



Canadian Radio-television and
Telecommunications Commission

Conseil de la radiodiffusion et des
télécommunications canadiennes

Answering the Call:

Ensuring a Safe and Convenient Telemarketing Environment in Canada

Presented to the Minister of Innovation, Science and Industry
September 2023

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(Aussi disponible en français)

Protecting Canadians from Unwanted Calls

At the Canadian Radio-television and Telecommunications Commission (CRTC), we regulate and supervise Canadian broadcasting and telecommunications. [Part of our mandate](#) is to protect Canadians from unwanted calls—an authority granted to us by Parliament under the *Telecommunications Act*. Our goal is to protect privacy and to limit nuisance calls, while still allowing legitimate telemarketing. This is enforced by the *Unsolicited Telecommunications Rules* (the Rules), which include the *National Do Not Call List (DNCL) Rules*, the *Telemarketing Rules*, and the *Automatic Dialing-Announcing Device (ADAD) Rules*. We are also responsible for establishing and maintaining the [Voter Contact Registry](#) under the amended *Fair Elections Act* (2014) to ensure that those who contact voters during an election, do so transparently.

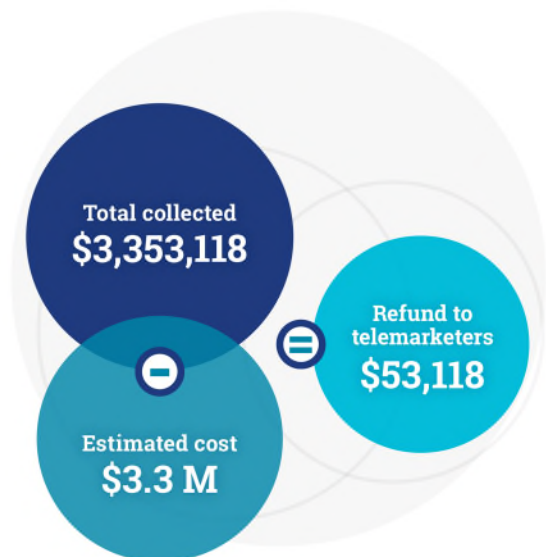
Through its compliance and enforcement program, the CRTC promotes, monitors, investigates, and enforces the rules and regulations associated with the Rules. By using a combination of these initiatives, the CRTC is working to create an environment that deters non-compliant telemarketers while assisting businesses with their legitimate telemarketing practices.

Through its public proceedings, the CRTC also ensures that its regulatory policies respond to evolving advances in technology, business models, and the privacy needs of individual Canadians.

2022-23 Fees and Operational Costs

The Rules contain registration and subscription requirements to the National Do Not Call List (DNCL) for those who make telemarketing calls in Canada and those who hire a third party to make calls on their behalf. The *Telecommunications Act* gives the CRTC the authority to collect fees to recover costs associated with investigation and enforcement of the National DNCL. The CRTC sets an estimate for its regulatory costs on an annual basis.

At the outset of 2022-23, the CRTC's costs to administer the National DNCL program for the 2022-23 fiscal year were estimated to be \$3.3 million. The amount of unsolicited telecommunications fees collected was \$3,353,118. As the total amount paid in 2022-23 exceeded the estimated \$3.3 million in regulatory costs, the excess amount (\$53,118) gets refunded to telemarketers, according to the [formula in subsection 4\(2\) of the *Unsolicited Telecommunications Fees Regulations*](#).

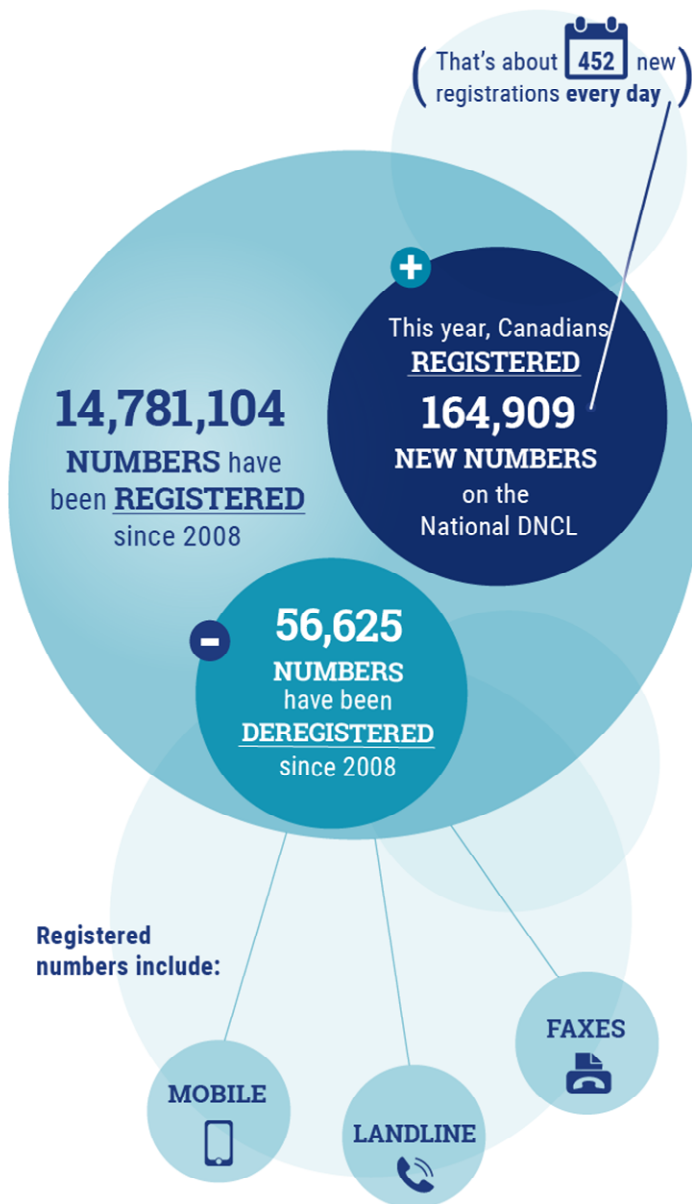


Number Registrations and Complaints

Taking Part

Fifteen years after establishing the National Do Not Call List (DNCL), Canadians continue to choose whether they wish to receive telemarketing calls. Since 2008, an impressive 14,781,104 Canadian phone numbers have been added to the list and 56,625 phone numbers have been removed.

164,909 Canadian phone numbers for home, mobile, fax or VoIP services were registered in 2022-23— an average of more than 452 numbers each day.

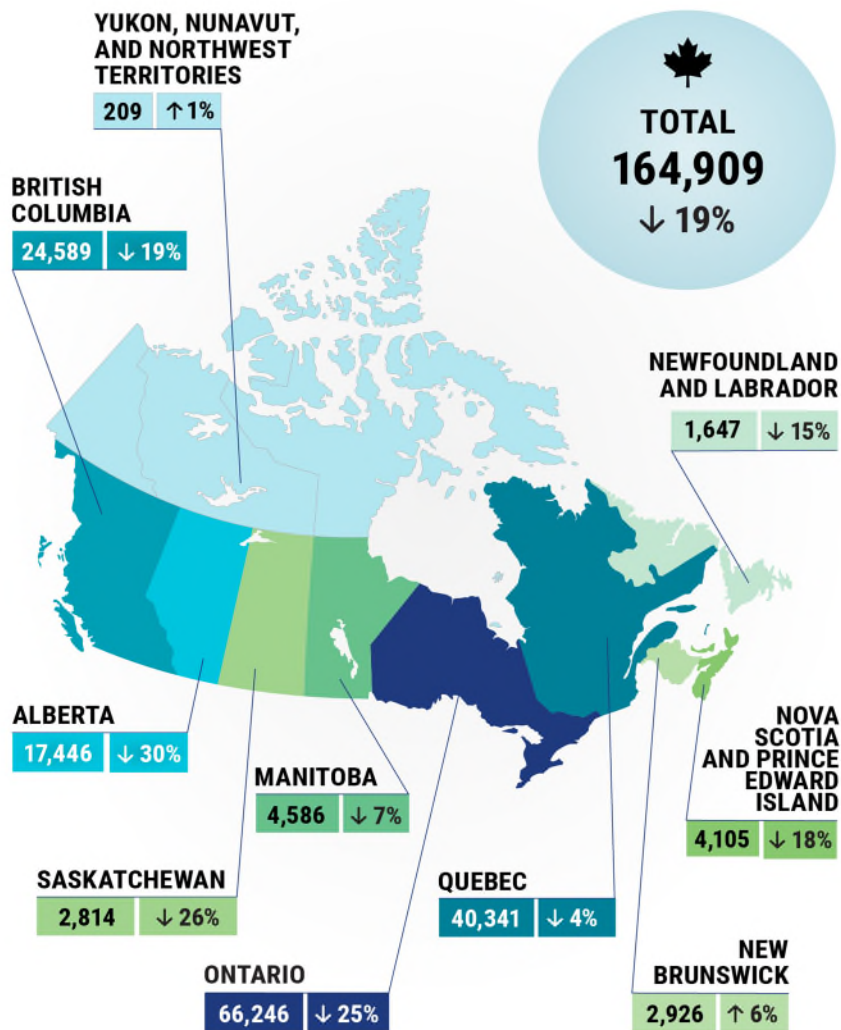


Residents in Canada can add their numbers for free and verify whether a number is on the List by calling 1-866-580-DNCL (3625) or visiting the [National DNCL website](#).

Number Registration by Province and Territory in 2022-23

Canadians across the country continue to register their numbers with the National Do Not Call List (DNCL) operator. The volume of numbers registered in 2022-23 coincides with the population distribution by province and territory.

Compared to 2021-22, the total volume of number registrations is down by approximately 19%. Only New Brunswick and the Territories saw a slight increase in the number registrations over the previous year.



Notes:

Nova Scotia and Prince Edward Island: The data for these regions is aggregated because they share the same area code.

Yukon, Nunavut, and Northwest Territories:

The data for these regions is aggregated because they share the same area code. These locations also include non-geographic area codes (e.g., mobile satellite phones).

Complaints in 2022-23

We rely on the public to tell us when they suspect a telemarketer might not be following the Rules. The best way to file a complaint is through the National Do Not Call List (DNCL) Operator.

In 2022-23, 36,495 complaints were filed with the National DNCL Operator. Of these, 90% of the complaints were about receiving calls to a number registered on the National DNCL. The number of total complaints dropped by 18% over the previous year.

A complaint can be filed by calling 1-866-580-DNCL (3625) or visiting the [National DNCL website](#).

To file a complaint, all that is needed is:

1. The phone number where the call was received.
2. The name or phone number of the telemarketer.
3. The date you received the call.

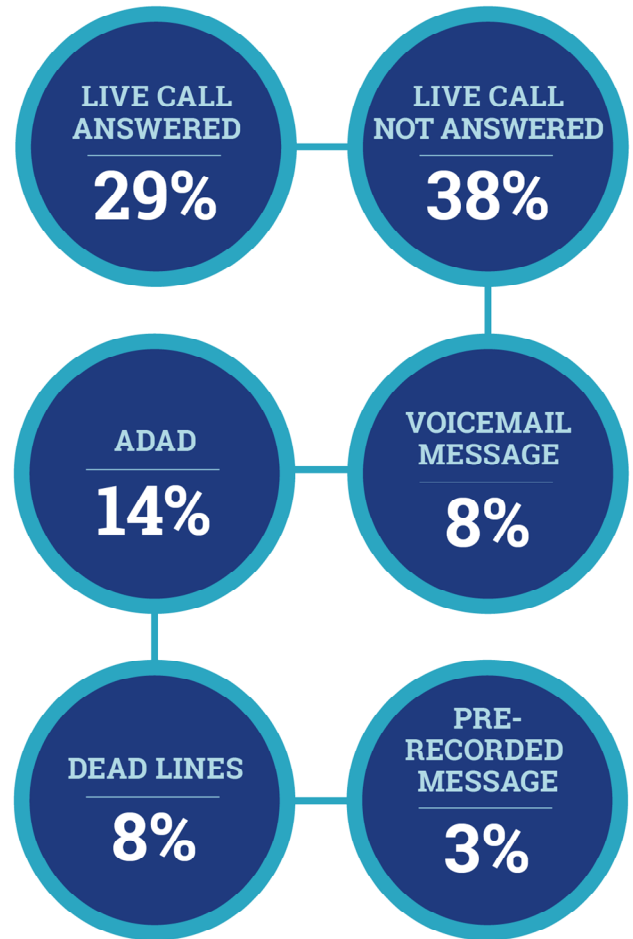


Frequently Heard Complaints

Below we have categorized complaints made to the National Do Not Call List Operator through its **interactive complaint form** and its **Live Operator Call Centre**.

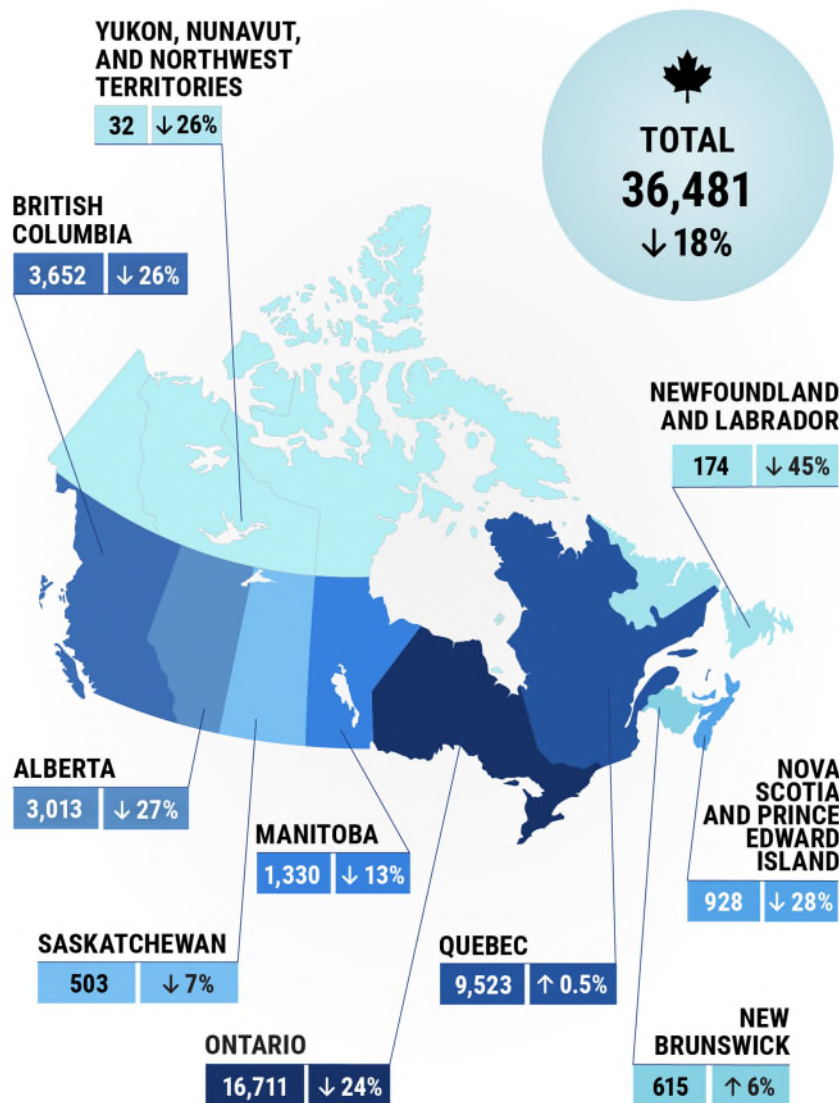
In 2022-23, the breakdown of complaints was as follows:

- 29% were about live calls from suspected telemarketers.
- 38% were about calls from suspected telemarketers but the call was not answered.
- 14% were about an Automatic Dialing-Announcing Device.
- 8% were about suspected telemarketers leaving voicemail message.
- 8% were about dead lines (i.e., cases where a predictive dialer was used or there was no caller on the line) or fax sound.
- 3% were about pre-recorded messages to hold for a live caller.



Complaints by Province and Territory in 2022-23

While Canadians continue to file complaints across the country in 2022-23, the total number of complaints dropped by approximately 18% compared to the previous year. The National Do Not Call List Operator received less complaints from most provinces in 2022-23. However, New Brunswick and Quebec saw slight increases versus the previous year.



Notes:

Nova Scotia and Prince Edward Island: The data for these regions has been combined because they share the same area code.

Yukon, Nunavut, and Northwest Territories:

The data for these regions has been aggregated because they share the same area code. These locations also include non-geographic area codes (e.g., mobile satellite phones).

Telemarketer Registrations and Subscriptions

All telemarketers operating in Canada must register with the National Do Not Call List (DNCL) operator. There is no charge for registration.

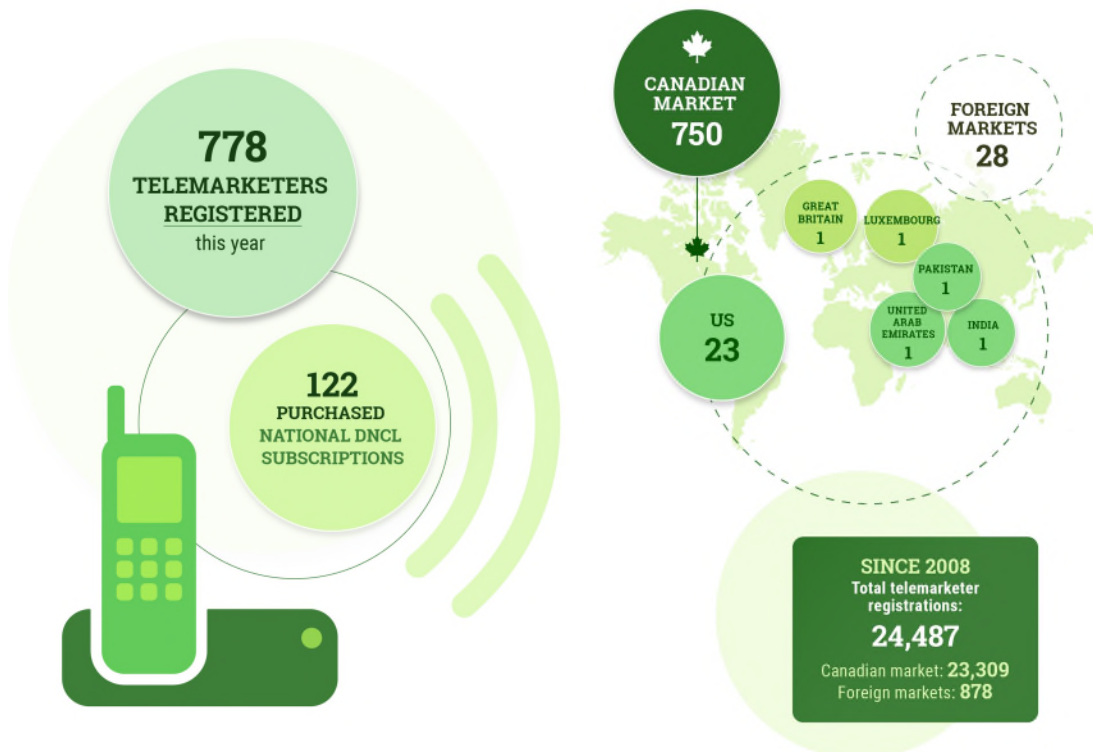
Telemarketers that are only making calls or sending faxes that are exempt from the National DNCL do not have to purchase a subscription or download the National DNCL.

Otherwise, telemarketers generally must purchase a subscription for the area codes where they intend to call. Fees are based on the [subscription model chosen](#). The telemarketer must consult the National DNCL to ensure that these numbers are not included on their call lists.

Telemarketer registrations and subscriptions in 2022-23

In 2022-23, 778 telemarketers registered with the National Do Not Call List (DNCL) Operator. Of those registered, 122 organizations purchased National DNCL subscriptions.

Of the telemarketers that registered in 2022-23, 750 were from the Canadian market and 28 were from foreign markets including 23 from the United States, 1 from India, 1 from Great Britain, 1 from United Arab Emirates, 1 from Luxembourg and 1 from Pakistan.



Taking Action to Enforce Compliance

Our enforcement actions send a clear message to telemarketers and clients of telemarketers that they must abide by the Rules, including registering with, and subscribing to the National DNCL. – Steven Harroun, Chief Compliance and Enforcement Officer

The CRTC has the power to investigate and take action against a person or organization that breaks the Rules, including the ability to issue administrative monetary penalties (AMPs).

All telemarketers must follow the Rules. Among other things, the Rules state that they must:

- identify who they are and, upon request, provide a telephone number where the caller can speak to someone about the telemarketing call.
- display the telephone number that they're calling from so that the consumer can call to reach them.
- only call or 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.

Telemarketers must also comply with the Automatic Dialing and Announcing Device (ADAD) Rules. ADADs are devices that dial telephone numbers automatically and can also deliver a pre-recorded message.

When it comes to enforcing the Rules, one of our main goals is ensuring compliance. To this end, once we've gathered intelligence to select and investigate cases of alleged violations, we use [Enforcement Actions](#) to appropriately respond to each unique case.

These tools include:

- warning letters for minor compliance issues.
- [citations](#) that outline the alleged violations and provide the opportunity to respond to the citation.
- [notices of violation \(NoV\)](#), which are formal enforcement measures (set out in section 72.07 of the *Telecommunications Act*), that could carry an administrative monetary penalty (AMP).
- negotiated settlements, which are formal agreements between individuals and businesses and the Chief Compliance and Enforcement Officer. As part of a settlement, the individual or business must admit liability, stop violating the Rules, accept a NoV with an AMP to be paid, and develop a compliance program.

Violations can result in penalties of up to \$1,500 per violation for individuals and up to \$15,000 per violation for corporations.

Investigations and Enforcement Actions

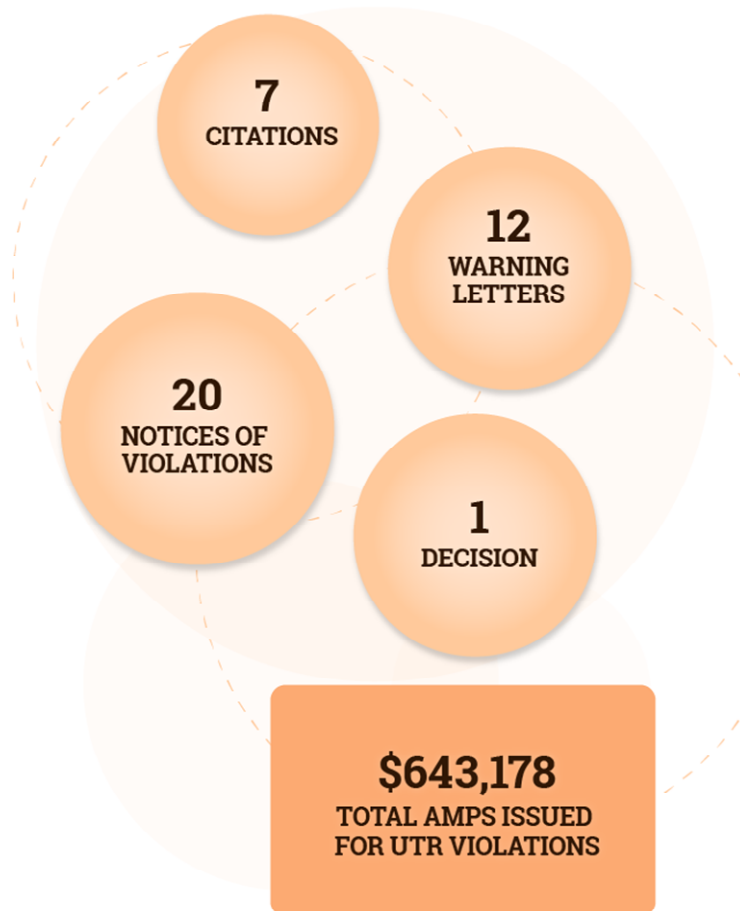
Since 2008, a total of \$11,880,104 in administrative monetary penalties (AMPs) have been issued.

Between April 1, 2022, and March 31, 2023, the CRTC investigations resulted in a total of \$643,178 in AMPs payable to the Receiver General of Canada.

2022-23 Enforcement and Compliance Highlights

In 2022-23, 12 warning letters, 7 citations, 20 notices of violations and 1 Commission Decision were issued.

In terms of negotiated settlements, all companies that the CRTC brought into compliance with the Rules through negotiated settlements also implemented compliance practices within their businesses. Moreover, any entity that was subjected to enforcement action in the previous 3 years and is still in operation has remained compliant to date.



Large Penalty Investigations

In 2022, two significant penalty amounts were issued in association with violations of the Rules. One in April for \$100,000 to Turito Inc and the other in August for of \$100,000 to Signature Confort.

Specific details can be found at [Enforcement Action PDR 9174-3208](#) and [Enforcement Action PDR 9174-3187](#).

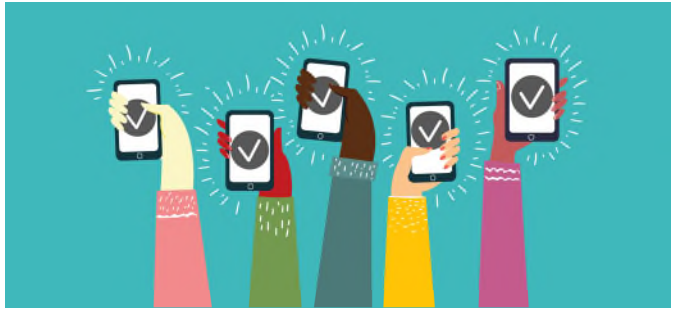
Another sizeable penalty amount was issued in March 2023 to Cue Learn Pvt. Ltd. for \$175,000.

Specific details can also be found at [Enforcement Action PDR 9174-3184](#).

Protecting Voters

The CRTC is responsible for establishing and managing the [Voter Contact Registry](#) (VCR).

During an election campaign, political candidates, parties, and their supporters are obliged to follow the rules that fall under the VCR. This tool protects Canadians from rogue or misleading telephone calls and ensures transparent contact with voters during federal elections. During elections, we remain prepared to handle registrations, complaints and to investigate potential violations.



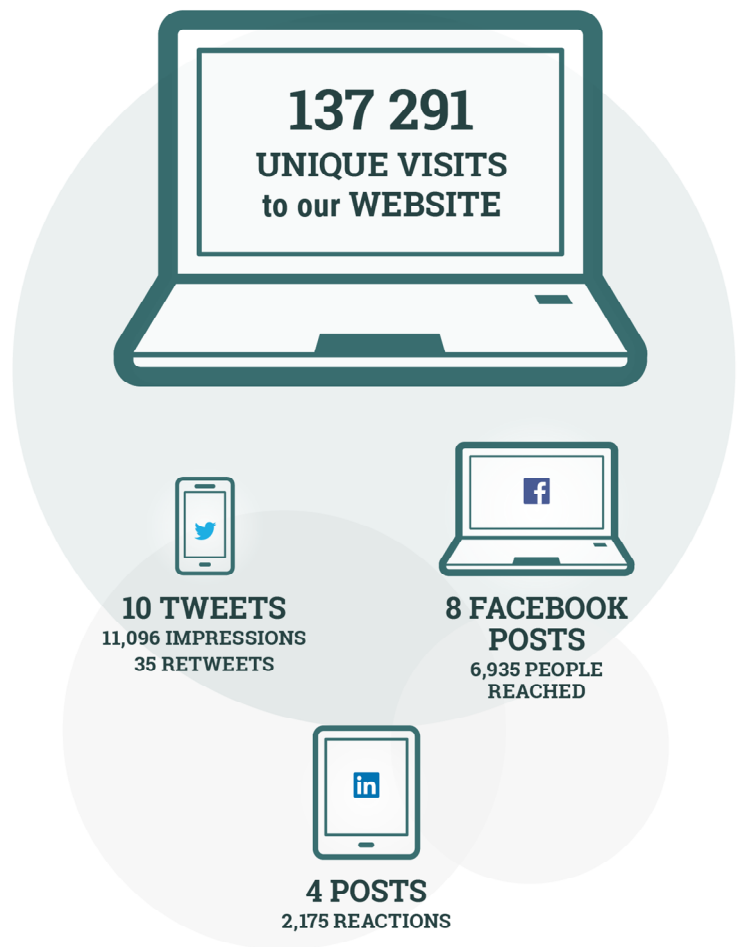
Our enforcement activities for violations of the VCR include warning letters, citations, and penalties of up to \$1,500 per violation for individuals and up to \$15,000 per violation for corporations. All VCR enforcement actions are posted in the [VCR Enforcement Actions](#) section.

In 2022-23, one warning letter was issued with respect to the Mississauga-Lakeshore by-election in December 2022. In addition, the CRTC managed the VCR associated with the by-elections in Manitoba.

Bringing the Message to Canadians

In 2022-23, the CRTC:

- continued to use Twitter, Facebook, and YouTube to inform and educate Canadians and telemarketers alike about issues related to telemarketing.
- used Facebook to remind Canadians that the Do Not Call List (DNCL) offers a chat service to guide Canadians on how to report unsolicited calls.
- promoted Fraud Prevention Month to remind Canadians that recognizing fraud is the first step in preventing it. On Twitter and Facebook, the CRTC reminded Canadians to look out for the following signs of fraud: misspelled words, urgent demands or unknown numbers.



Building a World-Class Communications System

Our goal is to support a safe, secure, and trusted communications system for Canadians in a constantly changing digital landscape. Building strong partnerships with industry and with domestic and international enforcement agencies allows us to coordinate our efforts and be more effective in combatting nuisance calls.

Partnership and Outreach

Educating telemarketers and working with stakeholders

To help telemarketers and clients of telemarketers comply with the Rules, we hosted several virtual compliance outreach sessions for industry representatives across Canada. These sessions included stakeholder interactions, video conferences and webinars.

Updating Government

In September 2022, the CRTC provided an [update](#) on the topic of fraudulent calls in Canada to the Standing Committee on Industry and Technology. Among other topics, the update included information on:

- the success in blocking unwanted calls before they reach Canadians.
- the development of a process to trace back calls to their point of origin.
- how complaints submitted through the National DNCL operator inform the CRTC's outreach efforts and enforcement actions.
- how the CRTC works with our domestic and international partners.

Policy Development and Implementation

In August 2022, the CRTC issued a [call for comments](#) on its proposal to codify various processes followed by the Commission in its proceedings under the UTRs, Canada's Anti-Spam Legislation, and the *Canada Elections Act's* VCR.

The objective of the notice was to seek stakeholder and public input on how to improve the transparency surrounding review proceedings for enforcement actions and the appropriateness of practices and procedures, as well as to address issues that have arisen in past reviews of enforcement actions. The decision is pending.

International and Domestic Cooperation

In the fall of 2022, regulators from Canada, Australia, Ireland, Hong Kong, and the United States met in person to find better ways to combat communications scams.

Hosted by the CRTC, this Combating Scam Communications meeting was an opportunity to share strategic insights on current initiatives and cross-border enforcement challenges. Participants also explored opportunities for greater international collaboration to disrupt scam communications.

Participants agreed to continue their collaboration and share strategic information. They also agreed to seek engagement from other regulatory agencies in jurisdictions that may be the source of or suffering from scam communications.

