

CANADA'S ANTI-SPAM LAW AND CKBC CLUBS



Do you send emails and/or text, private or instant messages to promote or market your club, programs or services?

NO

Be sure - even a newsletter can be a "Commercial Electronic Message" if it includes any encouragement to purchase or register for something.

Don't be an accidental spammer.

YES

Who are you sending your messages to?
Did they give you consent? Do you have a record of this consent?

EXPRESS CONSENT

This is the easy one - anyone who has given you consent by:

- Checking a box on registration form
- Signing up for your communications online
- Does not expire (unless they unsubscribe)
- This only valid if you include a clear purpose, description of messages, your name and contact info and statement they can unsubscribe any time.

IMPLIED CONSENT

This is a bit harder to manage. Yes, you can contact your current members. But you need to pay attention when they are no longer members.

So, who has given implied consent?

- Current members who have not unsubscribed
- Inactive members within the past two years only.
- So, someone who was a member in 2014 and hasn't given you express consent cannot be contacted.

How do you send your messages? Do you include details on how to unsubscribe?

GMAIL OR SIMILAR

Be careful!!! While Gmail may seem like the easiest way to send your messages, it has some limitations that make compliance with the anti-spam law harder and more time consuming.

- How does someone unsubscribe? Is it clear in your message? Do they have to send you an email and then you remove them from your list? Did you know that must be done within 10 days?
- How do you ensure you don't resubscribe someone? How do you manage implied consent?
- Do you include your name and club, a current mailing address, phone number, email address, or web address on every email you send?

MAILCHIMP OR SIMILAR

Great choice! These online programs make things much easier.

- They include an unsubscribe feature that requires no work on your part.
- Automatically includes your contact info on every email sent.
- Their lists and group features make it easy to keep track of express and implied consent.
- And Mailchimp is free for up to 2,000 subscribers.

Why do you care?

The final implementation of the Canadian Anti-Spam Legislation came into effect on July 1, 2017. And with it, any individual can sue any entity they believe is sending spam messages with fines from \$1-10M per violation

Additional information: http://fightspam.gc.ca/eic/site/030.nsf/eng/h_00227.html and <http://kb.mailchimp.com/accounts/compliance-tips/about-the-canada-anti-spam-law-casl>