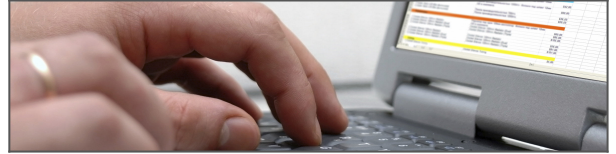


## Notification - CRTC issues \$1.1 million penalty for CASL violation

*published 03/10/2015*

The Canadian Radio-television and Telecommunications Commission (the “CRTC”) has demonstrated that it is prepared to impose serious consequences for failure to comply with Canada’s Anti-Spam Legislation (“CASL”). On March 5, 2015, the CRTC issued a Notice of Violation against a Quebec-based corporate training company (the “company”) for four violations of CASL’s commercial electronic messaging provisions. The Notice of Violation included a penalty of \$1.1 million.



### Relevant Facts

- CASL’s provisions relating to the sending of commercial electronic messages came into force on July 1, 2014.
- The CRTC found that the company sent commercial electronic messages without the recipients’ consent after July 1, 2014, as well as emails in which the unsubscribe mechanisms did not function properly.
- The e-mails in question involved promoting training courses to other businesses.
- The CRTC’s analysis of the complaints made to the Spam Reporting Centre revealed that the company accounted for 26% of all complaints submitted to the CRTC with respect to the company’s industry sector.

The company will have 30 days to submit written representations to the CRTC, or pay the penalty. The company also has the option of requesting an alternate disposition of the matter by way of an undertaking with the CRTC. The CRTC would have to accept the company’s undertaking for the matter to be disposed of this way.

*Written by Brandi Field.*

---

**DISCLAIMER:** *This article is presented for informational purposes only. The content does not*

*constitute legal advice or solicitation and does not create a solicitor client relationship. The views expressed are solely the authors' and should not be attributed to any other party, including Thompson Dorfman Sweatman LLP (TDS), its affiliate companies or its clients. The authors make no guarantees regarding the accuracy or adequacy of the information contained herein or linked to via this article. The authors are not able to provide free legal advice. If you are seeking advice on specific matters, please contact Keith LaBossiere, CEO & Managing Partner at [kdl@tdslaw.com](mailto:kdl@tdslaw.com), or 204.934.2587. Please be aware that any unsolicited information sent to the author(s) cannot be considered to be solicitor-client privileged.*

*While care is taken to ensure the accuracy for the purposes stated, before relying upon these articles, you should seek and be guided by legal advice based on your specific circumstances. We would be pleased to provide you with our assistance on any of the issues raised in these articles.*