FINANCIAL CONDUCT AUTHORITY

Proposed Short Selling Rules Sourcebook (SSR) - Derivation and Changes Table[1]

Source of provision	**Handbook Reference**	**Subject matter**	**Policy change/HSD[2]/other comment**
Assimilated version of Regulation (EU) No 236/2012 of the European Parliament and of the Council of 14 March 2012 on short selling and certain aspects of credit default swaps (UK Short Selling Regulations)			
Article 1	SSR 2.1.1R SSR 3.1.1R SSR 5.1.1R	Scope	Transferred to FCA Handbook with HSD changes. The scope of the application of the requirements has been set out at the start of each chapter in the SSR FCA Handbook.
Article 2(1)(b)	Glossary SSR 2.12.3R (1) to (3)	Definition of 'short sale'	Transferred to the FCA Handbook with no changes.
Article 2(1)(h)	Glossary SSR 2.11.1G	Definition of 'issued share capital'	Transferred to the FCA Handbook with no changes.
Article 2(1)(k)	Glossary SSR 5.13.1G	Definition of 'market making activities'	Transferred to the FCA Handbook with no changes.
Article 2(1)(l)	Glossary	Definition of 'UK trading venue'	This definition has been transferred into the FCA Handbook and defined as 'UK trading venue'.
Article 2(1)(m)	Glossary	Definition of 'principal venue'	This definition has been transferred into the FCA

[1] Provisions of assimilated law which do not appear in the "Source of provision" column are not to be transferred into the SSR sourcebook. Please refer to the Consultation Paper 29/25 for more detail on the policy approach.

[2] "HSD" means handbook style drafting. The term is used to denote instances where assimilated law has been transferred to the handbook with minor drafting changes that do not amount to a change in policy.

			Handbook with policy changes. The definition has been changed to 'principal country', as a result of policy proposal to aggregate across all venues in a country or territory. See Consultation Paper 29/25 (CP) Chapter 5 for more detail on proposed changes.
Article 2(1)(p)	Glossary	Definition of 'trading day'	Transferred to the FCA Handbook with no changes.
Article 2(1)(q)	Glossary	Definition of 'turnover'	Policy change made to account for change in calculation specified in CP chapter 5. The definition of 'trading volume' is proposed as a replacement.
Article 2(2)	N/A	Definition of 'owning' a financial instrument	Transferred to the Short Selling Regulations 2025 (SSR 2025).
Article 3(1)	Glossary SSR 2.8.1G(2)	Definition of 'short position'	Transferred to the FCA Handbook with no changes.
Article 3(2)	Glossary SSR 2.8.1G(3)	Definition of 'long positions'	Transferred to the FCA Handbook with no changes.
Article 3(3)	SSR 2.17.2R	Calculation of 'short positions' 'long positions' held	Transferred to the FCA Handbook with no changes.

		through ETFs, baskets, and indices	
Article 3(4)	Glossary SSR 2.8.1G(1)	Definition of 'net short position'	Transferred to the FCA Handbook with HSD changes.
Article 5(1)	SSR 2.3.1R	Position reporting for shares	Transferred to the FCA Handbook with HSD changes. Position reporting threshold transferred to SSR 2025. Other position reporting requirements transferred to FCA Handbook rules.
Article 5(2)	SSR 2.3.1R	Position reporting threshold	Transferred to the FCA Handbook with HSD changes. Position reporting threshold transferred to SSR 2025. Other position reporting requirements transferred to FCA Handbook rules.
Article 5(4)	N/A	Modification of reporting threshold	Transferred to SSR 2025. The power to alter the notification threshold in the SSR 2025 rests with the Treasury and is separate from the FCA's exceptional powers.
Article 6	N/A	Public disclosure	Some public disclosure requirements transferred to

			FCA Handbook rules in SSR 6 where applicable to new Aggregated Net Short Position (ANSP) disclosures. See CP Chapter 7 for explanation on proposed ANSP arrangements.
Article 9(1)	SSR 2.4.1R SSR 2.20.1R SSR 6.3.1G(2)	Information required in the notification of net short positions	Transferred to the FCA Handbook with HSD changes.
Article 9(2)	SSR 1.1.2R SSR 2.7.1R SSR 2.9.1R SSR 2.14.1R	Arrangements for calculating net short positions, position reporting, and public disclosure	Transferred to FCA Handbook with HSD changes. See CP Chapter 3 for proposed changes to the deadline for position reporting and clarification when persons calculate their positions. A further change is proposed to when positions will be disclosed.
Article 9(4)	SSR 6.3.3G	Public disclosure	Some public disclosure requirements transferred to Handbook rules in SSR 6 where applicable. Limited applicability due to new ANSP disclosures.

			See CP Chapter 7 for explanation on proposed ANSP arrangements.
Article 10	SSR 2.1.1R	Application of position reporting and public disclosures	Transferred to FCA Handbook with HSD changes.
Article 12(1)	SSR 3.3.1R	Covering arrangements for shares	Transferred to FCA Handbook with HSD changes.
Article 15	N/A	Buy-ins	Transferred to SSR 2025.
Article 16(1)	SSR 4.2.1R	Exempt third country shares list	Transferred to SSR 2025 and to FCA Handbook with HSD changes. See CP Chapter 5 for explanation on proposed Reportable Shares List (RSL) and the changes to the arrangements including new criteria for determining shares subject to position reporting and covering rules.
Article 16(2)	SSR 4.2.3R SSR 4.2.6G SSR 4.2.10G(1), (4), and (5)	Calculation of principal trading venue	Transferred to FCA Handbook with HSD changes. See CP Chapter 5 for explanation on proposed RSL and the changes to the arrangements including new criteria for determining shares subject to

			position reporting and covering rules.
Article 17(1)	SSR 5.4.1R	Market maker exemption	Transferred to SSR 2025 and to FCA Handbook with HSD changes. See Chapter 6 for explanation of changes to market maker exemption arrangements including changes to the notification arrangements and time-periods.
Article 17(2)	N/A	Third country equivalence	Transferred to SSR 2025.
Article 17(4)	SSR 5.3.1R	The stabilisation exemption	Transferred to FCA Handbook with HSD changes.
Article 17(5)	SSR 5.5.1R	Notification requirement for the market maker exemption	Transferred to SSR 2025 and to FCA Handbook with HSD changes. See Chapter 6 for explanation of changes to market maker exemption arrangements including changes to the notification arrangements and time-periods.
Article 17(7)	SSR5.8 SSR 5.9	Prohibition arrangements for use of the market maker exemption	Transferred to FCA Handbook with HSD changes.

Article 17(9)	SSR 5.6 SSR 5.7	Notification requirement in circumstances where person no longer wishes to use the market maker exemption or change in circumstances	Transferred to FCA Handbook with HSD changes.
Article 17(11)	SSR 5.11.1R	Information gathering by the FCA	Transferred to FCA Handbook with HSD changes.
Article 17(13)	SSR 5.12.1G SSR 5 Annex 3G	List of market makers	Transferred to FCA Handbook with HSD changes.
Article 18(1)	Statement of Policy	Emergency powers exceptional circumstances conditions	Transferred to SSR 2025 and set out in Statement of Policy.
Article 18(2)	Statement of Policy	Emergency powers exceptional circumstances conditions	Transferred to SSR 2025 and set out in Statement of Policy.
Article 19(1)	Statement of Policy	Emergency powers lending fees	Transferred to SSR 2025 and set out in Statement of Policy.
Article 19(2)	Statement of Policy	Emergency powers lending fees	Transferred to SSR 2025 and set out in Statement of Policy.
Article 20(1)	Statement of Policy	Emergency powers prohibitions and restrictions in	Transferred to SSR 2025 and set out in Statement of Policy.

		exceptional circumstances	
Article 20(2)	Statement of Policy	Emergency powers prohibitions and restrictions in exceptional circumstances	Transferred to SSR 2025 and set out in Statement of Policy.
Article 20(2)	Statement of Policy	Emergency powers prohibitions and restrictions in exceptional circumstances	Transferred to SSR 2025 and set out in Statement of Policy.
Article 20(3)	Statement of Policy	Emergency powers prohibitions and restrictions in exceptional circumstances	Transferred to SSR 2025 and set out in Statement of Policy.
Article 23(1)	Statement of Policy	Emergency powers temporary prohibitions and restrictions significant fall in price	Transferred to SSR 2025 and set out in Statement of Policy. SSR 2025 makes changes to the scope of the power.
Article 23(2)	Statement of Policy	Emergency powers temporary prohibitions and restrictions significant fall in price	Transferred to SSR 2025 and set out in Statement of Policy. SSR 2025 makes changes to the scope of the power.

Article 23(3)	Statement of Policy	Emergency powers temporary prohibitions and restrictions significant fall in price	Transferred to SSR 2025 and set out in Statement of Policy. SSR 2025 makes changes to the scope of the power.
Article 23(5)	Statement of Policy	Emergency powers temporary prohibitions and restrictions significant fall in price	Transferred to SSR 2025 and set out in Statement of Policy. SSR 2025 makes changes to the scope of the power.
Article 23(6)	Statement of Policy	Emergency powers temporary prohibitions and restrictions significant fall in price	Transferred to SSR 2025 and set out in Statement of Policy. SSR 2025 makes changes to the scope of the power.
Article 23(7)	Statement of Policy	Emergency powers temporary prohibitions and restrictions significant fall in price	Transferred to SSR 2025 and set out in Statement of Policy. SSR 2025 makes changes to the scope of the power.
Article 23(8)	Statement of Policy	Emergency powers temporary prohibitions and restrictions significant fall in price	Transferred to SSR 2025 and set out in Statement of Policy. SSR 2025 makes changes to the scope of the power.

Article 24	Statement of Policy	Emergency powers period of restrictions	Transferred to SSR 2025 and set out in Statement of Policy. SSR 2025 makes changes to the scope of the power.
Article 25(1)	Statement of Policy	Notice of restrictions	Transferred to SSR 2025 and set out in Statement of Policy. SSR 2025 makes changes to the scope of the power.
Article 25(2)	Statement of Policy	Notice of restrictions	Transferred to SSR 2025 and set out in Statement of Policy. SSR 2025 makes changes to the scope of the power.
Article 25(3)	Statement of Policy	Notice of restrictions	Transferred to SSR 2025 and set out in Statement of Policy. SSR 2025 makes changes to the scope of the power.
Article 30	Statement of Policy	Treasury powers to further specify adverse events or developments	Transferred to SSR 2025 and set out in Statement of Policy. SSR 2025 makes changes to the scope of the power.
Assimilated version of Commission Delegated Regulation (EU) No 918/2012 of 5 July 2012 supplementing Regulation (EU) No 236/2012 of the European Parliament and of the Council on short selling and certain aspects of credit default swaps with regard to definitions, the calculation of net short positions, covered sovereign credit default swaps, notification thresholds, liquidity thresholds for suspending restrictions, significant falls in the value of financial instruments and adverse events			
Article 2(a)	Glossary	Definition of 'group'	Definition already exists in the FCA Handbook Glossary.
Article 3(1)	SSR 2.12.2R	Specification of 'ownership' and	Transferred to FCA Handbook with HSD changes.

		defining a 'short sale'	
Article 3(2)	SSR 2.12.3R(4), (5), and (6)	Specification of 'ownership' and defining a 'short sale'	Transferred to FCA Handbook with HSD changes.
Article 4	SSR 2.13.1R	Holding	Transferred to FCA Handbook with HSD changes.
Article 5(1)	SSR 2.17.1R	Net short positions in shares – long positions – holding through a basket	Transferred to FCA Handbook with HSD changes.
Article 5(2)	SSR 2.13.4R	Net short positions in shares – long positions	Transferred to FCA Handbook with HSD changes.
Article 6(1)	SSR 2.17.1R	Net short positions in shares – short positions – holding through a basket	Transferred to FCA Handbook with HSD changes.
Article 6(2)	SSR 2.12.4G	Net short positions in shares – short positions	Transferred to FCA Handbook with HSD changes.
Article 7(a)	SSR 2.14.2R	Net short positions in shares – general	Transferred to FCA Handbook with HSD changes.
Article 7(b)	SSR 2.12.5R	Net short positions in shares – general	Transferred to FCA Handbook with HSD changes.
Article 10(1)	SSR 2.8.2R	Method of calculation of net short positions in relation to shares	Transferred to FCA Handbook with HSD changes.

Article 10(2)	SSR 2.19.1R(4)	Method of calculation of net short positions in relation to shares	Transferred to FCA Handbook with HSD changes.
Article 10(3)	SSR 2.14.1R	Method of calculation of net short positions in relation to shares	Transferred to FCA Handbook with HSD changes.
Article 12(1)	SSR 2.15.2R(3)	Method of calculating positions for management activities related to several funds or managed portfolios	Transferred to FCA Handbook with HSD changes.
Article 12(2)(a)	N/A	Definition of ‘ investment strategy’	Not transferred to FCA Handbook. Although not carried over into the FCA Handbook, the context in which the term is used has been transferred into the FCA Handbook.
Article 12(2)(b)	Glossary	Definition of ‘management activity’	Transferred to FCA Handbook with HSD changes.
Article 12(2)(c)	Glossary	Definition of ‘management entity’	Transferred to FCA Handbook with HSD changes.
Article 12(3)	SSR 2.15.2R(5)	Aggregation of funds using same investment strategy	Transferred to FCA Handbook with HSD changes.

Article 12(4)	SSR 2.15.2R(1) and (2)	Method of calculating positions for management activities related to several funds or managed portfolios	Transferred to FCA Handbook with HSD changes. See CP Chapter 3 and SSR 2 position reporting rules for changes made to streamline and consolidate requirements.
Article 12(5)	SSR 2.15.5G	Calculation of net short positions for non-management activity	Transferred to FCA Handbook with HSD changes.
Article 12(6)	SSR 2.15.5G	Calculation of net short positions for non-management activity	Transferred to FCA Handbook with HSD changes.
Article 13(1)	SSR 2.16.2R SSR 2.16.7R SSR 2.16.8G	Method of calculating positions for legal entities within a group that have long or short positions in relation to a particular issuer	Transferred to FCA Handbook with HSD changes. See CP Chapter 3 and SSR 2 position reporting rules for changes made to streamline and consolidated requirements.
Article 13(2)	SSR 2.16.7R	Method of calculating positions for legal entities within a group that have long or short positions in relation to a particular issuer	Transferred to FCA Handbook with HSD changes. See CP Chapter 3 and SSR 2 position reporting rules for changes made to streamline

			and consolidated requirements.
Article 13(3)	SSR 2.16.2R SSR 2.16.4G(1) SSR 2.16.5R	Method of calculating positions for legal entities within a group that have long or short positions in relation to a particular issuer	Transferred to FCA Handbook with HSD changes. See CP Chapter 3 and SSR 2 position reporting rules for changes made to streamline and consolidated requirements.
Article 23(1)	Statement of Policy	Significant fall in value for financial instruments other than liquid shares for Article 23 UK SSR emergency power	Transferred to Statement of Policy.
Article 23(2)	Statement of Policy	Significant fall in value for financial instruments other than liquid shares for Article 23 UK SSR emergency power	Transferred to Statement of Policy.
Article 23(3)	Statement of Policy	Significant fall in value for financial instruments other than liquid shares for Article 23 UK	Transferred to Statement of Policy.

		SSR emergency power	
Article 23(4)	Statement of Policy	Significant fall in value for financial instruments other than liquid shares for Article 23 UK SSR emergency power	Transferred to Statement of Policy.
Article 23(5)	Statement of Policy	Significant fall in value for financial instruments other than liquid shares for Article 23 UK SSR emergency power	Transferred to Statement of Policy.
Article 23(6)	Statement of Policy	Significant fall in value for financial instruments other than liquid shares for Article 23 UK SSR emergency power	Transferred to Statement of Policy.
Article 24(1)	Statement of Policy	Criteria and factors to be taken into account in determining when adverse events or developments and threats arise for	Transferred to Statement of Policy.

		Articles 18-21 UK SSR emergency powers	
Annex 1 Part 1	SSR 2.14.1R	Financial instrument list for Articles 5 & 6	Transferred to FCA Handbook with HSD changes.
Annex 2 Part 1 Paragraph 1	SSR 2.19.1R(1), (2), (3)(a), (3)(b)	Delta adjusted model for shares	Transferred to FCA Handbook with HSD changes.
Annex 2 Part 1 Paragraph 2	SSR 2.19.1R(5) SSR 2.19.1R(6) SSR 2.19.1R(7)	Delta adjusted model for shares	Transferred to FCA Handbook with HSD changes.
Annex 2 Part 1 Paragraph 3	SSR 2.17.1R	Delta adjusted model for shares	Transferred to FCA Handbook with HSD changes.
Annex 2 Part 1 Paragraph 4	SSR 2.19.1R(3)(c)	Delta adjusted model for shares	Transferred to FCA Handbook with HSD changes.
Annex 2 Part 1 Paragraph 5	SSR 2.11.2R(2)	Delta adjusted model for shares	Transferred to FCA Handbook with HSD changes.
Annex 2 Part 1 Paragraph 6	SSR 2.11.4G	Delta adjusted model for shares	Transferred to FCA Handbook with HSD changes.
Annex 2 Part 1 Paragraph 7	SSR 2.11.3R	Delta adjusted model for shares	Transferred to FCA Handbook with HSD changes.
Annex 2 Part 1 Paragraph 8	SSR 2.10.1R	Delta adjusted model for shares	Transferred to FCA Handbook with HSD changes.
Assimilated version of Commission Delegated Regulation (EU) No 826/2012 of 29 June 2012 supplementing Regulation (EU) No 236/2012 of the European Parliament and of the Council with regard to regulatory technical standards on notification and disclosure requirements with regard to net short positions, the details of the information to be provided to the European Securities and Markets Authority in relation to net short positions and the method for calculating turnover to determine exempted shares			
Article 2(1)	SSR 2.4.1R(1) SSR 2 Annex 1R SSR 2 Annex 2R	Notification of net short positions in shares, sovereign	Transferred to FCA Handbook with HSD changes.

		debt, and uncovered sovereign CDS	See CP Chapter 3 and SSR 2 position reporting rules for minor changes in relation to position reporting templates. Sovereign debt and CDS not transferred as not in scope of SSR 2025.
Article 2(3)	SSR 2.5.1R	Notification of net short positions in shares, sovereign debt, and uncovered sovereign CDS	Transferred to FCA Handbook with HSD changes. See CP Chapter 3 and SSR 2 position reporting rules for minor changes in relation to position reporting templates. A new form has been created, disposing of the need to cancel and resubmit. Sovereign debt and CDS not transferred as not in scope of SSR 2025.
Article 3	SSR 2.4.1R(1) SSR 2 Annex 2R	Public disclosure of information on net short positions in shares	Transferred to FCA Handbook with HSD changes. See CP Chapter 7 for explanation of how ANSP disclosures will be disclosed.
Article 6(1)	SSR 4.2.4G(1)	Turnover calculation to determine the	Transferred to FCA Handbook with HSD changes.

		principal venue for the trading of a share	See CP Chapter 5 for proposals on changes to methodology for calculating principal trading venue.
Article 6(2)	SSR 4.2.4G(2)	Turnover calculation to determine the principal venue for the trading of a share	Transferred to FCA Handbook with HSD changes. See CP Chapter 5 for proposals on changes to methodology for calculating principal trading venue.
Article 6(3)	SSR 4.2.8G	Turnover calculation to determine the principal venue for the trading of a share	Transferred to FCA Handbook with HSD changes. See CP Chapter 5 for proposals on changes to methodology for calculating principal trading venue.
Assimilated version of Commission Implementing Regulation (EU) No 827/2012 of 29 June 2012 laying down implementing technical standards with regard to the means for public disclosure of net position in shares, the format of the information to be provided to the European Securities and Markets Authority in relation to net short positions, the types of agreements, arrangements and measures to adequately ensure that shares or sovereign debt instruments are available for settlement and the dates and period for the determination of the principal venue for a share according to Regulation (EU) No 236/2012 of the European Parliament and of the Council on short selling and certain aspects of credit default swaps			
Article 2	SSR 6.3.2G SSR 6.3.3G	Means by which information may be disclosed to the public	Transferred into SSR 2025 and to FCA Handbook with HSD changes. Article 2(e) has not been transferred.

			See CP Chapter 7 for explanation of how ANSP disclosures will be disclosed. Transferred where applicable for new ANSP disclosures.
Article 5(1)	SSR 3.4.1R	Agreements to borrow and other enforceable claims having similar effect	Transferred to FCA Handbook with HSD changes. See CP Chapter 4 for minor change in relation to subscription rights.
Article 5(2)	SSR 3.6.1R	Agreements to borrow and other enforceable claims having similar effect – durable medium	Transferred to FCA Handbook with HSD changes. See CP Chapter 4 for minor change in relation to subscription rights.
Article 6(2)	SSR 3.5.1R(1)	Arrangements and measures to be taken in relation to short sales of a share admitted to trading on a trading venue (locate arrangements) Article 12(1)(c) UK SSR	Transferred to FCA Handbook with HSD changes.

Article 6(3)	SSR 3.5.1R(2)	Arrangements and measures to be taken in relation to short sales of a share admitted to trading on a trading venue (locate arrangements) Article 12(1)(c) UK SSR	Transferred to FCA Handbook with HSD changes.
Article 6(4)	SSR 3.5.1R(3)	Arrangements and measures to be taken in relation to short sales of a share admitted to trading on a trading venue (locate arrangements) Article 12(1)(c) UK SSR	Transferred to FCA Handbook with HSD changes.
Article 6(5)	SSR 3.6.1R	Arrangements and measures to be taken in relation to short sales of a share admitted to trading on a trading venue (locate arrangements) Article 12(1)(c) UK	Transferred to FCA Handbook with HSD changes.

		SSR – durable medium	
Article 8(1)	SSR 3.5.5R(1) to (6)	Third parties with whom arrangements are made	Transferred to FCA Handbook with HSD changes. Provisions relating to sovereign debt not transferred as not included in the scope of SSR 2025.
Article 8(2)	SSR 3.5.5R(7)	Third parties with whom arrangements are made	Transferred to FCA Handbook with HSD changes.
Article 9(1)	SSR 4.2.10G(2)	Date and period for principal trading venue calculation	Not transferred to FCA Handbook. See CP Chapter 5 for changes made to principal trading venue calculation and the time period for the RSL.
Article 9(2)	SSR 4.2.5R SSR 4.2.6G SSR 4.2.10G(3)	Date and period for principal trading venue calculation	Transferred to FCA Handbook with HSD changes. See CP Chapter 5 for changes made to principal trading venue calculation and the time period for the RSL.
Article 9(3)	4.2.7G	Date and period for principal trading venue calculation	Transferred to FCA Handbook with policy changes.

			See CP Chapter 5 for changes made to principal trading venue calculation and the time period for the RSL.
Article 11	SSR 4.3.1R(1) and (2)	Effectiveness of the list of exempt third country shares list	Transferred to FCA Handbook with HSD changes. See CP Chapter 5 for changes made to the time period for the RSL.
Article 12(1)	SSR 4.2.11G	Specific cases of review of exempt third country shares list	Transferred to FCA Handbook with HSD changes. See CP Chapter 5 for changes made to the arrangements for ad hoc RSL reviews
Assimilated version of Commission Delegated Regulation (EU) No 919/2012 of 5 July 2012 supplementing Regulation (EU) No 236/2012 of the European Parliament and of the Council on short selling and certain aspects of credit default swaps with regard to regulatory technical standards for the method of calculation of the fall in value for liquid shares and other financial instruments			
Article 2(1)	Statement of Policy	Method of calculation of a significant fall in value for liquid and illiquid shares	Transferred to Statement of Policy.
Article 2(2)	Statement of Policy	Method of calculation of a significant fall in	Transferred to Statement of Policy.

		value for liquid and illiquid shares	
Article 3(1)	Statement of Policy	Method of calculation of a significant fall in value for other non-derivative financial instruments	Transferred to Statement of Policy.
Article 3(2)	Statement of Policy	Method of calculation of a significant fall in value for other non-derivative financial instruments	Transferred to Statement of Policy.
Article 3(2)	Statement of Policy	Method of calculation of a significant fall in value for other non-derivative financial instruments	Transferred to Statement of Policy.
Article 3(4)	Statement of Policy	Method of calculation of a significant fall in value for other non-derivative financial instruments	Transferred to Statement of Policy.

Article 4	Statement of Policy	Method of calculation of a significant fall in value for derivatives	Transferred to Statement of Policy.
ESMA Guidelines - Exemption for market making activities and primary market operations under Regulation (EU) 236/2012 of the European Parliament and the Council on short selling and certain aspects of Credit Default Swaps - 02/04/2013 - ESMA/2013/74			
Paragraph 13	SSR 5.13.4G	Background and introduction	Transferred to FCA Handbook with HSD changes. Paragraph 13 retained as regards the exemption not covering proprietary trading. See CP Chapter 6 for changes in relation to the arrangements and time-periods for market maker notifications. Paragraphs not transferred: 8/9/10/11/12/14/15//17.
Paragraph 16	SSR 5.5.2G	Background and introduction: arrangements for prohibition of the	Transferred to FCA Handbook with HSD changes. Paragraph 16 retained as regards FCA non-objecting

		market maker exemption	before the expiry of the time-period.
Paragraph 18	SSR 5.8.1R SSR 5.8.2G	Background and introduction: arrangements for prohibition of the market maker exemption	Transferred to FCA Handbook with HSD changes. Paragraph 18 retained as regards FCA being able to prohibit market maker exemption.
Paragraph 21	SSR 5.20.1G	Definition and scope of the exemption for market making activities	Transferred to FCA Handbook with HSD changes. Paragraph 21 retained in relation to where a person is required to conduct market making activities. Paragraphs 19/20/22/26/27 not transferred as in other requirements or out of scope.
Paragraph 23	SSR 5.13.6G	Definition and scope of the exemption for market making activities	Transferred to FCA Handbook with HSD changes. Paragraph 23 retained in relation to persons not expected to hold significant

			short positions other than for short periods.
Paragraph 24	SSR 5.13.5G	Definition and scope of the exemption for market making activities	Transferred to FCA Handbook with HSD changes. Paragraph 24 retained in relation to arbitrage activities.
Paragraph 25	SSR 5.19.1G	Definition and scope of the exemption for market making activities	Transferred to FCA Handbook with HSD changes. Paragraph 25 retained in relation to hedging activities being proportionate.
Paragraph 28	SSR 5.13.2G	Exemption on an instrument-by-instrument basis	Transferred to FCA Handbook with policy changes. Paragraph 28 retained in relation to market maker exemption being on an instrument-by-instrument basis. See CP Chapter 6 for changes in relation to the arrangements for market maker notifications, including in relation to the scope of financial instruments for the market maker notification.

			Paragraphs 30/31/32/33/34 not transferred as in other requirements, out of scope, or not relevant.
Paragraph 29	SSR 5.5.1R(1) SSR 5.6.1R	Exemption on an instrument by instrument basis	Transferred to FCA Handbook with HSD changes. Paragraph 29 retained in relation to market maker exemption being on an instrument-by-instrument basis.
Paragraph 35	SSR 5.4.1R	Membership requirement	Transferred to FCA Handbook with policy changes. See CP Chapter 6 for confirmation of FCA approach to market makers exemptions in relation to the requirement to be a member of a UK or equivalent trading venue. Paragraph 36 not transferred as market maker exemption rules confirm FCA position that a market maker only

			needs to be a member of a UK or equivalent trading venue.
Paragraph 42	SSR 5.8.3R	General principles and qualifying criteria of eligibility for the exemption	Transferred to FCA Handbook with HSD changes. Paragraph 42 broadly retained as regards FCA's expectations of the systems & controls that market makers will have in place.
Paragraph 43	SSR 5.10.1G	General principles	Transferred to FCA Handbook with policy changes. Retained paragraph 43 but not transferred condition that a market maker be a member of a trading venue where its conducts market making in the financial instrument. See CP Chapter 6 for confirmation of FCA approach to market makers exemptions in relation to the requirement to be a member of a UK or equivalent trading venue.
Paragraph 46	SSR 5.14.1G	Principles and qualifying criteria that should apply when "posting firm,	Transferred to FCA Handbook with HSD changes.

		simultaneous two-way quotes of comparable size and at competitive prices, with the result of providing liquidity on a regular and ongoing basis to the market" (Article 2(1)(k)(i))	Retained paragraphs 46-52 in relation to undertaking of market making activities under Regulation 9(5)(c)(i) SSR 2025. Paragraph 45 not transferred as not relevant.
Paragraph 47	SSR 5.14.2G	Principles and qualifying criteria that should apply when "posting firm, simultaneous two-way quotes of comparable size and at competitive prices, with the result of providing liquidity on a regular and ongoing basis to the market" (Article 2(1)(k)(i))	Transferred to FCA Handbook with HSD changes.
Paragraph 48	SSR 5.15.1G	Principles and qualifying criteria that should apply when "posting firm, simultaneous two-way quotes of	Transferred to FCA Handbook with HSD changes.

		comparable size and at competitive prices, with the result of providing liquidity on a regular and ongoing basis to the market” (Article 2(1)(k)(i))	
Paragraph 49	SSR 5.16.1G	Principles and qualifying criteria that should apply when “posting firm, simultaneous two-way quotes of comparable size and at competitive prices, with the result of providing liquidity on a regular and ongoing basis to the market” (Article 2(1)(k)(i))	Transferred to FCA Handbook with HSD changes.
Paragraph 50	SSR 5.16.2G	Principles and qualifying criteria that should apply when “posting firm, simultaneous two-way quotes of comparable size and at competitive	Transferred to FCA Handbook with HSD changes.

		prices, with the result of providing liquidity on a regular and ongoing basis to the market" (Article 2(1)(k)(i))	
Paragraph 51	SSR 5.17.1G	Principles and qualifying criteria that should apply when "posting firm, simultaneous two-way quotes of comparable size and at competitive prices, with the result of providing liquidity on a regular and ongoing basis to the market" (Article 2(1)(k)(i))	Transferred to FCA Handbook with HSD changes.
Paragraph 52	SSR 5.17.2G	Principles and qualifying criteria that should apply when "posting firm, simultaneous two-way quotes of comparable size and at competitive prices, with the result of providing	Transferred to FCA Handbook with HSD changes.

		liquidity on a regular and ongoing basis to the market" (Article 2(1)(k)(i))	
Paragraph 53	SSR 5.18.1G	Principles and qualifying criteria that should apply when dealing "as part of its usual business, by fulfilling orders initiated by clients or in response to clients' requests to trade" (Article 2(1)(k)(ii))	Transferred to FCA Handbook with HSD changes. Retained paragraphs 53-55 in relation to undertaking of market making activities under Regulation 9(5)(c)(ii) SSR 2025.
Paragraph 54	SSR 5.18.1G	Principles and qualifying criteria that should apply when dealing "as part of its usual business, by fulfilling orders initiated by clients or in response to clients' requests to trade" (Article 2(1)(k)(ii))	Transferred to FCA Handbook with HSD changes.
Paragraph 55	SSR 5.18.2G	Principles and qualifying criteria	Transferred to FCA Handbook with HSD changes.

		that should apply when dealing "as part of its usual business, by fulfilling orders initiated by clients or in response to clients' requests to trade" (Article 2(1)(k)(ii))	
Paragraph 56	SSR 5.19.3G	Anticipatory hedging under Article 2(1)(k)(iii))	Transferred to FCA Handbook with HSD changes. Retained paras 56 and 57 under regulation 9(5)(c)(iii).
Paragraph 57	SSR 5.19.4G	Anticipatory hedging under Article 2(1)(k)(iii))	Transferred to FCA Handbook with HSD changes.
Paragraph 58	SSR 5.5 SSR 5.6 SSR 5.7.4R SSR 5.8	Exemption process	Transferred to FCA Handbook with HSD changes. Paragraph 58 broadly retained in relation to FCA being able to prohibit a market maker exemption. See CP Chapter 6 and SSR 5 market maker exemption rules for expanded arrangements for the FCA

			prohibiting market maker exemptions based on the existing FINMAR 2 rules. Paragraphs 59-63 not transferred as not relevant.
Paragraph 64	SSR 5.5.1R SSR 5.5.2G SSR 5.6.1.R to SSR 5.7.6G	Notification of intent	Transferred to FCA Handbook with HSD changes. See SSR 5 market maker exemption rules for notification templates which have minor changes (such as removing volume estimates). Paragraphs 64-65 broadly retained in relation to information required in notifications. Paragraphs 63, 66, and 67 not transferred as not relevant.
Paragraph 65	SSR 5 Annex 1R SSR 5 Annex 2R	Notification of intent	Transferred to FCA Handbook with HSD changes.
Paragraph 68	SSR 5.7.1R SSR 5.7.5R	Monitoring of the conditions of the exemption	Transferred to FCA Handbook with HSD changes.

			Paragraphs 68 and 69 broadly retained in relation to persons notifying where there are changes affecting their eligibility and FCA conducting supervisory reviews
Paragraph 69	SSR 5.8.1R	Monitoring of the conditions of the exemption	Transferred to FCA Handbook with HSD changes.
Section 9 Specific situation of emergency powers	Statement of Policy	Specific situation of emergency powers	Transferred to Statement of Policy. Paragraph 70 retained in relation to FCA considering exemptions for market makers and authorised primary dealers for emergency powers.
Annex 1	SSR 5 Annex 1R	Notification templates	Transferred to FCA Handbook with HSD changes. See SSR 5 market maker exemption rules for notification templates which have minor changes (such as removing volume estimates).
Annex 2	SSR 5 Annex 2R	Notification templates	Transferred to FCA Handbook with HSD changes.
Annex 3	SSR 5 Annex 2R	Notification templates	Transferred to FCA Handbook with HSD changes.

ESMA Question and Answers (Q&A) on the Regulation on short selling and certain aspects of credit default swaps – ESMA 70-145-408 - Version 6			
4.1	SSR 2.1.1R SSR 3.1.1R	Do the provisions of the Regulation also apply outside the EU and to non-EU natural or legal persons?	Transferred to FCA Handbook with HSD changes. References to sovereign debt not transferred as not included in scope of SSR 2025.
4.3	SSR 2.1.1R	How do the net position requirements impact on third country branches where there is not a distinct legal entity in the EU or no relationship with subsidiaries in other EU jurisdictions except having the same parent?	Transferred to FCA Handbook with HSD changes. The SSR 2025 and SSR 2 and 3 position reporting and covering rules set out the scope of reporting and covering requirements.
4.4	SSR2.1.2R	Do shares of all companies traded on markets in the Union fall under the net short position notification and disclosure	The SSR 2025 and SSR 2 rules set out the scope of reporting and covering requirements.

		requirements under Articles 5 and 6, and the restriction on uncovered short sales of Article 12 of the regulation?	
4.5	SSR 2.1.3G	What financial instruments are covered by the net short position notification and disclosure requirements, and the restrictions on uncovered short sales? Is there a list available and where can it be found?	The SSR 2025 and SSR 2 rules set out the scope of reporting and covering requirements.
4.6	SSR 3.1.5G	Should Global Depository Receipts (GDR) and American Depository Receipts (ADR) be included in the definition of shares for the purposes of article 12 of the Regulation?	Transferred to FCA Handbook with HSD changes.
4.7	SSR 3.1.5G	Should ETFs be included in the	Transferred to FCA Handbook with HSD changes.

		definition of shares for the purposes of Article 12 of the Regulation?	
5.6	SSR 2.3.3G(1) SSR 2.10.2R SSR 2.10.3G	For the purpose of the reporting and disclosure of net short position in shares, what should be the approach to rounding a net short position expressed in percentage?	Transferred to FCA Handbook with HSD changes.
5.7	SSR 2.3.1R SSR 2.3.3G(2)	What to do when a net short position that has already be notified is changing?	Transferred to FCA Handbook with HSD changes.
6.1	SSR 2.17.4R	Do shares in funds have to be taken into account when calculating net short positions?	Transferred to FCA Handbook with HSD changes.
6.2	SSR 2.15.3R	At what level is the net short position to be calculated in the case of umbrella structures and master feeder structures?	Transferred to FCA Handbook with HSD changes.

6.3	SSR 2.13.2R	To what extent are instruments which give claims to shares not yet issued (subscription rights, convertible bonds) taken into account in the calculation of a net short position?	Transferred to FCA Handbook with HSD changes.
6.4	SSR 2.13.3R (2)	Should dividends in the form of shares that must be returned by a borrower to the lender (as a result of a lending agreement) be taken into account to calculate short positions?	Transferred to FCA Handbook with HSD changes.
6.5	SSR 2.13.3R (1)	Do shares received as a consequence of a bonus share issue or share dividend distribution fall to be treated as a long position for the purposes of	Transferred to FCA Handbook with HSD changes.

		calculating a net short position?	
6.6	SSR 2.11.2R	The Regulation defines the "issued share capital" as "total of ordinary and any preference shares issued by the company". It is correct to suppose that the scope of this Regulation does not include shares that do not give to the stockholder any right to vote (so called saving shares)?	Transferred to FCA Handbook with HSD changes.
6.9	SSR 2.17.3G	Annex II Part 1.3 & 2.4 of the DR, firms need only to look-through indices, baskets and ETFs to the extent that doing so is reasonable having regard to publicly available information. How	Transferred to FCA Handbook with HSD changes. Included as part of similar requirements in Article 3 UK SSR in relation to persons acting reasonably to identify the composition of indices, baskets, and ETFs based on publicly available information.

		should this condition be understood?	
6.11	SSR 2.18.1R	Can we include a long position in a UCITS fund in the calculation of the net short position? And if the position in the UCITS fund has to be included in the calculation, and taking into account that Article 3(3) of the Regulation specifies that "no person shall be required to obtain any real-time information as to such composition from any person", is there a requirement to update its composition on a daily basis?	Transferred to FCA Handbook with HSD changes. CP Chapter 2 sets out a minor change to the ESMA Q&A.
8.1	SSR 2.15.2R(3) and (4) SSR 2.15.4G	Are funds (or portfolios under management) managed by the same management	Transferred to FCA Handbook with HSD changes. The ESMA Q&As for funds have been streamlined and

		entity expected to report net short positions?	consolidated with the requirements in Article 12 EU/918/2012 in FCA position reporting rules. See Chapter 2 position reporting rules for how the requirements have been streamlined and consolidated.
8.2	SSR 2.15.1R SSR 2.15.2R SSR 2.15.5G	How should net short position calculation and reporting be conducted when the same single legal entity performs both management and non-management activities?	Transferred to FCA Handbook with HSD changes. The ESMA Q&As for funds have been streamlined and consolidated with the requirements in Article 12 EU/918/2012 in FCA position reporting rules. See Chapter 2 position reporting rules for how the requirements have been streamlined and consolidated.
8.3	SSR 2.15.2R(1) SSR 2.15.2R(2)	According to Article 12(4) of the DR, the management entity level report specifically excludes from the calculation the positions of	Transferred to FCA Handbook with HSD changes. The ESMA Q&As for funds have been streamlined and consolidated with the requirements in Article 12

		funds and portfolios the management of which is delegated to a third party and includes those of funds and portfolios the management of which has been delegated by a third party. Should the same approach apply to the single legal entity level report when that entity is performing both management activities and non-management activities, even though Article 12(5) of DR does not explicitly refer to Article 12(4) on delegation of management?	EU/918/2012 in FCA position reporting rules. See CP Chapter 3 and SSR 2 position reporting rules for how the requirements have been streamlined and consolidated.
8.4	SSR 2.15.2R(4)	Being a global fund manager of funds, I use derivative instruments that may result in net	Transferred to FCA Handbook with HSD changes.

		short positions in particular issuers when calculated as described in the DR though the strategies being implemented do not, however, relate to particular issuers but aim at increasing or reducing exposure to markets or sectors. An example of the type of strategies that may be employed is: selling exposure to European bank equity through the EuroStoxx Banks index (SX7E) using futures contracts. In light of the definition of investment strategy under Article 12(2)(a) of the DR11 and considering that	The ESMA Q&As for funds have been streamlined and consolidated with the requirements in Article 12 EU/918/2012 in FCA position reporting rules. See CP Chapter 3 and SSR 2 position reporting rules for how the requirements have been streamlined and consolidated.

		such strategies are aimed at reducing my exposure to sectors or markets and do not relate to particular issuers, are they subject to short position reporting requirements?	
8.5	SSR 2.16.8G	In a group constituted only of legal entities performing exclusively management activities, how should calculation and reporting be conducted? Who should report?	Transferred to FCA Handbook with HSD changes. The ESMA Q&As for groups have been streamlined and consolidated with the requirements in Article 13 EU/918/2012 in FCA position reporting rules. See CP Chapter 3 and SSR 2 position reporting rules for how the requirements have been streamlined and consolidated.
8.6	SSR 2.16.2R	In line with Article 13(2) of the DR, the group shall report, and disclose where relevant, the net	Transferred to FCA Handbook with HSD changes. The ESMA Q&As for funds have been streamlined and

		short position in a particular issuer when it reaches or exceeds a relevant notification disclosure threshold. Provided that a group is not a legal entity, which legal entity within a group shall submit a notification?	consolidated with the requirements in Article 13 EU/918/2012 in FCA position reporting rules. See CP Chapter 3 and SSR 2 position reporting rules for how the requirements have been streamlined and consolidated.
8.7	SSR 2.16.1R	In the case of a group, should a legal entity that is a part of this group always report/disclose its position when it reaches a threshold?	Transferred to FCA Handbook with HSD changes. The ESMA Q&As for funds have been streamlined and consolidated with the requirements in Article 13 EU/918/2012 in FCA position reporting rules. See CP Chapter 3 and SSR 2 position reporting rules for how the requirements have been streamlined and consolidated.
8.8	SSR 2.16.7R SSR 2.16.8G	In a group constituted of several legal	Transferred to FCA Handbook with HSD changes.

		entities, including management entities, should the short positions of the management entities arising from their 'nonmanagement activities' be aggregated with those of the legal entities not performing management activities as part of the 'group position' for reporting, or should they be reported separately?	The ESMA Q&As for funds have been streamlined and consolidated with the requirements in Article 13 EU/918/2012 in FCA position reporting rules. See CP Chapter 3 and SSR 2 position reporting rules for how the requirements have been streamlined and consolidated.
8.9	SSR 2.16.1R	In the case of a group, a) What if the group and the legal entity within the group cross different thresholds, or they cross the same threshold in different directions?	Transferred to FCA Handbook with HSD changes. The ESMA Q&As for funds have been streamlined and consolidated with the requirements in Article 13 EU/918/2012 in FCA position reporting rules.

		b) If the legal entity within the group exceeds the 0.5% threshold and, at the same time, the group exceeds the 0.2% threshold, would the legal entity within the group still have reporting/disclosing obligation?	See CP Chapter 3 and SSR 2 position reporting rules for how the requirements have been streamlined and consolidated. The reference to the 0.5% disclosure threshold has been removed as it is no longer relevant.
8.10	SSR 2.16.5R	In the case of a group, both the group and the legal entity within the group acquire positions that exceed the 0.2% threshold simultaneously. Subsequently, only the group's position falls below the 0.2% threshold. Should the legal entity within the group then report even though it has not	Transferred to FCA Handbook with HSD changes. The ESMA Q&As for funds have been streamlined and consolidated with the requirements in Article 13 EU/918/2012 in FCA position reporting rules. See CP Chapter 3 and SSR 2 position reporting rules for how the requirements have been streamlined and consolidated. They also set out changes to the arrangements for reporting positions when the group's

		crossed up or down another threshold?	position increases or falls below the position reporting threshold.
9.1	SSR 2.7.2G	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?	Transferred to FCA Handbook with HSD changers. See CP Chapter 3 and SSR 2 position reporting rules for how the requirements have been streamlined and consolidated.
9.2	SSR 6.2.4G SSR 6.2.5G SSR 6.2.6G	How will late submissions of disclosable short positions be dealt with by competent authorities? When will publication of such late disclosures take place?	Transferred to FCA Handbook with HSD changers. See CP Chapter 7 and SSR 6 for aggregate net short position disclosure guidance for how the FCA will handle such disclosures.
10.1	SSR 3.3.2G	Can a legal person within a group enter into an uncovered short sale provided that another legal entity within the same group has	Transferred to FCA Handbook with HSD changes.

		fulfilled one of the conditions set out in Article 12(1) of the Regulation with regards to the same instrument?	
10.2	SSR 3.4.3G	In case of a short sale and a same time cover through a repo transaction, Article 5 of the ITS requires this being “for the duration of the short sale”. However, in practice, the duration of the short position resulting from that the short sale is unknown and that position is covered by a repo that is rolled at maturity as long as the short position exists. Would such an extension of the repo be possible and cover the	Transferred to FCA Handbook with HSD changes.

		requirement of the Regulation?	
10.3	SSR 3.6.2G	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 ITS13.?	Transferred to FCA Handbook with HSD changes.
10.4	SSR 3.6.1R	How long should the durable medium under Article 5, 6 and 7 of the ITS14 be stored as evidence of the existence of the agreement to borrow or other enforceable claim?	Transferred to FCA Handbook with HSD changes.

10.5	SSR 3.1.4G	To what extent are instruments which give claims to as yet unissued shares (subscription rights, convertible bonds) affected by the restriction?	Transferred to FCA Handbook with HSD changes.
10.6	SSR 3.4.2G	Can claims to as yet unissued shares (subscription rights, convertible bonds) cover a short sale?	Transferred to FCA Handbook with HSD changes.
10.12	SSR 3.5.2G	Under Article 6 of the ITS, if the intention is to execute a short sale and cover intra-day, a locate and easy to borrow confirmation is sufficient provided that the broker is informed that the short sale will be covered by purchases during the same day as the short sale takes place. However, if a put on hold	Transferred to FCA Handbook with HSD changes.

		confirmation is sought (even if not strictly required for liquid shares), is there still a requirement to provide a same-day request for confirmation to the third party that the short sale will be covered by purchases during the same day?	
10.13	SSR 3.5.3G	Is it permitted - in the context of Article 12, first paragraph, (c) of the Regulation - to meet the requirement to have a locate arrangement by simply referring to an existing "easy-to-borrow or purchase list"?	Transferred to FCA Handbook with HSD changes. See CP Chapter 4 for minor change in relation to easy-to-borrow or purchase list.
12.1	N/A	In order for any non-EEA entity to be able to use the	Transferred to SSR 2025.

		market making activities exemption as defined in the Regulation, the market in its home jurisdiction should be subject to a legal and supervisory regime which is equivalent to the MiFID, MAD and Transparency directive and should be declared "equivalent". Has such a determination of "equivalence" already taken place? Will on-EEA entities be able to use the exemption for their market making activities under the Regulation in time for 1 November 2012?	
13.1	N/A	How will any violations of the provisions of the	Not transferred to FCA Handbook rules.

		Regulation be sanctioned?	See CP chapter 9 for more details on supervisory, investigative and enforcement powers.
Financial Stability and Market Confidence Sourcebook (FINMAR)			
2.5	Statement of Policy	Guidance on disorderly decline in price for Article 23 UK SSR and on FTSE 100 index as main UK national index	Re-stated in the Statement of Policy for Regulation 17 SSR 2025. FINMAR 2.5.7G is proposed to be transferred to SSR 3.5.4G.
2.6	SSR 5.9.1G	Procedures relation to market maker exemption and the authorised primary dealer exemption	Transferred to FCA Handbook with HSD changes. See CP Chapter 6 for changes to expand flesh out the procedures in relation to market maker exemptions. References to authorised primary dealer exemptions have been removed as they are no longer in scope.