



ICE DATA INDICES, LLC

COMPLAINTS POLICY

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1. OVERVIEW

This Complaints Policy (the “Policy”)¹ sets out the process by which Stakeholders may submit complaints. This Policy shall be published on IDI’s website <http://www.ice.com/market-data/indices/regulation>.

Terms used but not defined in this document have the meanings given to them in the IOSCO Principles or applicable IDI or ICE policy.

2. ELIGIBLE COMPLAINTS

An “Eligible Complaint” for the purposes of this Policy is defined as any complaint received from any person, which may include individual consumers, federal, state or foreign regulatory or enforcement bodies, or legal entities, which expresses dissatisfaction about the provision of, or failure to provide, the Benchmark administration service and may, for example, concern:

- whether a specific Benchmark determination is representative of the underlying Interest it seeks to measure;
- whether it is alleged that a Benchmark or a family of Benchmarks have been manipulated;
- a proposed change to the Benchmark determination process;
- applications of the Methodology in relation to a specific Benchmark determination(s);
- other Administrator decisions in relation to a Benchmark determination, and
- Is not one of the matters excluded as set out immediately below

A complaint received will not be treated as an Eligible Complaint if it relates to:

- matters that have already been fully investigated through this Policy, unless new evidence is available;
- informal disputes about matters relating to the Benchmark determination; for example, general questions about a Benchmark determination are out of scope and will be handled in line with IDI’s general customer support procedures;
- concerns about possible ICE or IDI policy violations by IDI or any of its employees that do not concern the matters listed above, which will be handled in accordance with ICE’s Global Code of Business Conduct² and ICE’s Global Reporting and Anti-Fraud Policy; and

¹ This policy is intended to address Principle 16 of the Principles for Financial Benchmarks published by the International Organization of Securities Commissions (“IOSCO”) relating to cessation and transition and Article 9 of the European Union Benchmarks Regulation and the UK Benchmarks Regulations (collectively, “BMR”).

² <https://ir.theice.com/governance/governance-overview/default.aspx>

- complaints about access to information where procedures and remedies are set out in legislation or regulation, including but not limited to the California Consumer Privacy Act (“CCPA”) and the EU General Data Protection Regulation.

If a complaint is not considered an Eligible Complaint, it will be handled in line with IDI’s general customer support procedures.

3. MAKING COMPLAINTS AND COMPLAINT FORWARDING

We will accept complaints made by any reasonable means. Please refer to Section 10 of this Policy for information on where to submit a complaint on matters relating to any of the IDI Benchmarks.

If a complaint is not in writing, we may ask for the details to be put in writing or we may write to you by letter or email setting out our understanding of the complaint. If we write to you setting out our understanding of a complaint, you should contact us to confirm whether you agree with this understanding.

A complainant may also write directly to the IDI Compliance Officer or to the IDI Governance Committee (contact details are available in Section 10 of this Policy).

Upon receipt of a complaint, we will write to you within 2 business days to acknowledge the complaint; confirm whether it shall be treated as an Eligible Complaint or not and, in the case of an Eligible Complaint, that we have begun a process to handle it.

Any complaint that should be handled by another entity will be promptly forwarded to the appropriate entity and we shall update you in a final response as to why the complaint has been forwarded and provide you with the contact details of the respective entity.

4. INVESTIGATING THE COMPLAINT

To help us to review your complaint and to determine if it is an Eligible Complaint, we ask you to be clear about the nature of the complaint (including when you first became aware of the issue giving rise to the complaint and, if the complaint relates to an issue that occurred more than once, how often it has occurred), to supply as much evidence as you can and let us know how you think we might be able to address the complaint, including any remedial or other action you would like us to consider taking.

We will investigate the Eligible Complaint carefully, diligently and in a fair manner. This will be done by a senior member of our staff who was not directly involved in the matter giving rise to your complaint. We may escalate the Eligible Complaint as appropriate to the IDI Governance Committee for oversight.

Factors that may be relevant in our assessment of an Eligible Complaint include:

- all of the evidence available and the particular circumstances of the complaint;
- similarities with other complaints that may have been received by us; and

- guidance published by relevant authorities or organizations, which may include regulators and industry associations.

During our review of the Eligible Complaint, we may need to get further information from you and/or from others. We may also need to get clarification of the information you have provided to us. If we ask you for further information or validation, please respond to us as soon as possible so that we may continue to resolve the Eligible Complaint as quickly as possible. Delays in you responding to us may result in delays in our ability to continue this process and resolve the matter.

5. RESOLVING THE ELIGIBLE COMPLAINT

Once we have completed our investigation of the Eligible Complaint:

1. We will decide to either uphold the Eligible Complaint or to reject it.
2. If in our view the Eligible Complaint is to be upheld, we will decide what remedial action is appropriate.
3. Provided such communication is not contrary to objectives of public policy or to applicable law or regulation, for instance the EU Market Abuse Regulation 596/2014, we will write to you promptly with our decision and explain clearly our assessment of the Eligible Complaint, whether we propose any remedial action and, if so, the form that such remedial action will take. If we reject the Eligible Complaint, we will advise you of our reasons for doing so. If we cannot send you a final response within 8 weeks of receiving the complaint, we will write to you to explain why and to let you know when we expect to be able to complete the review and give you our final response.
4. If resolution of an Eligible Complaint leads to a restatement of Benchmark values we will announce such restatement on the primary IDI distribution platform for the applicable Benchmark (ICE Index Platform <https://indices.ice.com/>).

If an Eligible Complaint results in a change in a Benchmark determination, that will be Published or Made Available as described above.

6. CONFLICTS OF INTEREST

To avoid any perception of or actual conflict of interest in the investigation of an Eligible Complaint, we will ensure that the investigation is performed in accordance with these procedures and other IDI and ICE policies addressing conflicts of interest. The outcome will also be reviewed and validated by IDI senior management before a response is provided to you. In addition, the Eligible Complaint, and any conflict of interest that was identified and managed will all be reported to the IDI Governance Committee for its oversight.

7. CONFIDENTIALITY

Subject to applicable laws and regulations, all complaints will be dealt with confidentially. It may, however, be necessary for us to contact third parties for information. We will endeavor to do this without identifying you if this is possible. You may advise us that we are not permitted to identify

you as the complainant, but in such circumstances, it may be challenging for us to complete our review of your complaint. In those circumstances, we will discuss the matter with you before proceeding or taking any action.

8. APPEALS

In response to an Eligible Complaint, IDI will provide details of the remedial actions it took or proposes to take to resolve the matter. If you are unsatisfied with the response provided, the complainant may escalate the matter to the IDI Governance Committee for review.

9. RECORDING COMPLAINTS

Subject to applicable laws and regulations, all records relating to the handling of a complaint (including all documents submitted by the complainant, as well as IDI's own record) will be retained for at least 5 years.

10. CONTACT INFORMATION

A complaint can be submitted by email or letter:

Complainants are asked to mark letters for the attention of the ICE Data Indices Compliance Officer. Alternatively, if a complainant wishes to write directly to the IDI Governance Committee, please mark it FAO the ICE Data Indices Governance Committee.

The following address should be used for all Complaints submitted by letter:

C/O IDI Compliance
19th Floor, 11 Wall Street
New York
NY 10005

For electronic submissions, Complainants are asked to include the following subject line in the email “**Complaint - ICE Data Indices**” and send it to the following email address:

iceindices@ice.com

Complaints will be escalated in accordance with this Policy.

11. REVIEW

This Policy is subject to review on a periodic basis, and at least once in a calendar year. The Policy may be subject to more frequent review and revision based on business and/or regulatory changes.

12. AVAILABILITY OF DOCUMENTATION

This Policy shall be published on IDI's website <https://www.ice.com/fixed-income-data-services/index-solutions/regulation>.

13. QUERIES

If you have any queries on this Policy, please contact IDI at legal®ulatory-icedataindices@theice.com, or in writing directly to the IDI Compliance Officer using the contact information in Section 11 above.

14. APPROVAL

This Policy has been approved by the IDI Governance Committee.