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Submission Date
13/09/2012

Status: Answer Published

Additional Information

Level 1 Regulation
Short Selling Regulation (SSR) Regulation (EU) No 236/2012

Topic
Transparency of net short positions

Subject Matter
Late submissions of notifications, cancellations or modifications of net short positions

Question
Should competent authorities accept handling late submissions i.e. notification, modification or cancellation submitted days, weeks or months after the date of the crossed threshold?

ESMA Answer

13-09-2012

Original language

[ESMA70-145-408 SSR Q&A, Q&A 9.1]

Without prejudice to sanctions that could be applied for breaching the Regulation, a competent authority should handle such late submissions relating to net short positions in shares, sovereign debt and sovereign CDS for supervisory purposes including ensuring consistency over time of the information. Where relevant, for proper information of the public, the net short position in shares should also be publicly disclosed. To avoid confusion of the public in such a case, the position date field of the notification form must include the date on which the position was effectively created, changed or ceased to be held, no matter how far back in the past, and not refer to the date when the notification is made.