

Submission Date

29/01/2013

ESMA_QA_1940

Status: Answer Published

Additional Information

Level 1 Regulation

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

Topic

Uncovered short sales

Subject Matter

Telephone call registrations as adequate durable medium for retaining evidence

Question

Can telephone call registrations be considered as a durable medium for the purpose of evidencing the existence of an agreement to borrow or other enforceable claim under Article 5 of the ITS, or of arrangements, confirmations and instructions under Article 6 and 7 of the ITS (Commission Implementing Regulation EU No 827/2012)?

ESMA Answer

29-01-2013

Original language

[ESMA70-145-408 SSR Q&A, Q&A 10.3]

Telephone call registrations are considered an adequate durable medium under Article 5, 6 or 7 of the ITS.