

Telemarketing at a glance

The CRTC has established the Unsolicited Telecommunications Rules, which include three different sets of rules: the Telemarketing Rules, the National Do Not Call List Rules and the Automatic Dialing and Announcing Device Rules.

The Unsolicited Telecommunications Rules apply to all persons who make calls or send faxes to sell or promote a product or service, or to request donations. Calls made for the purposes of market research, polls or surveys are not considered telemarketing calls and are exempt from the Unsolicited Telecommunications Rules

1. Telemarketing Rules

- Among other things, the Telemarketing Rules require all telemarketers to:
 - identify who they are and, upon request, provide consumers with a fax or telephone number where they can speak to someone about the telemarketing call,
 - display the telephone number that they are calling from or that the consumer can call to reach them
 - only make calls and send faxes between 9:00 a.m. and 9:30 p.m. on weekdays and between 10:00 a.m. and 6:00 p.m. on weekends
 - maintain their own do not call lists, and
 - register with the National Do Not Call List.
- For more information see Part III of the Unsolicited Telecommunications Rules.

2. National DNCL Rules

- Parliament amended the *Telecommunications Act* in 2005. These amendments provide for a National Do Not Call List (DNCL), on which Canadian consumers can register to reduce the number of unwanted telemarketing calls and faxes they receive. The National DNCL will launch on September 30, 2008.
- Among other things, the National DNCL Rules require telemarketers to:
 - not call the home phone, cellular and fax numbers that consumers have registered on the National DNCL (except where a consumer has consented to be contacted)
 - purchase a subscription for the area codes they intend to call
 - download the numbers from the National DNCL and delete them from their calling lists, and
 - use a version of the National DNCL that is not older than 31 days.
- For more information see Part II of the Unsolicited Telecommunications Rules.

3. Exemptions to the National DNCL

- Certain telemarketing calls and faxes are exempt from the National DNCL Rules. Exemptions include those made by or on behalf of:
 - registered charities seeking donations
 - newspapers looking for subscriptions
 - political parties and their candidates, and
 - companies with whom consumers have an existing commercial relationship; for example, if a consumer has done business with a company in the previous 18 months—such as a carpet-cleaning company—that consumer can be called.
- Telemarketing calls made and faxes sent to businesses are also exempt from the National DNCL.
- For the full details, see Part II of the Unsolicited Telecommunications Rules and the *Telecommunications Act*.

4. Automatic Dialing and Announcing Device Rules

- Automatic Dialing and Announcing Devices are devices that dial telephone numbers automatically and deliver a pre-recorded message.
- These devices cannot be used to sell or promote a product or service unless a consumer has consented to be called by them.
- They can be used for public service reasons by police and fire departments, schools and hospitals. They can also be used for appointment reminders and thank you calls.
- For more information on the use of Automatic Dialing and Announcing Devices, see Part IV of the Unsolicited Telecommunications Rules.

5. Complaints and enforcement

- Canadians can make a complaint through the National DNCL website (www.LNNTE-DNCL.gc.ca/) or by calling the toll-free numbers 1-866-580-DNCL (1-866-580-3625) or 1-888-DNCL-TTY (1-888-362-5889).
- The CRTC will investigate complaints and can penalize telemarketers found to be in violation of the Unsolicited Telecommunications Rules, which include the Telemarketing Rules, National DNCL Rules and Automatic Dialing and Announcing Device Rules.
- As of September 30, 2008, the CRTC can levy penalties of up to \$1,500 for an individual and up to \$15,000 for a corporation, for each violation.
- Date Modified: 2008-08-29 of the Unsolicited Telecommunications Rules.