

# ESMA issues positive opinion on short selling ban by BaFin

The European Securities and Markets Authority (ESMA) has issued an official [opinion](#) agreeing to an emergency short selling prohibition, for a period of two months, by the Bundesanstalt für Finanzdienstleistungsaufsicht (BaFin) on net short positions in Wirecard AG (Wirecard) shares under the Short Selling Regulation.

The measure entered into force at 06:00 CET today (before trading session) and is applicable until close of day (midnight CET) on 18 April 2019. It temporarily prohibits transactions in any shares, either directly or through related instruments and irrespective of the venue or market in which the transactions leading to those positions are conducted. The measure does not apply to market-making activities, trading in index-related instruments or short positions entered into to hedge positions on convertible bond or subscription rights.

The short selling measure applies to any natural or legal person, irrespective of their country of residence.

ESMA considers that the current circumstances related to Wirecard are adverse events or developments which constitute a serious threat to market confidence in Germany, and that the proposed measure is appropriate and proportionate to address the threat to German financial markets.