

# CANADA'S ANTI-SPAM LEGISLATION

Usually called CASL, this legislation is intended to control spam (i.e. unwanted Commercial Electronic Messages or CEMs). CASL defines CEMs as any "electronic message" - whether email, text message or direct message - that encourages participation in a commercial activity. CASL is one of the world's most stringent anti-spam laws and it came into effect July 1, 2014.



## CORE VS. COMMERCIAL ACTIVITIES

UNB's core activities include those that are central to its mandate and responsibilities, as well as the administrative activities that support them. These are not of a "commercial nature" so any messaging related to core activities are not subject to CASL.

Some messages sent by the University that are unrelated to core activities may have commercial elements and are subject to CASL. Refer to Applying CASL to UNB Activities or the FAQ on our website for further information.



## CONSENT & CEM REQUIREMENTS

Before sending a CEM you must have the recipient's implied or express consent. However, there are certain exemptions to consent depending on the situation, such as providing a quote or estimate, providing information about the ongoing use of a product or service, or providing information related to an employment benefit plan.

All CEMs must contain certain information including the name of the UNB unit sending the message, the mailing address, phone number, email address or web address for the unit sending the message and an unsubscribe mechanism. All unsubscribe requests must be acted on within 10 business days.

## PENALTIES

Non-compliance can lead to penalties of up to:

- \$1,000,000 (Individual)
- \$10,000,000 (Businesses)

## QUESTIONS

This document is intended as guidance. Please contact the Records Management & Privacy Office for more information at:

[rtippa@unb.ca](mailto:rtippa@unb.ca) | (506) 453-4710

