attestation by the Index Provision team. • We obtained the training materials that the Index Provision team is subject to and noted that it covers various aspects of Benchmark Regulation including conflicts of interest and Surveillance. We obtained evidence of training completion by Index provision team.

ARTICLE 4 Governance and conflict of interest requirements			
BMR ref	BMR Requirement	CFB's response	Assurance Provider's testing
			<ul style="list-style-type: none"> We obtained confirmation from HR regarding the requirement of a probation period and annual performance appraisals for CFB staff.
7(b).	(b) are not subject to undue influence or conflicts of interest and that the compensation and performance evaluation of those persons do not create conflicts of interest or otherwise impinge upon the integrity of the benchmark determination process;	To manage Conflicts of interest that may arise in the provision of the benchmarks, all staff are subject to the following policies: <ul style="list-style-type: none"> (a) Conflicts of Interest Policy (b) Staff Code of Conduct (including Personal Account Dealing) (c) Declaration of Interests in the firms Conflicts Register, including external directorships. 	<ul style="list-style-type: none"> We obtained and reviewed the Conflicts of Interest policy and confirmed that it includes the procedures to identify, manage, monitor and report on conflicts by all staff. We obtained the Staff Code of Conduct covering conflicts of interest procedures and obtained evidence of attestation by Index Provision team.
7(c).	(c) do not have any interests or business connections that compromise the activities of the administrator concerned;		<ul style="list-style-type: none"> We also noted that the Staff Code of Conduct covers personal account dealing procedures and confirmed that it includes restrictions for CFB staff that prohibit them: <ul style="list-style-type: none"> - From conducting any personal account dealings in a cryptocurrency on a venue that is an input data source for CFB for that specific cryptocurrency; - From conducting any personal account dealings in fund units, contracts or derivatives that reference, are valued, marked or settled to a benchmark administered by CFB; We noted the Staff Code of Conduct includes the requirement for CFB staff and Directors to report all personal account holdings for themselves and families to the CF Group Head of Compliance. We obtained Compliance confirmation that there was no breach of personal account dealing requirements and that the Index Provision team held no positions outside of CFB. We obtained the Conflicts of Interest policy and reviewed the remuneration process details which highlights that CFB staff's performance is managed and overseen by HR to ensure that their rewards are not linked to any other entities within the group. We also obtained confirmation from HR that remuneration of the Index Provision team is not linked to any benchmark.
7(d).	(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	CF Benchmarks does not utilise input data from Contributors in the determination of any of the benchmarks it provides. <p>To manage Conflicts of interest that may arise in the provision of the benchmarks, all staff are subject to the Staff Code of Conduct (including Personal Account Dealing Policy).</p>	<ul style="list-style-type: none"> We obtained the methodology documents for both benchmark families and the Input Data policy and confirmed that CFB does not use data from contributors in the benchmark determination process. We obtained the Staff Code of Conduct covering personal account dealing procedures and confirmed that it includes restrictions for CFB staff that prohibit them:

ARTICLE 4 Governance and conflict of interest requirements			
BMR ref	BMR Requirement	CFB's response	Assurance Provider's testing
			<ul style="list-style-type: none"> - From conducting any personal account dealings in a cryptocurrency on a venue that is an input data source for CFB for that specific cryptocurrency; - From conducting any personal account dealings in fund units, contracts or derivatives that reference, are valued, marked or settled to a benchmark administered by CFB.
7(e).	(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 interest or with third parties, where that information may affect the benchmark.	<p>CF Benchmarks is a separate legal entity from the CF group and Payward, Inc., (Kraken) group of companies. It is a company solely dedicated to the provision of benchmarks and is governed by its own Board of Directors, including an independent non-executive member. The Benchmarks are calculated in a dedicated technology environment that can only be accessed by CF Benchmarks staff, the only individuals involved in the provision of Benchmarks and CF group ancillary support staff.</p> <p>All staff of CF Benchmarks have well defined and documented job descriptions.</p> <p>The management of the CFB index team is undertaken by Sui Chung. Sui Chung is also a Company Director of Crypto Facilities Ltd, this is recorded in the CFB's Conflicts Register and is managed in accordance with the CFB Conflicts of Interest Policy. Sui Chung holds no other positions within the Payward group of companies. No members of the CFB index team hold any other positions within the Payward group of companies. Should this change, the provisions of the CFB Conflicts of Interest Policy ensures that this is required to be recorded with mitigating measures in the CFB Conflicts of Interest Register.</p> <p>To manage Conflicts of interest that may arise in the provision of the benchmarks, all staff are subject to the following policies:</p> <p>(a) Conflicts of Interest Policy</p>	Please refer to response in Article 4(2).

ARTICLE 4 Governance and conflict of interest requirements			
BMR ref	BMR Requirement	CFB's response	Assurance Provider's testing
		<p>(b) Staff Code of Conduct (including Personal Account Dealing)</p> <p>All staff are trained on all policies as well as regulatory requirements upon joining. The Conflicts of Interest policy is subject to annual review and sign off from CFB Board of Directors.</p> <p>The Conflicts of Interest policy is supported by the Conflicts of Interest register which records all current and potential conflicts including the mitigants, owners of conflicts and review date.</p> <p>All benchmarks are calculated utilising public data under public methodologies and benchmark determinations are published immediately after calculation.</p>	
8.	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>The firm's benchmarks are calculated in fully automated manner in more than one separate environment to ensure operational rigour. All benchmarks are calculated utilising publicly available data under public methodologies and benchmark determinations are published immediately after calculation. The benchmark determination process has been designed to be fully automated to reduce the risk of human error impacting the benchmarks. The automated processes are conducted by systems with multiple layers of monitoring and controls to help maintain operation. All staff are trained on all policies as well as regulatory requirements upon joining.</p> <p>All staff are subject to annual performance appraisals and periodic training of their regulatory obligations.</p> <p>The firm's operations as carried out in accordance with its Operational Framework with specified exceptions reporting and logging giving management the necessary tools to supervise the process.</p>	<ul style="list-style-type: none"> • We obtained the Operational Framework and noted that the calculation and publication of the benchmarks are automated with parallel calculations in 2 other environments. • For a sample of dates and benchmarks, we obtained evidence of the calculation output in the 2 environments mentioned in line with the procedures described in the Operational Framework. • We obtained the methodology documents for both benchmark families and confirmed they are both publicly available on the website. • We obtained the constituent exchanges and constituent exchanges criteria documents for both benchmark families and confirmed they are both publicly available on the website and noted that they highlight the public availability of the input data used. • Please also refer to responses in Article 4(7). • We obtained and reviewed the Operational Framework and noted that calculation failures are recorded in the Production Incident log.

Title II BENCHMARK INTEGRITY AND RELIABILITY			
ARTICLE 5 Oversight Function Requirements			
BMR ref	BMR Requirement	CFB's response	Assurance Provider's testing
1.	Administrators shall establish and maintain a permanent and effective oversight function to ensure oversight of all aspects of the provision of their benchmarks.	<p>The firm's benchmarks fall within two families; the CME CF Cryptocurrency Pricing Products and the CF Cryptocurrency Index Family. Both families are subject to oversight provided by their respective oversight organs, the CME CF Oversight Committee and the CF Oversight Function respectively.</p> <p>Membership of the firms Oversight Organs is composed of individuals with strong experience of: transacting in the underlying markets of the benchmarks, conducting research in the underlying markets of the firm's benchmarks and the EU BMR regulatory framework.</p> <p>Founding charters and specifications for Oversight Organs are published externally along with meeting minutes. As Oversight Organs they carry out all the requirements of Oversight as described in the provisions of EU BMR as well as providing challenge and scrutiny to the firm's administration and provision of its benchmarks.</p>	<ul style="list-style-type: none"> We obtained and reviewed the CME CF Oversight Committee Charter and noted that it is the established governance arrangement to oversee the benchmark determination process of CME CF Cryptocurrency Pricing Products. We also noted that it includes members' selection criteria for the composition of the oversight committee and the Appointment Letter they are subject to. We obtained a sample of the Appointment Letters and noted that it includes the terms of the appointment including the Conflicts of Interest disclosure requirements as described in the CME CF Conflicts of Interest Policy and was duly signed by both parties. We obtained the CF Oversight Function Specifications and noted that it is the permanent oversight function for the CF Cryptocurrency Index Family being carried out by an individual from the CF Group. We also noted the selection criteria for the individual to be as follows: <ul style="list-style-type: none"> Not involved in the day to day provision of benchmarks; Has the necessary experience of oversight roles to give independent and objective review and challenge to the management body of CF Benchmarks; Is subject to the CF Benchmarks Conflict of Interest Policy.
2.	Administrators shall develop and maintain robust procedures regarding their oversight function, which shall be made available to the relevant competent authorities.		<ul style="list-style-type: none"> We obtained and reviewed a sample of minutes for the meetings of both oversight organs to evidence that the responsibilities were carried out as described in their relevant Charter and Specifications. We noted that the CME CF Oversight Committee Charter, the CF Oversight Function Specifications, the minutes of both oversight organs and the CME CF Conflicts of Interest Policy were all publicly available on CFB's website. We obtained the CF Benchmarks Governance and Oversight Framework document and noted the details on the organisational structure, the roles and responsibilities of the Board and the Oversight Organs and the oversight procedures throughout the benchmark lifecycle.

ARTICLE 5 Oversight Function Requirements			
BMR ref	BMR Requirement	CFB's response	Assurance Provider's testing
3.	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:		<ul style="list-style-type: none"> We obtained the CME CF Oversight Committee Charter and the CF Oversight Function Specifications and confirmed that the responsibilities of the oversight organs are documented in line with the requirements of EU BMR Article 3(a)-(d), (f) and (j).
3(a).	(a) reviewing the benchmark's definition and methodology at least annually;	The firms Oversight organs are operated under public Founding Charters and Function Specifications including codified responsibilities, minutes to meetings are published on the firm's website.	<ul style="list-style-type: none"> 3(e): We obtained the Operational Framework and noted that the benchmark determination process is carried out by CFB only with no third party involvement. 3(g)-(h): We obtained the methodology documents for both benchmark families and the Input Data policy and confirmed that CFB does not use contributions in the benchmark determination process. For the sample of minutes that we reviewed for both oversight organs, we noted the following: <ul style="list-style-type: none"> Oversight of methodology changes Oversight over the launch of new indices Approval of procedures for cessation Review of monthly metrics and benchmark surveillance reports Review of due diligence of Constituent Exchanges used Reporting over the appointment of the external auditor.
3(b).	(b) overseeing any changes to the benchmark methodology and being able to request the administrator to consult on such changes;		
3(c).	(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;		
3(d).	(d) reviewing and approving procedures for cessation of the benchmark, including any consultation about a cessation;		
3(e).	(e) overseeing any third party involved in the provision of the benchmark, including calculation or dissemination agents;		
3(f).	(f) assessing internal and external audits or reviews, and monitoring the implementation of identified remedial actions;	The firms Oversight organs are operated under public Founding Charters and Function Specifications including codified responsibilities, minutes to meetings are published on the firm's website.	
3(g).	(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;	All benchmarks are calculated utilising public data under public methodologies and benchmark determinations are published immediately after calculation. The firm does not utilise contributed data in any of its benchmark determinations.	
3(h).	(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	All benchmarks are calculated utilising public data under public methodologies and benchmark determinations are published immediately after calculation. The firm does not utilise contributed data in any of its benchmark determinations.	
3(i).	(i) reporting to the relevant competent authorities any misconduct by contributors,	The firms Oversight organs are operated under public Founding Charters and Function	

ARTICLE 5 Oversight Function Requirements			
BMR ref	BMR Requirement	CFB's response	Assurance Provider's testing
	where the benchmark is based on input data from contributors, or administrators, of which the oversight function becomes aware, and any anomalous or suspicious input data.	Specifications including codified responsibilities in accordance with EU BMR Article 5, this incorporate the task of reporting misconduct by the Administrator to the competent authority, minutes to meetings are published on the firms website.	
4.	The oversight function shall be carried out by a separate committee or by means of another appropriate governance arrangement.	<p>The firm's benchmarks fall within two families; the CME CF Cryptocurrency Pricing Products and the CF Cryptocurrency Index Family. Both families are subject to rigorous oversight provided by their respective oversight organs, the CME CF Oversight Committee and the CF Oversight Function respectively.</p> <p>The CME CF Oversight committee is comprised of members from outside of the firm with an independent chair. The CF Oversight Function is undertaken by an individual with strong experience in compliance with EU BMR.</p>	<ul style="list-style-type: none"> We obtained the list of the members of the CME CF Oversight Committee and confirmed their independence and their fulfilment of the selection criteria as set out in the Founding Charter. We obtained the details of the individual overseeing the CF Oversight Function, who is the CF Group Head of Compliance and confirmed their independence and their fulfilment of the criteria as set out in the Specifications.
5.	ESMA shall develop draft regulatory technical standards to specify the procedures regarding the oversight function and the characteristics of the oversight function including its composition as well as its positioning within the organisational structure of the administrator, so as to ensure the integrity of the function and the absence of conflicts of interest. In particular, ESMA shall develop a non-exhaustive list of appropriate governance arrangements as laid down in paragraph 4. ESMA shall distinguish between the different types of benchmarks and sectors as set out in this Regulation and shall take into consideration the differences in the ownership and control structure of administrators, the nature, scale and complexity of the provision of the benchmark, and the risk and impact of the benchmark, also in light of international convergence of supervisory practice in relation to governance requirements of benchmarks. However, the ESMA draft	CFB only administers non-significant benchmarks.	This provision is not applicable to CFB as they only administer non-significant benchmarks.

ARTICLE 5 Oversight Function Requirements			
BMR ref	BMR Requirement	CFB's response	Assurance Provider's testing
	regulatory technical standards shall not cover or apply to administrators of non-significant benchmarks. ESMA shall submit those draft regulatory technical standards to the Commission by 1 April 2017. Power is delegated to the Commission to adopt the regulatory technical standards referred to in the first subparagraph in accordance with the procedure laid down in Articles 10 to 14 of Regulation (EU) No 1095/2010.		
6.	ESMA may issue guidelines in accordance with Article 16 of Regulation (EU) No 1095/2010, addressed to administrators of non-significant benchmarks to specify the elements referred to in paragraph 5 of this Article.	Please see below responses.	Please see below responses for the guidelines of Annex III.
Guidelines on non-significant benchmarks, Annex III 12.	The oversight function should be composed of one or more members who together have the skills and expertise appropriate to the oversight of the provision of a particular benchmark and to the responsibilities the oversight function is required to fulfil. Members of the oversight function should have appropriate knowledge of the underlying market or economic reality that the benchmark seeks to measure.	<p>The firm's benchmarks fall within two families; the CME CF Cryptocurrency Pricing Products and the CF Cryptocurrency Index Family. Both families are subject to rigorous oversight provided by their respective oversight organs, the CME CF Oversight Committee and the CF Oversight Function respectively.</p> <p>The membership of the CME CF Oversight Committee is comprised of individuals with significant experience in Benchmark Administration, cryptocurrency trading and blockchain technology.</p> <p>The CF Oversight Function is undertaken by individual with strong experience in benchmark regulation and compliance and the cryptocurrency market.</p>	<ul style="list-style-type: none"> We held enquiries with members of the Company regarding the composition of the Oversight Organs and the members' experience and background and inspected the following underlying documentation to evidence it is aligned with CFB's response: <ul style="list-style-type: none"> (a) Governance and Oversight Framework to understand the CFB Benchmark Oversight Structure; (b) CME CF Oversight Committee Charter to assess the composition criteria; (c) CF Oversight Function Specifications to assess the composition criteria <p>See also response in Article 5(1)-(2).</p>
Guidelines on non-significant benchmarks, Annex III 13.	Administrators of regulated-data benchmarks should consider including, as members of the oversight function, representatives from the entities listed in the definition of a regulated-data benchmark of Article 3(1)(24) of BMR.	This provision is not applicable. The firm's benchmarks do not utilise regulated data. Input Data utilised by the firm is "other public data".	This provision is not applicable to CFB as they do not administer regulated-data benchmarks.
Guidelines on non-significant	Where a benchmark is based on contributions and representatives of its contributors or of supervised entities that use the benchmark	This provision is not applicable. The firm does not utilise contributed data in any of its benchmark determinations.	<ul style="list-style-type: none"> We obtained the methodology documents for both benchmark families and the Input Data policy and confirmed that CFB does

ARTICLE 5 Oversight Function Requirements			
BMR ref	BMR Requirement	CFB's response	Assurance Provider's testing
benchmarks, Annex III 14.	are members of the oversight function, the administrator should ensure that the number of members with conflicts of interest does not amount to or exceed a simple majority. Before the appointment of members, administrators should also identify and take into account the conflicts arising from relationships between potential members and other external stakeholders, in particular resulting from a potential interest in the level of the relevant benchmarks.		not use contributions in the benchmark determination process. Therefore this provision is not applicable to CFB.
Guidelines on non-significant benchmarks, Annex III 15.	Persons directly involved in the provision of the benchmark that may be members of the oversight function, should have no voting rights. Representatives of the management body should not be members or observers but may be invited to attend meetings by the oversight function in a non-voting capacity.	There is no representation from persons directly involved in the provision of the benchmark on any of the firm's oversight organs.	<ul style="list-style-type: none"> We obtained and reviewed the composition and the members list of the CME CF Oversight Committee Charter and the CF Oversight Function Specifications and confirmed that the Index Provision Team and CFB Management are not members of either Oversight Organ.
Guidelines on non-significant benchmarks, Annex III 16.	Members of the oversight function should not include persons who have been subject to sanctions of administrative or criminal nature relating to financial services, in particular manipulation or attempted manipulation under Regulation (EU) No 596/2014.	There is no representation from persons who have been subject to administrative or criminal sanctions relating to financial services or more specifically actual or attempted benchmark manipulation on any of the firm's oversight organs.	<ul style="list-style-type: none"> We confirmed with CFB's CEO and CF Group Head of Compliance that no members of either Oversight Organ have been subject to sanctions of an administrative or criminal nature relating to financial services, in particular manipulation or attempted manipulation under Regulation (EU) No 596/2014.
Guidelines on non-significant benchmarks, Annex III 17.	The oversight function should constitute a part of the organisational structure of the administrator, or of the parent company of the group to which it belongs, but be separate from the management body and other governance functions of the benchmark administrator.	The firm's oversight organs are an integral part of the firm's organisational structure and are separate governance arrangements for each of the firm's benchmark families.	<ul style="list-style-type: none"> We held enquiries with members of the Company and reviewed the CF Benchmarks Organisational Structure and the Governance and Oversight Framework and confirmed that both the CME CF Oversight Committee and CF Oversight Function are included as separate governance arrangements within the CFB organisation.
Guidelines on non-significant benchmarks, Annex III 18.	The oversight function should assess and, where appropriate challenge, the decisions of the management body of the administrator with regards to the fulfilment of the requirements of BMR. Without prejudice to Article 5(3)(i) of BMR, the oversight function should address all recommendations on benchmark oversight to the management body.	The firm's benchmarks fall within two families: the CME CF Cryptocurrency Pricing Products and the CF Cryptocurrency Index Family. Both families are subject to rigorous oversight provided by their respective oversight organs, the CME CF Oversight Committee and the CF Oversight Function respectively.	<ul style="list-style-type: none"> We obtained and reviewed a sample of minutes from the Oversight Organs and noted that decisions and any recommendation for further analysis by Oversight Organs and Administrator are documented in the minutes which are available publicly.
Guidelines on non-significant	Where the oversight function becomes aware that the management body has acted or intends to act contrary to any	The responsibilities of the oversight organs are documented in publicly available Founding Charters and Function Specifications and meeting minutes that include resolutions and	

ARTICLE 5 Oversight Function Requirements			
BMR ref	BMR Requirement	CFB's response	Assurance Provider's testing
benchmarks, Annex III 19.	recommendations or decisions of the oversight function, it should record this fact clearly in the minutes of its next meeting, or in its record of decisions.	recommendation a.re published on the firm's website.	
Guidelines on non-significant benchmarks, Annex III 20.	An oversight function of an administrator of NSBs should have procedures at least relating to the following areas:	Please see responses below.	Please see responses below.
Guidelines on non-significant benchmarks, Annex III 20(a).	(a) the criteria to select its members;	The firm's benchmarks fall within two families; the CME CF Cryptocurrency Pricing Products and the CF Cryptocurrency Index Family. Both families are subject to rigorous oversight provided by their respective oversight organs, the CME CF Oversight Committee and the CF Oversight Function respectively.	Please see response in Article 5(1)-(2).
Guidelines on non-significant benchmarks, Annex III 20(b).	(b) the election, nomination or removal and replacement of its members;	The membership of the oversight organs are documented in publicly available Founding Charters and Function Specifications.	
Guidelines on non-significant benchmarks, Annex III 20(c).	(c) the suspension of voting rights of external members for decisions that would have a direct business impact on the organisations they represent;	The voting mechanisms of the oversight organs are documented in publicly available Founding Charters and Function Specifications.	
Guidelines on non-significant benchmarks, Annex III 20(d).	(d) requiring members to disclose material conflict of interest before discussion of an agenda item during meetings of the oversight function;	The Conflict of Interest requirements of the oversight organs are documented in publicly available Founding Charters and Function Specifications.	
Guidelines on non-significant benchmarks, Annex III 20(e).	(e) the exclusion of members from specific discussions in respect of which they have a conflict of interest;		
Guidelines on non-significant	(f) its access to the documentation necessary to carry out its duties;	Oversight Organs are provided with detailed monthly metrics reports of each benchmark within the family, are also provided with	

ARTICLE 5 Oversight Function Requirements			
BMR ref	BMR Requirement	CFB's response	Assurance Provider's testing
benchmarks, Annex III 20(f).		detailed analysis for all methodology changes and any further information upon request.	<p>analysis are provided to members of Oversight Organs for their review.</p> <ul style="list-style-type: none"> We inspected the website for publicly available documents such as methodologies, Oversight Organs Charter and Specifications, Constituent Exchanges, Constituent Exchanges Criteria and Benchmark Statement and, can confirm they are all accessible.
Guidelines on non-significant benchmarks, Annex III 20(g).	(g) measures to be taken in respect of breaches of the code of conduct;	This provision is not applicable. The firm does not utilise contributed data in any of its benchmark determinations.	<ul style="list-style-type: none"> We obtained the methodology documents for both benchmark families and the Input Data policy and confirmed that CFB does not use contributions in the benchmark determination process.
Guidelines on non-significant benchmarks, Annex III 20(h).	(h) the notification to the competent authority of any suspected market abuse by contributors or the administrator;	The firm's oversight organs are operated under public Founding Charters and Function Specifications including codified responsibilities that incorporate the task of reporting misconduct by the Administrator to the competent authority, minutes to meetings are published on the firm's website.	Please see response in Article 5(1)-(2).
Guidelines on non-significant benchmarks, Annex III 20(i).	(i) the prevention of improper disclosure of confidential or sensitive information received, produced or discussed by the oversight function;	<p>The firm's benchmarks fall within two families; the CME CF Cryptocurrency Pricing Products and the CF Cryptocurrency Index Family. Both families are subject to rigorous oversight provided by their respective oversight organs, the CME CF Oversight Committee and the CF Oversight Function respectively.</p> <p>The Confidentiality requirements of the oversight organs are documented in publicly available Founding Charters and Function Specifications</p>	
Guidelines on non-significant benchmarks, Annex III 20(j).	(j) the public disclosure of the declaration of material conflicts of interest of members.	The Conflict of Interest requirements of the oversight organs are documented in publicly available Founding Charters and Function Specifications.	<ul style="list-style-type: none"> We obtained and reviewed a sample of Oversight Organs minutes and can confirm that members conflict of interest is a standing agenda item and documented in the minutes and published on CFB's website.
Guidelines on non-	Where the oversight function is carried out by a natural person points (c) and (e) of the	Oversight of the CF Cryptocurrency Index Family is provided by the CF Oversight	Please see response in Article 5(1)-(2).

ARTICLE 5 Oversight Function Requirements			
BMR ref	BMR Requirement	CFB's response	Assurance Provider's testing
significant benchmarks, Annex III 21.	previous paragraph do not apply, and the administrator should appoint an alternate appropriate body or natural person to ensure that duties of the oversight function can be consistently carried out in case of the absence of the person responsible for the oversight function.	Function, a natural person. The removal, suspension and replacement requirements are documented in publicly Function Specifications.	
Guidelines on non-significant benchmarks, Annex III 22.	The structure and composition of the oversight function should be determined, where appropriate, in accordance with one or more of the following non-exhaustive list:	Please see below responses.	Please see below responses.
Guidelines on non-significant benchmarks, Annex III 22(a).	Unless the complexity or vulnerability of the NSBs indicate otherwise, one or more natural persons who are staff members of the administrator or any other natural persons whose services are placed at the administrator's disposal or under the control of the administrator, who are not directly involved in the provision of any relevant benchmark and are free from conflicts of interest, particularly those resulting from a potential interest in the level of the benchmark;	<p>The firm's benchmarks fall within two families; the CME CF Cryptocurrency Pricing Products and the CF Cryptocurrency Index Family. Both families are subject to rigorous oversight provided by their respective oversight organs, the CME CF Oversight Committee and the CF Oversight Function respectively.</p> <p>The Conflict of Interest and Membership requirements of the oversight organs are documented in publicly available Founding Charters and Function Specifications.</p>	Please see response in Article 5(1)-(2).
Guidelines on non-significant benchmarks, Annex III 22(b).	An independent oversight committee consisting of a balanced representation of stakeholders including supervised entities that use the benchmark, contributors to the benchmarks and other external stakeholders such as market infrastructure operators and other input data sources, as well as independent members and staff of the administrator that are not directly involved in the provision of the relevant benchmarks or any related activities;	<p>The CME CF Oversight Committee provides oversight to the CME CF Cryptocurrency Pricing Products.</p> <p>The membership requirements of the oversight organs are documented in the publicly available Founding Charters.</p> <p>The membership of the CME CF Oversight Committee is comprised of individuals with significant experience in Benchmark Administration, cryptocurrency trading and blockchain technology. These individuals are drawn from institutions; that are market infrastructure operators, that use the benchmarks and are staff not directly involved in the provision of the benchmarks.</p>	

ARTICLE 5 Oversight Function Requirements			
BMR ref	BMR Requirement	CFB's response	Assurance Provider's testing
Guidelines on non-significant benchmarks, Annex III 22(c).	Where the administrator is not wholly owned or controlled by contributors to the benchmark or supervised entities that use it and no other conflicts of interest exist at the level of the oversight function, an oversight committee that includes members of staff representing parts of the organisation of the administrator that are not directly involved in the provision of the relevant benchmarks or any related activities or, where such appropriate staff members are not available, independent members.	This is not applicable as the firm does not utilise contributions in its benchmark determinations.	This provision is not applicable. Please also see response in Article 4(7)(d).
Guidelines on non-significant benchmarks, Annex III 22(d).	An oversight function consisting of multiple committees, each responsible for: <ul style="list-style-type: none"> • the oversight of a NSB, type of NSBs or family of NSBs, or • a subset of the oversight responsibilities and tasks, provided that a single person or committee is designated as responsible for the overall direction and coordination of the oversight function and for interaction with the management body of the benchmark administrator and the competent authority.	This is not applicable as the firm does not utilise a multi-layered committee structure.	This provision is not applicable. Please see responses in Article 5(1)-(2).

Title II BENCHMARK INTEGRITY AND RELIABILITY			
ARTICLE 6 Control Framework Requirements			
BMR ref	BMR Requirements	CFB's response	Assurance Provider's testing
1.	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.	The CF Benchmarks Control Framework documents the controls that the firm operates to ensure compliance with this Regulation. There is no discretion utilised in the provision of the benchmarks.	<ul style="list-style-type: none"> We obtained and reviewed the CF Benchmarks Control Framework which highlights the various controls in place throughout the benchmark lifecycle as required under EU BMR including controls around input data and benchmark monitoring. We obtained and reviewed the methodologies which are published on CFB's website and for a sample of dates for both benchmark families, we tested the calculation process of the benchmark levels against the methodologies and noted no discretion was applied. We obtained a sample of the CFB Board minutes and noted the approval of the Control Framework by the Board.
2.	The control framework shall be proportionate to the level of conflicts of interest identified, the extent of discretion in the provision of the benchmark and the nature of the benchmark input data.	<p>The CF Benchmarks Control Framework documents the controls that the firm operates to ensure compliance with this Regulation.</p> <p>No discretion is utilised in the provision of the benchmarks.</p> <p>The Control Framework is reviewed by the firm's compliance function and approved by the firm's Board of Directors.</p> <p>The firm has applied rigorous controls commensurate to the level of conflicts of interest identified and the extent of discretion.</p>	<ul style="list-style-type: none"> We held enquiries with members of the Company and reviewed the following: <ul style="list-style-type: none"> (a) Conflicts of Interest Register to review the actual and potential conflicts identified; (b) Control Framework to understand the level of controls put in place based on the level of conflicts identified in (a) <p>and noted that for each level of conflicts identified, relevant control mitigants have been implemented.</p> <ul style="list-style-type: none"> We obtained and reviewed the methodologies which are published on CFB's website and for a sample of dates for both benchmark families, we tested the calculation process of the benchmark levels against the methodologies and noted no discretion was applied. We obtained and reviewed the following: <ul style="list-style-type: none"> (a) Constituent Exchanges and (b) Constituent Exchanges Criteria <p>and can confirm that the input data used in the calculation process are publicly available.</p> <ul style="list-style-type: none"> We obtained a sample of the CFB Board minutes and noted the approval of the Control Framework by the Board.

ARTICLE 6 Control Framework Requirements			
BMR ref	BMR Requirements	CFB's response	Assurance Provider's testing
3.	The control framework shall include:	Please see responses below.	Please see responses below.
3(a).	(a) management of operational risk;	The CF Benchmarks Control Framework in conjunction with the CF Benchmarks Operational Framework and Business Continuity Plan documents the controls that the firm operates to ensure compliance with this Regulation with documented controls for the mitigation of operational risk, business continuity plans and contingency procedures in place.	<ul style="list-style-type: none"> We obtained and reviewed the Control Framework and noted that it references the controls in place covering Input Data and the relevant Operational Controls such as System, Security, Change and Contingency Procedures. We obtained and reviewed the Operational Framework and noted that it highlights the maintenance of a Production Incident Log to record any instances of failure including input data, system outages and calculation failures. We obtained and reviewed the Production Incident Log and noted that each incident was recorded and reviewed in line with documented procedures.
3(b).	(b) adequate and effective business continuity and disaster recovery plans;		<ul style="list-style-type: none"> We obtained and reviewed the Business Continuity Policy to understand the plans put in place to enable business continuity and disaster recovery. We confirmed that the business continuity policy was tested in 2020 and obtained evidence of the results of the underlying test as being satisfactory.
3(c).	(c) contingency procedures that are in place in the event of a disruption to the process of the provision of the benchmark.		<ul style="list-style-type: none"> We obtained and reviewed the Business Continuity Policy and noted that it includes contingency procedures to enable the continuity of the benchmark determination process and the relevant controls required. We can confirm that those procedures were last tested in 2020 and obtained evidence of management's results of the underlying test as being "satisfactory".
4.	An administrator shall establish measures to:	Please see responses below.	Please see responses below.
4(a).	(a) ensure that contributors adhere to the code of conduct referred to in Article 15 and comply with the applicable standards for input data;	This provision is not applicable to the firm. The firm does not utilise contributed data in any of its benchmark determinations.	<ul style="list-style-type: none"> We obtained the methodology documents for both benchmark families and the Input Data policy and confirmed that CFB does not use contributions in the benchmark determination process. Therefore this provision is not applicable to CFB.
4(b).	(b) monitor input data including, where feasible, monitoring input data before publication of the benchmark and validating input data after publication to identify errors and anomalies.	The firm monitors the input data it utilises and validates this data through measures documented in the CF Benchmarks Operational Framework and CF Benchmarks Input Data Policy. Furthermore the firm conducts Benchmarks Surveillance through a series of measures that are the product of an analysis of the firm's methodologies and their susceptibility to potential manipulation.	<ul style="list-style-type: none"> We held enquiries with members of the Company and reviewed the following: <ul style="list-style-type: none"> (a) Input Data policy that highlights the types of input data used, the sufficiency assessment of the input data and the input data monitoring metrics; (b) Operational Framework that highlights the various benchmark monitoring in place post publication to ensure benchmark integrity and (c) Benchmark Surveillance policy that highlights the input data validation process that filters out data that does not meet the criteria from the calculation as defined in the published methodology documents.

ARTICLE 6 Control Framework Requirements			
BMR ref	BMR Requirements	CFB's response	Assurance Provider's testing
			<ul style="list-style-type: none"> We also obtained and reviewed the Operational Framework and noted that all benchmarks are calculated in 2 independent environments for each calculation in addition to the production environment. For a sample of dates and benchmarks, we obtained evidence of the calculation output in the 2 environments mentioned in line with the procedures described in the Operational Framework.
5.	The control framework shall be documented, reviewed and updated as appropriate and made available to the relevant competent authority and, upon request, to users.	The CF Benchmarks Control Framework is subject to review and approval by the CF Benchmarks Board of Directors and is made available to the competent authority upon request.	Please see response in Article 6(1).

Title II BENCHMARK INTEGRITY AND RELIABILITY			
Article 7 Accountability framework requirements			
BMR ref	BMR Requirements	CFB's response	Assurance Provider's testing
1.	An administrator shall have in place an accountability framework, covering record-keeping, auditing and review, and a complaints process, that provides evidence of compliance with the requirements of this Regulation.	The CF Benchmarks Accountability Framework has specific sections relating to; <ul style="list-style-type: none"> Record Keeping Audit & Review Complaints Handling 	<ul style="list-style-type: none"> We obtained and reviewed the Accountability Framework and can confirm it covers Record Keeping requirements, Complaints Policy and the Audit and Review Policy.
2.	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.	The CF Benchmarks Accountability Framework has specific sections relating to Compliance Review by the firm's compliance functions.	<ul style="list-style-type: none"> We obtained and reviewed the Accountability Framework and noted that Compliance is the designated internal function with responsibility to review CFB's compliance with the relevant provisions of EU BMR.
3.	For critical benchmarks, an administrator shall appoint an independent external auditor to review and report on the administrator's compliance with the benchmark methodology and this Regulation, at least annually.	<p>The firm's benchmarks are not deemed critical and so these provisions are not applicable.</p> <p>Although the firm's benchmarks are not deemed "critical" under this regulation the firm's commitment to the highest regulatory standard means that the CF Benchmarks Accountability Framework mandates an external audit of compliance with this Regulation within 12 months of regulatory authorisation.</p> <p>To this end the firm has appointed an external auditor to review and report on the firm's compliance with EU BMR.</p>	<ul style="list-style-type: none"> This provision is not applicable to CFB as they do not administer any critical benchmarks. Deloitte was appointed on 1 June 2020 to provide limited assurance in respect of the Company's control procedures that relate to compliance with EU BMR.
4.	Upon the request of the relevant competent authority, an administrator shall provide to the relevant competent authority the details of the reviews and reports provided for in paragraph 2. Upon the request of the relevant competent authority or any user of a benchmark, an administrator shall publish the details of the audits provided for in paragraph 3.	The CF Benchmarks Accountability Framework documents the firm's policy in providing competent authorities with the relevant reports promptly.	<ul style="list-style-type: none"> We obtained and reviewed the Accountability Framework and noted that it states that any review of CFB's compliance with EU BMR will be submitted to the CFB Board of Directors in the form of a report and made available to the relevant regulatory authorities upon request.

Title II BENCHMARK INTEGRITY AND RELIABILITY			
Article 8 Record-keeping requirements			
BMR ref	BMR Requirements	CFB's response	Assurance Provider's testing
1.	An administrator shall keep records of:	Please see responses below.	Please see responses below.
1(a).	(a) all input data, including the use of such data;	The firm's technology systems stores all input data and its use in accordance with the Regulation as codified in the firm's Operational Framework. Records are maintained in accordance with the record keeping policy.	<ul style="list-style-type: none"> We obtained and reviewed the Accountability Framework containing record keeping policy and confirmed that they meet the requirements under this regulation of Article 8(1)(a)-(1)(b). We obtained and reviewed the Operational Framework and Governance & Oversight Framework which are in line with CFB's response. For a sample of dates, we requested records of previous input data and methodologies and can confirm they were retained and readily retrievable.
1(b).	(b) the methodology used for the determination of a benchmark;	The firm maintains all methodology documents and versions thereof as codified in the CF Benchmarks Governance & Oversight Framework.	<ul style="list-style-type: none"> We obtained and reviewed a sample of methodology documents as well as the Input Data policy and can confirm that expert judgement or discretion is not used by CFB on a regular basis except in unforeseen circumstances as documented. We obtained and reviewed the Expert Judgement Log and noted that there were no entries logged in it.
1(c).	(c) any exercise of judgement or discretion by the administrator and, where applicable, by assessors, in the determination of a benchmark, including the reasoning for said judgement or discretion;	<p>The firm's existing methodologies do not utilise Expert Judgement in their day to day calculation and administration. However there may be unforeseen circumstances where Expert Judgement will be required. This is documented in the firm's public methodologies.</p> <p>Where Expert Judgement is required this shall be exercised in accordance with the CF Benchmarks Governance & Oversight Framework. The firm maintains an Expert Judgement Log to record all instances of the use of Expert Judgement.</p>	<ul style="list-style-type: none"> We reviewed a sample of methodology documents and noted the procedures regarding the criteria to exclude input data in the benchmark determination process. We obtained and reviewed evidence of a sample of previous records of such input data that were excluded and can confirm they meet the record keeping requirements.
1(d).	(d) the disregard of any input data, in particular where it conformed to the requirements of the benchmark methodology, and the rationale for such disregard;	All input data that is discarded in accordance with benchmark methodologies is stored in the firm's technology systems.	<ul style="list-style-type: none"> We obtained and reviewed a sample of methodology documents as well as the Input Data policy and can confirm that expert judgement or discretion is not used by CFB on a regular basis except in unforeseen circumstances as documented. We obtained and reviewed the Expert Judgement Log and noted that there were no entries logged in it.
1(e).	(e) other changes in or deviations from standard procedures and methodologies, including those made during periods of market stress or disruption;	The firm maintains an Expert Judgement Log to record instances of the exercise of Expert judgement of which there have been none.	

Article 8 Record-keeping requirements			
BMR ref	BMR Requirements	CFB's response	Assurance Provider's testing
1(f).	(f) the identities of the submitters and of the natural persons employed by the administrator for the determination of a benchmark;	The firm maintains a staff log of all persons employed. The firm does not have any submitters as the firm's benchmarks are not based on contributions.	<ul style="list-style-type: none"> CFB does not have any submitters as their benchmarks are not based on contributions. We obtained confirmation from HR that a record is kept for all CFB employees.
1(g).	(g) all documents relating to any complaint, including those submitted by a complainant; and	The firm maintain a complaints log as documented in its Complaints Policy and Complaints Handling Procedure.	<ul style="list-style-type: none"> We obtained and reviewed the Accountability Framework containing record keeping and confirmed that they meet the requirements under this regulation of Article 8(1)(g). We also obtained the complaints log that contain the records for all complaints to date and noted that no entries have been made.
1(h).	(h) telephone conversations or electronic communications between any person employed by the administrator and contributors or submitters in respect of a benchmark.	This provision is not applicable. The firm does not utilise contributed data in any of its benchmark determinations	<ul style="list-style-type: none"> We obtained the methodology documents for both benchmark families and the Input Data policy and confirmed that CFB does not use contributions in the benchmark determination process. Therefore this provision is not applicable to CFB.
2.	An administrator shall keep the records set out in paragraph 1 for at least five years in such a form that it is possible to replicate and fully understand the determination of a benchmark and enable an audit or evaluation of input data, calculations, judgements and discretion. Records of telephone conversation or electronic communications recorded in accordance with point (h) of paragraph 1 shall be provided to the persons involved in the conversation or communication upon request and shall be kept for a period of three years.	<p>The firms record keeping policy as documented in its Accountability Framework is to maintain its records for a minimum of 5 years</p> <p>All benchmarks are calculated utilising public data under public methodologies and benchmark determinations are published immediately after calculation. The firm does not utilise contributed data in any of its benchmark determinations.</p>	Please see responses in Article 8(1) (a)-(1) (b) and Article 8(1) (h).

Title II BENCHMARK INTEGRITY AND RELIABILITY			
Article 9 Complaints-handling mechanism			
BMR ref	BMR Requirements	CFB's response	Assurance Provider's testing
1.	An administrator shall have in place and publish procedures for receiving, investigating and retaining records concerning complaints made, including about the administrator's benchmark determination process.	The firm maintains a Complaints Handling Policy, Complaints Handling Procedure and Record keeping provisions as part of its Accountability Framework. This Accountability framework is reviewed and implemented by the firms compliance functions and is approved by the firms Board of Directors.	<ul style="list-style-type: none"> We obtained and reviewed the Accountability Framework which highlights the Complaints Policy and procedures of handling complaints including roles and responsibilities within the process. We reviewed the website and noted that the process to submit a complaint is published on CFB's website and state that the detailed Complaints Policy is available upon request. We obtained a sample of the CFB Board minutes and noted the approval of the Accountability Framework by the Board.
2.	Such a complaints-handling mechanism shall ensure that:		Please see responses below.
2(a).	(a) the administrator makes available the complaints-handling policy through which complaints may be submitted on whether a specific benchmark determination is representative of market value, on a proposed change to the benchmark determination process, on an application of the methodology in relation to a specific benchmark determination, and on other decisions in relation to the benchmark determination process;	The firm makes a dedicated email address available on its website for the submission of complaints and its complaints handling policy and procedure is available upon request through this dedicated email address.	Please refer to response in Article 9(1).
2(b).	(b) complaints are investigated in a timely and fair manner and the outcome of the investigation is communicated to the complainant within a reasonable period of time, unless such communication would be contrary to objectives of public policy or to Regulation (EU) No 596/2014; and	Oversight Organs provide oversight of the complaints made as documented in the firms Complaints Handling Policy and Procedure which includes provisions for the timeframe of responses and communications to the complainant. Complaints are investigated and processed by the firm's compliance functions in the first instance.	<ul style="list-style-type: none"> We obtained the Accountability Framework which includes the Complaints Policy and procedures including timeframe and communication with complainant and noted that complaints are investigated independently by the CF Group Head of Compliance.
2(c).	(c) the inquiry is conducted independently of any personnel who may be or may have been involved in the subject- matter of the complaint.	The firms Complaints Handling Policy and Procedure ensures that investigations are conducted independently of any persons involved in the subject matter of the complaint. The index provision team is only consulted when technical expertise is required. The entire complaints process is overseen by the relevant oversight organs.	<ul style="list-style-type: none"> We obtained the Accountability Framework which includes the Complaints Policy and procedures and noted that complaints are investigated independently by the CF Group Head of Compliance who may enlist the assistance of the index provision team in cases where substantial technical and systems knowledge are required. We also noted that this process is overseen by the relevant oversight organ as described in the Complaints Policy.

Title II BENCHMARK INTEGRITY AND RELIABILITY			
Article 10 Outsourcing			
BMR ref	BMR Requirements	CFB's response	Assurance Provider's testing
1.	An administrator shall not outsource functions in the provision of a benchmark in such a way as to impair materially the administrator's control over the provision of the benchmark or the ability of the relevant competent authority to supervise the benchmark.	CF Benchmarks does not outsource any of the functions of benchmark provision. The firm retains full responsibility for its benchmark determinations. The firm utilises cloud computing services which it procures from external vendors. SOC reports conducted by auditors of cloud computing service providers are reviewed in accordance with the CF Accountability Framework.	We obtained and reviewed the Operational Framework and noted that the benchmark determination process is carried out by CFB only who retains full responsibility for the benchmark determination activities. We reviewed the Operational Framework and noted that it highlights the cloud computing services as provided by a third party which are reviewed through SOC reports. We obtained evidence of receipt of the SOC report by Board members.
2.	Where an administrator outsources to a service provider functions or any relevant services and activities in the provision of a benchmark, the administrator shall remain fully responsible for discharging all of the administrator's obligations under this Regulation.		
3.	Where outsourcing takes place, the administrator shall ensure that the following conditions are fulfilled:		
3(a).	(a) the service provider has the ability, capacity, and any authorisation required by law, to perform the outsourced functions, services or activities reliably and professionally;		
3(b).	(b) the administrator makes available to the relevant competent authorities the identity and the tasks of the service provider that participates in the benchmark determination process;		
3(c).	(c) the administrator takes appropriate action if it appears that the service provider may not be carrying out the outsourced functions effectively and in compliance with applicable law and regulatory requirements;		
3(d).	(d) the administrator retains the necessary expertise to supervise the outsourced functions effectively and to manage the risks associated with the outsourcing;		
3(e).	(e) the service provider discloses to the administrator any development that may have a material impact on its ability to carry out the outsourced functions effectively and in compliance with applicable law and regulatory requirements;		

Article 10 Outsourcing			
BMR ref	BMR Requirements	CFB's response	Assurance Provider's testing
3(f).	(f) the service provider cooperates with the relevant competent authority regarding the outsourced activities, and the administrator and the relevant competent authority have effective access to data related to the outsourced activities, as well as to the business premises of the service provider, and the relevant competent authority is able to exercise those rights of access;		
3(g).	(g) the administrator is able to terminate the outsourcing arrangements where necessary;		
3(h).	(h) the administrator takes reasonable steps, including contingency plans, to avoid undue operational risk related to the participation of the service provider in the benchmark determination process.		

Title II BENCHMARK INTEGRITY AND RELIABILITY			
Article 11 Input data			
BMR ref	BMR Requirements	CFB's response	Assurance Provider's testing
1.	The provision of a benchmark shall be governed by the following requirements in respect of its input data:	Please see responses below.	Please see responses below.
1(a).	(a) the input data shall be sufficient to represent accurately and reliably the market or economic reality that the benchmark is intended to measure. The input data shall be transaction data, if available and appropriate. If transaction data is not sufficient or is not appropriate to represent accurately and reliably the market or economic reality that the benchmark is intended to measure, input data which is not transaction data may be used, including estimated prices, quotes and committed quotes, or other values;	The CF Benchmarks Input Data Policy governs the data that the firm utilises in benchmark determinations. All the input data utilised by CF Benchmarks is either transaction data or orderbook data of the underlying economic reality that the benchmark intends to measure. All data utilised is public data sourced from the firms Constituent Exchanges only. There is no Expert Judgement utilised in day to day determinations of the benchmark. In unforeseen circumstances where Expert Judgement may be utilised it is done so in accordance with the firms Expert Judgement Policy and recorded in the firms Expert Judgement Log. There have been no instances of the use of Expert Judgement in the firm's determinations of its benchmarks.	<ul style="list-style-type: none"> We obtained and reviewed the Input Data Policy and noted that it highlights the types of input data used and the input data sufficiency assessment process which includes the ongoing monitoring of input data. We obtained and reviewed the Constituent Exchanges and Constituent Exchanges Criteria and noted that they list all the relevant exchanges that are used as an input data source for each of the relevant benchmark calculation and the criteria that constituent exchanges are required to fulfil in order to be used including the availability of their data through a public API. We also noted that these documents are published on CFB's website. We obtained a sample of published benchmark methodologies and noted that they list the type of input data used in the calculation which are as follows: <ul style="list-style-type: none"> (a) CME CF Real Time Index Methodology – uses Orderbooks from the constituent exchanges and (b) CME CF Reference Rates Methodology – uses Transactions from the constituent exchanges. We obtained and reviewed the Operational Framework and noted that it references the input data verification procedures as per CFB's response. We obtained and reviewed a sample of Benchmark methodologies and noted the various checks that are carried out on input data in the filtering process ahead of calculation. We also noted that the above mentioned methodologies highlighted that no discretion is used in the benchmark determination process except in unforeseen instances which is documented accordingly. We obtained and reviewed the Expert Judgement Log and noted that there were no entries logged in it. For a sample of dates and benchmarks, we tested the calculation process through a re-performance of the calculation (using input data provided by CFB and the documented benchmark methodology), and noted that no discretion was used.
1(b).	(b) the input data referred to in point (a) shall be verifiable;	The firm verifies the input data it receives by cross referencing against other types of input data- in the case of trades against orders and vice versa to verify the input data.	
1(c).	(c) the administrator shall draw up and publish clear guidelines regarding the types of input data, the priority of use of the different types of input data and the exercise of expert judgement, to ensure compliance with point (a) and the methodology;	The firm's methodologies only utilise single types of input data so there is not priority of input data at the present time. The CF Benchmarks Input Data Policy codifies the priority of use of the different types of input data that it utilises. Furthermore the manner in which Expert Judgement is exercised is also codified within the Input Data Policy.	

Article 11 Input data			
BMR ref	BMR Requirements	CFB's response	Assurance Provider's testing
1(d).	(d) where a benchmark is based on input data from contributors, the administrator shall obtain, where appropriate, the input data from a reliable and representative panel or sample of contributors so as to ensure that the resulting benchmark is reliable and representative of the market or economic reality that the benchmark is intended to measure;	This provision is not applicable as the firm does not utilise contributed input data. The firm does not utilise contributed data in any of its benchmark determinations.	<ul style="list-style-type: none"> We obtained the methodology documents for both benchmark families and the Input Data policy and confirmed that CFB does not use contributions in the benchmark determination process. Therefore this provision is not applicable to CFB.
1(e).	(e) the administrator shall not use input data from a contributor if the administrator has any indication that the contributor does not adhere to the code of conduct referred to in Article 15, and in such a case shall obtain representative publicly available data.		
2.	Administrators shall ensure that their controls in respect of input data include:	Please see responses below.	Please see responses below.
2(a).	(a) criteria that determine who may contribute input data to the administrator and a process for selecting contributors;	This provision is not applicable as the firm does not utilise contributed input data. The firm does not utilise contributed data in any of its benchmark determinations.	<ul style="list-style-type: none"> We obtained the methodology documents for both benchmark families and the Input Data policy and confirmed that CFB does not use contributions in the benchmark determination process. Therefore this provision is not applicable to CFB.
2(b).	(b) a process for evaluating a contributor's input data and for stopping the contributor from providing further input data, or applying other penalties for non-compliance against the contributor, where appropriate; and		
2(c).	(c) a process for validating input data, including against other indicators or data, to ensure its integrity and accuracy.		

Article 11 Input data			
BMR ref	BMR Requirements	CFB's response	Assurance Provider's testing
			<ul style="list-style-type: none"> We obtained and reviewed the Benchmark Surveillance Alert Handling Procedure and noted that it references the end to end process for the review and reporting of the alerts. For a sample of dates and benchmarks, we reviewed the surveillance alerts that were triggered and noted that the alert was investigated in line with their procedures with a written report consisting of the details of the review and conclusion. We also obtained evidence of this report for each sample being communicated to the relevant Oversight Organ accordingly.
3.	Where the input data of a benchmark is contributed from a front office function, meaning any department, division, group, or personnel of contributors or any of its affiliates that performs any pricing, trading, sales, marketing, advertising, solicitation, structuring, or brokerage activities, the administrator shall:	This provision is not applicable as the firm does not utilise contributed input data. The firm does not utilise contributed data in any of its benchmark determinations.	<ul style="list-style-type: none"> We obtained the methodology documents for both benchmark families and the Input Data policy and confirmed that CFB does not use contributions in the benchmark determination process. Therefore this provision is not applicable to CFB.
3(a).	(a) obtain data from other sources that corroborate that input data; and		
3(b).	(b) ensure that contributors have in place adequate internal oversight and verification procedures.		
4.	Where an administrator considers that the input data does not represent the market or economic reality that a benchmark is intended to measure, that administrator shall, within a reasonable time period, either change the input data, the contributors or the methodology in order to ensure that the input data does represent such market or economic reality, or else cease to provide that benchmark.	The CF Benchmarks Input Data Policy in conjunction with the CF Benchmarks Governance & Oversight Framework codifies the steps to be taken in instances where the input data no longer represents the market that it is intended to measure.	<ul style="list-style-type: none"> We obtained and reviewed the Input Data Policy to understand the assessment process regarding the input data sufficiency and noted that it is monitored on an ongoing basis. We obtained and reviewed the Governance and Oversight Framework regarding the procedures on Methodology Changes and Cessation. We reviewed a sample of a material changes to the methodology where CFB deemed the input data no longer represented the market and noted the following: <ul style="list-style-type: none"> (a) The proposal for such a change and the relevant analysis as well as the consultation plan was raised to the relevant Oversight Organ for their review which was recorded in the minutes; (b) Thereafter, a notice was published announcing the consultation, the proposed change, the rationale and likely impact and the consultation process timeframe; (c) A second and final notice was published highlighting the results of the consultation process, the implementation date

			and the oversight provided from the relevant Oversight Function.
Article 11 Input data			
BMR ref	BMR Requirements	CFB's response	Assurance Provider's testing
5.	<p>ESMA shall develop draft regulatory technical standards to specify further how to ensure that input data is appropriate and verifiable, as required under points (a) and (b) of paragraph 1, as well as the internal oversight and verification procedures of a contributor that the administrator has to ensure are in place, in compliance with point (b) of paragraph 3, in order to ensure the integrity and accuracy of input data. However, the ESMA draft regulatory technical standards shall not cover or apply to administrators of non-significant benchmarks.</p> <p>ESMA shall take into account the different types of benchmarks and sectors as set out in this Regulation, the nature of input data, the characteristics of the underlying market or economic reality and the principle of proportionality, the vulnerability of the benchmarks to manipulation as well as the international convergence of supervisory practice in relation to benchmarks.</p> <p>ESMA shall submit those draft regulatory technical standards to the Commission by 1 April 2017.</p> <p>Power is delegated to the Commission to adopt the regulatory technical standards referred to in the first subparagraph in accordance with the procedure laid down in Articles 10 to 14 of Regulation (EU) No 1095/2010.</p>	This is not applicable as CFB only administers non-significant benchmarks.	This provision is not applicable to CFB as they only administer non-significant benchmarks.
6.	ESMA may issue guidelines in accordance with Article 16 of Regulation (EU) No 1095/2010, addressed to administrators of non-significant benchmarks to specify the elements referred to in paragraph 5 of this Article.	This provision is not applicable as the firm does not utilise contributed input data. The firm does not utilise contributed data in any of its benchmark determinations.	<ul style="list-style-type: none"> We obtained the methodology documents for both benchmark families and the Input Data policy and confirmed that CFB does not use contributions in the benchmark determination process. Therefore this provision and the relevant guidelines are not applicable to CFB.

Title II BENCHMARK INTEGRITY AND RELIABILITY			
Article 12 Methodology			
BMR ref	BMR Requirements	CFB's response	Assurance Provider's testing
1.	An administrator shall use a methodology for determining a benchmark that:	Please see responses below.	<ul style="list-style-type: none"> We obtained CFB's benchmark methodologies that are also published on their website as follows: <ol style="list-style-type: none"> CME-CF Real Time Index Methodology; CME-CF Reference Rates Methodology; CF Spot Rate Methodology Guide and CF Settlement Price Methodology Guide.
1(a).	(a) is robust and reliable;	The public methodologies employed by CF Benchmarks are designed in accordance with the CF Benchmarks Governance & Oversight Framework including back-tested index values and subject to oversight organ approval before launch. Once a benchmark is being provided it is calculated in two separate environments to ensure its reliability. The methodologies are subject to review on a no less than annual basis.	<ul style="list-style-type: none"> We obtained and reviewed the Governance and Oversight Framework and noted that it references the assessment process for a new methodology launch on the fulfilment of back-testing criteria ahead of launch and ongoing annual review fulfilment. We obtained the Operational Framework and noted that all benchmarks are calculated in 2 independent environments for each calculation in addition to the production environment. For a sample of dates and benchmarks, we obtained evidence of the calculation output in the 2 environments mentioned in line with the procedures described in the Operational Framework. We tested for a sample of dates and benchmarks across both benchmark families (CME CF Cryptocurrency Pricing Products and CF Cryptocurrency Index Family) and re-performed the calculation with the output being in line with the relevant published methodologies.
1(b).	(b) has clear rules identifying how and when discretion may be exercised in the determination of that benchmark;	Benchmarks provided by CF Benchmarks are calculated without the use of discretion in their day to day determination. However unforeseen circumstances may require the use of Expert Judgement. In such circumstances the firm enforces an Expert Judgement Policy.	<ul style="list-style-type: none"> We obtained and reviewed a sample of benchmark methodologies and noted that no discretion is applied in the day to day benchmark determination process. This was also evidenced in the sample of dates and benchmarks we tested in the re-performance of the calculation process. We obtained and reviewed a sample of benchmark methodologies and noted that it references expert judgement provisions in unforeseen circumstances.
1(c).	(c) is rigorous, continuous and capable of validation including, where appropriate, back-testing against available transaction data;	The public methodologies employed by CF Benchmarks are designed in accordance with the CF Benchmarks Governance & Oversight Framework including back-tested index values and subject to oversight organ approval before launch. Once a benchmark is being provided it is calculated in two separate environments to ensure its rigour.	<ul style="list-style-type: none"> We obtained the Operational Framework and noted that all benchmarks are calculated in 2 independent environments for each calculation in addition to the production environment. For a sample of dates and benchmarks, we obtained evidence of the calculation output in the 2 environments mentioned in line with the procedures described in the Operational Framework. We tested for a sample of dates and benchmarks across both benchmark families (CME CF Cryptocurrency Pricing Products and

			CF Cryptocurrency Index Family) and re-performed the calculation with the output being in line with the relevant published methodologies.
Article 12 Methodology			
BMR ref	BMR Requirements	CFB's response	Assurance Provider's testing
1(d).	(d) is resilient and ensures that the benchmark can be calculated in the widest set of possible circumstances, without compromising its integrity;	<p>The public methodologies employed by CF Benchmarks seek to be incremental in nature as concerning input data. Methodologies also incorporate published rules concerning, erroneous data, potentially erroneous data and calculation failure.</p> <p>The firm also maintains a production incident log to record any incidents that impact the provision of the benchmark including instances of calculation failure where the benchmark cannot be provided.</p> <p>The firm also operates a benchmark surveillance programme and records instances of surveillance alerts in its benchmark surveillance alert log.</p>	<ul style="list-style-type: none"> We obtained and reviewed a sample of benchmark methodologies that are published on the website and noted that it's well documented and include criteria for calculation failures. We also noted that they have been designed to exclude outliers in input data through the potentially erroneous data parameter as documented in the methodologies. We obtained and reviewed the Operational Framework and noted that calculation failures are recorded in the Production Incident log. We obtained and reviewed the Benchmark Surveillance policy and noted that it references the monitoring procedures in place. We reviewed a sample of alerts that were triggered and noted that the alerts were investigated in line with their procedures with a written report of the details of the review and conclusion. We also obtained evidence that it was reported and reviewed by the relevant Oversight Organ.
1(e).	(e) is traceable and verifiable.	<p>The methodologies employed by CF Benchmarks are completely public, being published on its website. This includes all rules regarding input data, validity of input data and the calculation algorithm such that third parties with access to the input data, which is also publicly available, can also calculate the benchmarks to verify their accuracy.</p> <p>To ensure operational resilience the firms benchmarks are calculated in two separate environments.</p>	<ul style="list-style-type: none"> We obtained the Operational Framework and noted that all benchmarks are calculated in 2 independent environments for each calculation in addition to the production environment. For a sample of dates and benchmarks, we obtained evidence of the calculation output in the 2 environments mentioned in line with the procedures described in the Operational Framework. We tested for a sample of dates and benchmarks across both benchmark families (CME CF Cryptocurrency Pricing Products and CF Cryptocurrency Index Family) and re-performed the calculation with the output being in-line with the relevant published methodologies. We obtained and reviewed the Constituent Exchanges Criteria and noted that the input data source is obtained through public API. We obtained and reviewed the Constituent Exchanges and noted that it lists the exchanges that are used for each type of benchmark.

			<ul style="list-style-type: none">• We obtained the methodologies and can confirm they are all publicly available.
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Article 12 Methodology			
BMR ref	BMR Requirements	CFB's response	Assurance Provider's testing
2.	When developing a benchmark methodology, a benchmark administrator shall:	Please see responses below.	Please see responses below.
2(a).	(a) take into account factors including the size and normal liquidity of the market, the transparency of trading and the positions of market participants, market concentration, market dynamics, and the adequacy of any sample to represent the market or economic reality that the benchmark is intended to measure;	The public methodologies employed by CF Benchmarks are designed in accordance with the CF Benchmarks Governance & Oversight Framework including back-tested index values to ascertain the representativeness of the benchmark.	<ul style="list-style-type: none"> For a sample of benchmark methodologies that we reviewed for specific EU BMR requirements, we can confirm that this requirement is documented in the methodologies which are published on their website. We obtained and reviewed the Governance & Oversight Framework and noted that it is in line with CFB's response.
2(b).	(b) determine what constitutes an active market for the purposes of that benchmark; and	The public methodologies employed by CF Benchmarks seek to be incremental in nature as concerning input data. Methodologies also incorporate published rules concerning; erroneous data, potentially erroneous data and calculation failure.	<ul style="list-style-type: none"> For a sample of benchmark methodologies that we reviewed for specific EU BMR requirements, we can confirm that this requirement is documented in the methodologies which are published on their website.
2(c).	(c) establish the priority given to different types of input data.	The public methodologies employed by CF Benchmarks currently only utilise one type of input data as clearly documented. The firm's Input Data Policy codifies the priority given to different types of input data should the Administrator utilise more than one type of input data in any benchmarks methodologies.	<ul style="list-style-type: none"> We obtained and reviewed the Input Data policy as well as the published methodologies and noted that they reference the types of input data used for each benchmark and the assessment process to ensure input data meets the sufficiency criteria. The input data used per the methodologies were as follows: <ul style="list-style-type: none"> (a) CME CF Real Time Index Methodology – uses Orderbooks from the constituent exchanges and (b) CME CF Reference Rates Methodology – uses Transactions from the constituent exchanges. We also noted that the procedures for instances where input data is not sufficient are also documented in the published methodologies.
3.	An administrator shall have in place clear published arrangements that identify the circumstances in which the quantity or quality of input data falls below the standards necessary for the methodology to determine the benchmark accurately and reliably, and that describe whether and how the benchmark is to be calculated in such circumstances.	The public methodologies employed by CF Benchmarks seek to be incremental in nature as concerning input data. Methodologies also incorporate published rules concerning; erroneous data, potentially erroneous data and calculation failure.	<ul style="list-style-type: none"> For a sample of benchmark methodologies obtained, we reviewed and noted that the procedures where input data is not sufficient are documented.

Title II BENCHMARK INTEGRITY AND RELIABILITY

Article 13 Transparency of methodology

BMR Ref	BMR Requirement	CFB's response	Assurance Provider's Testing
1.	An administrator shall develop, operate and administer the benchmark and methodology transparently. To that end, the administrator shall publish or make available the following information:	<p>The methodologies employed by CF Benchmarks are completely public, being published on its website. This includes all rules regarding input data, validity of input data and the calculation algorithm such that this parties with access to the input data , which is also publicly available, can also calculate the benchmarks to verify their accuracy. Review, Change and Cessation provisions are also included in the public methodology.</p> <p>The process by which any consultations are conducted are codified, including the definition of material change, in the CF Benchmarks Governance and Oversight Framework and are available upon request. The provisions include provisions for advance notice and time frames for responses that would allow stakeholders to analyse and comment upon the impact of the proposed changes and the manner in which they will be made accessible to interested stakeholders.</p>	<ul style="list-style-type: none"> • We obtained and reviewed a sample of CFB benchmark methodologies and confirmed that they meet the requirements of Article 13(1) – 13(2) of this Regulation. We confirmed that CFB's benchmark methodologies are also published on their website. • We also noted that further details of the methodology changes consultation process is available upon request as described in the methodology documents published. • We obtained and reviewed the Governance and Oversight Framework and noted that it references the procedures for material change consultations. • We reviewed a sample of a material change to the methodology and noted the following: <ul style="list-style-type: none"> (a) The proposal of such change and the relevant analysis as well as the consultation plan was raised to the relevant Oversight Organ for their review which was recorded in the minutes; (b) Thereafter, a notice was published announcing the consultation, the proposed change, the rationale and likely impact and the consultation process timeframe; (c) A second and final notice was published highlighting the results of the consultation process, the implementation date and the oversight provided from the relevant Oversight Function.
1(a)	(a) the key elements of the methodology that the administrator uses for each benchmark provided and published or, when applicable, for each family of benchmarks provided and published;		
1(b)	(b) details of the internal review and the approval of a given methodology, as well as the frequency of such review;		
1(c)	(c) the procedures for consulting on any proposed material change in the administrator's methodology and the rationale for such changes, including a definition of what constitutes a material change and the circumstances in which the administrator is to notify users of any such changes.		
2.	The procedures required under point (c) of paragraph 1 shall provide for:		
2(a)	(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		
2(b)	(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.		

Article 13 Transparency of methodology			
BMR Ref	BMR Requirement	CFB's response	Assurance Provider's Testing
3.	ESMA shall develop draft regulatory technical standards to specify further the information to be provided by an administrator in compliance with the requirements laid down in paragraphs 1 and 2, distinguishing for different types of benchmarks and sectors as set out in this Regulation. ESMA shall take into account the need to disclose those elements of the methodology that provide for sufficient detail to allow users to understand how a benchmark is provided and to assess its representativeness, its relevance to particular users and its appropriateness as a reference for financial instruments and contracts and the principle of proportionality. However, the ESMA draft regulatory technical standards shall not cover or apply to administrators of non-significant benchmarks. ESMA shall submit those draft regulatory technical standards to the Commission by 1 April 2017. Power is delegated to the Commission to adopt the regulatory technical standards referred to in the first subparagraph in accordance with Articles 10 to 14 of Regulation (EU) No 1095/2010.	CF Benchmarks only administers non-significant benchmarks.	CFB administers non-significant benchmarks only, therefore this provision is not applicable.
4.	ESMA may issue guidelines in accordance with Article 16 of Regulation (EU) No 1095/2010, addressed to administrators of non-significant benchmarks to specify further the elements referred to in paragraph 3 of this Article.	Please see responses below.	Please see responses below.
Guidelines on non-significant benchmarks, Annex III 27.	The information to be provided by an administrator of a NSB or family of NSBs in compliance with the requirement laid down in Article 13(1)(a) of BMR, should include at least the following elements, where applicable:	The methodologies employed by CF Benchmarks are completely public, being published on its website. This includes: (a) the underlying economic reality the benchmarks seeks to measure; (b) quote asset of the benchmark; (c) input data utilised: to date all the firms Benchmarks utilise one type of input data only;	<ul style="list-style-type: none"> We obtained and reviewed a sample of CFB benchmark methodologies and the Governance and Oversight Framework where the detailed consultation procedures are described and confirmed that they meet the requirements of the Guidelines on non-significant benchmarks, Annex III 27 except for 27(d), 27(g) and 27(h) which are not applicable to CFB based on the type of benchmarks they administer. We can confirm that CFB's benchmark methodologies are also published on their website.

Article 13 Transparency of methodology			
BMR Ref	BMR Requirement	CFB's response	Assurance Provider's Testing
Guidelines on non-significant benchmarks, Annex III 27(a).	(a) a definition and description of the benchmark or family of NSBs and of the market or economic reality that it is intended to measure;		<ul style="list-style-type: none"> We also obtained and reviewed the Hard Fork policies and noted that they are in line with CFB's response of 27(i).
Guidelines on non-significant benchmarks, Annex III 27(b).	(b) the currency or other unit of measurement of the benchmark or family of NSBs;		
Guidelines on non-significant benchmarks, Annex III 27(c).	(c) the types of input data used to determine the benchmark or family of NSBs and the priority given to each type;		
Guidelines on non-significant benchmarks, Annex III 27(d).	(d) a description of the constituents of the benchmark or family of NSBs and the criteria used for selecting and weighting them;	This provision is not applicable as the firm does not provide benchmarks with multiple constituents.	
Guidelines on non-significant benchmarks, Annex III 27(e).	(e) any minimum requirements for the quantity of input data, and any minimum standards for the quality of input data used;	CF Benchmarks publishes full methodologies for all its benchmarks. Within the methodologies are provisions that govern the minimum requirements for validity of input data and quantity of valid input data for the determination of the benchmarks.	
Guidelines on non-significant benchmarks, Annex III 27(f).	(f) the clear rules identifying how and when discretion may be exercised in the determination of the benchmark or family of NSBs;	The firms existing methodologies do not utilise Expert Judgement in their day to day calculation and administration. However there may be unforeseen circumstances where Expert Judgement will be required. This is documented in the firm's public methodologies.	
Guidelines on non-significant benchmarks, Annex III 27(g).	(g) the composition of any panel of contributors and the criteria used to determine eligibility for panel membership;	This provision is not applicable as the firm does not utilise contributed input data.	

Article 13 Transparency of methodology			
BMR Ref	BMR Requirement	CFB's response	Assurance Provider's Testing
Guidelines on non-significant benchmarks, Annex III 27(h).	(h) whether the benchmark or family of NSBs takes into account any reinvestment of dividends or coupons paid by its constituents;	This provision is not applicable as none of the firms benchmarks aim to take into account the reinvestment of dividends or coupons paid by its constituents.	
Guidelines on non-significant benchmarks, Annex III 27(i).	(i) the potential limitations of the methodology and indications of any methodology to be used in exceptional circumstances, including in the case of an illiquid market or in periods of stress or where transaction data sources may be insufficient, inaccurate or unreliable;	The firm's public methodologies include descriptions of what would constitute calculation failure. Furthermore the firm's benchmarks are concerned with cryptocurrencies which can undergo "hard fork" scenarios. The action that will be undertaken by the firm in relation to the benchmarks are documented in published Hard Fork policies.	
Guidelines on non-significant benchmarks, Annex III 27(j).	(j) if the methodology may be changed periodically to ensure the benchmark or family of NSBs remains representative of the relevant market or economic reality, any criteria to be used to determine when such a change is necessary.	The firm's public methodologies include provisions regarding the methodology reviews that the benchmark methodologies are subject to and the oversight of the process by the relevant oversight organs.	
Guidelines on non-significant benchmarks, Annex III 28.	The information to be provided by an administrator of a NSB or family of NSBs in compliance with the requirement laid down in Article 13(1)(b) of BMR, should include at least a description of the policies and procedures relating to the internal review and approval of the methodology.		
Guidelines on non-significant benchmarks, Annex III 29.	The information to be provided by an administrator of a NSB or family of NSBs in compliance with the requirement laid down in Article 13(1)(c) of BMR, should include at least a description of the information to be disclosed by the administrator at the start of each consultation exercise, including a requirement to disclose the key elements of the methodology that would, in its view, be affected by the proposed material change.	The CF Benchmarks Governance & Oversight framework stipulates the disclosure requirements in cases of a methodology change consultation. These requirements include the key elements of the methodology that would in the firms view be affected by the proposed material change and where possible the firm would provide a back-tested comparison to illustrate the impact of the change.	
			Please see responses under Article 13(1)-Article 13(2)

Title II BENCHMARK INTEGRITY AND RELIABILITY			
Article 14 Reporting of infringements			
BMR Ref	BMR Requirement	CFB's response	Assurance Provider's Testing
1.	An administrator shall establish adequate systems and effective controls to ensure the integrity of input data in order to be able to identify and report to the competent authority any conduct that may involve manipulation or attempted manipulation of a benchmark, under Regulation (EU) No 596/2014.	<p>The firm undertakes extensive due diligence before utilising an input data source to confirm conformance with the firms published Constituent Exchange Criteria.</p> <p>The firm conducts Benchmarks Surveillance through a series of measures that are the product of an analysis of the firm's methodologies and their susceptibility to potential manipulation that are codified in the CF Benchmarks Surveillance Policy. Where these measures trigger an alert then these are investigated by the firm's compliance functions including dialogue with the relevant input data sources.</p> <p>The firm's procedures include the escalation of such investigations to the filing of a STOR (Suspicious Transaction Order Report) to the firm's supervisory authority, the UK FCA where the Administrator believes there has been benchmark manipulation or attempted benchmark manipulation.</p>	<ul style="list-style-type: none"> We obtained and reviewed the Constituent Exchanges Criteria and noted that they list the criteria that Exchanges are required to fulfil in order to be included as an input data source and also noted that this is published on their website. We obtained evidence of the 2019 annual due diligence review for the constituent exchanges used that were reviewed by the Oversight Organs. We obtained and reviewed the Benchmark Surveillance Policy and noted that it references the different types of automated input data monitoring in place including the relevant applicable thresholds and the respective action of each alert including filing a Suspicion Transaction Order Report (STOR) as described in CFB's response. We obtained and reviewed the Benchmark Surveillance Alert Handling Procedure and noted the end to end process for the review and reporting of the alerts. We obtained and reviewed the Operational Framework which highlights the various real time benchmark monitoring in place. For a sample of dates and benchmarks, we reviewed the surveillance alerts process that were triggered and noted that the alerts were reviewed in line with their procedures with a written report consisting of details of the review and conclusion. We also obtained evidence of this report being communicated to the relevant Oversight Organ. We obtained the methodology documents for both benchmark families and the Input Data policy and confirmed that CFB does not use contributions in the benchmark determination process.
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.	<p>The firm has codified processes and procedures in place for internal reporting of infringements as codified in its Governance & Oversight Framework.</p> <p>Furthermore a Staff Code of Conduct that list this as a responsibility all individuals involved in the provision of the benchmark are required to agree to.</p> <p>All CF Benchmarks staff receive periodic training on the regulations applicable to the firm including the reporting of infringements to the regulation.</p>	<ul style="list-style-type: none"> We obtained and reviewed the Governance and Oversight Framework and noted that it references the internal procedures to report any infringements of this Regulation. We obtained and reviewed CFB staff Code of Conduct for its employees and obtained evidence of attestation by the Index Provision team. We obtained evidence that all CFB employees have access to this procedure and that they had also been trained on this as described in CFB's response.
3.	Administrators shall have procedures in place for their managers, employees and any other natural persons whose services are placed at their disposal or under their control to report internally infringements of this Regulation.	<p>The firm has codified processes and procedures in place for internal reporting of infringements as codified in its Governance & Oversight Framework.</p> <p>Furthermore a Staff Code of Conduct that list this as a responsibility all individuals involved in the provision of the benchmark are required to agree to.</p> <p>All CF Benchmarks staff receive periodic training on the regulations applicable to the firm including the reporting of infringements to the regulation.</p>	<ul style="list-style-type: none"> We obtained and reviewed the Governance and Oversight Framework and noted that it references the internal procedures to report any infringements of this Regulation. We obtained and reviewed CFB staff Code of Conduct for its employees and obtained evidence of attestation by the Index Provision team. We obtained evidence that all CFB employees have access to this procedure and that they had also been trained on this as described in CFB's response.

Title III REQUIREMENTS FOR DIFFERENT TYPES OF BENCHMARKS			
Article 26 Non-significant benchmarks			
BMR Ref	BMR Requirement	CFB's response	Assurance Provider's Testing
1.	An administrator may choose not to apply Articles 4(2), points (c), (d) and (e) of Article 4(7), Articles 4(8), 5(2), 5(3), 5(4), 6(1), 6(3), 6(5), 7(2), point (b) of Article 11(1), points (b) and (c) of Article 11(2), and Articles 11(3), 13(2), 14(2), 15(2), 16(2) and (3) with respect to its non-significant benchmarks.	The firm has chosen to apply all of the provisions of the regulations save for those applicable to Critical benchmarks.	<ul style="list-style-type: none"> This provision is not applicable as CFB has chosen not to apply any exemptions listed under this requirement except for Articles 15(2), 16(2) and (3) which are applicable for Contributors which are not relevant for CFB.
2.	An administrator shall immediately notify its competent authority when the administrator's non-significant benchmark exceeds the threshold mentioned in point (a) of Article 24(1). In that case, it shall comply with the requirements applicable to significant benchmarks within three months.	The firm maintains a log of the total outstanding notional that is tied to the firms benchmarks as defined in Article 24(1) and would notify the competent authority should the threshold be breached.	<ul style="list-style-type: none"> We obtained and reviewed CFB's Index Load and noted that it contains the details of monitoring the exposures of the relevant benchmarks they administer and can confirm currently that the firm is a non-significant benchmark administrator based on the thresholds in this Regulation.
3.	Where an administrator of a non-significant benchmark chooses not to apply one or more of the provisions referred to in paragraph 1, it shall publish and maintain a compliance statement which shall clearly state why it is appropriate for that administrator not to comply with those provisions. The administrator shall provide the compliance statement to its competent authority.	This is not applicable. The firm has not chosen to not apply one or more of the provisions referred to in paragraph 1.	This provision is not applicable as CFB has chosen not to apply any exemptions listed under this requirement.
4.	The relevant competent authority shall review the compliance statement referred to in paragraph 3 of this Article. The competent authority may also request additional information from the administrator in respect of its non-significant benchmarks in accordance with Article 41 and may require changes to ensure compliance with this Regulation.	This is not applicable. The relevant competent authority (UK FCA) has not made such a request.	This provision is not applicable as CFB has chosen not to apply any exemptions listed under this requirement.

Article 26 Non-significant benchmarks			
BMR Ref	BMR Requirement	CFB's response	Assurance Provider's Testing
5.	ESMA shall develop draft implementing technical standards to develop a template for the compliance statement referred to in paragraph 3. ESMA shall submit the draft implementing technical standards referred to in the first subparagraph to the Commission by 1 April 2017. Power is conferred to the Commission to adopt the implementing technical standards referred to in the first subparagraph in accordance with Article 15 of Regulation (EU) No 1095/2010.	This is not applicable. The firm has not chosen to not apply one or more of the provisions referred to in paragraph 1.	This provision is not applicable as CFB has chosen not to apply any exemptions listed under this requirement.

Title IV TRANSPARENCY AND CONSUMER PROTECTION			
Article 27 Benchmark statement			
BMR Ref	BMR Requirement	CFB's response	Assurance Provider's Testing
1.	<p>An administrator shall publish, together with the benchmark statement referred to in Article 27, a procedure concerning the actions to be taken by the administrator in the event of changes to or the cessation of a benchmark which may be used in the Union accordance with Article 29(1). The procedure may be drafted, where applicable, for families of benchmarks and shall be updated and published whenever a material change occurs.</p> <p>Where that administrator begins providing a new benchmark or family of benchmarks that may be used in the Union in accordance with Article 29, the administrator shall publish, within two weeks and by means that ensure a fair and easy access, a benchmark statement for each new benchmark or, where applicable, family of benchmarks.</p> <p>The administrator shall review and, where necessary, update the benchmark statement for each benchmark or family of benchmarks in the event of any changes to the information to be provided under this Article and at least every two years.</p> <p>The benchmark statement shall:</p>	<p>The firm publishes Benchmark Statements for each of its benchmark families on its website. The Benchmark Statements include:</p> <p>(a) sections that describe the firms procedures in the case of cessation of a benchmark;</p> <p>(b) sections that describe the underlying economic reality the benchmark seeks to measure</p> <p>(c) sections which describe scenarios in which the integrity of the benchmark may be impacted and the manner in which changes to the methodology or cessation of the benchmark would be conducted and further advises that such changes or cessation could have an impact upon the financial contracts and instruments that reference the benchmarks.</p> <p>The statements make clear that the firm does not exercise discretion in its day to day calculation of the benchmarks and lays out details of circumstances in which it may do so and references the codified policies by which this Expert Judgement is to be exercised and evaluated.</p>	<ul style="list-style-type: none"> We obtained and reviewed the benchmark statement for both benchmark families and can confirm that they are published on CFB's website and that they highlight the procedure regarding any changes to or cessation of the benchmark with detailed procedures available upon request.
1(a).	(a) clearly and unambiguously define the market or economic reality measured by the benchmark and the circumstances in which such measurement may become unreliable;		<ul style="list-style-type: none"> We obtained and reviewed the following benchmark statements also available on the website: <ul style="list-style-type: none"> (a) CME-CF Benchmark Statement (b) CF Benchmark Statement
1(b).	(b) lay down technical specifications that clearly and unambiguously identify the elements of the calculation of the benchmark in relation to which discretion may be exercised, the criteria applicable to the exercise of such discretion and the position of the persons that can exercise discretion, and how such discretion may be subsequently evaluated;		<p>We can confirm that they cover the requirements under this Regulation Article 27(1)(a)-27(2)(g).</p>

Article 27 Benchmark statement			
BMR Ref	BMR Requirement	CFB's response	Assurance Provider's Testing
1(c).	(c) provide notice of the possibility that factors, including external factors beyond the control of the administrator, may necessitate changes to, or the cessation of, the benchmark; and		
1(d).	(d) advise users that changes to, or the cessation of, the benchmark may have an impact upon the financial contracts and financial instruments that reference the benchmark or the measurement of the performance of investment funds.		
2.	A benchmark statement shall contain at least:	Please see responses below.	
2(a).	(a) the definitions for all key terms relating to the benchmark;	<p>The firm publishes Benchmark Statements for each of its benchmark families on its website, The Benchmark Statements include sections that describe:</p> <p>(a) the underlying economic reality the benchmark seeks to measure;</p> <p>(b) the benchmark aims;</p> <p>(c) the methodology and include references to the public methodologies that describe the input data, the minimum data required to determine the benchmark</p> <p>(d) the oversight that the benchmark is subject to;</p> <p>(e) frequency and timing of publication;</p> <p>(f) republishing policy; and</p> <p>(g) the use of Expert Judgement;</p> <p>(h) procedures in relation to the review and approval of the methodology.</p> <p>The firm's benchmarks are calculated using publicly available input data only and do not utilise the any models or methods of extrapolation nor utilise contributed input data. Furthermore the firm's benchmarks do not contain more than one constituent and as such there is no rebalancing procedure so this element is also not applicable.</p> <p>The statements make clear that the firm does not exercise discretion in its day to day calculation of the benchmarks and lays out</p>	
2(b).	(b) the rationale for adopting the benchmark methodology and procedures for the review and approval of the methodology;		
2(c).	(c) the criteria and procedures used to determine the benchmark, including a description of the input data, the priority given to different types of input data, the minimum data needed to determine a benchmark, the use of any models or methods of extrapolation and any procedure for rebalancing the constituents of a benchmark's index;		
2(d).	(d) the controls and rules that govern any exercise of judgement or discretion by the administrator or any contributors, to ensure consistency in the use of such judgement or discretion;		

Article 27 Benchmark statement			
BMR Ref	BMR Requirement	CFB's response	Assurance Provider's Testing
		details of circumstances in which it may do so and references the codified policies by which this Expert Judgement is to be exercised and evaluated.	
2(e).	(e) the procedures which govern the determination of the benchmark in periods of stress or periods where transaction data sources may be insufficient, inaccurate or unreliable and the potential limitations of the benchmark in such periods;	The firms Benchmark Statements are published on its website including sections related to the Use of the Benchmark. The public methodologies have codified provisions for calculation failure where input data is insufficient for calculating the benchmarks.	
2(f).	(f) the procedures for dealing with errors in input data or in the determination of the benchmark, including when a re-determination of the benchmark is required; and	The firm publishes Benchmark Statements for each of its benchmark families on its website. The statements includes a section that describes its republishing policy.	
2(g).	(g) the identification of potential limitations of the benchmark, including its operation in illiquid or fragmented markets and the possible concentration of inputs.	The firms Benchmark Statements are published on its website including sections related to the Use of the Benchmark which describes the circumstances where the benchmark may become unavailable. The public methodologies have codified provisions for calculation failure where input data is insufficient for calculating the benchmarks.	
3.	ESMA shall develop draft regulatory technical standards to specify further the contents of a benchmark statement and the cases in which an update of such statement is required. ESMA shall distinguish between the different types of benchmarks and sectors as set out in this Regulation and shall take into account the principle of proportionality. ESMA shall submit those draft regulatory technical standards to the Commission by 1 April 2017. Power is delegated to the Commission to adopt the regulatory technical standards referred to in the first subparagraph in accordance with the procedure laid down in Articles 10 to 14 of Regulation (EU) No 1095/2010.	Please see responses below.	Please see response below.
RTS 2018/1643 Article 1 1.	The benchmark statement shall state:	Please see responses below.	<ul style="list-style-type: none"> We obtained and reviewed the following benchmark statements also available on the website: <ul style="list-style-type: none"> (a) CME-CF Benchmark Statement (b) CF Benchmark Statement

Article 27 Benchmark statement			
BMR Ref	BMR Requirement	CFB's response	Assurance Provider's Testing
RTS 2018/1643 Article 1 1(a).	(a) the date of publication of the statement and, where applicable, the date of its last update;	The firm publishes its benchmark statements on its website and these are clearly dated with version control and dates.	We can confirm that they cover the requirements under this RTS 1(a)-5.
RTS 2018/1643 Article 1 1(b).	(b) where available, the international securities identification number (ISIN) of the benchmark or benchmarks; alternatively, for a family of benchmarks, the statement may provide details of where the ISINs are publicly accessible free of charge;	The firm's benchmarks to date do not have ISINs so this section is not applicable.	
RTS 2018/1643 Article 1 1(c).	(c) whether the benchmark, or any benchmark in the family of benchmarks, is determined using contributions of input data;	This provision is not applicable. The firm's benchmarks do not utilise contributed data.	
RTS 2018/1643 Article 1 1(d).	(d) whether the benchmark or any benchmark in the family of benchmarks qualifies as one of the types of benchmarks listed under Title III of Regulation (EU) 2016/1011, including the specific provision by virtue of which the benchmark qualifies as that type.	This provision is not applicable. The firm's benchmarks are not Title III benchmarks.	
RTS 2018/1643 Article 1 2.	In defining the market or economic reality, the benchmark statement shall include at least the following information:	Please see responses below.	
RTS 2018/1643 Article 1 2(a).	(a) a general description of the market or economic reality;	The firm's benchmark statements that are published on its website include a section on the underlying economic reality that the benchmark seeks to measure.	
RTS 2018/1643 Article 1 2(b).	(b) the geographical boundaries, if any, of the market or economic reality;	This provision is not applicable as there are no geographical boundaries to the underlying markets that the benchmarks observe.	
RTS 2018/1643 Article 1 2(c).	(c) any other information that the administrator reasonably considers to be relevant or useful to help users or potential users of the benchmark to understand the relevant features of the market or economic reality, including at least the following elements insofar as reliable data on these elements is available:	This provision is not applicable. The firm's benchmarks fall within two families, the CME CF Cryptocurrency Pricing Products and the CF Cryptocurrency Index Family. Both these families are comprised of benchmarks that measure the value of Cryptocurrencies and digital assets relative to fiat currencies or other cryptocurrencies. .	

Article 27 Benchmark statement			
BMR Ref	BMR Requirement	CFB's response	Assurance Provider's Testing
	(i) information on actual or potential participants in the market; (ii) an indication of the size of the market or economic reality.		
RTS 2018/1643 Article 1 3.	In defining the potential limitations of the benchmark and the circumstances in which the measurement of the market or economic reality may become unreliable, the benchmark statement shall include at least:	Please see responses below.	
RTS 2018/1643 Article 1 3(a).	(a) a description of the circumstances in which the administrator would lack sufficient input data to determine the benchmark in accordance with the methodology;	The firm's Benchmark Statements are published on its website including sections related to the methodology which is also public. The methodologies have codified provisions for calculation failure where input data is insufficient for calculating the benchmarks.	
RTS 2018/1643 Article 1 3(b).	(b) where relevant, a description of instances when the accuracy and reliability of the methodology used for determining the benchmark can no longer be ensured, such as when the administrator deems the liquidity in the underlying market as insufficient;		
RTS 2018/1643 Article 1 3(c).	(c) any other information that the administrator reasonably considers to be relevant or useful to help users and potential users to understand the circumstances in which the measurement of the market or economic reality may become unreliable, including a description of what might constitute an exceptional market event.		
RTS 2018/1643 Article 1 4.	In specifying the controls and rules that govern any exercise of judgement or discretion by the administrator or any contributors in calculating the benchmark or benchmarks, the benchmark statement shall include an outline of each step of the process for any ex post evaluation of the use of discretion, together with a clear indication of the position of any person(s) responsible for carrying out the evaluations.	The firm publishes Benchmark Statements for each of its benchmark families on its website. The firm does not utilise contributed input data so this element is not applicable. The statements make clear that the firm does not exercise discretion in its day to day calculation of the benchmarks and lays out details of circumstances in which it may do so and references the codified policies by which this Expert Judgement is to be exercised and evaluated.	

Article 27 Benchmark statement			
BMR Ref	BMR Requirement	CFB's response	Assurance Provider's Testing
RTS 2018/1643 Article 1 5.	In specifying the procedures for review of the methodology, the benchmark statement shall at least outline the procedures for public consultation on any material changes to the methodology.	The firm's Benchmark Statement are published on its website including sections on Methodology Review including the procedures for consultation on any material changes to the methodology.	
RTS 2018/1643 Article 1 6.	Point (c) of paragraph 3, and paragraph 5, shall not apply to the benchmark statement: (a) for a significant benchmark; or (b) for a family of benchmarks that does not include any critical benchmarks and does not consist solely of non-significant benchmarks.	This provision is not applicable as the firm's benchmarks are all non-significant.	This provision is not applicable to CFB as they only administer non-significant benchmarks.
RTS 2018/1643 Article 1 7.	In the case of a benchmark statement for a non-significant benchmark or for a family of benchmarks that consists solely of non-significant benchmarks: (a) the following provisions of this Article shall not apply: (i) point (c) of paragraph 2; (ii) points (b) and (c) of paragraph 3, (iii) paragraphs 4 and 5; and (b) the requirements of points (a) and (b) of paragraph 2 may be satisfied alternatively by including a clear reference in the benchmark statement to a published document that includes the same information and is accessible free of charge.	CFB has chosen not to apply this exemption.	CFB has chosen not to apply this exemption.
RTS 2018/1643 Article 1 8.	Administrators may include additional information at the end of their benchmark statements provided that, if this is done by referring to a published document containing the information, the document shall be one that is accessible free of charge.	The published Benchmark Statement includes references to other publicly available documents.	<ul style="list-style-type: none"> We obtained and reviewed the published Benchmark Statement and can confirm that references are made to other publicly available documents.
RTS 2018/1643 Article 6	In addition to the cases referred to in the third subparagraph of Article 27(1) of Regulation (EU) 2016/1011, an update of the benchmark statement shall be required whenever the information contained in the statement ceases to be correct or sufficiently precise, and including in any event in the following cases: (a) whenever there is a change in the type of the benchmark; (b) whenever there is a material change in the methodology used for determining the benchmark or, if the	The published Benchmark Statement includes references to other publicly available documents.	<ul style="list-style-type: none"> We obtained and reviewed the published Benchmark Statement and noted the requirements to update the Benchmark Statement.

Article 27 Benchmark statement			
BMR Ref	BMR Requirement	CFB's response	Assurance Provider's Testing
	benchmark statement is for a family of benchmarks, in the methodology used for determining any benchmark within the family of benchmarks.		

Title IV TRANSPARENCY AND CONSUMER PROTECTION			
ARTICLE 28 Changes to and cessation of a benchmark			
BMR Ref	BMR Requirement	CFB's response	Assurance Provider's Testing
1.	An administrator shall publish, together with the benchmark statement referred to in Article 27, a procedure concerning the actions to be taken by the administrator in the event of changes to or the cessation of a benchmark which may be used in the Union in accordance with Article 29(1). The procedure may be drafted, where applicable, for families of benchmarks and shall be updated and published whenever a material change occurs.	Review, change and cessation provisions are also included in the public methodology and in the firms Benchmark Statements The detailed procedures concerning how this is carried out are codified in the firms Governance & Oversight Framework.	<ul style="list-style-type: none"> We obtained and reviewed the Benchmark Statement for both families and can confirm that the procedures as required under this Regulation is documented accordingly and are published on their website. We obtained and reviewed the Governance and Oversight Framework and noted the detailed procedures regarding changes and cessation of the benchmark.
2.	Supervised entities other than an administrator as referred to in paragraph 1 that use a benchmark shall produce and maintain robust written plans setting out the actions that they would take in the event that a benchmark materially changes or ceases to be provided. Where feasible and appropriate, such plans shall nominate one or several alternative benchmarks that could be referenced to substitute the benchmarks no longer provided, indicating why such benchmarks would be suitable alternatives. The supervised entities shall, upon request, provide the relevant competent authority with those plans and any updates and shall reflect them in the contractual relationship with clients.	This is not applicable as the firm is solely dedicated to the provision of benchmarks. It does not utilise benchmarks.	This provision is not applicable to CFB.