

## **First penalty under Anti-Spam Law by Steven Weiss**

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The CRTC has levied its first financial penalty under the new anti-spam laws (CASL) that came into effect last July. Compu-Finder of Quebec was issued a Notice of Violation and assessed a fine of \$1.1 Million on March 5, 2015. It was given a period of 30 days to either submit written representations to the CRTC or pay the fine.

The CRTC found that Compu-Finder was sending unsolicited commercial electronic messages without consent of recipients. Furthermore, the requisite 'unsubscribe' mechanism on the emails did not function properly.

In its news release, the CRTC noted that Compu-Finder accounted for a full 26% of all complaints submitted under the CRTC's online 'spam reporting centre'!

The CRTC also noted that a number of investigations of CASL violations are underway and encouraged the reporting of violations to the spam reporting centre.

Given the hype leading to the implementation of CASL last year, it was not unexpected that the CRTC has now levied a significant fine to a violator. Compu-Finder represented the low-hanging fruit and the type of activity that CASL was really meant to target in the first place. In the words of the Chief Compliance and Enforcement Officer of the CRTC, this case 'stood out because of the flagrant nature of the violation'.

The magnitude of the penalty levied should however serve as a reminder to companies to continue being vigilant in maintaining strict CASL-compliance.

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