

CASL: B2B Marketer's Reference Sheet

Before GDPR made international headlines, Canada quietly made strides to protect the data rights of its citizens. In 2014, the Canadian government adopted regulations requiring businesses who chose to interact with national consumers to abide by a strict set of consent-based practices. Initially, this caused a great deal of concern and confusion for marketers leading many American businesses, temporarily including NetLine, to withdraw from Canadian trade. Today, CASL is much clearer to brands across North America and the world, allowing free, consenting trade to continue.

WHAT IS IT?

Canada's anti-spam legislation (CASL) defines how the Canadian government handles spam and other electronic threats to its citizens. CASL enables businesses to continue competing in the global marketplace safely, requiring Canadian senders to secure implicit consent from individuals wishing to receive commercial electronic messages.

WHO DOES IT AFFECT?

CASL applies to businesses so long as these two elements are present:

- ▶ *A commercial electronic message (CEM) is sent by a business*
- ▶ *A CEM is sent to an electronic address*

While CASL's jurisdiction includes SMS and other messaging to mobile phones and devices, it does not apply to activities involving and associated with phone calls, which are subject to Canada's Unsolicited Telecommunications Rules.

Essential Checklist for CASL Compliance

CASL Regulation

Obtain express consent.

Before sending any CEM, all senders must secure express consent via written or oral means. Senders are responsible for providing proof of consent. Pre-checked boxes are not permissible for CASL compliance. (CRTC information bulletins provide further guidance and examples.)

NetLine Policy & Approach

Our system automatically provides every consent prompt necessary when Canada is selected as a geographic filter.

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CASL Regulation

Provide Identification.

CASL requires that all persons involved with the sending of a CEM are identified. If not disclosed within the body of the message, identification must occur via a clearly visible hyperlink, typically found within the signature of a message or the introduction.

Provide 'readily-performed' opt-outs.

Give consumers the ability to unsubscribe or delete their personal information from your system.

Verify third-party vendor's compliance.

To send CEMs, your third-party vendors must, themselves, have secured express consent, provide identification, and offer mechanisms for unsubscribing and deletion.

Update all relevant policies.

Specifically, any Canada-specific descriptions regarding consumers' privacy rights.

Determine a process for documenting consumer requests.

Must include a protocol for authenticating requests, timely responses to requests, and denying improper or untimely requests.

NetLine Policy & Approach

Each of our consumer-facing messages identifies who our company representatives are, as well as who NetLine is as a business through our logo and via links to our website in our signatures or at the bottom of the message.

All messages delivered by NetLine include the ability to opt-out via link opt-out messaging included within the pre-header and the email footer.

Alternatively, users can request to opt-out of NetLine communications at any time by contacting us at optout_help@netline.com or reach out directly via our public support community.

NetLine mandates that all partners agree to maintain compliance and meet all CASL requirements.

Our privacy policy explains the lawful basis for why we capture and process personal data and will be updated to ensure it is compliant with CASL. Respecting consent and requests has been in our blood for 25 years.

Data requests and responses will be logged, reviewed, and supervised by our Data Protection Officer (DPO).

Essential Checklist for CASL Compliance

CASL Regulation

Train your employees.

Personnel must be informed of any changes to how your business handles and protects consumer data to ensure timely processing, responding, safeguarding, and updating of data inventory.

NetLine Policy & Approach

Our employees are consistently briefed on data policies and updates. We'll keep you in the know at all times.

Additional Resources

Canadian Chamber of Commerce Canada's Anti-Spam Legislation (CASL):

<http://www.chamber.ca/resources/casl/>

Government of Canada CASL Resource Center:

<https://www.fightspam.gc.ca/eic/site/030.nsf/eng/home>

For additional questions, connect with your NetLine Sales Rep or Client Services Rep.

Next Steps

Data compliance is a living, breathing, ever-evolving thing. While we encourage you to use this checklist to verify whether your other Marketing Service Providers (MSPs) are CASL compliant, it's better to be assured that they'll always adapt to what comes next.

Working with NetLine means your business will always be compliant with the latest standards and practices, guaranteeing your lead generation data comes from actively engaged and willing prospects.

Start your journey to data compliance today by exploring the [NetLine Portal](#) or connecting with one of our [platform experts](#).