

## Initial Compliance Questionnaire

McCarthy Tetrault LLP has produced an excellent resource called Initial Compliance Questionnaire. The firm has generously given us permission to reprint this document. It was created by Barry Sookman of the Toronto office of McCarthy Tetrault LLP and the firm retains copyright ownership of the material.

CASL will impact many ways in which organizations communicate with customers, other businesses and third parties. Before beginning any compliance project, the following information should be gathered about your organization:

1. What forms of electronic communication does your organization use to communicate with outside parties for commercial purposes?
  - (a) E-mail?
  - (b) Instant messaging?
  - (c) Text messaging/SMS?
  - (d) Social networks (Facebook, etc.)?
  - (e) Other online services (e.g. web forums, portals)?
  - (f) Other means of electronic communication?
2. For each of these communication media, what identifying information about your organization is included along with each message (e.g. email signatures)?
3. For each of these communication media, how does your organization request consents to send electronic messages to recipients?
4. For each of these communication media, how does your organization record consents to receive electronic messages?
5. What express consents does the organization have to continue to send CEMs?
6. Can the organization rely on any implied consents to continue to send CEMs?

....2

---

## CASL Initial Compliance Questionnaire (cont'd)

7. For each of these communication media, how are requests to opt-out or unsubscribe from future messages received?
8. For each of these communication media, how are these opt-out or unsubscribe requests recorded or processed?
9. How does your organization ensure that contacts who unsubscribe are no longer contacted?
10. How does your organization track the way in which message recipients' contact information is received (e.g. business card, event registration, inquiry, etc.)?
11. How does your organization track the date on which contacts are added to the contacts database?
12. How does your organization add contacts to your mailing list in cases where the contacts do not have a relationship with the organization (for instance, by collecting electronic addresses from online websites or directories)?
13. Does your organization use "address harvesting" programs to collect electronic addresses to add to its contact list?

The Licensee (The Centre for Public Legal Education Alberta) acknowledges and agrees that the granting of the License under this Agreement does not confer on the Licensee any right, title, or interest in the Licensed Material other than the use permitted in this Agreement. The Licensee further acknowledges that all intellectual property rights in the Licensed materials remain the sole property of McCarthy Tetrault LLP.