

Canadian Anti-Spam Legislation (CASL)

COMPLIANCE CHECKLIST

This list has been created to assist York University units to avoid sending unsolicited commercial electronic messages (CEMs) contrary to CASL. It is not a substitute for obtaining legal advice from the Office of the Counsel where required.

- Analyze the messages your unit sends to identify any that constitute CEMs.
- Review existing mailing lists to flag any addresses for which you do not have consent to send a CEM. If necessary, remove these addresses from the mailing lists. Alternatively, request express consent PRIOR TO July 1, 2014.
- Update mailing lists (whether these are electronic spreadsheets, databases, or relationship management systems) to include the following fields:
 - **For all consents:** Whether the consent was express or implied.
 - **For express consents:** The date the consent was given; and the documentation (e.g. signed form) that proves that the consent was granted.
 - **For implied consents:** The manner that the implied consent was granted (e.g. business relationship); your proof of consent (e.g. a contract signed by the individual for consulting work); the date the consent came into effect; and the expiry date of the consent.
- Put a system in place (preferably automated) to ensure that all future consents and unsubscribe requests are promptly recorded in your mailing lists and that these are effective to prevent you from sending unwanted CEMs.
- Ensure that all of your requests for consent contain the required “Identification and Unsubscribe”.
- Ensure that all of your CEMs contain the required “Purpose, Identification and Unsubscribe option”.
- Ensure all relevant unit employees are aware CASL’s requirements and the processes your unit has in place to comply with those requirements.