ADVERTISING COMPLIANCE ANNUAL AGENT BULLETIN

UPDATED DECEMBER 2020

ACAAB 2020-2021

TRANSAMERICA®

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INTRODUCTION

This bulletin outlines Transamerica’s approval requirements and guidelines regarding the use of advertising, marketing, and sales materials. It will also address the use of Transamerica’s logos, trademarks, and service marks.

Advertisements may include marketing communications, direct-mail pieces, email and web-based materials, as well as social media posts and blogs relating to the sale of Transamerica’s insurance and annuities—whether sold individually or through worksites. Advertising materials are strictly regulated by every jurisdiction in which the Transamerica companies operate, as well as by internal Company policy.

Regardless of who creates the piece, Transamerica may be held responsible for compliance with legal requirements. Therefore, it is essential that all advertising materials pertaining to Transamerica products be approved by Transamerica, and by all jurisdictions where required, prior to implementation and/or use. In addition, prior approval must be obtained for use of Transamerica’s logos, service marks and/or trademarks in advertising materials.

GENERAL REQUIREMENTS

Materials must be submitted through ComplianceMax (cMAX) for review and approval well in advance of the proposed use date. Some state insurance departments require that materials be submitted to them for approval prior to use. Some jurisdictions may take longer than others to approve materials and may require additional changes. Hence, longer lead time is required when an item must be filed with a state insurance department.

Registered Products

If variable annuities, mutual funds or other SEC-registered products are mentioned, the ad must be submitted to the registered representative's broker-dealer for prior approval and possible filing with FINRA.

Advertising and sales material, whether aimed at consumers or distributors, should be submitted to Transamerica's Advertising Compliance team, and will be subject to the following:

- Unless a different expiration is specified upon submission, an advertising approval will expire in one year
- If use of a piece will continue beyond the expiration of its approval, it must be resubmitted for a new approval

GENERAL REQUIREMENTS

- If any material fact within an approved piece changes (such as interest rates, premiums or company financial strength ratings), that piece is no longer approved and should be withdrawn from use immediately. This also applies to changes due to regulatory requirements. If continued use of the piece is desired, it must be revised and resubmitted for approval as soon as possible.

- Ads are only approved for use in the jurisdiction(s) disclosed at the time of the review. Since advertising regulations vary by jurisdiction, previously approved advertising, marketing or direct-mail pieces should be resubmitted if use in another geographic area is desired.

- Ads are only approved for use with the audience and in the medium disclosed at the time of the review. For example, if advertising copy is approved for use in a webinar that will be distributed only to agents, the approved wording may not be used with consumers or on a website or social media site without prior approval for such additional or different use.

GENERAL REQUIREMENTS

- Material must not be shown to a client if it’s marked “For internal use only”, “For training only”, “For agent use only”, “For institutional use only”, or with a similar restriction.

- Agents are prohibited from using portions of existing material in a new document without first obtaining Transamerica’s approval. This policy also strictly applies to advertising on the internet and on all social media sites.

- Never alter, modify, mark, or remove pages from advertising. If any alterations, modifications, or changes are made to an approved piece of advertising, the approval is null and void, and it must be submitted to Advertising Compliance for review and approval prior to use. The piece may not be used until a new approval is granted.

WHAT SHOULD BE SUBMITTED

Prior to printing or publication, please submit the following materials to Transamerica for approval:

• *All* advertisements for *all* media including, but not limited to, newspapers, magazines, industry publications, radio, television, telephone, internet, social media and outdoor advertising (such as billboards, bus placards, etc.).

• All materials in any media for which a placement fee is paid, regardless of the subject matter (for example, insurance, annuities, recruitment, etc.).

• Advertising that is based on material furnished by Transamerica. This includes using a Transamerica-supplied item in a different medium (such as using a local-level mailer as the basis for a newspaper ad).

WHAT SHOULD BE SUBMITTED

• Any requests for agency sponsorship, such as sporting events.

• Advertising messages designed to be delivered by automatic telephone device, fax or computer.

• Brochures, flyers, descriptive literature, broadcast faxes, sales aids, direct-mail letters, newsletters, postcards, reply cards, and form letters for all types of presentations to the public and agents.

• Prepared sales and training presentations, seminar and telemarketing scripts or pitches (including scripts for “on-hold” messages), webinars and videos designed to communicate information about Transamerica, its products, programs or practices.

• Any material designed to create interest in Transamerica’s products or programs, an agent or the Company, or to induce the public to purchase, increase, modify, reinstate, borrow on, surrender, replace or retain a policy. Such material may include, but is not limited to, items to be used for lead generation, sales promotion, producer recruiting, producer training, informational updates, newsletters and direct mail.

UNSOLICITED ADVERTISING

The Federal CAN-SPAM Act contains specific limitations and restrictions on how you can use email to solicit business. If you are going to use email as a method of soliciting business, you must comply with the provisions of the Federal CAN-SPAM Act.

Please refer to www.ftc.gov/tips-advice/business-center/guidance/can-spam-act-compliance-guide-business for more details on the Federal CAN-SPAM Act, its restrictions and the actions you must take to comply with its provisions.

Also, fax spam (consisting of the use of any computer or other device to send an unsolicited advertisement to another machine) is **strictly prohibited** under the Federal Telephone Consumer Protection Act of 1991 (TCPA) and the Junk Fax Prevention Act of 2005. The use of recorded voice messages and unsolicited broadcasts, whether sent by producers or third parties, is also **strictly forbidden** under the TCPA.

Before you proceed in making any *unsolicited* communications, be sure you are aware of the most recent regulatory updates regarding these types of transactions.

UNSOLICITED ADVERTISING

Email or any other electronic communications to producers contracted through your agency, including broadcast communications, are not considered “unsolicited” since there is an existing business and/or personal relationship between you and the recipient, and/or the communication is sent at the request or with the consent of the recipient. Even though the communication is not considered *unsolicited*, you still must include a notice and contact information on the first page, informing the recipient how to “opt out” of any future advertisements from the sender.

INSURANCE ADVERTISING

Insurance advertising is defined in most states as material designed to create public interest in a life insurance or annuities products, an insurer, an insurance agent; or to induce the public to purchase, increase, modify, reinstate, borrow on, surrender, replace, or retain a policy.

It also includes material used for the recruitment, training, or education of an insurer’s insurance producers (agent training materials) which is designed to be used, or is used, to induce the public to purchase, increase, modify, reinstate, borrow on, surrender, replace, or retain a policy.

INSURANCE ADVERTISING

INCLUDES, BUT IS NOT LIMITED TO, THE FOLLOWING

Social media posts	Websites or microsites	Business cards
Video or audio recordings	Training materials to be used with the public	Reprints of magazine or newspaper articles
Lead generators	Seminars	Illustrations
Phone or internet directories	Radio, Newspaper or TV ads	Infomercials
Letterhead	Scripts	Telemarketing
Flyers	Group email messages	Radio talk shows
Invitations	Signage and billboards	Presentations

INTERNET AND SOCIAL MEDIA ADVERTISING

Even though an agent may be targeting a local audience, the internet is a global medium and state-specific access to specific sites cannot be controlled. Therefore, Transamerica places certain restrictions on the information included on a website or in other internet marketing resources such as social media sites, when the Transamerica name, logo or other proprietary information is used, or when Transamerica products are referenced.

It is essential that all advertising and marketing communications programs and materials to appear on the internet be approved by Transamerica *prior to posting online*. Please note that in accordance with the above New York Regulation, producers who advertise on the internet on behalf of products offered in the State of New York must also report the dissemination of such internet advertising. Generally, this is done by reporting the number of “hits” or “visits” to the website in each calendar quarter.

INTERNET AND SOCIAL MEDIA ADVERTISING

Transamerica creates and posts a broad range of product information on its websites. This information is revised and updated frequently as product features change. We encourage agents to refer to our sites for information.

We realize that agents may have a sales need to post certain product information that may not be provided on our sites. Any *product information posted on agency websites must be approved by the Transamerica Advertising Review team.*

TRANSAMERICA'S TRADEMARKS, SERVICE MARKS, LOGOS, AND COPYRIGHTED MATERIALS

Trademarks and Service Marks

Transamerica has registered numerous trademarks and service marks to protect and strengthen corporate identities, logos, marketing slogans and the names of products and services. Transamerica®, the Transamerica Pyramid design and the Transamerica Pyramid building are obvious examples of registered trademarks owned by Transamerica. Transamerica also uses many trademarks and service marks that are not registered.

Registered trademarks are identified by the ® symbol. Unregistered marks, or those for which registration is pending, are identified by the ™ or the ℠ symbols. ***Every mark must be identified correctly and consistently; otherwise, exclusive rights to its use may be lost.*** Detailed use requirements may include color, typeface (font), sizing, spacing and placement in combination with other logos.

TRANSAMERICA'S TRADEMARKS, SERVICE MARKS, LOGOS, AND COPYRIGHTED MATERIALS

Transamerica has strict guidelines regarding the use of its brand and logo. You must obtain written permission prior to using any Transamerica logo, slogan or mark regardless of whether it is registered. Any proposed use of another company's logo or mark in combination with a Transamerica mark or logo must also be approved prior to use. Unauthorized use of a Transamerica logo, slogan or mark may constitute infringement and is strictly prohibited.

In addition, any graphic design, symbols, words, phrases or images intended to identify or imply identification or connection with Transamerica companies or their products must be approved prior to use.

Brand guideline questions can be sent to tabrandapprovals@Transamerica.com**.**

TRANSAMERICA'S TRADEMARKS, SERVICE MARKS, LOGOS, AND COPYRIGHTED MATERIALS

Copyrighted Materials

Copyrighted materials are protected by law whether they belong to Transamerica or another company. Regardless of whether they bear a copyright notice (© or "copyright"), articles, photographs, records, videotapes, compact discs, audiotapes, slide presentations, computer software, music, website, etc., cannot be reproduced without the prior consent of the owner. Agents must obtain written permission from the copyright owner to reprint or reuse the material and submit it along with their ads for Transamerica approval.

APPROVAL PROCESS

All submissions
Proposed agent websites, social media posts or other Internet marketing communications should be submitted to Transamerica well in advance. We recommend no less than two weeks; three to four weeks is preferred.

This includes website content and other material designated for use within an agency or local network (intranet) to communicate or promote an interest in Transamerica’s products, programs, services or awards.

Please note: It is to the agent’s benefit/advantage to submit content for review and approval in a Word document, pdf, or similar format as the costs associated with making changes to copy already converted into HTML code can be significant.

APPROVAL PROCESS

• Any posting of non-approved Company or product information on an agent website or social media site is non-compliant advertising. In such cases, appropriate action will be taken, including possible termination of an agent's contract.

• Lifting elements from Transamerica brochures and print material is not an acceptable form of advertising.

• As the Internet is an immediate medium, the content of sales literature, including product information and rates, can become dated quickly. Legal approvals are based on the entire document; even minor changes or lifted excerpts can result in non-compliant advertising. Therefore, all material must be approved prior to use, even when the source is a Transamerica-produced document.

APPROVAL PROCESS

• An agent's site must list *all jurisdictions* where the producer is licensed; it must also show the producer's license number issued by his or her state of domicile.

• The agent cannot accept business solicited through the site that is outside his or her licensed area.

• Unless the product(s) mentioned is approved for sale in the State of New York, the advertisement must include a disclaimer that the product(s) is "**Not available in New York.**"

REPORTING REQUIREMENTS FOR MATERIAL DISSEMINATED IN NEW YORK

In accordance with the rules and regulations of the State of New York, Title 11, Section 219.5(a) of Regulation 34-A, agents who disseminate material in the State of New York must report the dissemination of such material to Transamerica at the end of each calendar quarter.

The report must contain the form number of the approved material (generally found at the bottom left corner), the month in which the material was mailed and the names and addresses of each person who received the communication.

This information should be sent to your marketing contact, and then submitted to Advertising Compliance via ComplianceMax (cMAX) on a quarterly basis.

FAILURE TO COMPLY WITH REGULATIONS AND TRANSAMERICA POLICIES

Transamerica takes its obligation to comply with advertising regulations very seriously and expects agents to do the same. Agents who use unapproved advertising or sales material violate Company policy and may also violate state/jurisdiction laws. In such instances, Transamerica reserves the right to take appropriate disciplinary action, including termination of the agent's contract.

References to Transamerica in this document pertain either to an individual company or collectively to these and other Transamerica companies: Transamerica Life Insurance Company, Cedar Rapids, IA; Transamerica Financial Life Insurance Company, Harrison, NY (licensed in New York); and Transamerica Casualty Insurance Company, Cedar Rapids, IA.


THANK YOU!
ACAAB 2020-2021.
TRANSAMERICA