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DIGITAL MEDIA - FINANCIAL PROMOTIONS, COMPLAINTS & RISK MANAGEMENT IN THE EU

2 half days – with case studies taken from various forms of digital media

1: Digital Media Generally

Applicable materials – MiFID 2, article 24 and MiFID Org Regulation, article 44

Codes of Advertising Practice

Defining digital media

2. Promotions

Basics

MiFID 2, art. 24, MiFID Org Regulation, article 44

Defining a promotion – does it matter?

In the course of business? – social media – personal and professional accounts

Non-promotional communications & Image adverts

Fair, clear and not misleading

Risk disclosure

Prominence of key information and font sizes

Special rules on contracts for differences (where relevant)

Unfair comparisons and pricing claims

Tax, mentioning regulators

Past, simulated past and future performance

Specific digital media issues –

Standalone compliance

Message boards

Re-tweeting generally & compliments

Approval of material published by non-authorized firms

Record-keeping

Inserting images

Other digital areas

Websites

Sponsored links

Unsolicited e-mail

3. Managing incoming communications

Identifying and recording complaints – ESMA/EBA Guidelines
Responding to digitally generated comment

4. Risk management and digital media

Who, what, how?

Three lines of defence

Role of compliance

Use of digital methods to carry out customer due diligence and avoid financial crime

Monitoring effects

Management information