



## **ANTI-SPAM**

**Last Reviewed:** May 2023

**Reviewed by:** LFNP Contributors

**Time to Read:** 15 minutes

This Fact Sheet provides information about the legal rules for spam messages.

Canada has rules (anti-spam) about sending certain types of electronic messages to groups of people (Canadian Anti-Spam Legislation or "CASL"). Electronic messages are messages sent by any electronic means such as email, text, instant message, and tweet. These messages may be considered spam if they are sent for a commercial purpose. Spam is not allowed.

Canada's anti-spam law only applies to electronic messages sent for a commercial purpose. Commercial purposes means encouraging participation in a commercial (for profit) activity. Examples include selling tickets to shows, sending fundraising emails, and selling season subscriptions. The activities of non-profits and charities may be commercial if they involve selling to the public. Generally speaking, if the message is not about a commercial transaction, it is subject to the anti-spam law. Further, fundraising emails for registered charities are exempt from the anti-spam law but this exemption does not extend to non-profits.

If a non-profit wants to send commercial electronic messages, it must allow the recipients to "opt-in" before those messages are sent. Opt-in means the recipients of the email messages actively agree to receive emails from the non-profit. Email recipients typically opt-in by subscribing to an email list. Further, the non-profit must include an "opt-out" option in the group email messages. Opt-out means the recipients of the email messages can unsubscribe (withdraw their consent to future emails).

Commercial electronic messages must include contact information for the non-profit.