

Submission Date

10/10/2012

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Additional Information

Level 1 Regulation

Short Selling Regulation (SSR) Regulation (EU) No 236/2012

Topic

Other SSR-related topics

Subject Matter

Net short positions - Calculation and reporting for a group constituted only of legal entities performing exclusively management activities

Question

In a group constituted only of legal entities performing exclusively management activities, how should calculation and reporting be conducted? Who should report?

ESMA Answer

10-10-2012

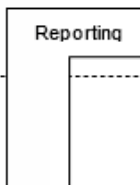
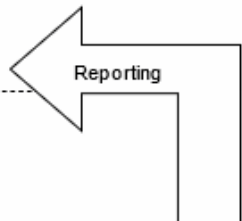
Original language

[ESMA70-145-408 SSR Q&A, Q&A 8.5]

As described above in Q&A 1924, positions are calculated at fund or portfolio level. The positions of funds (or portfolios) which are net short in a particular issuer are then aggregated at the level of the management entity managing these funds (or portfolios). The management entity or another entity on its behalf should report the net short position when a threshold is reached.

The funds having net long position in this particular issuer should not be considered in the aggregation.

No aggregation and netting of the short and long positions of the several management entities constituting the group is required.



GROUP

Management Entity 1
Net short position: **-0.3%**
[(-0.25)+(-0.05)]

Fund 1 Net position = -0.25%
Fund 2 Net position = +0.1%
Fund 3 Net position = -0.05%

Management Entity 2
Net short position: **-0.16%**
[(-0.01)+(-0.05)+(-0.1)]

Portfolio 1 Net position = -0.01%
Portfolio 2 Net position = +0.01%
Portfolio 3 Net position = -0.05%
Portfolio 4 Net position = -0.1%

Management Entity 3
Net short position: **-0.43%**
[(-0.05)+(-0.1)+(-0.05)+(-0.08)
+(-0.15)]

Fund (or portfolio) A Net position = -0.05%
Fund (or portfolio) B Net position = -0.1%
Fund (or portfolio) C Net position = -0.05%
Fund (or portfolio) D Net position = -0.08%
Fund (or portfolio) E Net position = -0.15%