BILL C-28
Everything you need to know

EMAIL
INSTANT MESSAGING
SOCIAL MEDIA

The law prohibits sending out commercial electronic messages without the recipient's express or implied consent.

Express consent
The person has consented to receive communications from you.

Verbal agreement
Record your conversations.

Electronic proof
Save the proof of consent (name, date, email, etc.).

Written proof
Keep the written proof of your client’s consent.

The double opt-in
The double opt-in (when the person receives a confirmation email and clicks the link to confirm his subscription) is the best way to prove express consent.

Implied consent
You can demonstrate your business relationship with the person without having obtained his consent to receive communications from you.

Accepted forms of implied consent
- CONTRACT (24 months)
- PURCHASE (24 months)
- ONGOING PRIVATE RELATIONSHIP
- REQUEST FOR INFORMATION (6 months)
- REQUEST FOR QUOTE (6 months)
- BUSINESS CARD
- PUBLICLY POSTED EMAIL ADDRESSES RELATED TO YOUR FIELD OF ACTIVITY

Implied → Express
The objective is to turn implied consent into express consent.

Your obligation when communicating by email
1. Clearly identify yourself
2. Provide your contact information
3. Include an “Unsubscribe” link (maximum of 10 business days for changes to take effect)

Remedies/penalties
CRFC
Maximum fines: $1,000,000 (individual) $10,000,000 (corporation)

Private remedies:
$200 to $1,000,000

Date on which C-28 came into force:
July 1, 2014

The ideal solution for making your life easier with Bill C-28.
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