

Legal and Compliance > Compliance Strategy Development

Title	Develop guidelines in relation to cross brooder marketing
Code	106663L5
Range	Developing guidelines on cross-border marketing for sales staff. This applies to sales activities of different kinds and covers different geographical regions for the private banking business.
Level	5
Credit	4 (for reference only)
Competency	<p>Performance Requirements</p> <ol style="list-style-type: none"> <li>1. Evaluate the requirements of relevant regulations                             <ul style="list-style-type: none"> <li>Be able to:                                     <ul style="list-style-type: none"> <li>• Evaluate applicable regulatory requirements on sales of private banking products and services in different geographical regions and interpret the implications on selling process</li> <li>• Evaluate the bank’s compliance policy in order to ensure the guidelines developed are in alignment with the bank’s management culture and applicable laws and regulations</li> </ul> </li> </ul> </li> <li>2. Evaluate relevant regulatory requirements                             <ul style="list-style-type: none"> <li>Be able to:                                     <ul style="list-style-type: none"> <li>• Conduct research on relevant regulatory requirements of different regions and identify what are the permitted activities in different foreign jurisdictions</li> <li>• Develop cross-border sales guidelines to specify dos and don’ts in each jurisdiction</li> <li>• Develop control, monitoring and documentation procedures to ensure compliance with regulatory requirements in multiple jurisdictions</li> <li>• Monitor the development and changes in relevant regulations and update the policies and procedures to ensure effective sales compliance in multiple jurisdictions</li> <li>• Seek external legal opinions or clearance of interpretation from regulators, if needed</li> </ul> </li> </ul> </li> <li>3. Provide guidance to staff                             <ul style="list-style-type: none"> <li>Be able to:                                     <ul style="list-style-type: none"> <li>• Provide timely information to sales staff and ensure they understand (e.g. review the disclaimers and suitability) the risks of non-compliance</li> <li>• Provide advice and clearance to presentation / promotion materials used by staff for overseas meeting with clients</li> <li>• Build a compliance culture to ensure sales staff act in compliance with the cross-border sales guidelines</li> <li>• Provide advice on handling investigation by foreign regulator</li> </ul> </li> </ul> </li> </ol>
Assessment Criteria	<p>The integral outcome requirements of this UoC are:</p> <ul style="list-style-type: none"> <li>• Development of guidelines in relation to cross-border marketing to clearly spell out activities that a sale representative can carry out during overseas business trips. These should be based on analysis on the regulatory requirements in different jurisdictions and the compliance policies of the bank, etc.</li> </ul>
Remark	