

GUIDE

The Global Regulatory Communications Compliance Guide

For Financial Services

Table of Contents

Executive Summary	3
Introduction	4
United States	6
Canada	11
United Kingdom	13
European Union	15
Rest of the World	16
Conclusion	18
How Smarsh Can Help	19





Executive Summary

The scope of regulations, guidelines and legislation that cover the management, supervision and retention of communications and collaborative communications across the world is extensive. Regulated firms in most countries face similar challenges:

- Identifying where business communications are taking place and how they should be captured and archived
- How to search and retrieve these communications for regulatory exams or investigations in a timely and cost-effective manner
- How to adequately monitor and supervise employees who use these communications and collaboration channels

Today, these tasks are further complicated by three additional considerations: 1) increased global economic volatility, 2) the explosion of new communications sources as organizations adjust to distributed workforces, and 3) the existence of state, national, and pan-region data privacy laws. What is a constant is the regulatory viewpoint that a firm's obligations operate independently of the specific communications technology used. If a firm allows a communications tool to be used to conduct the firm's business, it must be captured, stored and (for registered users) supervised.

Introduction

The financial services industry is among the most regulated industries in the world today — and faces risks from the vastly increased number of communications and collaborative channels used in today’s distributed workforce. Email is quickly giving way to other forms of customer outreach, including collaborative, social, and mobile communications. Today, more clients than ever are demanding that firms interact over the communication tools they prefer — those that provide the immediacy and response of a text message — or a voice or video conference as an alternative to a face-to-face meeting.

The adoption of more communications and collaborative networks amplifies the complexity that firms must address in meeting financial regulators’ archiving and supervisory requirements. With only a few exceptions, recordkeeping and supervisory obligations do not distinguish one communications tool from another. Regulators have also demonstrated their willingness to enforce regulations across any form of communication — if it is allowed to conduct the firm’s business, then regulatory requirements apply. Regulatory-driven compliance obligations that directly relate to communications fall into three primary categories:

1 Recordkeeping:

Recordkeeping or “books and records,” refers to the requirements to maintain a copy of all communications pertaining to the firm’s business. This inclusive requirement is a fundamental driver behind the need to leverage proven, purpose-built capture technologies to capture content while minimizing the risks of communication gaps or data integrity issues.

2 Storage:

Storage consisting of several dimensions, including 1) the nature of the storage technology used, 2) the ability to ensure that data retains its native state and is “tamper-proof,” 3) that data be retained for a specific duration, depending on the nature of the content, and 4) data be stored in a platform that ensures the content is easily retrievable. Among these requirements, it is widely expected within the industry that the requirements around the nature of storage technology will be adjusted to reflect technological advances (e.g., blockchain and distributed ledger) that have rendered the notion of storing data on “write once, read many” (WORM) devices with spinning disks to be largely outdated. What is likely to remain, however, is the notion that data is being managed on systems that minimize the risks that data can be written over, tampered with, or where it may experience a loss of integrity.

What will also remain is the requirement that data be easily retrievable from storage locations, which is critical because of the dependence on legacy on-premise technologies that continue to be used by many firms. As firms add content variety and volume, responding to regulatory requests with outdated storage technologies will become even more challenging.

3 Supervisory review:

Supervisory review refers to the inspection of communications of registered representatives and investment advisers according to the firm’s written policies. In this area, regulators do not mandate that firms use an explicit policy, nor do they mandate with what frequency communications need to be reviewed — only that firms follow their written supervisory procedures (WSPs). The result is a wide variety of supervisory practices, from manual inspection and random sampling to complex policies defined by lexicons or analyzed by AI/ML tools.

While supervisory obligations apply to all communications that firms allow their regulated employees to use, they have periodically issued guidance around specific areas of technology, such as social media (FINRA Notice 11-39), websites (FINRA Notice 15-50), and text messaging (FINRA Notice 17-18). Most recently, FINRA also provided guidance (Notice 20-16) to ensure that firms can continue to follow supervisory procedures as more employees move to a remote work environment, noting that some firms have taken steps to ensure that unauthorized applications are not being used. They have also commented that some firms are now applying the Taping Rule (FINRA Rule 3170) to use voice recordings to address potential communications gaps.

The following sections provide an overview of the specific regulations that address firm communications (segmented by country) and several cross-industry regulations and their implications for financial services firms.





REGULATION

Securities and Exchange Commission (SEC) Rules 17a-3 and 17a-4

SUMMARY

Allows firms to store records electronically. Electronic records must be preserved in a non-rewriteable and non-erasable format. Records must be stored in original with duplicate copies in a separate location. Firms must create and store original and duplicate indexes of electronic records. Firms must have an auditing system in place for all electronic records and store audit results. Firms are required to retain records for specific periods (three to six years depending on the subsection), with records for the first two years stored in an easily accessible place.

IMPACT

Firms must ensure they can capture, archive and reproduce content across multiple communications and social channels.

An archive that provides fast search and filtering capabilities will enable relevant material to be found during regulatory audits, preventing sanctions. Capture and preserve relevant electronic communications, including emails, message boards, electronic faxes, text messages, social media communications, tape or digital records of voice conversations, collaboration platforms, etc.

REGULATION

Investment Advisers Act Rule 204-2

SUMMARY

Specifies the recordkeeping and advertising requirements for investment advisers (IAs). An adviser may maintain required books and records on micrographic media (e.g., microfilm or microfiche) or electronic storage media so long as the way they are maintained meets the following requirements:

Records must be arranged and indexed in a manner that permits easy location, access, and retrieval of any particular record; A legible, accurate, and complete copy of the record can be provided promptly in the medium and format in which it is stored; A legible, accurate, and complete printout of the record can be provided promptly; Regulators can be provided with a means to access, view, and print the record; A duplicate copy of the record is stored (on any micrographic or electronic medium allowed under the rule) separately from the original of the record for the time period required for preservation of the original record; required books and records shall be maintained and preserved in an easily accessible place for a period of not less than five years, the first two years in an appropriate office of the investment adviser.

IMPACT

Firms need to ensure they keep adequate records across all communications and collaborative channels in a compliant manner.

United States



REGULATION

Investment Advisers Act Rule 206(4)-7

SUMMARY

Advisers are required to establish, maintain and enforce written supervisory policies and procedures to detect and prevent compliance violations, including the misuse of non-public material information. Controls designed to protect investors from misrepresentation and fraud via electronic communications are mandated as part of these supervisory policies and procedures.

IMPACT

Real-time monitoring of employee communications on email, instant messaging, collaboration platforms, text messages, social networks, etc.

REGULATION

Financial Industry Regulatory Authority (FINRA) Rule 4511

SUMMARY

All books and records required to be made pursuant to the FINRA rules shall be preserved in a format and media that complies with SEC Rule 17a-4. Records that do not have a specified period of retention indicated in the SEC Rule 17a-4 have a default six-year retention period. (See SEC Rules column).

IMPACT

An archive that provides fast search and filtering capabilities will enable relevant material to be found during regulatory audits, preventing sanctions. Preserve relevant electronic communications, including emails, message boards, electronic faxes, text messages, social media communications, collaboration platforms, etc.

REGULATION

FINRA Rule 2210(b)(4)(A)

SUMMARY

Recordkeeping requirements for retail and institutional communications that incorporate the recordkeeping format, medium and retention period requirements of SEC Rule 17a-4(b).

IMPACT

A flexible archive that can retain communications across channels will make it easier to capture and reproduce the relevant content.

United States



REGULATION

FINRA Rule 2210(c)(6)

SUMMARY

Each firm's written and electronic communications may be subject to a spot-check procedure, and firms must submit requested material within the time frame specified by the Advertising Regulation Department.

IMPACT

An archive that provides fast search and filtering capabilities will enable relevant material to be found during regulatory audits, preventing sanctions.

REGULATION

FINRA Rule 3110 (Supervision) and 3120 (Supervisory Control System)

SUMMARY

Firms are required to establish, maintain and enforce supervisory systems and written supervisory procedures for the review of all business-related incoming, outgoing and internal communications. Firms are required to periodically review and update their recordkeeping written supervisory procedures (WSPs).

Specifically, firms must identify, review and address incoming and outgoing communications ("correspondence") containing customer complaints, instructions, funds and securities, and content of a subject matter that requires review under FINRA rules and securities laws (and conduct risk-based reviews to determine whether additional supervisory policies are necessary for their business).

IMPACT

Real-time monitoring of all business communications sent and received on instant messaging, unified communications, social networks, email, text, collaboration platforms, etc.

United States



REGULATION

FINRA Rule 3170 (Taping Rule)

SUMMARY

Firms must establish, enforce and maintain special written procedures supervising the telemarketing activities of all of its registered persons, including the tape recording of conversations, if the firm has hired more than a specified percentage of registered persons from firms that meet FINRA Rule 3170's definition of "disciplined firm."

IMPACT

With a growing number of communications and collaborative channels in use, maintaining a separate voice repository adds cost and complicates a firm's ability to investigate all communications that can lead to potential policy infractions. Firms can benefit from using a single point of control to capture and retain communications across all channels to improve compliance effectiveness.

REGULATION

FINRA Regulatory Notice 07-59

SUMMARY

Suggests that members consider taking steps "to reduce, manage or eliminate potential conflicts of interest, to prevent electronic communications between certain individuals/groups or monitoring communications as required by FINRA rules."

IMPACT

Ensure that ethical walls are constructed and adhered to, so employees with potential conflicts of interest cannot communicate with each other across all communications and social channels.

REGULATION

FINRA Regulatory Notice 10-06

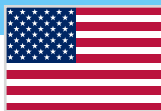
SUMMARY

Every firm that intends to communicate or permit its associated persons to communicate through social media sites must first ensure that it can retain records of those communications. SEC and FINRA rules require that for record retention purposes, the content of the communication is determinative and a broker-dealer must retain those electronic communications that relate to its "business as such."

IMPACT

Capture and archive all communications by registered persons on all social channels used (e.g., Facebook, LinkedIn and Twitter), even those that have been sent through personal devices.

United States



REGULATION

FINRA Regulatory Notice 11-39

SUMMARY

Provides further clarification to FINRA Regulatory Notice 10-06 (see above). Key points include: (1) the content of the communication is determinative, not the communication channel, (2) a firm is subject to the “adoption” and “entanglement” theories regarding third-party posts, and (3) business communications through personal devices must be supervised and recorded.

IMPACT

Capture and archive all communications by registered persons on social channels used (e.g., Facebook, LinkedIn and Twitter), even those that have been sent through personal devices.

REGULATION

FINRA Regulatory Notice 15-50

SUMMARY

Amends FINRA Rule 2210 to require member firm’s websites to include a readily apparent reference and hyperlink to BrokerCheck on (1) the initial web page that the firm intends to be viewed by retail investors, and (2) any other web page that includes a professional profile of one or more registered persons who conduct business with retail investors.

IMPACT

With a growing number of communications and social channels in use, firms need to demonstrate that they can reliably and consistently apply compliance and corporate governance standards across the board.

REGULATION

FINRA Regulatory Notice 17-18

SUMMARY

Every firm that intends to communicate, or permit its associated persons to communicate, regarding its business through a text messaging app or chat service must first ensure that it can retain records of those communications as required by SEA Rules 17a-3 and 17a-4 and FINRA Rule 4511.

IMPACT

Capture and archive all communications by registered persons on text messaging app or chat services used (e.g., WhatsApp, Microsoft Teams and Slack), even those that have been sent through personal devices.

United States



REGULATION

FINRA Regulatory Notice 20-16

SUMMARY

Reminds firms that they must continue to implement a reasonably designed supervisory system appropriately designed for their size and business model. In addition, firms must memorialize in writing any adjustments made to their policies and supervisory procedures because of the COVID-19 pandemic.

The notice also reminds firms of existing supervisory obligations, sharing other firm practices of using only firm-provided and approved communication systems and tools, such as firm email, messaging platforms and softphones with recording capabilities (for staff requiring voice recording).

IMPACT

Firms need to ensure they have the capabilities to monitor, supervise, capture, archive and reproduce content across multiple communications and collaborative networks, even during periods of business disruption.

Canada



REGULATION

Investment Industry Regulatory Organization of Canada (IIROC) Rule 29.7

SUMMARY

Specifies firms must retain records of their business activities, financial affairs, client transactions and communication. Whether a communication is related to the business of the Dealer Member, and therefore captured by this requirement, depends on the content of the communication.

The type of device used to transmit the communication or whether it is a firm-issued or personal device is irrelevant. Dealer Members must therefore design systems and programs with compliant record retention and retrieval functionalities for those methods of communication permitted at the firm. The content posted on social media websites, such as Twitter, Facebook, blogs, chat rooms and all material transmitted through emails, are subject to the above-noted legislative and regulatory requirements.

IMPACT

Firms need to ensure they have the capabilities to capture, archive and reproduce content across multiple communications and collaborative channels.

Capture and preserve relevant electronic communications, including emails, message boards, electronic faxes, text messages, social media communications, tape or digital records of voice conversations, collaboration platforms, etc.

Canada



REGULATION

IIROC Rule 10.12

SUMMARY

Records of orders to be retained for seven years. During the first two years, this should be kept in a readily accessible location.

IMPACT

An archive that provides fast search and filtering capabilities will enable relevant material to be found during regulatory audits, preventing sanctions.

REGULATION

IIROC, Notice 11-0349, Guidelines for the Review of Advertisements, Sales Literature and Correspondence

SUMMARY

Requirement to retain records of business activities, financial affairs, customer transactions and communications, regardless of the “methods” used. This includes but is not limited to “Facebook, Twitter, YouTube, blogs and chat rooms.”

IMPACT

Capture and archive all records of business activities, financial affairs, client transactions and communications, even those that have been sent through personal devices. Content on social media, blogs, chat rooms, text messages and all email content are subject to retention requirements.

REGULATION

National Instrument (NI) 31-103

SUMMARY

A registered firm must establish, maintain and apply policies and procedures that establish a system of controls and supervision sufficient to (a) provide reasonable assurance that the firm and everyone acting on its behalf comply with securities legislation and (b) manage the risks associated with its business in accordance with prudent business practices.

IMPACT

Real-time monitoring of all business communications sent and received on instant messaging, unified communications, social networks, email, text, collaboration platforms, etc.



REGULATION

Financial Conduct Authority (FCA) Chapter 9

SUMMARY

SYSC 9.1: A firm must arrange for orderly records to be kept of its business, which must be sufficient to enable the FCA, or any other relevant authority under MiFID II to monitor the firm's compliance with the requirements under the regulatory system, and to ascertain that the firm has complied with all obligations with respect to clients.

SYSC 9.1.5: In relation to the retention of records for non-MiFID II business, a firm should have appropriate systems and controls in place with respect to the adequacy of, access to, and the security of its records so that the firm may fulfill its regulatory and statutory obligations. With respect to retention periods, the general principle is that records should be retained for as long as is relevant for the purposes for which they are made.

SYSC 9.2: A common platform firm must retain all records kept by it in relation to its MiFID II business for a period of at least five years.

IMPACT

An enterprise must arrange for orderly records to be kept of its business and internal organization. A firm should have appropriate systems and controls in place with respect to the adequacy of, access to, and the security of its records. Records must be kept for at least five years. "Records" means any books, accounts, records, memoranda, and correspondence related to the business. It includes, but is not limited to documents such as advertisements, sales literature, asset and liability ledgers, income ledgers, customer account ledgers, securities records, order tickets, trade confirmations, trial balances, and various employment-related documents.

REGULATION

Financial Conduct Authority (FCA) SYSC 10.2

SUMMARY

Firms must take reasonable steps to ensure that ethical walls remain effective and are adequately monitored.

IMPACT

Ensure that ethical walls are constructed and adhered to, so employees with potential conflicts of interest cannot communicate with each other across all communications and collaborative channels.



REGULATION

Financial Conduct Authority, FG15/4: Social Media and Customer Communications

SUMMARY

Clarifies that if a social media communication includes an invitation or inducement to engage in financial activity it is considered a “financial promotion,” and subject to the guidelines on financial promotions. This applies to communications sent from personal social media accounts where there is a commercial interest on the part of the communicator. All communications need to be clear, fair and not misleading. The rules including risk warnings are media neutral and apply to social media sites, even those which are character limited. Firms need to have an adequate system in place for digital media communications to be pre-approved by a person of appropriate competence and seniority within the organization. Firms should also keep adequate records of communications.

IMPACT

The FCA’s social media guidelines require firms to demonstrate that they have the processes and systems in place to pre-approve all communications sent via social media channels, to ensure that content is compliant. Moreover, firms will need to capture and archive social media communications.

REGULATION

FCA, Policy Statement 08/1: Telephone Recording: Recording of Voice Conversations and Electronic Communications

SUMMARY

Clarification that all relevant electronic communications must be retained. The FCA states that electronic communications “includes fax, email, Bloomberg mail, video conferencing, SMS, business-to-business devices, chat and instant messaging. But is not limited to these as it captures any electronic communications involving receiving client orders and the agreeing to and arranging transactions. We will not produce an exhaustive list of electronic communications because of the continuing innovation and advancement in technology which would mean the list frequently becomes out of date. We also feel that it is inappropriate to limit the obligations to a prescriptive list and an outcome-based approach is more suitable in implementing such rules. We would expect senior management to exercise their judgement in this area.”

IMPACT

With a growing number of communications and collaborative channels in use, maintaining a separate voice repository adds cost and complicates a firm’s ability to investigate all communications that can lead to potential policy infractions. Firms can benefit from using a single point of control to capture and retain communications across all channels to improve compliance effectiveness.



REGULATION

Markets in Financial Instruments Directive (MiFID) II – Article 16 – Organizational Requirements

SUMMARY

Adequate records of all services, activities and transactions undertaken need to be retained so that the regulatory authority can fulfill its supervisory tasks and to ensure market integrity.

Recordkeeping: All communications stored from five to seven years. Firms should also take reasonable steps to avoid electronic communications that the firm is unable to record or copy.

Secure Content Storage: Firms should have sound mechanisms in place to minimize the risk of data corruption, unauthorized access, and data loss.

Supervision: Firms should establish policies and procedures adequate to ensure compliance with this Directive.

IMPACT

Firms need to ensure they can capture, archive and supervise content across multiple communications and collaborative channels.

MiFID II is significant in attempting to normalize protections across EU borders, and in recognizing a market with more active investors, complex financial products, and new communications sources in use.

In particular, the notion that firms must capture and reconcile all electronic communications and telephone conversations that lead to a financial transaction places a premium on ensuring that firms can implement a single point of control across all communications sources.

REGULATION

Markets in Financial Instruments Directive (MiFID) II – Article 16(7) – Recording of Telephone Conversations and Electronic Communications

SUMMARY

Telephone conversations or electronic communications relating to investment services, such as the reception and transmission of orders, execution of orders on behalf of clients and dealing on own account, are required to be recorded.

IMPACT

With a growing number of communications and collaborative channels in use, maintaining a separate voice repository adds cost and complicates a firm's ability to investigate all communications that can lead to potential policy infractions. Firms can benefit from using a single point of control to capture and retain communications across all channels to improve compliance effectiveness.

Rest of the World



REGULATION

**Switzerland — Swiss Financial Market Supervisory Authority (FINMA)
Operational Risks at Banks Circular 2008 (FINMA-Circ. 08/21)**

SUMMARY

Banks must diligently select, supervise (including monitoring content of staff communications sent on instant messaging, unified communications, social networks and so on), and train staff and third parties who have access to client-identifying data.

IMPACT

Real-time monitoring of employee communications on email, instant messaging, collaboration platforms, text messages, social networks, etc.



REGULATION

Singapore — Monetary Authority of Singapore (MAS)

**Singapore Guide to Conduct and Market Practices for Treasury Activities,
Article 8: Telephone Recording**

MAS Guidelines on Risk Management Practices — Internal Controls Article 3.5.1

MAS Technology Risk Management Guidelines, Article 9.1.4

SUMMARY

Telephone conversations are to be recorded, and firms should inform their counterparties and clients that telephone conversations will be recorded. Firms should have internal policies to ensure they comply with appropriate data and record retention requirements under applicable laws and regulations. In general, records of communications should be kept for at least two months.

Firms should have adequate management information systems (MIS) for effective management and control of all aspects their operations.

Financial institutions should not use unsafe internet services such as social media sites, cloud-based internet storage sites, and web-based emails to communicate or store confidential information.

IMPACT

Ensure records are maintained in a durable medium, such as Write Once Read Many (WORM), that cannot be altered or deleted. Firms should have appropriate systems to capture, archive, supervise and reproduce content sent across multiple communications and social channels.

Firms need to ensure that they deploy the right technologies to control access to, and the security of, their firm's social channels and communication records.



REGULATION

Hong Kong — Securities and Futures Commission (SFC)

Securities and Futures Ordinance (SFO), Cap 571 Keeping of the Records Rules

Advertising Guidelines Applicable to Collective Investment Schemes Authorized under the Product

Codes, Application of the Advertising Guidelines

Corporate Regulation Newsletter, March 2016

Circular to Intermediaries Receiving Client Orders Through Instant Messaging, March 2018

Notice Circular to Licensed Corporations' Use of External Electronic Data Storage, October 2019

SUMMARY

Records showing particulars of all orders received or initiated by the firm, including those transmitted through electronic means such as mobile messaging, instant messaging, email, or phone calls, are required to be retained for a period of not less than two years.

Guidelines intended to apply to all forms of product advertisements, including the internet, interactive voice message systems, communications and social channels to which the advertising guidelines should be applied. Cautions against using social channels, such as Weibo, Facebook or Twitter, to disclose time or business-sensitive information, and cautions that messages sent need to be accurate, clear, and balanced.

Suggested controls for intermediaries using instant messaging (IM) applications, such as WhatsApp and WeChat.

Firms must take multiple steps to ensure the preservation and integrity of the records or documents they are required to keep as “Regulatory Records.”

IMPACT

The regulator has adopted a deliberately broad interpretation of the communications and social channels to which the advertising guidelines should be applied.

The regulator cautions against using social channels to disclose time or business sensitive information, and cautions firms that messages sent need to be accurate, clear and balanced. Firms should implement adequate controls and systems to ensure the security and reliability of instant messaging applications.

Conclusion

Global financial services firms face a complex web of national and pan-regional regulatory requirements that directly impact their use of communications and collaborative technologies. The fact that these communications compliance requirements represent only a fraction of the financial requirements for market transparency, investor protection, and operational efficiency further highlights the challenge firms can face to keep up.

Given the rapidly evolving communications and collaboration technologies in use by most firms, the only constant for the foreseeable future is change. With this as context, what can firms do to keep pace? Here are a few critical concepts:

- **Agile systems:** Firms should examine whether the compliance tools they currently use to capture, store and supervise communications remain fit for purpose. In particular, those that continue to rely upon systems designed for email are solving only one of today's challenges with yesterday's technology.
- **Policy adaptability:** Each regulatory body continually shifts their focus and exam priorities based on legislative changes, market conditions and the emergence of new forms of information risk. Firms should consider communications, retention, and supervisory policies as evergreen to respond to lessons learned from recent enforcement actions and annually published exam priorities.
- **Deployment flexibility:** Regional differences in regulatory — as well as data privacy and locality — requirements often create issues regarding how to optimally deploy solutions that respect the unique differences in each served market. Solutions that offer policy and access controls, robust data segregation and the ability to deploy instances within a specific geographic market are a must for multi-national firms. Think “big data” inside: managing the volume and variety of content generated and stored by a typical financial services firm today is a classic “big data” problem. Firms should demand technologies that allow them to index and normalize different communications sources, enable the unified search and retrieval of this content, and support the high-speed export of large data sets — all on demand.
- **View risk holistically:** Current economic uncertainties and global financial market volatility have led regulators to issue notices instructing firms to review current supervisory practices to ensure they remain effective in a distributed work environment. For example, FINRA's Notice 20-16 highlighted the use of unsecured home networks and unauthorized communications tools as areas that can introduce regulatory risk and information security, data privacy and data loss vulnerabilities. Compliance teams must work collaboratively with infosec, privacy, and legal stakeholders to ensure that policies and technologies are harmonized to spot and remediate information risks that can traverse across functional lines.
- **Leverage advanced technologies:** Several regulators have stated publicly that they are using advanced, analytically driven technologies in conducting examinations — and they increasingly expect that firms are doing the same in conducting ongoing supervisory duties. Given the volume and variety of communications now in use by most firms, it is reasonable to expect that firms will increasingly harness content surveillance and other AI/ML approaches to complement their existing lexicon-based methods of policy inspection.

How Smarsh Can Help



Enterprise Platform

The Smarsh Enterprise Platform is a unified, cloud-native solution designed to future-proof enterprise communications data strategies. Gain new insights using best-in-class technologies, including elastic compute, natural language processing, machine learning and artificial intelligence.



Capture

Smarsh capture solutions support 100+ channels that are retained in the channel's native format and context. Your email, social, mobile, IM & collaboration, and voice channels are captured with solutions deployed to meet your unique needs on-premise or in the cloud. Smarsh natively captures and manages the widest variety of communications and includes APIs for the ingestion and enrichment of content.



Enterprise Archive

Enterprise Archive is the compliant storage solution that covers the most stringent communications retention and immutability regulations, including FINRA, IROCC, FCA, MiFID II, and GDPR.



Enterprise Warehouse

At the core of the Enterprise Platform is the Enterprise Warehouse. With petabyte scale and elastic compute, the warehouse provides a centralized location to retain, analyze and enrich your communications data.



Enterprise Conduct

Take your supervision and surveillance initiatives to the next level with Enterprise Conduct. Utilizing battle-tested technology, Conduct empowers your team to work more efficiently by reducing the noise in your workflows by up to 95%. Reveal intent within your organization's communications at scale, uncover the truth faster, and augment the expertise in your risk mitigation teams with Enterprise Conduct.



Enterprise Discovery

Built for demanding legal workflows, Enterprise Discovery is built to collect, preserve, review, and export your electronic communications data at speed. Save time and money in your e-discovery and investigations by placing legal holds quickly, reviewing all communications in native format and reducing the need to over-collect prior to export for outside counsel and third-party review tools.

Solutions to meet the evolving needs of your business

Smarsh has architected its solutions specifically to be able to support your business as it evolves. Our products are equipped with open APIs for the ingestion, enrichment and export of content, meaning you can take advantage of integrations with third-party applications. Partnerships with the latest content sources and elastic scaling capabilities help you to stay one step ahead of risk within your communications. Additionally, flexible deployment options enable alignment of your capture and archiving solutions with your business's IT strategy as it develops.

Our professional services team can help set up lexicons or other policies and we offer expertise and assistance with the review process. With Smarsh, your compliance team can meet regulatory obligations and enable your business today and in the future.

For more information about our products please visit www.smarsh.com or contact your sales representative.

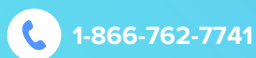


Smarsh enables companies to transform oversight into foresight by surfacing business-critical signals in more than 100 digital communications channels. Regulated organizations of all sizes rely upon the Smarsh portfolio of cloud-native digital communications capture, retention and oversight solutions to help them identify regulatory and reputational risks within their communications data before those risks become fines or headlines.

Smarsh serves a global client base spanning the top banks in North America, Europe and Asia, along with leading brokerage firms, insurers, and registered investment advisors and U.S. state and local government agencies. To discover more about the future of communications capture, archiving and oversight, visit www.smarsh.com.

Smarsh provides marketing materials for informational purposes only. Smarsh does not provide legal advice or opinions. You must consult your attorney regarding your compliance with applicable laws and regulations.

Guide - May 2023



© 2023 Smarsh, Inc. All rights reserved