



## CANADIAN ANTI-SPAM LEGISLATION POLICY

**POLICY:** The Canadian Academy of Engineering (CAE) shall be compliant with the Canadian Anti-Spam Legislation (CASL) regulations that take effect on 1 July 2014 through following the procedures noted below.

**RATIONALE:** The new Canadian Anti-Spam Legislation (CASL) regulates the distribution of commercial electronic messages (CEM). The law takes effect on July 1, 2014. The law prevents the distribution of commercial messages sent through electronic means, such as email and text messages, without the consent of the recipient. It also requires that all electronic messages clearly identify the sender and include an unsubscribe measure. General information on the CASL is available at [fightspam.gc.ca](http://fightspam.gc.ca).

**PROCEDURE:** CASL only covers CEM. An electronic message is defined as commercial if it encourages participation in a commercial activity. This definition covers emails sent by the Canadian Academy of Engineering to promote events, such as our Annual Meeting and the purchase of reports. It does not cover information concerning our activities or results of reports.

Because of our charitable status, messages that have as their primary purpose raising funds for the CAE (fundraising messages) are exempt from this legislation. Consent is not required from the recipient before these messages are sent. This would cover emails which are sent to solicit sponsorship for our annual meeting.

The law contemplates two types of consent: express consent or implied consent. Express consent means that someone has explicitly given consent to receive commercial messages from the CAE. Express consent could be collected through an online form, email or fax or it can be collected in person or by telephone. Implied consent is time limited and occurs if someone has a pre-established relationship with the CAE. The Academy has a prior business relationship with its Fellows, as they pay annual fees. Non-business relationships exist with volunteers and donors who are not Fellows. Under the legislation, organizations have three years from July 1, 2014, during which they can assume implied consent for anyone with a prior relationship with that organization. After that time, implied consent expires two years from the date their relationship with the CAE ends (for example, when a Fellow resigns).

If someone does not provide consent, the CAE may still send that person electronic messages that **do not** contain commercial content. The CAE may also continue to send messages that have as their primary purpose raising funds for the Academy.

However, the CAE will require consent to send electronic messages related to events, report sales and the initial offer of membership to new Fellows, or we can contact them by telephone, fax or surface mail.

Finally, the CAE will provide an unsubscribe option in all emails that it sends to those individuals and organizations for which it does not have implied consent. In addition, every email, whether the recipient has given the CAE explicit consent or whether implied consent exists, will contain the name of the sender, their address, phone number and email address.

Approved by the CAE Board of Directors on June 25, 2014.