

Summary of Meeting Conclusions

Summary of conclusions from the Nibor Oversight Committee (NOC) 21 September 2022 meeting

Participants

Egil Sjursen (chair)
Aksel Mjøs, Norges Handelshøyskole (deputy chair)
Tore Waseng, SEB
Kyrre Aamdal, DNB Bank
Ottar Strompdal, Nordea Bank
Dag Olav Uddu

Excused:

Hallvard Mørck, NHO

Adoption of the meeting agenda

The committee adopted the meeting agenda, and the members declared no potential conflict of interest.

Conclusions from the NOC meeting 8 June 2022

The committee had no additional comments to the meeting conclusions from the 8 June 2022 meeting.

Conclusions from last meetings in Nibor Advisory Committee

NOC took note of the conclusions from the last NAC meetings.

Replacement and reappointments of NOC members

NOC took note of Mjøs' wish to resign from the committee and supported the suggested candidate from academia to replace Mjøs as member in NOC.

With the exemption of Mjøs, all members reaffirmed that they are willing to be reappointed for a period of two years.

The administration was asked to assess a possible contradiction in the provisions governing the term of NOC membership.

Periodic reporting

a) NoRe Compliance Officer

The new quarterly report is meant to make the Compliance function's reporting more efficient and to make it easier to follow up on the Compliance Officer's activity.

b) Calculation Agent

The attached report from GRSS is the periodic report which previously have been

addressed as a separate agenda item in the NOC meetings.

NOC took note of the quarterly reporting from the NoRe Compliance Officer and the calculation agent.

Financial Sustainability

On an annually basis NOC receives updates on the financial status of NoRe and the calculation agent GRSS.

NOC took note of the information provided. The administration will come back to the committee with a broader analysis of financial robustness over a somewhat longer time period.

Amendments to the agreement with GRSS

NOC took note of the information about the amendments considered in the agreement with GRSS and raised no objections.

When the agreement is final, the administration will make a copy of the agreement available for NOC members.

External BMR audit NoRe 2022

NOC took note of the report from EY on NoRe's compliance with the benchmark methodology and the BMR.

Outside the report, NOC expressed that the administration should assess the possibilities of making NoRe's BMR compliance process more efficient. The administration should also assess potential challenges following the use of an external auditor which is also auditing other administrators using the same technical solution as NoRe.

Nibor – Developments since last meeting

The administration gave an update on the developments in financial markets, Nibor and the Nibor submissions since the last committee meeting

NOC concluded that the development of Nibor seemed to reflect the underlying market.

Analysis of year-end effects on Nibor

NOC took note of the information about the analysis of year-end effects on Nibor. No further analysis on the topic is needed now.

Analysis of potential inside information situations

NOC took note of the information provided and the administration's assessment. NOC asked the administration to look into how the current framework governs a situation where NoRe gets access

to information not asked for containing inside information and whether there is a need to include new or added routines.

Panel Bank Code of Conduct – Revised version in force 01.10.2022

NOC took note of the status regarding the revised Code of Conduct applying as from 01.10.2022.

Revision of Automated checks of Panel Bank Nibor Contributions (“flagging”)

The administration referred to the need for revision of the automatic checks of the panel banks’ Nibor contributions due to the current market conditions characterized by rising interest rate levels and uncertainty. NOC took note of the administration’s assessment and gave its support to the presented solution.

Assessment of EU Regulatory Technical Standards adopted in 2021

NOC took note of the administration’s assessment of implications for the Nibor Framework following the adoption of the new EU Regulatory Technical Standards, which still are to be included in the EEA Agreement and Norwegian legislation.

Nibor Control and Accountability Framework – Proposal for update

The NoRe control framework is designed to ensure the integrity, accuracy and reliability of Nibor. The document «Nibor Control and Accountability Framework», which provides an overview of NoRe’s framework on the area, must be updated to reflect the recognition of Nibor as a critical benchmark and the new RTS’ which are to be included in the EEA Agreement.

NOC approved the version 1.1 of the Nibor Control and Accountability Framework as suggested by the administration and attached the background note.

Nibor Oversight Committee Rules and Procedures – Proposal for update

The document “Nibor Oversight Committee Rules and Procedures” defines rules and procedures related to the operational functioning of the Committee. NOC was informed about the need to update Nibor Oversight Committee Rules and Procedures to reflect the recognition of Nibor as a critical benchmark and the recent amendments to the Nibor Panel Bank Code of Conduct.

NOC approved the version 1.1 of the Nibor Oversight Committee Procedures as suggested by the administration and attached the background note.

Yearly review – Preparations

NOC will start its yearly review of the Nibor framework in its meeting 14 December 2022, with the aim of finalizing the review in the first meeting in 2023.

Other ongoing processes

a) Supervision 29.09.2022

NOC was informed that Finanstilsynet will conduct an on-site supervision of NoRe 29.09.2022. As chair of NOC, Finanstilsynet has asked for Sjursen to participate in the

supervision.

b) Training program for panel banks

NOC was informed that the training programs offered last year was well received by the panel banks. NoRe will this autumn offer training sessions for panel banks in the form of an half-day update to regulations and policies 27 September and 5 October, and a full-day training session 28 September.

c) Daily reporting

NOC was informed that GRSS' technical solution for panel banks' daily reporting seems to work well. The solution makes it easier for NoRe to carry out analyses and has been received well by the panel banks.

d) Public regulation (BMR etc.)

With reference to the information presented in the background documentation NOC was informed that there is little news on public regulation regarding BMR.

ESMA has carried out a consultation on an RTS affecting third country administrators. In the consultation paper ESMA informs that it will in a later consultation come back on similar changes in the rules for administrators within EU/EEA.

e) Nibor licensing model 2023

NOC was informed that the NoRe Board has adopted a new Nibor price model for 2023. The existing price model was introduced in 2020. The new prices must be notified to the market by the end of September.

f) New NoRe domain for web and email – October 2022

NOC was briefed on NoRe' s new domain for web and email from 12 October 2022. At the same time, a new NoRe logo will be introduced.

The NoRe web page will be modernized but the content will mainly remain unchanged. Users of data from the web page will have to register to get access to data.

NOC took note of information provided under other ongoing processes.

Meeting Schedule

NOC decided to have its third regular meeting in 2023 on 20 September.

AOB

No issues were raised.