

CORPORATE POLICY			
Department	Corporate Governance	Number	CP-008
Subject	Sending Commercial Electronic Messages	First Issued	June 23, 2014
		Effective	December 8, 2020
Issued to	All Members of the Calgary Stampede	Version	04
Approved by	Board of Directors	Next Review	September 2024

1.0 POLICY STATEMENT

The Calgary Stampede is committed to establishing and maintaining the responsible use of electronic communications.

It is the Calgary Stampede's policy to comply with the applicable anti-spam legislation in each jurisdiction in which the organization operates or otherwise sends electronic communications to.

2.0 POLICY RATIONALE

This policy is intended to provide guidelines for the Calgary Stampede's compliance with Canada's Anti-Spam Legislation (CASL).

CASL generally prohibits anyone from sending a "Commercial Electronic Message" (CEM) unless:

- i. the recipient of any such message has consented to receiving it; and
- ii. the CEM meets certain formality requirements.

3.0 SCOPE

This Sending Commercial Electronic Messages Policy covers only those activities that are subject to the provisions of CASL, and applies to all members of the Calgary Stampede who send Commercial Electronic Messages (as defined below).

4.0 POLICY DEFINITIONS

Commercial Electronic Message: a message by any means of telecommunication (e.g., e-mail, text, instant message, etc.) sent by or on behalf of the Calgary Stampede that is intended to encourage the participation in a commercial activity. This would include an e-mail that:

- i. offers to purchase, sell, lease a product, goods, or service;
- ii. offers to provide a business, investment or gaming opportunity; and/or
- iii. advertises or promotes anything referred to in (i.) or (ii.) above.

Formalities: information required in a Commercial Electronic Message to comply with CASL (see Section 5.3).

Members: employees, volunteers, contractors, agents or other representative of the Calgary Stampede.

5.0 POLICY DETAILS

5.1 Sending Commercial Electronic Messages Internally

A member may send Commercial Electronic Messages to another member if:

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- i. the Commercial Electronic Message concerns the activities of the Calgary Stampede; or
- ii. the member has received the recipient's consent, whether express or implied, to send the Commercial Electronic Message.

5.2 Sending Commercial Electronic Messages Externally

If authorized to do so, a member may send Commercial Electronic Messages to those outside of the Calgary Stampede if:

- i. each recipient is:
 - an employee, contractor, agent or other representative of another organization; and
 - the Calgary Stampede and that organization already have a relationship; and
 - the Commercial Electronic Message concerns the activities of that organization; or
- ii. the member has received the recipient's consent, whether express or implied, to send the Commercial Electronic Message; or
- iii. the member reasonably believes that the Commercial Electronic Message will be:
 - accessed in Argentina, Australia, Austria, Brazil, Chile, China, Costa Rica, Czech Republic, Denmark, Finland, France, Germany, Greece, Hong Kong, Israel, Italy, Japan, Netherlands, New Zealand, Norway, Philippines, Puerto Rico, Russia, Singapore, South Africa, South Korea, Spain, Sweden, Switzerland, Thailand, Turkey, United Kingdom, United States of America, Venezuela, or Vietnam; and
 - the message conforms to the law of that country; or
- iv. the member is sending the Commercial Electronic Message on behalf of a registered charity and the message has as its primary purpose raising funds for the charity.

If the circumstance in which a member of the organization wishes to send a Commercial Electronic Message to a third party is not listed above, prior approval must first be obtained from his/her supervisor (or employee liaison as it relates to a volunteer committee).

5.3 Formalities

Commercial Electronic Messages sent under this policy must clearly and prominently:

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- i. identify the Calgary Stampede in the body of the Commercial Electronic Message; and
- ii. contain the mailing address of the Calgary Stampede, and either a telephone number, e-mail address and/or the Calgary Stampede's website address; and
- iii. include an unsubscribe mechanism.

The Calgary Stampede includes such information automatically in certain outgoing communications. Where such information is added to an electronic message, it should not be removed or modified.

5.4 When Collecting Consent

When seeking consent from a third party to send them Commercial Electronic Messages, any such request must include:

- i. the Calgary Stampede's name; and
- ii. the purpose for which the consent is being sought; and
- iii. the Calgary Stampede's mailing address; and either a telephone number, e-mail address and/or the Calgary Stampede's website address; and
- iv. a statement indicating that the person whose consent is being sought can withdraw their consent.

In the event that a third party:

- i. provides verbal consent to send Commercial Electronic Messages, input the particulars of the conversation (e.g., date and time) into the customer relationship management database; or
- ii. conspicuously publishes their contact information, input the particulars of where said information was published (e.g., date and time) into the customer relationship management database; or
- iii. provides their business card or contact information, input the particulars of the interaction with that individual (e.g., date and time) into the customer relationship management database.

With respect to (ii.) and (iii.) above, remember that only Commercial Electronic Messages that are relevant to the recipient's business, role, functions or duties in a business or official capacity are to be sent.

5.5 Withdrawal or Variation of Consent

If someone outside of the Calgary Stampede advises that they no longer wish to receive any Commercial Electronic Messages from a member, immediately cease sending any

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Commercial Electronic Messages to that individual until advised otherwise by the supervisor or staff liaison of the committee.

5.6 Compliance

Violations of this Sending Commercial Electronic Messages Policy can result in legal consequences for the Calgary Stampede. Accordingly, the Calgary Stampede reserves the right to take whatever steps reasonably necessary to audit compliance with this Policy.

5.7 Interpretation of this Sending Commercial Electronic Messages Policy

This policy includes examples but is not intended to be restricted in its application to such examples; therefore where the word "including" is used, it shall mean "including without limitation."

This Sending Commercial Electronic Messages Policy does not create or confer upon any individual any rights, or impose upon the Calgary Stampede any rights or obligations outside of, or in addition to, any rights or obligations imposed by CASL. Should there be, in a specific case, any inconsistency between this policy and CASL, this policy shall be interpreted, in respect of that case, to give effect to, and comply with, CASL.

6.0 RESPONSIBILITY FOR POLICY ADMINISTRATION

Marketing and External Relations will have responsibility for administering and maintaining this policy. All people leaders have responsibility for implementation of this policy.

7.0 REFERENCES

Canada's Anti-Spam Legislation (CASL)

8.0 RESCIND DETAIL

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