

Canada's Anti-Spam Legislation – Are You Ready?

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Big Impact on Organizations and People Across Canada and Beyond Our Borders

Canada's Anti-Spam Legislation (CASL) comes into force on July 1, 2014. It is widely considered to be the most restrictive legislation in the world regulating commercial electronic messages ("CEMs"). CASL has already had a significant impact on Canadian businesses, including not-for-profit organizations and other persons using electronic communications for commercial purposes, and will continue to have such an impact on business processes and risk management strategies going forward!

At its heart, and contrary to most other international anti-spam legislation, CASL constructs an express "opt-in" regime for sending CEMs and the installation of computer programs.

Businesses and those who are subject to CASL, including directors, officers and agents of organizations, are exposed to extremely high penalties for violating CASL.

If You Don't Believe You're Caught By CASL, Think Again

CASL doesn't just apply to what we typically think of as "spam." Each and every electronic message sent for a commercial purpose, by email, text, SMS or even social networking, will have to be examined to ensure it is compliant with the obligations under CASL. In addition, CASL has international reach as it can apply to organizations and people beyond Canada's borders.

Legislators attempted to mitigate the unprecedented scope of CASL's application by including a labyrinth of exemptions and limited circumstances in which consent may be implied. These exemptions and implied consent provisions can be tracked through the legislation, regulations, as well as through published guidelines.

Be Prepared!

Understand the scope of CASL and how it may impact you and your business. If you'd like to speak with someone or simply bounce ideas around, we'd love to help. We also have additional Toolkits and written resources that we've put together to help you design your CASL-compliant operations moving forward. For more information, please contact one of the following members of our [Privacy Team](#):

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