ESMA_QA_1928

Submission Date
10/10/2012

Status: Answer Published

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

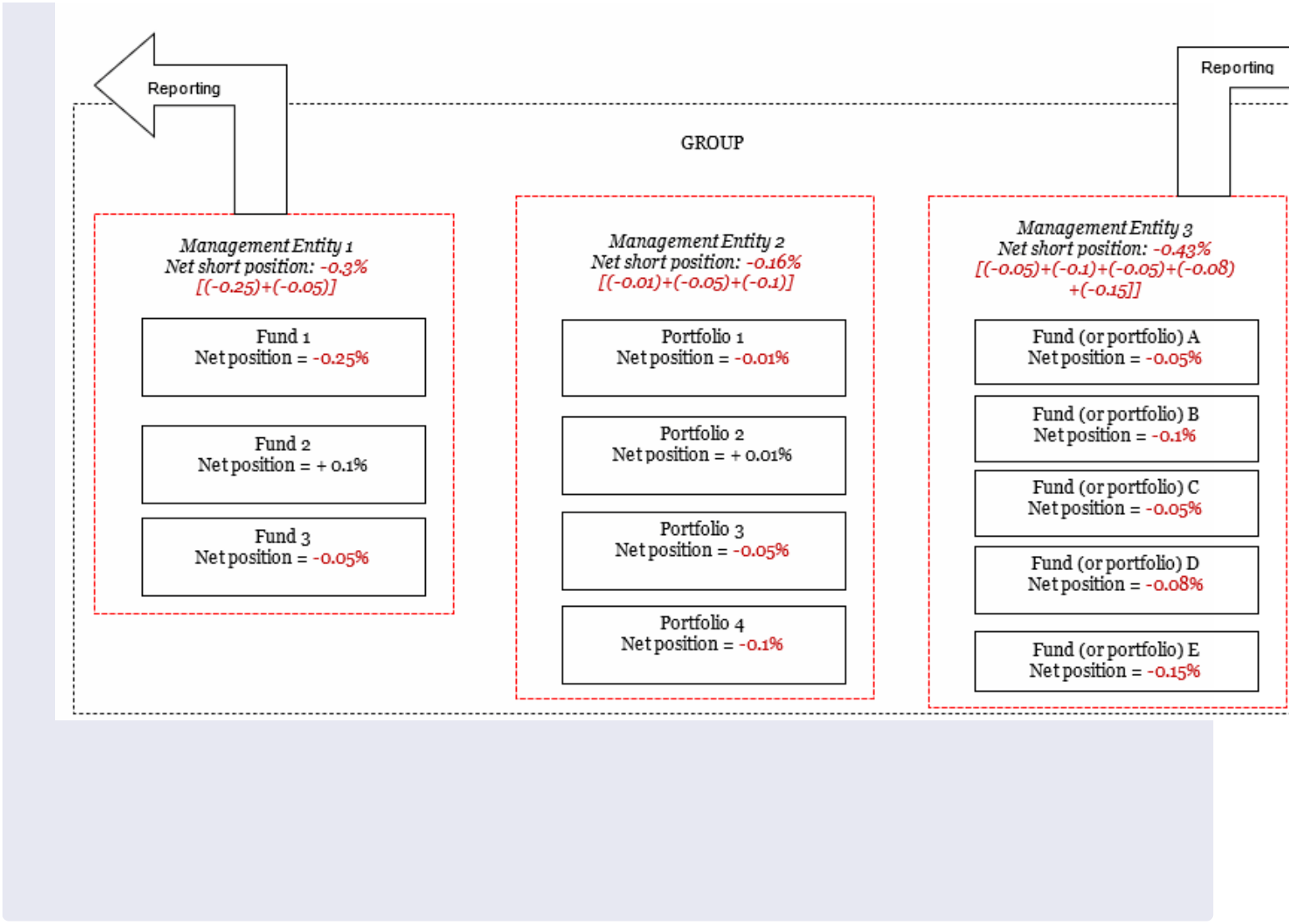
Original language

[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.


Reporting
GROUP
Reporting
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%