

Social Media

To the extent that an IAR utilizes social media for business purposes, all communications are to be treated as advertising. As such, the aforementioned standards concerning acceptable advertising shall apply.

AEWM IARs may utilize only those social media platforms that are able to be tracked on the Smarsh archiving platform. To ensure that all posts and content are identified, reviewed and archived, AEWM IARs are required to provide the AEWM Compliance Department with access to their social media accounts. AEWM can currently archive **Facebook, Instagram, LinkedIn, and Twitter** through Smarsh.

While YouTube accounts are not currently set up for archiving, the AEWM Compliance Department may allow an IAR to establish and maintain a YouTube account/channel provided that all postings/videos receive pre-approval from the Ad Review team. Should an IAR that is onboarding with AEWM already maintain an active business-related YouTube account/channel, he or she must either submit all the posted videos to the Ad Review team for approval or remove all videos from the site.

All static content posts made to social media must be submitted to the Ad Review team for pre-approval. “Static content” is defined as a content that remains the same unless changed by the user. Examples of static content include: biographical or contact information included in a profile; blogs; “About” sections; “Profile” pages; YouTube channel descriptions and videos; and employment history.

“Interactive” content is defined as real-time communications between two or more parties. Examples of interactive communications are “Status Updates” on Facebook, “Share an Update” on LinkedIn, Instagram posts, and “Tweets” on Twitter. Interactive content does not need to be submitted to AEWM prior to posting. However, IARs must ensure that the post does not violate AEWM’s General Advertising Standards. Interactive communications will be automatically captured and archived by Smarsh for post-use review.

An IAR may not establish a link in a social media post to any third-party site that the IAR knows or has reason to know contains false or misleading content. Further, the IAR may not explicitly or implicitly approve or endorse the content of a third-party. IARs may not post content linked on a third-party site if the IAR participates in the development of the content on the third-party site. Lastly, AE Wealth Management IARs are permitted to “Like” non-investment-related third-party postings on social media. However, to avoid the impression that the IAR is endorsing or adopting third-party content, IARs may *not* “Like” investment-related third-party materials.

Our firm also prohibits the use of any information about our firm’s clients, investment recommendations, or trading activities on social networking sites. IARs should never communicate with clients via social media exchanges or instant messaging. Additionally, any

communication on social networking sites containing recommendations of specific investment products is prohibited.

The SEC has also stated that an IAR soliciting clients' endorsement via social media is a violation of the Testimonial Rule. Social media sites, such as Facebook, use "plug-ins" (e.g., the "Like" button) which, if utilized, may create the appearance that an individual is endorsing, referring, or giving a testimonial on behalf of the IAR. While these features cannot be eliminated, AEWM has adopted the position that an IAR may not invite or encourage a client or prospective client to "Like" or "Follow" the IAR on social media. It is permissible, however, for a client to "Like" or "Follow" an IAR on social media if unsolicited by the IAR.

If necessary, applicable disclosures will be placed in reasonable proximity to a post. Depending on the form of social media, the location and length of disclosures will vary. AE Wealth Management's standard disclosure will appear on all social media sites. Other disclosures, as deemed necessary may be added based on the content of the social media site. If a disclosure is necessary and there is no reasonable way to include the disclosure, the content requiring the disclosure must be removed before approval will be granted.

Instant messaging is currently not archivable. Should a client use instant messaging (e.g., "Facebook Messenger") to contact an IAR, the IAR must move the conversation to a Smarsh-monitored email so the conversation can be archived.