

How the New Anti-Spam Act Will Affect Your Business – Update

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By Ralph Kroman

Canada's new anti-spam law applies to "commercial electronic messages" (also known as CEMs) as of July 1, 2014. CEMs include e-mails and text messages. The general rule under the new anti-spam law is that a person is prohibited from sending a CEM unless (i) the recipient has consented to receiving it (either express or implied consent), and (ii) the message complies with the content requirements under the anti-spam law (e.g., the message must include an unsubscribe mechanism that complies with the new rules). The penalties for non-compliance with the new law are harsh: the maximum penalty is \$1,000,000 per violation by an individual and \$10,000,000 for violation by an organization. The new law also affects other activities such as the installation of computer programs on a recipient's computer. Download the PDF to read the entire newsletter.

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