145 Wellington Street West, Suite 203, Toronto, Ontario, M5J 1H8
416.391.2362 ● theCMA.ca

CMA Submission to the Review of the Unsolicited Telecommunications Rules
(July 2026)

1.The Canadian Marketing Association (CMA) is pleased to submit our response to the Commission's 2026 review of the Unsolicited Telecommunications Rules (UTR). As the voice of marketing in Canada, we represent organizations across virtually every major sector of the Canadian economy, retail, financial services, technology, telecommunications, health care, non-profit and many others. Our members use telemarketing as one of several channels to reach existing and prospective customers with relevant, consent-based offers. This submission reflects the experience of organizations that operate within the telemarketing framework daily and have a stake in ensuring the rules are both effective and operationally sound.

2. The CMA supports the Commission's goals of simplification, reduced regulatory burden and modernization. The CMA has participated actively in prior proceedings that have shaped both the UTRs and Canada's Anti-Spam Legislation (CASL) and has consistently advocated for frameworks that protect consumers while enabling responsible business communications. Our recommendations are grounded in a straightforward premise: rules that are clearer, simpler and more proportionate will be better followed by compliant businesses, and they will free the Commission's enforcement resources to focus where they are needed most, on bad actors who ignore the rules so can be brought into compliance. Complexity imposes real costs on legitimate businesses without providing corresponding protection to consumers.

Recommendations

3.Maintain the current UTR definition framework Do not align the CASL/UTR definitions
CASL addresses mass, low-cost, borderless electronic messaging. The UTRs govern real-time voice communications, a different channel with different consumer expectations and commercial dynamics. Aligning definitions risks inadvertently capturing expected, service-based voice calls, fraud alerts, prescription reminders, policy renewals, within a framework designed for unsolicited email campaigns. Distinct channels require distinct rules. The CMA recommends the Commission maintain the current UTR definitions framework.

4.Extend the Existing Business Relationship (EBR) from 18 to 24 months
The 18-month UTR EBR window and CASL's 24-month window create a six-month gap that requires organizations to reconcile two consent timelines for the exact same customer, a non-value-add administrative burden that generates no additional consumer protection. The 2017 INDU report Canada's Anti-Spam Legislation: Clarifications Are in Order identified this discrepancy and recommended harmonization. The National DNCL remains fully protective regardless of EBR status.

5.Allow DNCL corporate affiliate subscription model
A parent company should be permitted to purchase a single DNCL subscription covering all its affiliates. This reflects how businesses operate, sharing governance, compliance infrastructure and accountability. Where a telemarketing company is making calls on behalf of several different client organizations, each client should have its own registration and subscription.

6. Reduce call record retention from three years to 24 months
The current three-year requirement should be reduced to 24 months, aligned with the CASL EBR consent lifecycle, consistent with data minimization principles and in keeping with the Commission's objective of reducing regulatory burden. Twenty-four months represents the period of greatest enforcement relevance; retention beyond this point adds cost without adding meaningful investigative utility.

7. Disclose automated calls with flexibility in method
Consumers have a right to know when they are speaking with an automated system. Disclosure should be mandatory, however, a rigidly prescribed format risks making compliant calls indistinguishable from the scripted preambles consumers associate with fraud, counterproductive to both consumer trust and effective enforcement. The CMA recommends disclosure of automated calling, with organizational flexibility in method, timing and wording appropriate to the call context.

8. Simplify ADAD identification and contact option
Requiring a full postal mailing address in an automated voice message is a relic of a pre-digital era. Consumers do not write letters in response to robocalls, they call back or go online. The current requirement inflates message length, drives hang-up rates and, perversely, makes compliant messages sound more like the scripted preambles of fraudulent calls. The CMA recommends simplifying ADAD identification to: (a) the name of the calling organization; and (b) a toll-free telephone number and/or an email address, both accessible, modern and traceable contact options that serve consumers without unnecessary length.

9. Maintain the existing consent categories
The current three categories (oral, written and electronic) are technology-neutral and broad enough to accommodate emerging consent methods without amendment. Electronic consent's affirmative-step requirement already captures web, app and smart device interactions. Adding technology-specific categories could create a regulatory moving target and risk inadvertent non-compliance as new methods emerge. The CMA recommends no changes to Part V.

10. Maintain current sequential and random dialling rules
Sequential dialing has no legitimate marketing purpose, it is untargeted, bypasses any consumer relationship and risks disrupting critical infrastructure, including emergency lines. On random dialing, the Commission proposes removing section 27 as redundant with the general DNCL scrubbing requirement. The CMA recommends retaining an explicit provision that gives a clear compliance signal that call list generation carries specific obligations.

Conclusion

11.The UTRs have played a real role in protecting Canadians from unwanted telemarketing. A modernized, simpler, and calibrated UTR framework will enable the Commission to direct its enforcement capacity towards the bad actors and reduce the operational friction that compliant businesses are shouldering.

To discuss our submission, contact:

Sara Clodman
Chief Public Affairs and Governance Officer
sclodman@thecma.ca

Florentina Stancu-Soare
Director, Public and Regulatory Affairs
fstancu-soare@thecma.ca

About the CMA
The CMA is the voice of marketing in Canada, and our purpose is to champion marketing’s powerful impact. We are the catalyst to help Canada’s marketers thrive today, while building the marketing mindset and environment of tomorrow. We provide opportunities for our members from coast to coast to develop

professionally, to contribute to marketing thought leadership, to build strong networks, and to strengthen the regulatory climate for business success. Our Chartered Marketer (CM) designation signifies that recipients are highly qualified and up to date with best practices, as reflected in the Canadian Marketing Code of Ethics and Standards. We represent virtually all of Canada's major business sectors, and all marketing disciplines, channels and technologies. We provide Canadian consumers with information to help them better understand their rights and obligations. For more information, visit thecma.ca.

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