

If you wanted to know...

Canada's National Do Not Call List

... Read on ...

What Is the “Do Not Call List”?

Canada's National Do Not Call List (DNCL) is a central registry of home phone, cell phone and fax numbers that certain telemarketers are prohibited from contacting. Individuals register their home phone numbers, cell phone numbers and/or fax numbers with the registry, and telemarketers who are subject to the DNCL must then remove those numbers from their telemarketing call lists.

The purpose of the DNCL is to reduce the number of unwanted telemarketing calls and faxes that Canadians receive. The DNCL comes into effect on September 30, 2008.¹ Bell Canada has been awarded a five-year contract for the operation of the DNCL.

Several other countries have maintained similar DNCLs for a number of years. In the US, the National Do Not Call Registry, in operation since June 2003, now has over 145 million registered home phone numbers.² The UK's Telephone Preference Service's registration totalled over 14.8 million phone numbers by the end of 2007.³ Australia and New Zealand have also adopted similar lists.⁴

The DNCL will not eliminate all telemarketing calls. Several kinds of organizations are exempt from the Do Not Call List rules. These include:

- registered charities seeking donations;
- newspapers selling subscriptions;
- political parties and their candidates;
- companies with whom you have an existing commercial relationship (i.e. a company with whom you have done business in the past 18 months); and
- companies from whom you have inquired information within the past six months.⁵

However, according to the *Telecommunications Act*, exempt organizations must “maintain their own do not call list and shall ensure that no telecommunication is made on their behalf to any person who has requested that they receive no telecommunication made on behalf of that person or organization.”⁶

How do I sign up? *Read on ...*



INFORMATION AND PRIVACY COMMISSIONER OF ONTARIO

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COMMISSIONER

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How Do I Sign Up For the Do Not Call List?

Individuals⁷ can register up to three residential landline, cell phone and/or fax numbers.⁸ Signing up is free, and registration can be completed online at <https://www.innate-dncl.gc.ca/>, or by phone at 1-866-580-DNCL. You must renew your registration every three years in order to remain on the list.⁹

How Is the Do Not Call List Enforced?

Telemarketers who are subject to the legislation have 31 days in which to remove your landline, cell phone and/or fax number from their call lists.¹⁰ Violations of the rules will be investigated by the Canadian Radio-television and Telecommunications Commission (CRTC), and violators may be subject to a fine of up to \$1,500 for individuals and \$15,000 for corporations.

In response to the wide range of organizations exempted from the DNCL, Dr. Michael Geist created iOptOut.ca. The website complements the DNCL by allowing individuals to opt out of contact from DNCL-exempt organizations. Once the individual selects the exempt organizations that he or she does not want to receive telemarketing communications from, the iOptOut site sends an email notification to each organization requesting that your name, email address and phone number(s) be removed from their active marketing lists.

iOptOut has already generated over 5 million email notifications. The CRTC has indicated that third party requests, such as a request from the iOptOut.ca website, are valid and must be honoured by exempt organizations.¹¹

For Additional Information

CRTC website: <http://www.crtc.gc.ca/eng/dncl.htm>

iOptOut website: <http://ioptout.ca/>

1 The framework for the DNCL was created in 2005 as amendments to Canada's *Telecommunications Act* 1993, c. 38, T-3.4 at sections 41.1-41.7. Please also see the CRTC's Unsolicited Telecommunications Rules, available at: <http://www.crtc.gc.ca/archive/ENG/Decisions/2008/dt2008-6.htm#m2>.

2 Please see the US' Do Not Call Registry at: <https://www.donotcall.gov/>.

3 Please see the UK's Telephone Preference Service at: <http://www.tpsonline.org.uk/tps/>.

4 Please see Australia's Do Not Call Registry at: <https://www.donotcall.gov.au/> and New Zealand's Name Removal Service at: <http://www.marketing.org.nz/cms/Resources/103>.

5 Please see section 41.7(1) of the *Telecommunications Act*.

6 Please see section 41.7(4) of the *Telecommunications Act*.

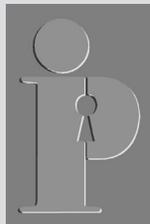
7 The National DNCL Rules do not apply to telemarketing telecommunications made to business consumers. Please see Part II: National DNCL Rules at section 2.

8 Please see Telecom Decision CRTC 2007-48 at section 45(c), available at: <http://www.crtc.gc.ca/archive/ENG/Decisions/2007/dt2007-48.htm>.

9 Please see Telecom Decision CRTC 2007-48 at section 61.

10 Please see Part II: National DNCL Rules at section 13.

11 CBC News, August 5, 2008. "Telemarketers rebuked by CRTC over do-not-call objections", available at: <http://www.cbc.ca/technology/story/2008/08/05/tech-dncl.html>.



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