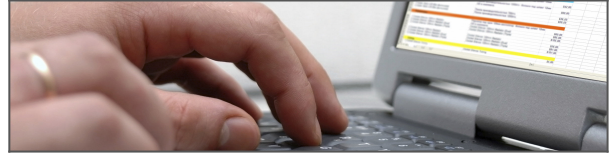


Notification - CRTC issues \$1.1 million penalty for CASL violation

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The Canadian Radio-television and Telecommunications Commission (the “CRTC”) has demonstrated that it is prepared to impose serious consequences for failure to comply with Canada’s Anti-Spam Legislation (“CASL”). On March 5, 2015, the CRTC issued a Notice of Violation against a Quebec-based corporate training company (the “company”) for four violations of CASL’s commercial electronic messaging provisions. The Notice of Violation included a penalty of \$1.1 million.



Relevant Facts

- CASL’s provisions relating to the sending of commercial electronic messages came into force on July 1, 2014.
- The CRTC found that the company sent commercial electronic messages without the recipients’ consent after July 1, 2014, as well as emails in which the unsubscribe mechanisms did not function properly.
- The e-mails in question involved promoting training courses to other businesses.
- The CRTC’s analysis of the complaints made to the Spam Reporting Centre revealed that the company accounted for 26% of all complaints submitted to the CRTC with respect to the company’s industry sector.

The company will have 30 days to submit written representations to the CRTC, or pay the penalty. The company also has the option of requesting an alternate disposition of the matter by way of an undertaking with the CRTC. The CRTC would have to accept the company’s undertaking for the matter to be disposed of this way.

Written by Brandi Field.

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