

# CANADA'S ANTI-SPAM LEGISLATION (CASL)

## WHAT IS CASL?

**CASL** is the Canadian counterpart to CAN-SPAM, and governs “commercial electronic messages”, including SMS, email, and fax messages. Unlike in the U.S., before you contact a Canadian prospect, you **must** have either explicit or implied consent.

- **Implied consent** could be a prior business relationship within the past 2 years.
- **Explicit consent** can be obtained in person at a trade show, through webinar registration, through a form-fill on a company website.

It is important to ensure that proper consent can be proven (tracked) prior to delivering electronic messages to any Canadian prospect.

The legislation does **not** include restrictions on calls made in a Business to Business fashion.

## WHO DOES IT APPLY TO?

Anyone sending commercial marketing messages (fax, SMS, or email) to Canadian residents.

## WHAT ARE THE CONSEQUENCES?

Violations of CASL can result in monetary penalties of up to 1 million dollars **per** individual and 10 million dollars for corporations **per** violation from the Canadian Radio-television and Telecommunications Commission (CRTC).

## HOW DOES THE ZOOMINFO DATABASE COMPLY?

Since ZoomInfo does not perform email marketing activities on behalf of our clients, it is important that your organization is able to independently comply with the requirements of CASL when sending commercial email. Implied consent can take many forms, most common of which is website traffic - an inbound form fill, content downloads, or even signing up to an online event that your organization hosts can all constitute implied consent. Express consent can be obtained as simply as picking up the phone and asking if you can follow-up via email. B2B phone calls are a very effective means to achieve opt-in, as they are not covered by the requirements of CASL.