

Canada's Anti-SPAM Legislation (CASL)

&



Contents

Canada’s Anti-SPAM Legislation (CASL).....	3
Overview.....	3
<i>What is CASL.....</i>	<i>3</i>
<i>Document Purpose and Resources.....</i>	<i>3</i>
Layered Defense Approach.....	3
<i>Layer 1: Is The Email A Commercial Electronic Message (CEM)?.....</i>	<i>4</i>
<i>Layer 2: Is The Email Being Sent With Implied Consent?.....</i>	<i>7</i>
<i>Layer 3: Have You Or Can You Obtain Express Consent Before Sending The Email?.....</i>	<i>8</i>
<i>Layer 4: Is It Likely That This Email Will Be Prioritized For Punishment By The CRTC?.....</i>	<i>9</i>
Working with Customers under CASL.....	10
Facilitated Processes.....	10
<i>Partnering with Thoughtexchange.....</i>	<i>10</i>
<i>Participant Mailing Lists.....</i>	<i>10</i>
<i>Unsubscribe Mechanisms.....</i>	<i>10</i>
<i>Sending Emails on behalf of Customers.....</i>	<i>10</i>
Self-Facilitated Customers.....	10
Frequently Asked Questions.....	11
<i>What is Canada’s Anti-SPAM Legislation (CASL)?.....</i>	<i>11</i>
<i>What is a Commercial Electronic Message (CEM)?.....</i>	<i>11</i>
<i>Why are Thoughtexchange Process emails often not Commercial Electronic Messages (CEMs)?.....</i>	<i>11</i>
<i>If Thoughtexchange Process emails were considered Commercial Electronic Messages (CEMs) how can we still comply with the requirements of CASL?.....</i>	<i>11</i>
<i>Does CASL allow for customer mailing lists to be shared with Thoughtexchange?.....</i>	<i>11</i>
<i>Does CASL allow Thoughtexchange to send emails on behalf of customers?.....</i>	<i>11</i>
<i>What are the Implications to Thoughtexchange if a Self-Facilitated Customer sent a CEM as part of a Thoughtexchange Process?.....</i>	<i>12</i>
<i>If a Customer is already in Compliance with CASL for all other emails it sends does using Thoughtexchange change this?.....</i>	<i>12</i>
<i>Who is Liable?.....</i>	<i>12</i>
<i>What if Thoughtexchange process messages were CEMs and not in compliance with CASL regulations?.....</i>	<i>12</i>
<i>What are the Possibilities of Legal Action?.....</i>	<i>12</i>
References.....	13
Appendix 1: CASL Blog Article – ‘Hate Receiving Spam?’.....	14

Canada's Anti-SPAM Legislation (CASL)

Overview

The information contained within this document explains Canada's Anti-Spam Legislation (CASL), as it relates to Thoughtexchange processes sending electronic messages to and/or from Canadian email addresses.

What is CASL

CASL is a new set of electronic messaging regulations implemented within Canada on July 1, 2014. In CASL regulations, electronic messaging refers to text, sound, voice or image messaging sent via telecommunications. These regulations aim to deter the most damaging and deceptive forms of electronic messaging spam sent from and received within Canada.

Document Purpose and Resources

The primary purpose of this document is to outline a clear and layered approach to navigating CASL when sending Thoughtexchange process emails. This document also includes a section addressing Frequently Asked Questions regarding CASL.

Further to this document, a Memorandum from the Thoughtexchange legal firm (Fasken Martineau) has been provided in Appendix 1. This memo offers a legal opinion on the major concerns Thoughtexchange customers have expressed regarding Canada's new Anti-Spam Legislation.

A Blog Article published to our website on November 7, 2014 has been included in Appendix 2.

More information on CASL is available at the following government sites:

- Canadian Radio-television & Telecommunications Commission
<http://www.crtc.gc.ca/eng/casl-lcap.htm>
- The Justice Laws Website
<http://laws-lois.justice.gc.ca/eng/acts/e-1.6/>

Layered Defense Approach

CASL is one of the most comprehensive pieces of electronic spam legislation in the world. In order to help our customers navigate this new legislation, we have developed a Layered Defense Approach.

This approach provides a framework for progressively determining whether or not CASL comes into play. In most cases, CASL concerns will be alleviated after considering the first Layer of Defense. If concerns are not alleviated at that point, each subsequent layer provides another checkpoint for determining the impact that CASL will have on any given Thoughtexchange customer communication.

There are four layers and each layer asks a question. The answer to each question will determine whether further consideration is required.

Layer 1: Is The Email A Commercial Electronic Message (CEM)?

CASL **ONLY** applies to emails considered to be Commercial Electronic Messages (CEMs), sent from or received by a computer system located in Canada.

A CEM is a message that **encourages participation in a commercial activity**, including but not limited to: offering, advertising or promoting a product, a service or a person. A message can be considered a CEM whether it is sent out directly by you or by someone on your behalf.

A CEM is fully defined in the following extract from the Act:¹

A Commercial Electronic Message (CEM) is an electronic message that:

- (a) offers to purchase, sell, barter or lease a product, good, a service, land or an interest or right in land;
- (b) offers to provide a business, investment or gaming opportunity;
- (c) advertises or promotes anything referred to in paragraph (a) or (b); or
- (d) promotes a person, including the public image of a person, as being a person who does anything referred to in any of the paragraphs (a) to (c), or who intends to do so.

In determining whether an email is a CEM the key question to ask is whether the message being sent has, as one of its purposes, the intent to encourage the recipient to participate in a commercial activity. To determine whether the intent is to encourage participation in a commercial activity, we need to consider 3 specific parts of the message:

- the **content** of the message;
- any **hyperlinks** in the message to website content or a database; and
- **contact information** in the message.²

To fully consider these message parts, we will use **Figure 1 Thoughtexchange Process Email Invitation Example** to analyze the content, hyperlinks, and contact information of a typical Thoughtexchange Process email inviting participation in a Process.

¹ 'Canadian Anti-SPAM Legislation (CASL) Act S.C. 2010, c. 23', Section 1. (2) (a), (b), (c) & (d), <http://laws-lois.justice.gc.ca/eng/acts/E-1.6/FullText.html>, (August 8, 2014).
<http://laws-lois.justice.gc.ca/eng/acts/E-1.6/FullText.html>, (August 8, 2014).

² Canadian Radio-television & Telecommunications Commission, 'Frequently Asked Questions about Canada's Anti-Spam Legislation', <http://www.crtc.gc.ca/eng/com500/faq500.htm>, (August 8, 2014).

Greetings!

On behalf of the students we serve, I would like to invite you to please contribute your thoughts about our schools. We want to know what you think we do well and where we can improve.

To join the conversation, just click on the link below. You'll be asked to share your thoughts through a series of three open-ended questions. This activity does not require a login or password and can take as little as five minutes to complete.

In a few weeks, you will be invited to join the second step in this process - to review and help prioritize the thoughts that are most important to you. This will help us get a sense of shared values and priorities of our school and our community.

Your time spent engaged in this process is very much appreciated. Please join the conversation by clicking on the link below!

Please **do not forward** this message to others as it contains a link customized only for you.

Please complete this process by: **Sunday October 26, 2014 11:00 PM**

[Click here to share your thoughts](#)

If you would rather **not** participate - [Click here](#)

You don't have to complete all the questions at one sitting. Your thoughts are automatically saved and you can add to them, edit them or delete them by coming back to this email and clicking on the link again.

Sincerely,

Name
School
Title

This email has been sent from the Thoughtexchange system hosted by Southwest Horizon School Division (shmb - #127)

Learn more about [Thoughtexchange](#)

If you have troubles with the link above you can copy and paste the text below to your browser:

To participate copy and paste this text:
<http://thotex.com/MQmX7MqcpQyb>

Figure 1 Thoughtexchange Process Email Invitation Example

Layer 1.1 - Message Content

Content

The content of this message does not, in any way, encourage participation in a commercial activity. There is no offer, advertisement or promotion of a product, a service or a person.

Consider

Thoughtexchange processes are used to engage stakeholders on topics of interest. Participants of a Thoughtexchange process are asked to share their thoughts on a topic, and star the thoughts that matter most to them. A Thoughtexchange Process aims to involve stakeholders in decisions that affect them and not encourage them to participate in a commercial activity.

Layer 1.2 – Hyperlinks

Content

Thoughtexchange Process emails typically include a hyperlink at the bottom of each email to 'http://www.thoughtexchange.com' (e.g. 'Learn more about Thoughtexchange'). This is part of the email template.

Consider

A message that includes hyperlinks to commercial content on a website or other database could be considered a CEM. Although our website does promote our product/service, in this instance the primary purpose of the hyperlink is to allow a participant to learn more about the tool being used to engage with them and **not** to encourage participation in a commercial activity by selling them the tool.

Layer 1.3 - Contact Information

Content

Thoughtexchange process emails always contain a signature of key individual within the customer organization (e.g. Superintendent or Principal's name, title and organization).

Consider

CEMs often lack contact information of their sender, disabling the CEM recipient from knowing exactly where the message has come from. We always include our customer's signature to ensure the recipient understands whom the message is sent on behalf of and to encourage responses with questions or comments about the message.

Breaking down each email in this manner allows clear reflection on the question asked in this first Layer of Defense: Is the email a Commercial Electronic Message (CEM)?

Whether a Thoughtexchange Process email is for the purpose of inviting a participant to add Thoughts, assign Stars, provide results or simply thank them for their contribution, each email can be analyzed in the same way. In most instances, it will likely be determined that the email is not a CEM as it does not, in any way, encourage participation in a commercial activity.

Does the message meet the criteria of a CEM? If yes, review our second Layer of Defense.

Layer 2: Is The Email Being Sent With Implied Consent?

Although Thoughtexchange Process emails are not generally CEMs and thus CASL regulations don't apply, it is still possible for customers to use Thoughtexchange for the purpose of sending CEMs. Under CASL there are two types of consent: implied and express. The issue of implied consent is the next Layer of Defense.

Implied consent exists where there is already an established business or non-business relationship between the sender and receiver. In the case of Thoughtexchange Process emails, we would generally be able to prove implied consent through existing relationships with the person to whom the message is sent. The following are examples of implied consent that would be inherent if a Thoughtexchange process email was determined to be a CEM:

- A school has an existing business relationship with its students and/or their parents, staff, and volunteers.
- Membership is a form of implied consent so any membership organization has implied consent to send CEMs to its members.
- An email address that has been published somewhere public, such as a newsletter or webpage, implies consent to receiving messages related to the individual's role. For example, the email address of a Superintendent published to a School District's webpage encourages school related communications. This can include school related CEMs.
- Providing a business card with contact information on the card implies consent to receiving business related communications, including CEMs.

Implied consent is supported by the following extract from the Act³:

(9) Consent is implied for the purpose of section 6 only if:

- (a) the person who sends the message, the person who causes it to be sent or the person who permits it to be sent has an existing business relationship or an existing non-business relationship with the person to whom it is sent;
- (b) the person to whom the message is sent has conspicuously published, or has caused to be conspicuously published, the electronic address to which the message is sent, the publication is not accompanied by a statement that the person does not wish to receive unsolicited commercial electronic messages at the electronic address and the message is relevant to the person's business, role, functions or duties in a business or official capacity;

Do you have implied consent? If yes, no further review is required. However, if the message is a CEM and does not meet the criteria of implied consent, review our third Layer of Defense.

³ 'Canadian Anti-SPAM Legislation (CASL) Act S.C. 2010, c. 23', Section 10. (9) (a) & (b), <http://laws-lois.justice.gc.ca/eng/acts/E-1.6/FullText.html>, (August 8, 2014).

Layer 3: Have You Or Can You Obtain Express Consent Before Sending The Email?

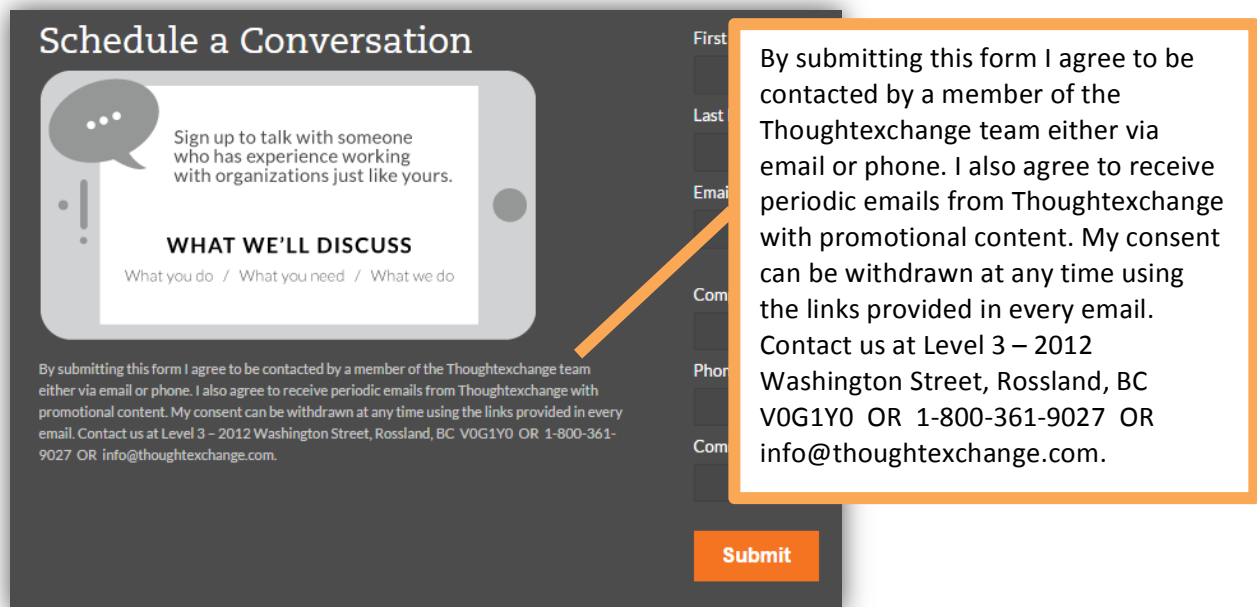
When a Thoughtexchange process sends CEMs to non-existing relations, or to those who have not provided implied consent, express consent is required. The issue of express consent is the next Layer of Defense.

Express consent occurs when permission to send the message is explicitly provided by the recipient.

- Express consent can be provided in writing or orally
- The recipient can withdraw express consent at any time

There are a number of ways to obtain express consent. In the case of a Thoughtexchange process, express consent is often obtained from participants through a self-register link. When an individual provides their email address and clicks submit, they are agreeing to the terms laid out in the disclaimer on the self-register page. In this case, the disclaimer states they are not signing up for a service or a newsletter and their email address will only be submitted to that particular Thoughtexchange system. However, any type of email can be sent to that individual from that particular system, including Thoughtexchange CEM messages.

Another example of a more general method to obtain express consent is the Schedule a Conversation image shown below. This snapshot is from www.thoughtexchange.com and the highlighted excerpt in the callout provides the visitor with clear notice that by completing the form and clicking on Submit, they are providing express consent.



Schedule a Conversation

Sign up to talk with someone who has experience working with organizations just like yours.

WHAT WE'LL DISCUSS
What you do / What you need / What we do

By submitting this form I agree to be contacted by a member of the Thoughtexchange team either via email or phone. I also agree to receive periodic emails from Thoughtexchange with promotional content. My consent can be withdrawn at any time using the links provided in every email. Contact us at Level 3 – 2012 Washington Street, Rossland, BC V0G1Y0 OR 1-800-361-9027 OR info@thoughtexchange.com.

By submitting this form I agree to be contacted by a member of the Thoughtexchange team either via email or phone. I also agree to receive periodic emails from Thoughtexchange with promotional content. My consent can be withdrawn at any time using the links provided in every email. Contact us at Level 3 – 2012 Washington Street, Rossland, BC V0G1Y0 OR 1-800-361-9027 OR info@thoughtexchange.com.

Submit

Do you have express consent? If yes, no further review is required. However, if the message is a CEM and does not meet the criteria of implied or expressed consent, please consider the fourth Layer of Defense.

Layer 4: Is It Likely That This Email Will Be Prioritized For Punishment By The CRTC?

Now finally, the Thoughtexchange process is sending a CEM, the process does not have implied consent from their participants, and for some reason the process was unable to gain express consent prior to sending the CEMs. The issue of prioritization for punishment is the final Layer of Defense.

CASL aims to deter the most damaging and deceptive forms of email spam sent from and received within Canada. CASL enforcement is complaint driven and it is important to consider whether it is likely that Thoughtexchange process emails will become a priority for punishment for the Canadian Radio-television and Telecommunications Commission (CRTC).

Quite simply, Thoughtexchange process emails are not damaging or deceptive. The likelihood of possible legal action arising from sending a Thoughtexchange process email is very remote. However, it is important to be aware of the requirements of CASL and the potential penalties that exist as we aim to be confident and professional in navigating CASL and allay any concerns that arise.

The following extract provides an insight into the CRTC's general approach to all activities under CASL⁴:

General enforcement approach

What will be the CRTC's general enforcement approach to all activities under CASL?

The *maximum* penalties for CASL are significant. The CRTC has the authority to impose administrative monetary penalties; however there are a number of factors that need to be kept in mind:

- steps you take to show due diligence (such as tracking how you obtain email addresses, or always including an unsubscribe option) will be taken into consideration when assessing a measure or a penalty for non-compliance;
- the CRTC will focus its investigations on cases where there are a significant number of complaints or there appears to be a major transgression;
- the CRTC emphasizes education and compliance, rather than punishment; and
- in the case of a violation, an undertaking with the CRTC eliminates the possibility of private lawsuits.

We are confident that CASL should never drastically affect Thoughtexchange processes as we are confident that CASL regulations are not in place to monitor Canadian stakeholder engagement emails.

⁴ Canadian Radio-television & Telecommunications Commission, 'Frequently Asked Questions about Canada's Anti-Spam Legislation', <http://www.crtc.gc.ca/eng/com500/faq500.htm>, (August 8, 2014).

Working with Customers under CASL

Facilitated Processes

When facilitating on behalf of Thoughtexchange customers we will consider the concerns of CASL, providing knowledgeable guidance and support.

Partnering with Thoughtexchange

Customers already in compliance with the requirements of CASL will remain in compliance when partnering with Thoughtexchange. Thoughtexchange acts as a platform, or a service provider for customer stakeholder engagement processes. Just like using an email provider (ex. Telus or Gmail), Thoughtexchange does not burden customers with further CASL requirements, and instead will help customers understand and navigate anti-spam legislation.

Participant Mailing Lists

Participant mailing lists are only used with consent from our customers, for the agreed upon Thoughtexchange process. Mailing lists remain confidential and are never distributed outside of Thoughtexchange.

Unsubscribe Mechanisms

In the unlikely scenario that our customers want to send CEMs as a part of their Thoughtexchange process, unsubscribe mechanisms are included in the invitation email (e.g. If you would rather not participate – [Click here](#)). Through this easy unsubscribe mechanism participants can choose to opt-out of a process step or from all Thoughtexchange process emails from that particular customer in the future.

Sending Emails on behalf of Customers

Thoughtexchange facilitators create Thoughtexchange processes to suit the needs of our customers. Every communication sent by a Thoughtexchange facilitator on behalf of a customer has been pre-approved by the customer.

Self-Facilitated Customers

Some customers prefer to use Thoughtexchange on their own - self-facilitated. It is the responsibility of the customer sending the communications to ensure CASL regulations have been addressed. As stated earlier, Thoughtexchange provides a service that enables the transmission of the messages. If a customer would be considered in compliance with CASL if they sent the same content to the same individuals outside of a Thoughtexchange process, they will be in compliance using Thoughtexchange. The Thoughtexchange support team is available to provide knowledgeable guidance and support.

Frequently Asked Questions

What is Canada's Anti-SPAM Legislation (CASL)?

Canada's Anti-SPAM Legislation or CASL is a new set of email regulations implemented within Canada on July 1, 2014. They aim to deter the most damaging and deceptive forms of email spam sent from and received within Canada.

What is a Commercial Electronic Message (CEM)?

A Commercial Electronic Message (CEM) is a message that **encourages participation in a commercial activity**, including, but not limited to: offering, advertising or promoting a product, a service or a person.

Why are Thoughtexchange Process emails often not Commercial Electronic Messages (CEMs)?

Thoughtexchange Process emails are generally not intended to encourage the recipient to participate in a commercial activity. The message content, hyperlinks and contact information mostly do not purposely serve to encourage participation in a commercial activity. A Thoughtexchange Process aims to involve stakeholders in decisions that affect them and not encourage them to participate in a commercial activity.

If Thoughtexchange Process emails were considered Commercial Electronic Messages (CEMs) how can we still comply with the requirements of CASL?

CASL requires all organizations distributing Commercial Electronic Messages (CEMs) to comply with three important requirements prior to clicking 'send':

1. Obtain **Consent** (e.g. express or implied)
2. Provide **Identification** information (e.g. Sender's name, address & phone number)
3. Include an easy **Unsubscribe** mechanism (e.g. one click)

Does CASL allow for customer mailing lists to be shared with Thoughtexchange?

Yes. Participant mailing lists are only used with consent from our customers, for the agreed upon Thoughtexchange process. Mailing lists remain confidential and are never distributed outside of Thoughtexchange. CEMs are never sent to customer mailing lists by Thoughtexchange without the request of our customer.

Does CASL allow Thoughtexchange to send emails on behalf of customers?

Yes. Thoughtexchange Facilitators create Thoughtexchange processes to suit the needs of our customers. Every communication sent by a Thoughtexchange Facilitator on behalf of a customer has been pre-approved by the customer.

What are the Implications to Thoughtexchange if a Self-Facilitated Customer sent a CEM as part of a Thoughtexchange Process?

None. In this case Thoughtexchange is acting as a telecommunications provider and simply enabling the transmission of the message similar to that of Telus or Bell. CASL compliance would solely be the responsibility of the self-facilitated Customer.

If a Customer is already in Compliance with CASL for all other emails it sends does using Thoughtexchange change this?

No. Customers already in compliance with the requirements of CASL will remain in compliance when using Thoughtexchange.

Who is Liable?

Directors, officers, agents and mandatories of a corporation can be liable, if they direct, authorize, assent to, acquiesce in, or participate in the commission of the violation. In short,

What if Thoughtexchange process messages were CEMs and not in compliance with CASL regulations?

In the rare case that a CASL violation were to occur, it is very unlikely it would be prioritized for penalization by the Canadian Radio-television and Telecommunications Commission (CRTC). In the case of one-off offenders, education would be the likelier corrective action by the CRTC.

What are the Possibilities of Legal Action?

Remote! CASL aims to deter the most damaging and deceptive forms of email spam sent from and received within Canada. Quite simply, Thoughtexchange does not fit into this category. Remember: The emails sent as part of a Thoughtexchange Process are intended to engage participant in relevant topics of interest and do not encourage any form of commercial activity.

References

1. Canadian Anti-SPAM Legislation (CASL) Act S.C. 2010 <http://laws-lois.justice.gc.ca/eng/acts/E-1.6/FullText.html>
2. Fight Spam <http://fightspam.gc.ca/>
3. CRTC FAQs about CASL <http://www.crtc.gc.ca/eng/com500/faq500.htm>
4. CTRC CASL Information Session <https://www.youtube.com/watch?v=B5qf07kOsTU&feature=youtu.be>

Appendix 1: CASL Blog Article – ‘Hate Receiving Spam?’

Everyone hates receiving spam

Too often it taunts our insecurities, suggesting some outrageous path to a happier life. If only we could buy that Italian villa, or peel layers off our wrinkled skin, or wake up with chiseled abs - then we would be truly happy.

Prior to this summer, Canadian inboxes were an easy target for such spam. Most of our electronic spam came from countries where anti-spam legislation prohibits this messaging. Those international spam scoundrels found Canuck inboxes to be the most accessible in the world.

Until July 1, 2014.

The price of protecting the Canadian ~~ego~~ inbox

Canada’s Anti Spam Legislation (CASL) came to fruition this summer. The new electronic messaging regulations have the goal to deter the most damaging and deceptive forms of electronic spam from Canadian email addresses.

CASL is the broadest legislation of its kind anywhere in the world. In order to tackle ‘get-your-Botox-here’ junk mail, CASL’s extensive language has left Canadian organizations with complex legislation to understand and consequently navigate. The federal government has inadvertently created a barrier to legitimate organizations and businesses communicating with those who want to hear from them.

Now what?

Over four months later, the dust has largely settled. At Thoughtexchange we’ve worked with our lawyers to understand how our emails comply with the legislation, and allow our customers to continue to engage their stakeholders. Here’s how we’ve interpreted the legislation and integrated it with our business practices.

It begins with taking a deep breath, and realizing that the complaint-based regulations’ goal is not to hassle Canadian organizations but rather to target egregious spammers, primarily outside of Canada.

Here’s why...

No one is sellin’ and no one is buyin’

CASL regulations ONLY apply to emails that are considered to be Commercial Electronic Messages (CEMs).

A CEM encourages participation in a commercial activity. Only if an organization is pushing a product or service, and doing any advertising or promoting within their email, do CASL regulations apply.



Most Thoughtexchange processes aren't about commercial products or services. When a public school district engages with parents on education, or a member organization engages their members around relevant issues, the processes do not send CEMs.

In these cases, CASL regulations do not apply.

We know you and you know us

It is possible that a Thoughtexchange process could be of a commercial nature. The process could be related to a commercial product or service provided by one of our customers. For example, a School District may host a bake sale and send a Thoughtexchange process email that promotes that bake sale.

These processes would result in emails that are CEMs... but don't panic.

Organizations have the right to send these messages to those they have an existing relationship with, provided the relationship has been active within the past two years. These relationships could be parents to a School District, members to their association, or customers who have purchased a product or service from a business.

If the CEM is relevant to the organization's business, role or function, it may be sent with the following minimum requirements:

1. The message must include the senders name and snail mail address
2. An unsubscribe mechanism must be visible

If the message meets these two criteria, the CEM may be sent to pre-existing business contacts of the sender.

Just ask

But say your Thoughtexchange process will engage a broad community you don't have a direct relationship with. Or say you want to send a message that explains your commercial product in order to gather feedback...

This isn't our typical Thoughtexchange process but it is entirely possible. The key is to gain explicit or implied consent.

Explicit Consent - An example of explicit consent is someone filling in a form on your website where text explains that by providing their email address they are agreeing to be contacted. The recipients have then been explicitly told they will receive messages.

Implied Consent - Consent is implied if you were provided email addresses of individuals who knew they could be contacted by your organization. Emails on a sign up sheet, or addresses provided on business cards are both examples of implied consent.

With Thoughtexchange, explicit consent can be gained by using the "self register" option. A link can be published via websites or posters, leading your participants to a web page that asks for their email address in order to participate. If they provide their email address they are consenting to be contacted in your process.

CEMs may be sent to any consenting person's email address.

Playing defense

So your CEM went to an individual that has no pre-existing relationship with you, and you did not gain their consent prior to pushing send?

CASL runs on a complaint-based system. It aims for voluntary compliance and only penalizes severe perpetrators. The recipient of your CEM must complain to the Canadian Radio-television and Telecommunications Commission (CRTC), and the CRTC must prioritize your mistake for follow-up.

It is highly unlikely the CRTC will view messaging from a community organization such as a School District or small business as a priority for a major enforcement response.

How we help

It goes without saying - but we'll say it here anyways - we never contact your participants outside of your approved process messages. Our subscription agreement prevents this. We also have extensive security measures to ensure your email lists remain safe and private.

With Thoughtexchange facilitating your process, we will always consider CASL. We'll work with you to determine if your messages are CEMs and in the unusual case that they are, we'll work with you to make sure your Thoughtexchange emails meet all CASL requirements.

We've got your back! While working with Thoughtexchange you can always call our support line and ask for more detailed documentation available on CASL.

To your (inbox) health!

Electronic messages have become fundamental to organizing our professional and personal lives. Our ability to deny access to any unwarranted email traffic is important, and we applaud the Canadian Federal government's efforts to provide us control over the messages that regularly reach us.

CASL doesn't target community organizations working to create stakeholder buy-in and build community consensus. Nor does it target small local businesses trying to grow with responsible email marketing. CASL is intended to go after egregious spammers inside and primarily outside of Canada and the sheer volume of irrelevant and infuriating messages they send.

Email spam is infuriating, but navigating CASL should not be.

We hope this helps alleviate any worries about CASL's impact on our business, and yours.

This is a light-hearted opinion piece, written with the express purpose of defusing the tension we see from our customers around this issue. Please know we do take CASL seriously. More on CASL [here](#).