



CANADA'S ANTI-SPAM LEGISLATION CONDUCTING INVENTORY OF COMMERCIAL ELECTRONIC MESSAGES (CEMS)

- Inventory must be comprehensive
- To include all types of CEMs sent
- To include all current contact lists - customers, suppliers, business partners, community relationships, donors and others
- To determine all the different ways the sender sends CEMs to various recipients

- To determine whether a CASL exception applies
- And if not, whether consent may be implied
- And if not, how best to get CASL-compliant express consent - ideally before July 1, 2014
- To determine whether CASL content requirements (i.e., disclosures and unsubscribe mechanism) apply

- Conducting inventory of CEMs is not an easy or one-time task
- Requires well thought out organizational tools (e.g., from simple spreadsheets to complex database software), people and systems to enter and manage the data, and a coordinated internal communications plan

- Requires creativity as CASL rules are complex and, in some instances, open to interpretation in grey areas
- May still result in CASL compliance solutions that are seen to be suboptimal from a marketing standpoint - in that they may be cumbersome and expensive

- Once inventory completed, it should be updated at least every six months
- Of course, sender must always respond promptly (i.e., within CASL's 10- day period) to any unsubscribes

CONDUCTING INVENTORY OF CEMS



**Template for Inventory of CEMs re: CASL Compliance
as of January 1, 2014**

Recipient	Electronic Address(es)	Exemption	Implied Consent	When	How	Renewal Date - Impact of 3-year Transition	Express Consent	When	How	Purposes and Prescribed Information Disclosed	...
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...	Upgraded to Express Consent	When	Now CASL Compliant	Unsubscribe Request	When	Removed
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