

Governance Policies and Procedures

Policy Name: Anti-Spam	
Policy Number: G 5.2.5	Policy Type: Administrative
Approval Date: June 5, 2014	Date for Review: 2026; Every 3 Years
Revised: November 2023	

ANTI-SPAM

INTRODUCTION:

OLA sends about 600,000 outbound emails each year, mainly to our 5,000 current members as a membership communication and information tool. We also send out promotional emails to our current and potential customers for The Library Marketplace products, OLA events and Education Institute webinars.

July 1, 2014, the Canadian Anti-Spam Legislation (“CASL”) took effect. OLA staff have done a review of our emailing practice and the requirements of the legislation. The following is a summary of the legislation and implications for OLA.

PURPOSE:

The Legislation

Canadian Anti-Spam Legislation (“CASL”) is a law regulating commercial electronic messages and is enforced by the Competition Bureau of Canada, Office of the Privacy Commissioner of Canada, & Canadian Radio--Television and Telecommunications Commission (“CRTC”). CASL comes into force on July 1, 2014, and provides organizations up to July 1, 2017, to obtain express consents.

As defined in CASL, spam is “any electronic commercial message sent without the express consent of the recipient(s)”.

To meet the CASL standards, the following is required:

1. Permission or consent is required for emails that encourage the recipient to participate in commercial activity (Fundraising emails from a registered charity are exempted for consent)
2. Proof of consent
3. Consent forms must not be pre-checked
4. A functioning Unsubscribe mechanism
5. Unsubscribing cannot be reconfirmed (e.g. there is no sending of “Are you sure you want to unsubscribe?” e-mails)
6. Accurate sender information and subject lines
7. Inclusion of the sender's business postal address and contact information

8. Identification of the organization for whom the message is sent on behalf of

CASL also defines “Express vs. Implied Consent” requirements:

- Implied consent: there is an existing business relationship. Implied consent has a span of **two years** and is reset every time there is a renewed business transaction.
- Express consent: usually comes from when people fill out a form, clearly stating they want to be sent an email. Express consent lasts forever, until they unsubscribe.

PROCEDURES:

OLA Email Process

Nature of the outbound emails	Target Email	
	Current OLA members, or those have business transactions with OLA (e.g., Library Marketplace purchase, EI webinar registration, OLA event registration) within the past two years	No business relations with OLA
Membership	Implied consent, no action needed	
Membership renewal notice	Implied consent, no action needed	
Store promotions	Implied consent, no action needed	Need to obtain express consent
OLA event promotions	Implied consent, no action needed	Need to obtain express consent
EI webinar promotions	Implied consent, no action needed	Need to obtain express consent
Fundraising	Exempted (no consent needed)	