

Canadian Anti-Spam Legislation (CASL)

CHECKLIST

This list has been created to assist units to ensure that they avoid sending unsolicited commercial electronic messages (CEMs).

- Analyze the messages your unit sends to identify any that constitute CEMs.

If your unit does send CEMs:

- Determine if there are any exemptions that could apply to the CEMs you send.
- Determine if you have either express or implied consent to send the CEMs.
- Review existing mailing lists to flag any addresses for which you do not have either an exemption or express or implied consent to send a CEM. If necessary, remove these addresses from the mailing lists.
- Update mailing lists (whether these are electronic spreadsheets or databases) to include the following fields:
 - **For all consents:** Whether the consent was express or implied.
 - **For express consents:** The date the consent was given; and the documentation (e.g. signed form) that proves that the consent was granted.
 - **For implied consents:** The manner that the implied consent was granted (e.g. business relationship); your proof of consent (e.g. a contract signed by the individual for consulting work); the date the consent came into effect; and the expiry date of the consent.
- Ensure that your unit has a system in place (preferably automated) to ensure that all future consents and unsubscribe requests are promptly recorded in your mailing lists and that these are effective to prevent you from sending unwanted CEMs.
- Ensure that all of your requests for consent contain the required information (identification and unsubscribe option).
- Ensure that all of your CEMs contain the required information (purpose, identification and unsubscribe option).