



Regulatory Compliance for the Financial Industry

Because the financial industry leads the way in regulations regarding electronic communications, it has been forced to not only be aware of the regulations but to also be in full compliance with them. Some of the important regulations and guidelines for archiving and retaining electronic communication are listed below. Compliance with these regulations will help your organization avoid fines, sanctions, and other penalties, as well as avoid the risks involved with email and social media misuse.

Retain Unified Archiving at a Glance:

Micro Focus® Retain™ Unified Archiving helps financial organizations such as investment advisors, lenders, banks, and insurers meet their regulatory retention and supervision obligations. It enables you to capture, monitor, and archive all business related communication data (email, social media, and mobile message data) for review, audits, eDiscovery, litigation, and compliance.

“We were looking for a solution that archives in accordance with current retention laws—Retain fulfills all our internal and the external compliance regulations!”

STEFAN VETTER,

Tax Counsellor & Partner
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Archiving Regulations for Financial Organizations

- **FINRA 10-06, 11-32, 11-39:** Financial firms must retain records of social media, tweets, and text message communications regardless of whether they are conducted from a work-issued device or personal device.
- **SEC Rule 17a-3 and 17a-4:** A dealer or broker must preserve documents and records for three to six years, the first two years of which, they must be in an accessible location.
- **Sarbanes-Oxley Act:** Public companies must save all business records, including electronic records and messages, for no less than five years.
- **IIROC 11-0349 (Canada):** All methods used to communicate, including social media, blogs, and chat rooms, are subject to the IIROC Dealer Member Rules.
- **Gramm-Leach-Bliley:** Section 6801 requires that access to all customer records, including communication, be controlled to prevent substantial harm or inconvenience to any customer.
- **Dodd-Frank Act:** “Each organization shall maintain records of all activities related to the business of the facility, including a

complete audit trail in a form and manner that is acceptable to the Commission; and for a period of not less than 5 years.” All phone, voice mail, email, instant messages, SMS, etc. communication that led to trade execution must be retained.

How Does Retain Address Regulatory Concerns within Financial Organizations?

Retain provides multi-platform unified archiving of email, social media, and mobile communication data for case assessment, search and eDiscovery.

Multi-Platform Unified Archiving: Email, social media, and mobile is archived into one unified data archive, giving you the ability to search, publish, and perform eDiscovery from one central location.

Flexible Archive Access: The Retain Archive can be browsed and searched directly from multiple access points including the end-user email client, the Retain mobile app, the browser-based web access client, and the Offline Archive Viewer.

Policy-Based Unified Archiving: Retain provides fully configurable policies that allow you to define the specific communication data

you want to archive. These policies allow you to define what is archived based on mailbox type, message source, item type, message status, the age of the message, and attachments.

Social Media Archiving and Oversight:

Retain Social provides social media monitoring and archiving. This enables organizations to perform eDiscovery, review messages in context, and help determine the tone of all posts and pictures for Facebook, Twitter, LinkedIn, Instagram, Flickr, Pinterest, Google+, YouTube, and Vimeo videos and comments

Complete eDiscovery: Retain includes built-in eDiscovery tools to easily place litigation holds, print, forward, save, redact, and export data.

Compliance and Control: GroupWise™, Gmail, Exchange, and Office 365 lack critical capabilities that can put your organization at risk for data loss and compliance violations. Retain solves this problem by disabling auto-purge, supporting SmartPurge, allowing for archive policy control, supporting export to PDF, allowing archived messages to be restored to the inbox, allowing for redaction on exported messages, and prohibiting message alteration or deletion.

Web Access Archive Viewer: Retain offers a browser-based interface with powerful search tools that allow access, search, and eDiscovery on the archive.

Complete Export Functionality: Export the data easily into either PST, PDF, or stand-alone archive viewer formats. The exported file is fully indexed, searchable, and includes a table of contents for quick browsing.

Redaction Control: Exported data can be redacted, which ensures that personal information, or other redacted items, do not become part of the open records request.

Litigation Hold: To protect email that may potentially be involved in future litigation, Retain can flag an archived item to protect it from deletion or actions until the hold is removed.

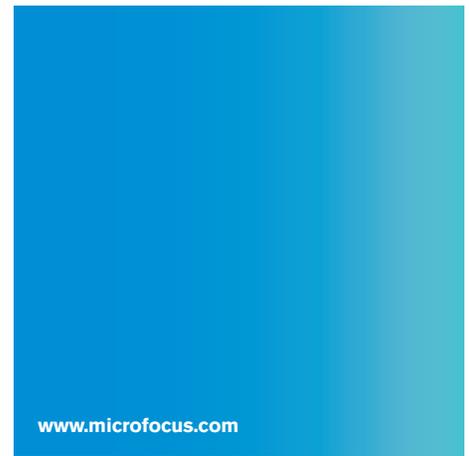
Audit Trail: Retain creates a searchable audit trail of all administrators and users who have permission to search the archive, enabling you to have a record of all activity.

Smart, Confidential, and Rule-Based Tagging:

Administrators and end users can create custom tags for messages within the archive. Auditors, administrators, and other authorized users can mark archived messages as confidential. These marked messages can only be viewed or searched by users with granted rights. And messages can be marked as confidential or tagged while being archived according to set criteria, including regular expressions. These tags are searchable for easier eDiscovery.

Configurable Permissions: Grant users, administrators, or others access to the features and functionality of the Retain system, based on the roles you set.

Fast and Easy Retrieval: Retain contains a built-in Lucene indexing engine or the Retain High Performance Indexing Engine (for larger deployments).



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