

# CASL

## Everything you need to know

CASL applies to all commercial electronic messages sent to an electronic address.



EMAIL



INSTANT  
MESSAGING



SOCIAL  
MEDIA



The law prohibits sending 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



### Express

The objective is to turn implied consent into express consent.

## Your obligations when sending commercial emails

- 1 The subject must describe the email content

Subject:

- 2 Properly identify yourself

LOGO



- 3 Include your contact information  
You must include 2 out of 3 from the following:

Mailing Address  
Email Address  
Phone number

[Unsubscribe](#)



- 4 You must include an unsubscribe link  
(Must be active for at least 10 days)



### Remedies/penalties

#### CRTC

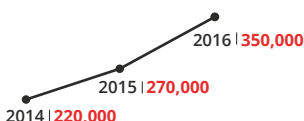
Maximum penalties :

\$1,000,000 (Individual)  
\$10,000,000 (Corporate)

#### Private remedies

From \$200 to \$1,000,000

### Complaints and fines



\$1,100,000	Compufinder
\$200,000	Rogers
\$150,000	Porter Airlines
\$60,000	Kellogg Canada
\$48,000	Plentyoffish

**840,000** Complaints

**\$1,558,000** Fines



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