



Canadian Radio-television and
Telecommunications Commission

Conseil de la radiodiffusion et des
télécommunications canadiennes

Answering the Call:

Building a Safe, Convenient Telemarketing Environment for Canadians

2020-21 CRTC Annual Report on the Operation of the National Do Not Call List

Presented to the Minister of Innovation, Science and Economic Development
September 30, 2021

*Our goal is to support a safe, secure, and trusted communications system for
Canadians in a constantly changing digital landscape.*

Canada 

ISSN Num: 2561-2565
Cat. Num : BC9-29E-PDF

Unless otherwise specified, you may not reproduce materials in this publication, in whole or in part, for the purposes of commercial redistribution without prior written permission from the Canadian Radio-television and Telecommunications Commissions' (CRTC) copyright administrator. To obtain permission to reproduce Government of Canada materials for commercial purposes, apply for Crown Copyright Clearance by contacting:
The Canadian Radio-television and Telecommunications Commission (CRTC)

Ottawa, Ontario Canada K1A 0N2

Tel: 819-997-0313

Toll-free: 1-877-249-2782 (in Canada only)

<https://applications.crtc.gc.ca/contact/eng/library>

© Her Majesty the Queen in Right of Canada, represented by the Canadian Radio-television Telecommunications Commission, 2021.

All rights reserved.

(Aussi disponible en français)

Table of Contents

Making Telemarketing Fair, Honest, and Safe	4
2020-21 Fees and Operational Costs	4
Registrations, Complaints, and Perceptions	5
We Created Telemarketing-related Policies to Help Protect Canadians.....	5
Taking Part.....	6
“Hello, Operator? I’d like to make a complaint...”	6
The Telemarketer Footprint: Registrations and Subscriptions.....	10
Better Telemarketing Practices = Better Business.....	10
Taking Action to Enforce Compliance and Protect Canadians	12
Emerging Global Challenges Demand Creative New Approaches	12
Protecting Voters	14
Bringing the Message to Canadians.....	14
Building a World-Class Communications System	15
International and Domestic Cooperation.....	15
Partnership and Outreach	16
Working with the industry to help Canadians at Home.....	16

Making Telemarketing Fair, Honest, and Safe

At the Canadian Radio-television and Telecommunications Commission (CRTC), we regulate and supervise Canadian broadcasting and telecommunications in the public interest. [Part of our mandate](#) is to protect Canadians from unsolicited telecommunications—an authority granted to us by Parliament under the *Telecommunications Act*. The goal of our resulting regulatory framework is to protect the privacy of Canadians and prevent undue inconvenience and nuisance from unsolicited telecommunications, while still allowing legitimate uses of telemarketing. This protection is enforced by the *Unsolicited Telecommunications Rules* (UTR/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.

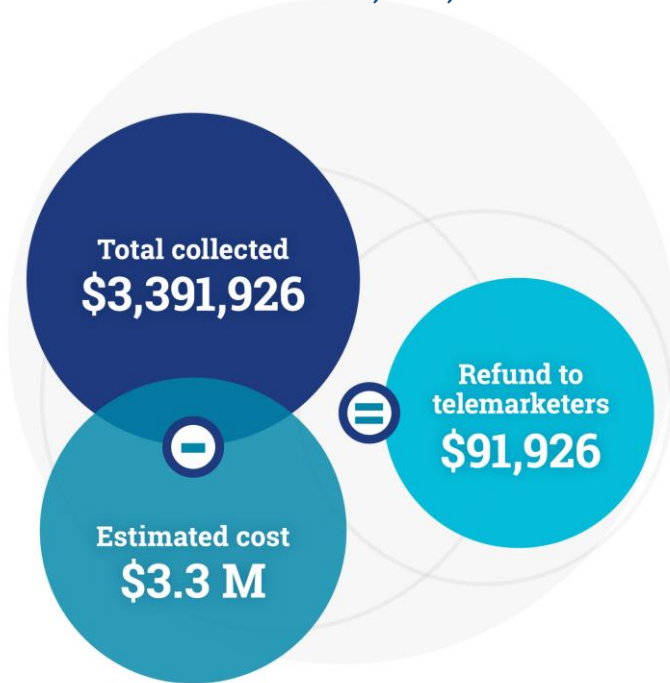
To support the Rules, we promote compliance with training and outreach directed at organizations that use telemarketing across multiple industry sectors. We also investigate and address non-compliance, communicate investigation results, and ensure the continuity of National DNCL operations. Finally, we educate Canadians about corrective actions, how to protect themselves, and how to file complaints to help the CRTC address telemarketing issues.

2020-21 Fees and Operational Costs

The Rules require those who conduct telemarketing calls to Canadians and those who engage a telemarketer to conduct telemarketing calls on their behalf, to register with and/or subscribe to the National DNCL. The *Telecommunications Act* gives the CRTC the authority to collect the related subscription fees in order to recover the Commission's costs associated with the investigation and enforcement of the National Do Not Call List. Annually, the CRTC sets a revenue target for these unsolicited telecommunications fees.

At the outset of 2020-21, the CRTC's costs to administer the National DNCL regime for the 2020-21 fiscal year were estimated to be \$3.3 million. The revenue for unsolicited telecommunications fees collected was \$3,391,926. As the total amount paid in 2020-21 exceeded the estimated \$3.3 million in regulatory costs, the excess amount (\$91,926) is being refunded to telemarketers according to the [formula in subsection 4\(2\) of the *Unsolicited Telecommunications Fees Regulations*](#).

National DNCL Costs, Fees, and Refunds



Registrations, Complaints, and Perceptions

We Created Telemarketing-related Policies to Help Protect Canadians

Protect them from what? From threats to their privacy, vulnerability within the communication system, and inconvenient telecommunications like that unwanted nighttime sales call.

The CRTC also gives telemarketers information regarding compliance with the Rules.

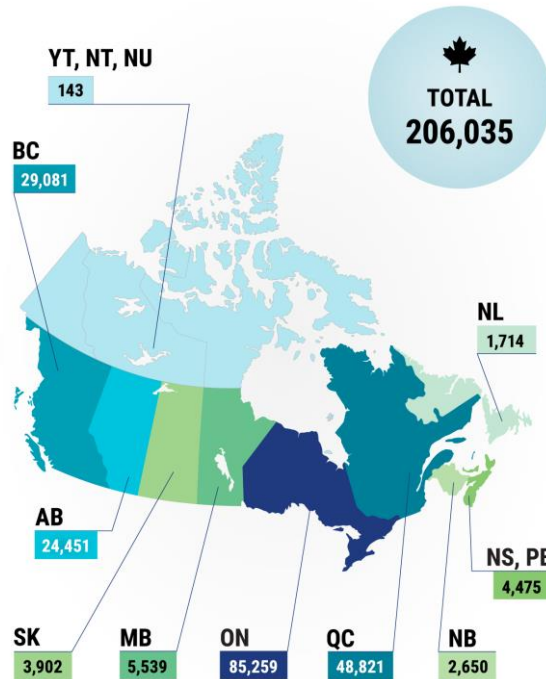
Taking Part

Since we started the National DNCL in 2008, Canadians have registered an impressive 14,291,077 telecommunications numbers and deregistered 56,611 numbers.

In the last fiscal year alone, Canadians registered 206,035 numbers for landlines, mobile phones, and fax lines—an average of more than 564 numbers each day.



Who is registering?



Nova Scotia and Prince Edward Island:

Note that because these regions share area codes, their data is combined.

Yukon, Nunavut, and Northwest Territories:

Note that because these regions share area codes, their data is combined. These locations also include non-geographic area codes (e.g. mobile satellite phones which are typically used in remote areas of Canada).

“Hello, Operator? I’d like to make a complaint...”

We rely on Canadians to tell us when they suspect a telemarketer might not be following the Rules. The best way to complain is through the National DNCL Operator.

In 2020-21, Canadians filed 45,874 complaints with the National DNCL Operator.

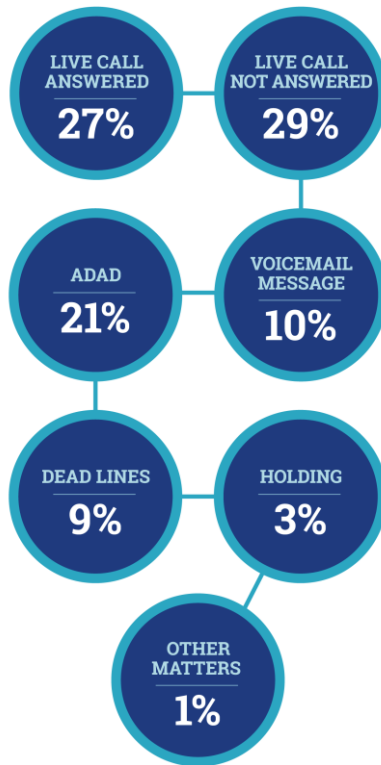
“...We thank all Canadians who sent complaints as it helps us identify non-compliant practices.”

- Steven Harroun, Chief Compliance and Enforcement Officer, CRTC, [CRTC News Release 10 November 2020](#)



What are people concerned about?

With the National DNCL Operator's **interactive complaint form** and its **Live Chat Support feature** we are better able to categorize complaints from Canadians. In 2020-21, Canadian complaints were as follows:

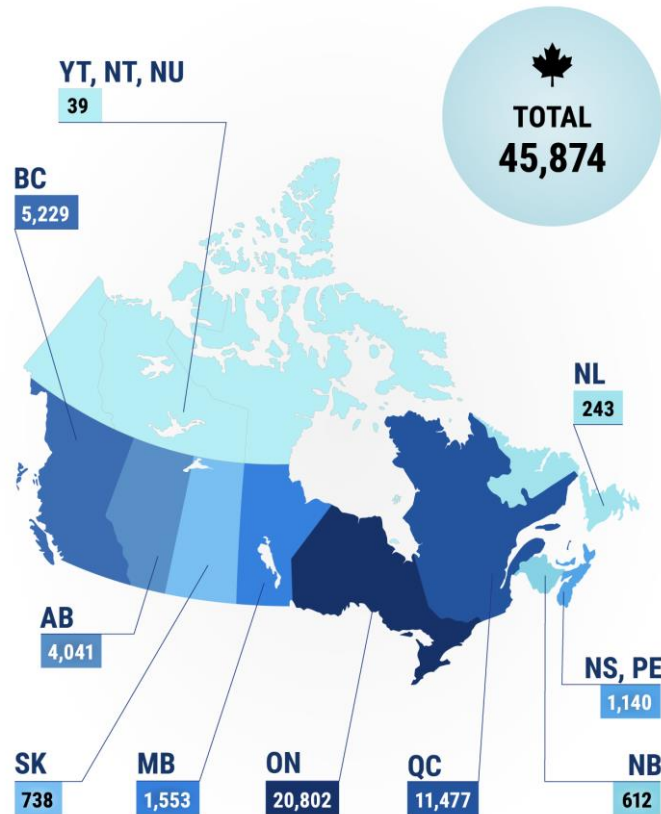


- 27% were about live calls from suspected telemarketers
- 29% were calls from suspected telemarketers but the call was not answered
- 21% were about ADADs
- 10% were about suspected telemarketers leaving voicemail message
- 9% were about dead lines (i.e. cases where a predictive dialer was used or there was no caller on the line)
- 3% were about pre-recorded messages to hold for a live caller
- 1% were about a fax or fax sound

Cross-country complaint round-up

While Canadians across the country filed complaints, Ontario and Quebec once again top the list with a total of 70% of all complaints coming from these two provinces.

Cross-country complaint round-up



Nova Scotia and Prince Edward Island: Note that because these regions share area codes, their data is combined.

Yukon, Nunavut, and Northwest Territories: Note that because these regions share area codes, their data is combined. These locations also include non-geographic area codes (e.g. mobile satellite phones which are typically used in remote areas of Canada).

The Telemarketer Footprint: Registrations and Subscriptions

Better Telemarketing Practices = Better Business

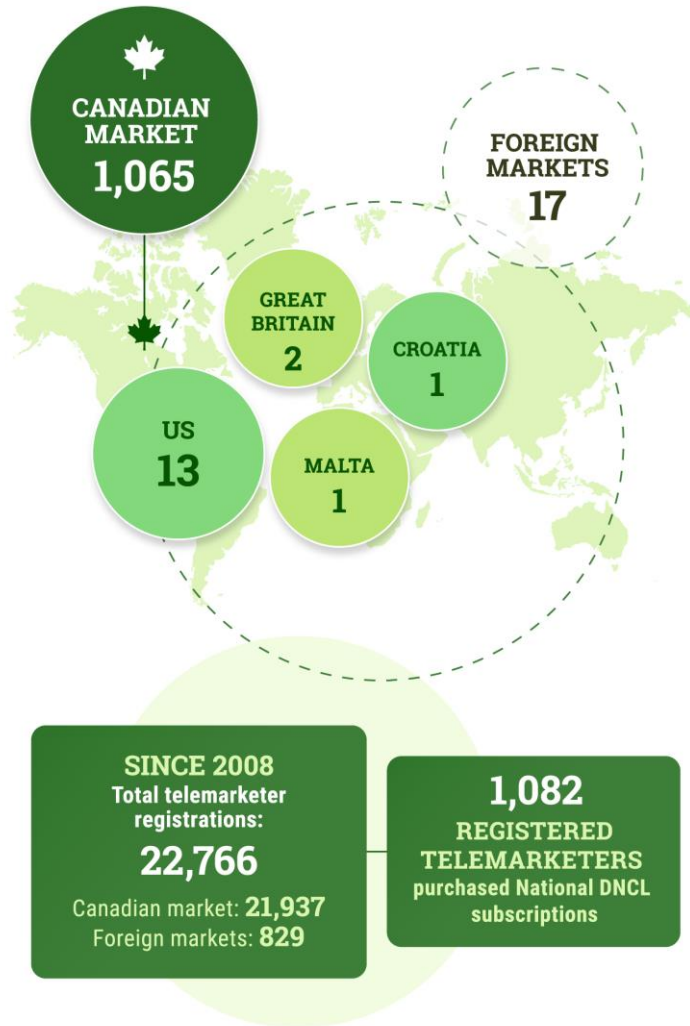
Telemarketers and clients of telemarketers are required to participate in Canada's National DNCL in two ways: by registering and by subscribing.

In 2020-21, 1,082 new telemarketers registered with the National DNCL Operator.

Of those registered telemarketers, 887 organizations purchased National DNCL subscriptions for a total of 1,584 individual purchases. Telemarketer subscriptions are available for multiple area codes, as well as single area codes. Longer subscription periods or a combination of long and short subscriptions are also available. This provides better options for telemarketers' business operational plans.



Who registered in 2020-21?



Taking Action to Enforce Compliance and Protect Canadians

Emerging Global Challenges Demand Creative New Approaches

Our enforcement actions send a clear message to telemarketers and clients of telemarketers that they must abide by the Unsolicited Telecommunication Rules, and register with and subscribe to the National DNCL.

To address these challenges, the CRTC has the power to investigate and take action against violators, including the ability to issue administrative monetary penalties.

All telemarketers conducting telemarketing on their own behalf or on behalf of clients must adhere to the Rules. Among other things, the Rules state that they must:

- identify who they are and, upon request, provide a fax or telephone number where the caller can speak to someone about the telemarketing call,
- display the telephone number that they're calling from or that the consumer can call to reach them, and
- 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 to bring violators into 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 violations,
- [citations](#) that set out specific corrective actions,
- [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), and
- negotiated settlements, which are formal agreements between entities that commit violations and the Chief Compliance and Enforcement Officer. As part of a settlement, the entity must admit liability, stop violating the Rules, accept a NoV with an AMP, 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.

Since 2008, a total of \$10,716,930 has been issued in administrative monetary penalties.

In 2020-21, we issued:



Protecting Voters

In addition to enforcing the Rules, under the *Fair Elections Act*, the *Canadian Elections Act*, and the *Telecommunications Act*, we also enforce 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.

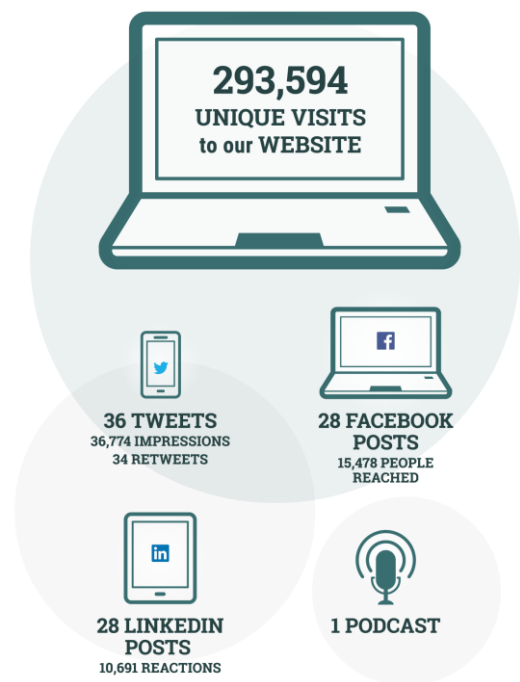
In 2020-21, the CRTC issued 111 warning letters and 46 citation for alleged violations under the VCR. All VCR enforcement actions are posted on the CRTC website under the [VCR Enforcement Actions](#) section. In 2020-21, the CRTC also activated and managed the VCR for the by-election held on 26 October 2020 for Toronto Center and York Center Region.

Bringing the Message to Canadians

'We're trying to reach as many Canadians as possible to forewarn them of potential fraudulent activities and scams.'

Last year, we:

- issued several easy and simple to access alerts, videos and infographics;
- leveraged Twitter, Facebook, and LinkedIn to inform and educate Canadians and telemarketers alike about issues related to telemarketing; and
- for the first time, participated in a podcast featuring conversations on the CRTC's DNCL and the requirements of industry members.



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, domestic and international enforcement agencies allows us to coordinate our efforts and be more effective in combatting spam and nuisance calls.

International and Domestic Cooperation

MOUs to fight unwanted telemarketing calls



To date, the CRTC has forged 16 partnerships with organizations across the globe in order to better fulfill its mandate. These agreements allow the agencies to share information and provide investigative support, upon request, and in accordance with the law.

These established MOUs also provide for research and education opportunities, as well as staff exchanges and joint training initiatives for the parties.

Partnership and Outreach

Telemarketer webinars

To help telemarketers and clients of telemarketers comply with the Rules, we hosted over 30 virtual compliance outreach sessions for industry representatives across Canada. For the first time, the CRTC did an English [podcast](#) where three separate conversations were featured and centered on the CRTC's Do Not Call List and the requirements of industry members. Due to the pandemic restrictions, the CRTC also broadcasted several of its' sessions by webinar to maximize participation from telemarketers across Canada.

Working with the industry to help Canadians at Home

Protecting Canadians behind the scene

In 2020-21, the CRTC approved a call blocking trial, which utilizes artificial intelligence technology, to allow a large TSP to block certain fraudulent and scam voice calls. This trial has resulted in a significant number of fraudulent calls being successfully blocked before ever reaching Canadians.

Policy Development and Implementation

Following a public consultation, the Commission directed that, as a condition of offering and providing telecommunications services, TSPs must implement STIR/SHAKEN¹ in order to authenticate and validate IP-based voice calls, effective 30 November 2021.

Visit [Compliance and Enforcement and Telecom Decision CRTC 2021-123](#) for more details on implementation of STIR/SHAKEN for IP-based voice calls.

Additionally, the CRTC continued to support the industry's development of a process to trace nuisance calls back to their point of origin, including approval of a trace back trial project, to facilitate compliance and enforcement efforts.

¹ STIR/SHAKEN is a technology developed by the industry that will enable service providers to certify whether a caller's identity can be trusted by authenticating and verifying the caller ID information for Internet Protocol (IP)-based voice calls.