

Overview and Best Practices Tips Canadian Anti-Spam Law (CASL)

June 4, 2014

The Canadian Anti-Spam Law (CASL) prohibits the sending of unsolicited **commercial electronic messages (CEMs)** to recipients who have not consented to being sent such messages. Broadly, the definition of a CEM is an electronic message that would reasonably be determined to have the purpose of encouraging participation in a commercial activity. The majority of the legislation comes into effect on July 1, 2014.

CASL will impact Girl Guides of Canada–Guides du Canada (GGC) national and provincial staff, and volunteers, primarily with regard to communication with members. Secondly, it will impact electronic communication with partners, suppliers and the general public. It is important to note that the legislation extends to the use of personal computers and email systems when messages are delivered under the auspices of GGC or implies the representation of GGC.

As a charity and membership-based organization, GGC is exempt from certain aspects of this law. *However*, it is important to note that all staff and members of GGC are subject to the following requirements of the law:

- You may only send CEMs to an individual who has donated, volunteered or had membership with the organization within the last two years. This is deemed to be implied consent.
- All emails and electronic messages must identify the sender (name, mailing address plus either email address or phone number) and any third-party provider sending the message (e.g. Informz, the e-blast system GGC uses).
- If an individual requests that you no longer contact them by email, you are *legally obliged* to respect that request. This means:
 - Recipients must be provided with an obvious, clear and efficient email or web-based means to opt out of receiving any further email or electronic messages from GGC. GGC has addressed this by providing an unsubscribe link on e-blasts and newsletters, and details on how to unsubscribe on the national and provincial websites
 - Opt out / unsubscribe requests must be honoured immediately
 - Opt out / unsubscribe requests do not expire – unless there is an explicit request to re-subscribe

BEST PRACTICE TIPS

The following tips are based on good email and communication practices – and will help ensure GGC meets the CASL requirements:

- **Make it clear who the email is from.** It is best for the recipient to see your name versus an unidentifiable user name.

- It is important that the recipient know who you are, your position / association with GGC and full contact details.
- Include a **clear and concise subject line** in the header that clearly explains the purpose of the message.
- **Only use members' email addresses for matters dealing directly with GGC business.** Members' email addresses should never be used for personal and non-GGC-related communications – such as personal business, charitable, religious or political causes, outside organizations, or other non-GGC- related solicitations.
- **Do not email girls under the age of 14.** Please email their parents instead.
- As outlined in the GGC Code of Conduct, **respect other members', volunteers' and employees' rights to privacy and the confidentiality of their personal information.**