

# ICA COMPLIANCE UPDATE

## CLIENT POLICY – WEBSITE USAGE

JUNE 21, 2004

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*Investment Centers of America, Inc. (ICA) Compliance Updates represent a modification or clarification of the Firm's written policies and procedures. The information contained herein supersedes any and all information related to the above-entitled issue that had previously been distributed by ICA. The Update is considered to be a formal amendment to the Firm's supervisory procedures as of the above date. This information will be posted in the Compliance tab on the ICA Website, as an update to the Firm's Written Supervisory Procedures.*

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We have seen an increase in state level regulations regarding business websites having the ability to collect client data (i.e. client name, email address, mailing address, etc.). To comply with these regulations, **all** Representatives who host or facilitate a securities-related website/webpages must post the appropriate privacy policy link(s) on their sites. This also includes Representatives who use a third party website to market their services (i.e. Representatives who have partnered with a Financial Institution, where the primary website is hosted by the Financial Institution but the Representative's services are listed therein).

**Effective July 1, 2004, the following requirements must be in place for Representatives who host/facilitate a securities related website/webpages.**

- Post a text or icon hyperlink from the Home Page of their securities-related website entitled "ICA Privacy Policy". This link must route to [http://www.investmentcenters.com/public/forms/ica\\_madv6130a.pdf](http://www.investmentcenters.com/public/forms/ica_madv6130a.pdf).
- If the website discusses products and/or services not provided through ICA, a separate Privacy Policy related to these issues must be posted. ICA cannot provide Legal advice related to the creation or posting of this Privacy Policy, nor should ICA be listed by name in this policy.

### **Text Link Requirements**

- Must be written in capital letters equal to or greater in size than the surrounding text; or
- Must appear in contrasting type, font, or color to the surrounding text of the same size, or offset from the surrounding text of the same size by symbols or other marks that call attention to the language.

### **Icon Link Requirements**

- Must be titled "ICA Privacy Policy" and appear in a color contrasting the background color of the webpage or must be otherwise distinguishable.

*Note:* Although ICA is solely concerned with securities-related websites, Representatives who currently host a non-securities related site should also comply with this requirement. Many states now require such information to be posted to business-oriented websites.

As part of our surveillance process, we will be conducting random reviews of websites to ensure Representatives are in Compliance with this requirement.

**Attention Representatives who utilize Emerald or Advisorsquare:** ICA now requires these providers to post a link to the ICA Privacy Policy on all securities related websites. Responsibility for posting privacy policy information regarding non-securities related products and/or services remains with the Representative.

If you have questions regarding these new policies, which take effect **July 1, 2004**, please contact the ICA Compliance Department at 866-275-4422, option 3.



INVESTMENT CENTERS  
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## **INVESTMENT CENTERS OF AMERICA, INC. PRIVACY POLICY**

Preserving trust is a core value. We recognize that you expect us to adopt policies and procedures reasonably designed to protect the information you provide us and to use it responsibly. We are committed to fulfilling the trust that is the foundation of your expectations. For that reason, we have adopted and adhere to the following policy regarding the privacy of your nonpublic personal information and personally identifiable information (collectively "Nonpublic Personal Information").

### **INFORMATION THAT WE COLLECT**

We may collect Nonpublic Personal Information from you or others, including your name, address, e-mail address, telephone numbers, Social Security Number, other information that permits us to contact or communicate with you, information about your financial situation including your employment or occupation, salary, assets, insurance and investment transactions, banking information, and other financial and tax information you may elect to supply to us. For certain insurance products, we may collect health information that you provide to us.

### **HOW WE COLLECT INFORMATION**

We collect this Nonpublic Personal Information through various sources, including information from:

- You on new account forms, fact-finding questionnaires, product and service applications, and other forms;
- You, in writing, electronically, through the telephone, or through our website, when you communicate with us or request information about our products and services;
- Consumer reporting agencies;
- Affiliated and unaffiliated product sponsors with whom we have selling relationships and whose products you own or have owned; and
- Other individuals or entities that you may authorize us to obtain information from, such as your attorney or accountant.

### **INFORMATION THAT WE DISCLOSE**

As permitted by law and as outlined in this policy, we disclose Nonpublic Personal Information to affiliates and unaffiliated third parties that provide services to us or with whom we have contractual relationships in order that we may carry out your directions and effectively and efficiently service your account. Examples of third parties with whom we may share your Nonpublic Personal Information include:

- Mutual fund companies, insurance companies, and other product sponsors in order to generate proposals, reflect available services or quote insurance, execute your investment and insurance purchases and sales, and allow for the servicing of your accounts;
- Clearing Agencies or other broker/dealers through whom we clear and settle your securities transactions;
- Companies providing account performance and/or reporting services on your accounts;
- Third party asset managers with whom we have relationships for the management of customer accounts;
- Banks and other financial institutions where our Representatives are located and with whom we have arrangements for the marketing and sale of our products and services;
- Companies that provide services to us to assist with the maintenance of required books and records or to facilitate client mailings or publications on our behalf;

- State, Federal, and other regulatory and self-regulatory authorities, or under a subpoena for release of information, as required by law or regulation;
- Other companies, associations, agencies, third parties, and institutions that provide services to us in order that we may more effectively and efficiently service your account;
- and those companies, associations, agencies, third parties, and institutions with which we or our Representatives are licensees, registrants, or Members; and
- In certain situations, your Representative when leaving our firm for another firm, as is outlined below.

Where we share your Nonpublic Personal Information with third parties for the purposes noted above, we ensure that there are contractual agreements with the third party prohibiting their use and disclosure of that information for any purpose other than to carry out the purposes for which you disclosed the information or that such third party is prohibited by law from further sharing your information (such as regulators). Except under the circumstances outlined above, we will not share Nonpublic Personal Information with affiliated or unaffiliated third parties concerning our current or former customers for marketing purposes or otherwise.

### **OUR REPRESENTATIVES**

We recognize that our clients have elected to open accounts with us due to the efforts of our Representatives. Because of the importance of your relationship with your Representative, if he or she elects to leave our firm for another registered broker/dealer, we may allow them to take your information with them to the new firm, subject to the requirements or limitations of applicable law.

Certain states have privacy laws that require that you “opt-in” to your representative sharing your information with their new firm. In those states we will obtain your consent before allowing your Representative to take your information with him or her should your Representative leave our Firm.

Other states are “opt-out” states, that require that you notify us if you do not want your Representative to share your information with his or her new firm.

**If you do not want your Representative to transfer this information from our firm to his or her new firm in order to continue servicing your account in the event he or she decides to leave our firm for another registered broker/dealer, please contact us at 1-800-805-0988, to opt out of this information sharing.**

### **STEPS WE TAKE TO PROTECT YOUR INFORMATION**

We have security policies and procedures reasonably designed to prevent unauthorized use or access to your Nonpublic Personal Information. In addition to your Representative and his or her office, your information is available to employees for various business purposes, such as processing or servicing transactions, and those fulfilling compliance, legal or audit functions. Our computer systems utilize password protection to prevent access by unauthorized personnel, and we employ other physical, electronic, and procedural safeguards to ensure the protection of your Nonpublic Personal Information in accordance with state and federal privacy regulations.

### **AMENDMENTS TO OUR PRIVACY POLICY**

When we make material amendments to our Privacy Policy we will post an appropriate notice on our website. In addition, we may send you an amended version of our Privacy Policy through the mail.

# SII COMPLIANCE UPDATE

## CLIENT POLICY – WEBSITE USAGE

JUNE 24, 2004

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*SII Investments, Inc. Compliance Updates represent a modification or clarification of the Firm's written policies and procedures. The information contained herein supersedes any and all information related to the above-entitled issue that had previously been distributed by SII. The Update is considered to be a formal amendment to the Firm's supervisory procedures as of the above date. All Registered and Associated persons are responsible to read and understand this Compliance Update which is incorporated into SII's WRITTEN SUPERVISORY PROCEDURES available at [www.siionline.com](http://www.siionline.com).*

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We have seen an increase in state level regulations regarding business websites having the ability to collect client data (i.e. client name, email address, mailing address, etc.). To comply with these regulations, **all** Representatives who host or facilitate a securities-related website/webpages must post the appropriate privacy policy link(s) on their sites. This also includes Representatives who use a third party website to market their services (i.e. Representatives who have partnered with a Financial Institution, where the primary website is hosted by the Financial Institution but the Representative's services are listed therein).

**Effective July 1, 2004, the following requirements must be in place for Representatives who host/facilitate a securities related website/webpages.**

- Post a text or icon hyperlink from the Home Page of their securities-related website entitled "SII Privacy Policy". This link must route to [http://www.siionline.com/public/sii\\_madv6130a.pdf](http://www.siionline.com/public/sii_madv6130a.pdf).
- If the website discusses products and/or services not provided through SII, a separate Privacy Policy related to these issues must be posted. SII cannot provide Legal advice related to the creation or posting of this Privacy Policy, nor should SII be listed by name in this policy.

### **Text Link Requirements**

- Must be written in capital letters equal to or greater in size than the surrounding text; or
- Must appear in contrasting type, font, or color to the surrounding text of the same size, or offset from the surrounding text of the same size by symbols or other marks that call attention to the language.

### **Icon Link Requirements**

- Must be titled "SII Privacy Policy" and appear in a color contrasting the background color of the webpage or must be otherwise distinguishable.

*Note:* Although SII is solely concerned with securities-related websites, Representatives who currently host a non-securities related site should also comply with this requirement. Many states now require such information to be posted to business-oriented websites.

As part of our surveillance process, we will be conducting random reviews of websites to ensure Representatives are in Compliance with this requirement.

**Attention Representatives who utilize Emerald or Advisorsquare:** SII now requires these providers to post a link to the SII Privacy Policy on all securities related websites. Responsibility for posting privacy policy information regarding non-securities related products and/or services remains with the Representative.

If you have questions regarding these new policies, which take effect **July 1, 2004**, please contact the SII Compliance Department at 800-426-5975, option 3.



## **SII INVESTMENTS, INC. PRIVACY POLICY**

Preserving trust is a core value. We recognize that you expect us to protect the information you provide us and to use it responsibly. We are strongly committed to fulfilling the trust that is the foundation of your expectations. For that reason, we have adopted and adhere to the following policy regarding the privacy of your nonpublic personal information and personally identifiable information (collectively "Nonpublic Personal Information").

### **A. INFORMATION THAT WE COLLECT**

We may collect Nonpublic Personal Information from you or others, including your name, address, e-mail address, telephone numbers, Social Security Number, other information that permits us to contact or communicate with you, information about your financial situation including your employment or occupation, salary, assets, insurance and investment transactions, banking information, and other financial and tax information you may elect to supply to us.

### **B. HOW WE COLLECT INFORMATION**

We collect this Nonpublic Personal Information through various sources, including:

- Information we receive from you on new account forms, fact-finding questionnaires, product and service applications, and other forms;
- Information we receive from you, in writing, electronically, through the telephone, or through our website, when you communicate with us, or request information about our products and services;
- Your transactions with us, our affiliates, and those product sponsors with whom we have selling agreements or other arrangements for the provision of services to you;
- Consumer reporting agencies; and
- Affiliated and unaffiliated product sponsors with whom we have selling relationships and whose products you own.

### **C. INFORMATION THAT WE DISCLOSE**

As permitted by law and as outlined in this policy, we disclose Nonpublic Personal Information to affiliates and unaffiliated third parties that provide services to us or with whom we have contractual relationships in order that we may carry out your directions and effectively and efficiently service your account. Examples of third parties with whom we may share your Nonpublic Personal Information include:

- Mutual fund companies, insurance companies, and other product sponsors in order to execute your investment and insurance purchases and sales and to allow for the servicing of your accounts;
- Clearing Agencies or other broker/dealers through whom we clear and settle your securities transactions;
- Companies providing account performance and/or reporting services on your accounts;
- Third party asset managers with whom we have relationships for the management of customer accounts;
- Banks and other financial institutions where our Registered Representatives are located and with whom we have arrangements for the marketing and sale of our products and services;
- Companies that provide services to us to assist with the maintenance of required books and records or to facilitate client mailings or publications on our behalf;
- State, Federal, and other regulatory and self-regulatory authorities as required by law or regulation;
- Other companies, associations, agencies, third parties, and institutions that provide services to us in order that we may more effectively and efficiently service your account; and those companies, associations, agencies, third parties, and institutions with which we or our Registered Representatives are licensees, registrants, or Members; and
- In certain situations, your Registered Representative when leaving our firm for another firm, as is outlined in Section D below.

Where we share your Nonpublic Personal Information with third parties for the purposes noted above, we ensure that there are contractual agreements with the third party prohibiting their use and disclosure of that information for any purpose other than to carry out the purposes for which you disclosed the information or that such third party is prohibited by law from further sharing your information (such as regulators). Except under the circumstances outlined above, we will not share Nonpublic Personal Information with affiliated or unaffiliated third parties concerning our current or former customers for marketing purposes or otherwise.

### **D. OUR REGISTERED REPRESENTATIVES**

We recognize that our clients have elected to open accounts with us due to the efforts of our Registered Representatives. Because of the importance of your relationship with your Registered Representative, if he or she elects to leave our firm for another registered broker/dealer, we may allow them to take your information with them to the new firm, subject to the requirements or limitations of applicable law. If you do not want your Registered Representative to transfer this information from our firm to his or her new firm in order to continue servicing your account in the event he or she decides to leave our firm for another registered broker/dealer, please contact us at 1-866-793-4968 to opt out of this information sharing.

#### **E. STEPS WE TAKE TO PROTECT YOUR INFORMATION**

We have security policies and procedures reasonably designed to prevent unauthorized use or access to your Nonpublic Personal Information. In addition to your Registered Representative and his or her office, your information is available to employees for various business purposes, such as processing or servicing transactions, and those fulfilling compliance, legal or audit functions. Our computer systems utilize password protection to prevent access by unauthorized personnel, and we employ other physical, electronic, and procedural safeguards to ensure the protection of your Nonpublic Personal Information in accordance with state and federal privacy regulations.

#### **F. AMENDMENTS TO OUR PRIVACY POLICY**

When we make material amendments to our Privacy Policy we will post an appropriate notice on our website. In addition we may send you an amended version of our Privacy Policy through the mail.