



Content  
Marketing  
Guide

# How to advertise compliantly

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Advertising investment migration programs compliantly protects your clients and your business



HOW TO ADVERTISE COMPLIANTLY

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## CHAPTER ONE

# The critical importance of ethical and transparent advertising

The investment migration industry is booming, and with a record number of multi-millionaires in search of more favourable jurisdictions, the next few years will see demand for residence by investment *and* citizenship by investment programs soar.

## Why are ethical marketing practices important?

As these solutions become more popular, practitioners will need to prioritize implementing fair and legally compliant advertising practices in their businesses. This will safeguard their firm's professional reputation and most importantly, protect the interests of the affluent investors and families who engage their services. Ethical marketing practices elevate the credibility of the overall investment migration sector and have a far reaching impact beyond the scope of any single firm.

## The case of a few bad apples

In recent years, the industry has come under significant pressure from both national and international governing bodies to improve its reputation and strengthen its commitment to transparency.

There have been increasing demands for host nations offering \*\*RCBI programs in Europe, the Caribbean, and beyond to either substantially reform or eliminate their programs. These calls have been driven by critical political factions and the broader public. Though public opinion can be misinformed on the actual impacts, benefits, and drawbacks of investment migration programs, they do bear a notable weight on policy.

Industry players have also been called out for their overzealous, misguided, and outright false marketing, with regulators and governing bodies being caught up in these unsavoury scandals. Unfortunately incidents like these can cast a shadow on the industry, hampering its credibility.

## **A bid to raise the industry benchmark**

To counter the critics, the Investment Migration Council (IMC), has taken it upon themselves to highlight the benefits that investment migration programs bring to the host nations' local communities, to their growth and development.

The IMC has sought to champion the industry's interests, acting as their voice, in key public arenas where governments, policy makers, and supra-national organizations convene and deliberate.

They have also created comprehensive professional certifications that investment migration practitioners can qualify for, as a way to standardize and elevate the industry's professionalism. These certifications contribute to practitioners' knowledge, validating their expertise.

Among its various initiatives, the IMC has also published guidelines on advertising residence and citizenship by investment programs. These guidelines align with standards established by other governing bodies, chartered institutions, and regulators. They provide a framework for firms to promote RCBI programs fairly, ensuring the integrity of the industry and enhancing the credibility of its practitioners.

# In a nutshell: the industry's advertising guidelines

The IMC's Guidelines on Advertising and Marketing supplement their members' [Code of Ethics and Professional Conduct](#). The advertising guidelines can be categorized under three overarching areas namely; transparency, ethics, and legal considerations.

## Transparency guidelines

- Marketing information needs to be visibly legible, and redacted clearly avoiding 'legalese', to ensure the reader fully grasps the information.
- Marketing information presented as an advert, sponsored, or otherwise paid should stipulate that so the public is not misguided.
- Marketing information needs to be presented accurately with practitioners taking due care to vet the validity of the data from reputable authorities, ensuring it is in line with the law, and any regulatory authorities.
- Any references to research or scientific data quoted that support the merits of a program need to be presented clearly and in the right context.
- Any reviews or endorsements need to be presented honestly, with proof as to the veracity of the endorsements readily available. Clients' consent should be secured prior to reviews or endorsements being made public.
- Any application success rates or application volumes highlighted need to be true, justifiable, and transparent, without misleading the public.
- As all applicants need to be vetted by governing authorities there should be no warranties or assurances implying approval is guaranteed.
- Any costs or fees payable at the initial consultation stage, as a response to the advert, at onboarding, or otherwise need to be communicated clearly.

- Any criteria or fees to qualify for, secure, or maintain the validity of a residence permit or citizenship need to be clearly communicated from the outset.
- The full details: name, contact numbers, regulators information, and licenses/permits relating to the industry practitioner or service provider need to be communicated clearly.
- Country names and program names, need to be accurately used, ensuring they are phrased in the exact wording the government or regulatory body that oversees the programs requests.
- References to laws and legal frameworks that are quoted need to be accurately quoted.
- The benefits of favourable tax frameworks as an incentive for a specific program need to be put forward carefully, ensuring the accuracy of the information presented, without inferring any unlawful practices, promoting tax optimization or mitigation, or purporting to be fiscal advice.

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## Ethical guidelines

- The nature of the industry is global, as such any marketing content that is written should be inclusive, eliminating any discrimination.
- Marketing information should be respectful across the board, this applies to race, culture, ethnicity, gender, age, religion, marital status, economic status, sexual orientation etc...
- Marketing information should never incite or infer any illegal actions, unethical practices, or otherwise that would be in breach of the law or disregard human dignity.
- Marketing information regarding an RCBI program should respect the reputation of the host nation as well as respect for any of the applicants' country of origin. It should in no way tarnish the good-name of any country, either named or inferred.

- Refrain from references to ‘residency schemes,’ ‘citizenship schemes,’ or ‘golden passports’ as well as terms that imply the purchase of citizenship rights. Content that includes the acquisition of ‘EU residence rights’; ‘EU citizenship’; ‘passports for sale’ or any similar content should not be used either. Inferring that the entitlement to visa-free travel in the European Union or EU citizenship is guaranteed should also be avoided.
- Refrain from publishing passport images, images with symbols of the European Union, or other governing bodies, or other identifying citizenship symbols without confirming if this breaches the law or the codes of conduct of the program’s regulator for licensed agents.
- Refrain from aggressive marketing tactics that impose undue pressure on the prospect when making an investment decision of this significance.
- The individual whose data is collected should have the right to decline receipt of marketing communications and be able to unsubscribe at any time.
- The individual whose data is collected should have the right to decline its transfer to third parties.
- Competition rules need to be adhered to and policies of fairness and respect applied in all marketing communication to avoid unlawful defamation or dis-accreditation of any other industry practitioners.
- Care must be taken to ensure the reputation of the host jurisdiction is never harmed and in any marketing information that compares programs.
- Trademark and intellectual property right laws need to be respected, only using names, initials, logos, trademarks, or any other firm’s information without adequate consent.

**Legal guidelines**

- Ensure compliance with data protection, privacy laws and legal frameworks that govern the collection, storage, usage, and disposal of personal data.
- If data is collected from marketing, advertising or otherwise, the individual should be informed of how their data is being collected, stored, used, or disposed of.

The above summary present a general interpretation of the IMC’s advertising guidelines adapted in the context of how it may be practically implemented in your business. If you wish to refer to the IMC guidelines referred to here, these can be downloaded directly on their website [investmentmigrationcouncil.org](http://investmentmigrationcouncil.org).

# Multiple compliance considerations when advertising investment migration programs



To carry out their work and promote RCBI programs investment migration practitioners need to ensure they do so compliantly, on several levels, and across all the jurisdictions involved. In this chapter we delve into all the marketing compliance considerations investment migration practitioners need to consider.

Investment migration practitioners operate within a highly regulated environment and have to ensure that they consider all the overlapping regulations, ethical obligations and rules impacting their operation.

This encompasses where they operate, where they promote their solutions, and the jurisdictions they advertise, among other considerations.

It is critical for firms to ensure their marketing and advertising practices are compliant, protecting their reputation and the integrity of the industry.

## Local Legislation

- *Advertising:* Promoting RCBI programs, in line with local laws, Ethically, fairly, transparently.
- *Competition:* Ensuring their business and marketing efforts do not violate antitrust laws, avoiding unfair competition and monopolistic practices.
- *Data protection:* Adhering to general data protection laws that dictate how they manage the personal data they collect from their marketing efforts.
- *Copyright and IP:* Reviewing all marketing content to ensure it is original, respects intellectual property rights and does not infringe any copyrights.



## Codes of Conduct

Industry bodies such as the IMC, can ask those that choose to become members, to follow certain codes, but there are much more stringent requirements that are imposed by regulatory and government bodies.

A prime example is the promotional guidelines issued to agents that are licensed to advertise Malta's Citizenship for Exceptional Services by Direct Investment. These Regulatory Codes aim to protect the reputation of Malta as a nation, safeguard its integrity, and protect its international relations. If licensed agents are non-compliant their licenses can be suspended.

- *Regulatory Codes:* Practitioners may be licensed by a specific regulatory body that oversees an RCBI program. These codes and guidelines will likely demand transparency, accuracy in representation, and ethical practices in all promotional activities.
- *Professional Membership Codes:* Practitioners may be a member of a professional body, such as a chartered accountant, chartered financial adviser or member of a financial advisory board. They may need to comply with the ethical standards and codes imposed by these entities and consider these in their marketing practices.
- *Bar Association Rules:* Lawyers promoting RCBI programs may be subject to their regulator/bar association's ethical guidelines on marketing as well as the other professional responsibilities mandated by the authority that has granted them a license.

## International Considerations

- *International Standards:* Industry professionals often work across multiple countries, therefore it is imperative to cross-check whether they are compliant across all the jurisdictions they operate.
- *Target Market limitations:* Promoting RCBI programs in countries that have marketing or media rules limiting such content demands a tailored approach. Another consideration is how to do marketing in countries that prohibit dual citizenship.

These are some of the considerations we explore with our clients before mapping out their marketing, media, or business development strategy.

# Are your marketing and advertising practices compliant?



Auditing your marketing and advertising practices in a multi-faceted approach will not only safeguard your firm but fortify your clients' trust. Below are a few questions we address with our clients in our monthly calls for the Content Creator Concierge solution. You can use these preliminary focal points to kick-start your compliant marketing practices audit.

Key Area	Points to address
<b>Jurisdiction Matrix</b>	<ul style="list-style-type: none"> <li>• Where is/are your company(ies) legally registered?</li> <li>• What countries' RCBI programs are you promoting?</li> <li>• What countries are you targeting for prospective clients?</li> <li>• Where is your IT infrastructure based (e.g. databases, server locations, email marketing software)?...</li> </ul>
<b>Company Regulation</b>	<ul style="list-style-type: none"> <li>• What authority(ies) granted your business a license to operate as a service provider?</li> <li>• Is your business subject to any other regulatory oversight to carry out its operations?</li> <li>• What authority(ies) granted your business a license to promote a particular RCBI program?</li> <li>• What industry memberships has your company subscribed to /codes of conduct committed to?...</li> </ul>
<b>Team Regulation</b>	<ul style="list-style-type: none"> <li>• What industry bodies have you or your team subscribed to or become members of?</li> <li>• Are you or your team members subject to any professional codes of conduct - e.g. Chartered Accountants ?</li> <li>• Are you or your team members registered with a Bar Association?</li> <li>• Do you have copies of the latest codes of conduct, guidelines, and commitments impacting your business?...</li> </ul>

Key Area	Points to address
<b>Content Writing</b>	<ul style="list-style-type: none"> <li>• Do you have clear guidelines and operating procedures for creating compliant marketing content?</li> <li>• Are your disclaimers and disclosures appropriate and prominently displayed in line with the regulatory or professional codes of conduct you are subject to?</li> <li>• Do you have a four-eye review policy to confirm the validity of all marketing content?...</li> </ul>
<b>Website</b>	<ul style="list-style-type: none"> <li>• How often do you review the program information shared on the website?</li> <li>• Do you have a website content audit schedule in place with assigned responsible individuals?</li> <li>• Based on your jurisdictional matrix, do you need to revise our cookie policy wording?</li> <li>• Do you need to update your privacy policy?</li> <li>• Are the terms and conditions on the website up to date, do they highlight how you use prospects/leads data?</li> <li>• Do you have proper consent mechanisms in place for data collection for the website and/or any advertising or marketing campaigns that are run?...</li> </ul>
<b>Social Media</b>	<ul style="list-style-type: none"> <li>• How do you ensure social media / advertorial copy does not use restricted terms?</li> <li>• Are your graphics royalty free?</li> <li>• Are your social media adverts compliant with platform policies and industry regulations?...</li> </ul>

## We manage your marketing compliantly

The focal points above touch the surface of all the areas that need to be addressed for compliant advertising and marketing practices in the investment migration industry. *If you have yet to address these points with your team, we hope this served as a useful starting point.*

With over five years of experience delivering marketing solutions to investment migration firms, we understand the critical importance of compliance. The above focal points are derived from our proven content marketing methodology, which forms the backbone of The Content Creator Concierge (CCC) - a monthly content solution to handle all your marketing, branding, and social media needs - *compliantly*.

By subscribing to The Content Creator Concierge, you'll receive expert-level marketing advice and a team of marketing gurus to handle your firm's branding, social media, marketing materials, and content creation, compliantly. Find out more on <https://civitaspost.com/content-creator-concierge/>.

# Marketing for your industry by industry professionals

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The Content Creator Concierge (CCC) – is our CREATE solution. We tick off all your marketing to-dos seamlessly every single month, managing your entire digital presence. Being the only marketing firm that specializes in the investment migration, tax, and wealth sectors we deliver a full suite of content marketing services, at the fraction of the cost of hiring an in-house team.

The Content Creator Concierge has four different monthly subscription levels for companies that want to up-level their digital presence. Each month we hold a *Content Strategy Call* before getting to work on the CCC Content Plan and the creation of your company's social media, corporate marketing material, branding, and content writing.

## Laying the groundwork

Each of our 60-minute Content Strategy Calls are pivotal. We delve into your business, explore your programs, identify target markets, and define the outcomes you aim to achieve. This session is crucial for driving demand and aligning our efforts with your top-level strategy.

We carry out an in-depth questionnaire that evaluates what compliance checks we need to bear in mind, and what parameters we need to work within when creating your content.

[www.civitaspost.com](http://www.civitaspost.com)

## Working with professionals that know your industry is vital

We work through a detailed marketing compliance audit to ensure we are adhering to all the pertinent codes of conduct, and regulatory requirements your business needs to abide by.

Our hands-on industry experience makes us stand out from the crowd. We have the business know-how, creative flair, and literary craftsmanship to support all your marketing needs.

Reach out to us on [hello@civitaspost.com](mailto:hello@civitaspost.com) for an excel copy of our full Marketing Compliance Checklist and audit your firm's marketing practices today.

# Contact

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**Lorena Jimenez Lopez**  
Managing Director  
Civitas Post  
lorena@civitaspost.com

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