



Canada Anti-Spam Legislation Talking Points

- Thank you for taking the time to meet with me. As a constituent and as a member of the Association of Fundraising Professionals (AFP), I urge you to instruct Industry Canada and the Canadian Radio-television and Telecommunications Commission (CRTC) to either (A) exempt electronic communications sent by, or on behalf of, registered charities from the proposed regulations' consent requirements of Canada's Anti-Spam Legislation (CASL); or (B) provide clear and consistent interpretations of CASL to Canada's registered charities.
- To give you some background, AFP has inspired global change and supported charitable efforts that generated over \$1 trillion since 1960. AFP's nearly 32,000 individual and organizational members raise over \$100 billion annually for charities around the world, equivalent to one-third of all charitable giving in North America. In Canada, AFP's over 3,500 members in 20 chapters work for more than 1,800 charities across the country and raise billions of dollars annually.
- The overall impact of Canada's charitable sector on our economy is immense. The sector employs two million Canadians, contributing 10.5 percent of our labour force and 8.1% percent of GDP, according to the National Survey of Nonprofit and Voluntary Organizations.
- As an employee of [PROVIDE A BRIEF OVERVIEW OF YOUR ORGANIZATION AND ITS IMPACT ON CANADA'S COMMUNITIES].
- In 2013, AFP urged Industry Canada to exempt electronic communications sent by, or on behalf of, registered charities from the proposed regulations' consent requirements. Registered charities did not receive that exemption when the law came into force on July 1, 2014, but they are exempt from the regulation of CASL's provisions for messages sent for the "primary purpose" of raising funds.
- However, this situation has proven extremely confusing already to charities. Even with the recent FAQ's published by CRTC, overall definitions and application are still unclear, especially around the ideas of "primary purpose" and "raising funds."
- Canada's charities have utilized electronic communications to bolster their fundraising, outreach and missions in a very cost-effective manner. These efforts also can be more effective and less expensive in reaching potential donors compared to older, more traditional methods of fundraising.
- Without much-needed clarification and consistent interpretations of "primary purpose" and "raising funds" the uncertainty around CASL has caused confusion for charities which could reduce the cost-effectiveness of the charities' electronic messages and increase administrative burdens. Charities want to focus as much as possible on their good works and philanthropic missions, and this complicated piece of legislation, which affects all charities regardless of their size, is raising concerns throughout the sector.
- The easiest means of avoiding confusion around CASL is to exempt electronic communications sent by, or on behalf of, registered charities from the proposed regulations' consent requirements. Without that exemption, it is imperative that Industry Canada and the CRTC provide clear, yet detailed interpretations of "primary purpose" and "fundraising" in CASL to registered charities as soon as possible.