



ICE Benchmark Administration

Licensing and Distribution FAQs

LBMA Gold Price and LBMA Silver Price Benchmarks

Version 1.2 (March 2018)

CONTENTS

1. [General FAQs](#)
2. [FAQs for Usage Licences](#)
3. [FAQs for Redistributors/Vendors](#)
4. [FAQs for Trading/Clearing Licences](#)
5. [FAQs for ETP Issuer Licences](#)
6. [Technical Access FAQs](#)

1. GENERAL FAQs

What is the purpose of this document?

This FAQ document provides information on two precious metals benchmarks administered by ICE Benchmark Administration (IBA): the LBMA Gold Price and the LBMA Silver Price, including information on licensing arrangements and data distribution.

What is changing?

IBA became the administrator for the LBMA Gold Price in March 2015 and for the LBMA Silver Price in October 2017. This document sets out the licensing arrangements for LBMA Gold Price and LBMA Silver Price that are effective from 1 April 2018.

Do I need a licence with IBA?

A licence is required by any party that: is involved in the use of the LBMA Gold Price or Silver Price as a data input or reference rate for valuation, transactional, or benchmarking purposes; offers exchange traded products (ETPs) where the LBMA Gold Price or LBMA Silver Price serves as, or part of, the reference; redistributes the LBMA Gold Price or LBMA Silver Price to third parties; and/or offers contracts for trading or clearing that reference the LBMA Gold Price or LBMA Silver Price.

Which licence do I require?

A Usage Licence is required for any party that:

- Uses the LBMA Gold Price or LBMA Silver Price in valuation and/or pricing activities, including (but not limited to):
 - Collateral calculations
 - Interest rate fixings
 - Portfolio valuations
 - Contract pricing
 - Asset valuations
 - Loan servicing
 - Pricing curves
 - Discounting curves
 - Valuation of holdings or inventories
- Uses the LBMA Gold Price or LBMA Silver Price as a reference rate in transactions and/or the marketing or sale of financial products including (but not limited to):
 - Deposit-gathering
 - Commercial lending

- Securities offerings
- Rate or foreign exchange trading
- Loan syndications and originations
- Structured finance offerings
- Annuity products
- Commercial contracts

but excluding exchange traded products (ETPs) such as ETFs that are covered by an ETP Issuer Licence

- Uses the LBMA Gold Price or LBMA Silver Price on a real-time or intraday basis to value transactions and/or as input data for enterprise applications or systems.

See section 2 of this document for more information about the Usage Licence.

A Redistribution Licence is required for any party that redistributes the LBMA Gold Price or LBMA Silver Price to third parties, either real-time, intraday or delayed.

See section 3 of this document for more information about the Redistribution Licence.

A Trading/Clearing Licence is required for any party that offers trading/clearing of financial contracts, for example futures or options, for which the LBMA Gold Price or LBMA Silver Price is the underlying reference.

See section 4 of this document for more information about the Trading/Clearing Licence.

An ETP Issuer Licence is required for the issuance of exchange traded products (ETPs), such as an exchange traded fund (ETF), where the LBMA Gold Price AM, LBMA Gold Price PM or LBMA Silver Price serves as, or part of, the underlying reference.

See section 5 of this document for more information about the ETP Issuer Licence.

Will I need more than one licence if I am engaged in multiple applications or uses of the LBMA Gold Price/LBMA Silver Price?

Clients may require more than one type of licence per benchmark. However IBA will only invoice the licence fee for the licence with the highest fee, and will waive the fee(s) for the licence(s) with lower fee(s) where the licences relate to the same benchmark.

How can I sign up for a licence?

An on-line wizard is available to help you apply for the appropriate licence:

<http://iba.theice.com/licenses>

How can I access the LBMA Gold Price/LBMA Silver Price information?

LBMA Gold Price and LBMA Silver Price data can be accessed from one of the following sources:

- Authorised market data vendors. A list of licensed real-time redistributors can be found on our website: www.theice.com/iba/licensing. Data is available in either real-time, intraday (4 hours after original publication time) or delayed (midnight London time).
- WebICE. Customers can request view only access to WebICE. This allows customers who aren't direct participants to view the auction in real-time.
- Public websites. A number of publicly available websites provide the LBMA Gold Price and LBMA Silver Price. Data on publicly available websites will be delayed to midnight London time.
- Direct from ICE's secure MFT service. Only available to data vendors and redistributors. Please contact the ICE Benchmark Administration licensing team to discuss accessing the MFT service.

How can I get set up to access the LBMA Gold Price or LBMA Silver Price through WebICE?

Customers that already have access to WebICE should submit a request through their WebICE administrator. Customers that do not already have access to WebICE should contact data@theice.com to put the applicable WebICE agreement in place.

I receive the LBMA Gold Price/LBMA Silver Price information from a third party, how does this impact me?

Third party market data vendors may offer two subscribable data services: real-time information and intraday information (4 hours after original publication time). Users that do not subscribe to either real-time or intraday will see the LBMA Gold Price/LBMA Silver Price delayed to midnight London time.

Clients who subscribe to live, real-time LBMA Gold Price/LBMA Silver Price information from a market data vendor/redistributor may be required to pay end user fees, in addition to any applicable Usage Licence fees. These fees will be collected by your market data vendor and remitted to ICE. ICE Benchmark Administration recommends a fee of \$25 per user per month for LBMA Gold Price and \$20 per user per month for LBMA Silver Price. Clients should check with their market data vendor as to the applicable fee. End user fees will not apply to intraday or delayed data. LBMA Gold Price and LBMA Silver Price data displayed on public websites will be delayed to midnight London time.

What time are the LBMA Gold Price and LBMA Silver Price published?

The following table shows the time at which the LBMA Gold Price and LBMA Silver Price are published along with the times at which it is available to users of real-time, intraday and delayed data. All times are London time.

	Real-Time	Intraday	Delayed
LBMA Gold Price AM	10:30	14:30	00:00 T+1
LBMA Gold Price PM	15:00	19:00	00:00 T+1
LBMA Silver Price	12:00	16:00	00:00 T+1

Note that in practice the real-time benchmark value is published at the end of an auction process which starts at the time shown above. If the gold AM auction takes 4 minutes to complete then the benchmark will be published at 10:34.

How can I access historical LBMA Gold Price values?

Historical LBMA Gold Price data is available on the ICE Benchmark Administration website (<https://www.theice.com/marketdata/reports/178>), with historical rates going back to January 1, 1968. Historical LBMA Gold Price data is also available from some market data vendors. There are no licensing requirements or fees for retrieving this historical data.

How can I access historical LBMA Silver Price values?

Limited historical LBMA Silver Price data is available on the ICE Benchmark Administration website (<https://www.theice.com/marketdata/reports/206>), with historical rates going back to when IBA became administrator of the benchmark. More extensive historical LBMA Silver Price data is available from some market data vendors. There are no licensing requirements or fees for retrieving this historical data.

I previously had a licence with the Gold Fixing Company, how do these changes impact me?

All previously existing licences with the Gold Fixing Company terminated at close of business of March 19, 2015 and customers will need to re-license with IBA.

I previously had a licence with Thomson Reuters for LBMA Silver Price, how do these changes impact me?

All previously existing LBMA Silver Price licences with Thomson Reuters terminated on transition to IBA, customers will therefore need to re-license with IBA.

What name should be used for the benchmark in documentation?

The official registered names of the benchmarks are “LBMA Gold Price” and “LBMA Silver Price”. Documentation that specifically refers to the LBMA Gold Price published at 10:30am London time should be updated to refer to “LBMA Gold Price AM”.

Documentation that specifically refers to the LBMA Gold Price published at 3:00pm London time should be updated to refer to “LBMA Gold Price PM”.

Documentation that specifically refers to the LBMA Silver Price published at 12:00pm London time should be updated to refer to “LBMA Silver Price”.

Who should I contact in case I have further questions about licensing or technical access to rates?

Please feel free to contact the ICE Benchmark Administration licensing team as follows:

Telephone: +44 (0) 20 3540 7200 (UK) or +1 (347) 252 6465 (US)

Email: iba-licensing@theice.com

2. FAQs for Usage Licences

Does my usage of the LBMA Gold Price or LBMA Silver Price require me to obtain a Usage Licence?

A Usage Licence is required for any party that:

- Uses the LBMA Gold Price or LBMA Silver Price in valuation and/or pricing activities, including (but not limited to):
 - Collateral calculations
 - Interest rate fixings
 - Portfolio valuations
 - Contract pricing
 - Asset valuations
 - Loan servicing
 - Pricing curves
 - Discounting curves
 - Valuation of holdings or inventories
- Uses the LBMA Gold Price or LBMA Silver Price as a reference rate in transactions and/or the marketing or sale of financial products including (but not limited to):
 - Deposit-gathering
 - Commercial lending
 - Securities offerings
 - Rate or foreign exchange trading
 - Loan syndications and originations
 - Structured finance offerings
 - Annuity products
 - Commercial contractsbut excluding exchange traded products (ETPs) such as ETFs that are covered by an ETP Issuer Licence
- Uses the LBMA Gold Price or LBMA Silver Price on a real-time or intraday basis to value transactions and/or as input data for enterprise applications or systems.

Will I need to purchase multiple licences if I engage in various uses or applications of the LBMA Gold Price/LBMA Silver Price?

A single Usage Licence will cover all uses of the LBMA Gold Price/LBMA Silver Price listed above within an organisation, including all group affiliates and/or holding companies. Separate licence fees apply to the gold and silver benchmarks.

What legal agreement will I be required to sign?

The client is required to sign the Master Licence Agreement. This is available on our website: www.theice.com/iba. Schedule J contains specific terms concerning the Usage Licence for the LBMA Precious Metals Benchmarks.

Will the licence cover other entities in my company group?

The licence can cover any subsidiary, holding company or subsidiary of such holding company. Clients are required to provide to ICE Benchmark Administration a full list of entities that are to be covered by the licence, and to refresh this list on an annual basis.

How much does this Usage Licence cost?

Annual licence fees are as follows:

	<u>LBMA Gold Price</u>	<u>LBMA Silver Price</u>
Financial Institution	\$20,000	\$10,000
Non-Financial Institution	\$5,000	\$2,500
Central Bank	\$10,000	\$5,000

Usage Licence fees are waived for direct participants in the corresponding auction process used to set the benchmark price.

What do you mean by Financial and Non-Financial Institutions?

Fees for the Usage Licence vary according to whether an entity is considered to be a 'financial' or 'non-financial' institution. For the purposes of the licensing Price, a financial institution means an

undertaking, the principal activity of which is to acquire holdings or to carry out one or more of the following activities:

- Lending including, inter alia: consumer credit, mortgage credit, factoring, with or without recourse, financing of commercial transactions (including forfeiting)
- Financial leasing
- Money transmission services
- Issuing and administering means of payment (e.g. credit cards, travellers' cheques and bankers' drafts)
- Guarantees and commitments
- Trading for own account or for account of customers in:
 - money market instruments (cheques, bills, certificates of deposit, etc.);
 - foreign exchange;
 - financial futures and options;
 - exchange and interest rate instruments; or
 - transferable securities.
- Participation in securities issues and the provision of services related to such issues
- Advice to undertakings on capital structure, industrial strategy and related questions and advice as well as services relating to mergers and the purchase of undertakings
- Money broking
- Portfolio management and advice
- Safekeeping and administration of securities
- Issuing electronic money.

This definition is based on UK law (paragraph 5(c) of Schedule 3 to the Financial Services and Markets Act 2000 and article 4 of the Banking Consolidation Directive) and is used solely for the purposes of defining Usage Licence fee levels. For the avoidance of doubt, IBA is not seeking to categorise users as financial or non-financial institutions for any purpose other than defining these fee levels.

Do I still need to pay end user fees if I have a Usage Licence in place?

If you receive real-time data from a third party redistributor or through WebICE for viewing purposes, or for non-display activities not covered by the Usage Licence criteria, then end user fees will apply.

Can I publish the LBMA Gold Price/LBMA Silver Price to my clients?

Usage Licence holders are permitted to provide the LBMA Gold Price/LBMA Silver Price information to clients only in the ordinary course of business of providing pricing/valuation services or referencing the LBMA Gold Price/LBMA Silver Price in transactions and financial products. Providing a specific LBMA Gold Price/LBMA Silver Price in a valuation report or communicating to a contract counterparty are examples of limited distribution of rates that would be acceptable under the Usage Licence. Displaying the LBMA Gold Price/LBMA Silver Price daily on a trading screen, website or any other market data service would require a separate Redistribution Licence.

3. FAQs for Redistributors/Vendors

What licence do I require to redistribute the LBMA Precious Metals Benchmarks to my clients?

Any party that wishes to redistribute the LBMA Precious Metals Benchmarks information to third parties is required to sign the ICE Data Quote Vendor Agreement.

How much does this redistribution licence cost?

Annual licence fees for redistribution of LBMA Precious Metals Benchmark data are as follows:

	<u>LBMA Gold Price</u>	<u>LBMA Silver Price</u>
Real-Time	\$20,000	\$20,000
Intraday	\$15,000	\$15,000
Delayed *	\$5,000	\$5,000

(* waived for delayed data display on a public website)

The redistribution licence fees per benchmark are not cumulative. For example, a redistributor paying \$20,000 to distribute real-time LBMA Gold Price data does not need to pay additional licence fees to distribute intraday or delayed LBMA Gold Price data.

Will the licence cover other entities in my company group?

The redistribution licence will allow distribution to third parties by any subsidiary, holding company or subsidiary of such holding company. Clients are required to provide to ICE Data a full list of entities that will be redistributing the LBMA Gold Price/LBMA Silver Price data externally.

Will there be end user fees?

For real-time data, redistributors/vendors must remit to ICE end user fees of \$25 per user per month for each user with access to the LBMA Gold Price information and \$20 per user per month for each user with access to the LBMA Silver Price information. End user fees will not apply to intraday or delayed data.

Will end user fees apply to all of my clients?

End user fees will apply to all end users who receive real-time LBMA Gold Price/LBMA Silver Price data.

Are there any additional agreements that my clients need to sign?

If a client participates in the following activities, it will need to obtain a Usage Licence:

- Uses the LBMA Gold Price or LBMA Silver Price in valuation and/or pricing activities, including (but not limited to):
 - Collateral calculations
 - Interest rate fixings
 - Portfolio valuations
 - Contract pricing
 - Asset valuations
 - Loan servicing
 - Pricing curves
 - Discounting curves
 - Valuation of holdings or inventories
- Uses the LBMA Gold Price or LBMA Silver Price as a reference rate in transactions and/or the marketing or sale of financial products including (but not limited to):
 - Deposit-gathering
 - Commercial lending
 - Securities offerings
 - Rate or foreign exchange trading
 - Loan syndications and originations
 - Structured finance offerings
 - Annuity products
 - Commercial contracts

but excluding exchange traded products (ETPs) such as ETFs that are covered by an ETP Issuer Licence

- Uses the LBMA Gold Price or LBMA Silver Price on a real-time or intraday basis to value transactions and/or as input data for enterprise applications or systems.

Do I need to ensure my clients have entered into a Usage Licence before providing them with data?

No. We do however require redistributors to ensure that subscribers to the LBMA Gold Price/LBMA Silver Price data are informed of the activities that require a Usage Licence. In certain circumstances we may ask the redistributor to cease supplying real-time or intraday data to a client, for example in a licence dispute. Additionally redistributors are required to report to ICE Data all end users who are receiving real-time data.

Are there any restrictions on providing historical LBMA Gold Price/LBMA Silver Price information to my clients?

There are no restrictions on providing historical data to clients.

Can I publish the LBMA Gold Price and LBMA Silver Price on a public website?

Live (real-time) or intraday LBMA Gold Price/LBMA Silver Price information cannot be displayed on a public website, instead users must be set up with a username/password and end user fees will apply to each user who has access to real-time information. Delayed information (delayed to midnight London time) can be displayed on a public website without password control or reporting. Any client displaying delayed rates on a public website will be required to enter into a Public Display Agreement with ICE Data. The fees for displaying delayed LBMA Gold Price/LBMA Silver Price data on a public website are waived.

Can I use the LBMA Gold Price/LBMA Silver Price in editorial stories?

Any use of the information in editorial stories that a client could reasonably use a substitute to subscribing to real-time prices is not allowed. The following are examples of editorial use that would not be permitted:

- A twice-daily news story which includes the current LBMA Gold Price, published around the time of the benchmark publication
- Alerts/headlines providing LBMA Silver Price to subscribers

Reference to the benchmark value in the context of a written story is allowed. For example, "today's LBMA Gold Price increased \$2 to \$1234".

What is the derived data policy?

If, in ICE's sole discretion, it is possible for any person to readily obtain or discern the original LBMA Gold Price/LBMA Silver Price information from the derived data (whether by reverse engineering, calculation, translation or otherwise), or where the derived data is used as a substitute for subscribing to the LBMA Gold Price/LBMA Silver Price information, then this derived data is subject to end user fees.

What is the non-display policy?

There is no specific non-display policy. A non-display device (or application) that is consuming the LBMA Gold Price/LBMA Silver Price information is counted as a single reportable user.

How do I update my existing ICE Data Quote Vendor Agreement to include the LBMA Precious Metals Benchmark data?

Market data vendors should contact ICE Data who will be able to confirm the current version of your agreement and assist with any updates, they can be reached on qv_commercial@theice.com or +44 20 7065 7778.

How do I report usage?

All reports must be submitted to ICE Data LLP via VARS (Vendor Automated Reporting System), on or before the 20th day of each calendar month following the month to which the report pertains. Full reporting guidelines are provided in Schedule 6 of the ICE Data Quote Vendor Agreement.

How can I access the LBMA Gold Price?

See section 5 of this document.

4. FAQs for Trading/Clearing Venue Licences

Do I require a Trading/Clearing Venue Licence?

A Trading/Clearing Venue Licence is required for any party that operates a trading/clearing venue, for example a futures exchange, offering financial contracts for which the LBMA Gold Price/LBMA Silver Price is the underlying reference, for example cash-settled gold/silver futures and options.

What legal agreement will I be required to sign?

The trading/clearing venue operator is required to sign the Master Licence Agreement and Schedule L which contains specific terms concerning the Trading/Clearing Venue Licence. This will be provided to clients on request.

How much does this Trading/Clearing Venue Licence cost?

Please contact ICE Benchmark Administration for further details about the Trading/Clearing licence, including pricing.

5. FAQs for ETP Issuer Licences

Do I require an ETP Issuer Licence?

An ETP Issuer Licence is required by any party that offers exchange traded products (ETPs), such as an exchange traded fund (ETF), where the LBMA Gold Price AM, LBMA Gold Price PM or LBMA Silver Price serves as, or part of, the underlying reference.

What legal agreement will I be required to sign?

The ETP issuer is required to sign the Master Licence Agreement and Schedule M which contains specific terms concerning the ETP Issuer Licence. This will be provided to clients on request.

How much does this ETP Issuer Licence cost?

Please contact ICE Benchmark Administration for further details about the ETP Issuer Licence, including pricing.

6. Technical Access FAQs

LBMA Gold Price and LBMA Silver Price data can be accessed from one of the following sources:

- **Authorised market data vendors**. A list of licensed real-time redistributors can be found on our website: www.theice.com/iba/licensing. Data is available in either real-time, intraday (4 hours after original publication time) or delayed (midnight London time).
- **WebICE**. Customers can request view only access to WebICE. This allows customers who aren't direct participants to view the auction in real-time.
- **Public websites**. A number of publicly available websites provide the LBMA Gold Price and LBMA Silver Price. Data on publicly available websites will be delayed to midnight London time.
- **Direct from ICE's secure MFT service**. Only available to data vendors and redistributors. Please contact the ICE Benchmark Administration licensing team to discuss accessing the MFT service.

What format is the MFT service data provided in?

LBMA Gold Price/LBMA Silver Price information retrieved from the MFT service will be presented in files formatted in FIXML. Sample files are available on our website: www.theice.com/iba.

How can I easily read the contents of the FIXML files?

Clients may find it easier to view the contents of the FIXML file using Microsoft Excel to tabulate the data into headed columns. To do this, save the file to your computer, then drag and drop the file onto an open Microsoft Excel window and select 'As an XML table' when presented with the 'Open XML' dialogue box (you may need to click 'OK' again if asked whether to create a schema based on the XML source data).

What is MFT and how do I get set up?

MFT (Managed File Transfer) is similar to FTP (File Transfer Protocol) but with an added layer of security. Authentication for the MFT server is SSH key based. Clients are required to generate an SSH key pair and supply ICE Benchmark Administration with the public key while retaining their private key. Clients are also requested to provide us with an IP address to add to a 'White List'. Only registered client source IP addresses will be able to access MFT. Contact iba-licensing@theice.com for further information.

How do I set up SSH keys?

SSH keys can be created using an SSH Client, for example, OpenSSH, Cygwin, PuTTY or Commercial SSH. The ICE Benchmark Administration licensing team can help you through this process: iba-licensing@theice.com.

When are the benchmarks published?

The benchmarks are published at the end of the daily auctions that start at the following times:

LBMA Gold Price AM	10:30 LDN
LBMA Gold Price PM	15:00 LDN
LBMA Silver Price	12:00 LDN

(LDN: London time)

© 2018 Intercontinental Exchange, Inc. The information and materials contained in this document - including text, graphics, links or other items - are provided "as is" and "as available." ICE and its subsidiaries do not warrant the accuracy, adequacy or completeness of this information and materials and expressly disclaims liability for errors or omissions in this information and materials. This document is provided for information purposes only and in no way constitutes investment advice or a solicitation to purchase investments or market data or otherwise engage in any investment activity. No warranty of any kind, implied, express or statutory, is given in conjunction with the information and materials. The information in this document is liable to change and ICE undertakes no duty to update such information. You should not rely on any information contained in this document without first checking that it is correct and up to date. The content of this document is proprietary to ICE in every respect and is protected by copyright. No part of this material may be copied, photocopied or duplicated in any form by any means or redistributed without the prior written consent of ICE. All third party trademarks are owned by their respective owners and are used with permission. This material may contain forward-looking statements that are based on current beliefs and expectations are subject to significant risks and uncertainties, and which may differ from actual results.