



AUTO ATTENDANT / RESEARCH & PRACTICAL GUIDANCE

CASL vs CRTC Telemarketing Rules: Calls and Texts

Get a business phone number with a simple auto attendant menu from Auto Attendant. A caller picks who they need and the call rings that person's own mobile, so nobody on your team has to publish a personal number.

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The 30-second answer

Canada has two separate rulebooks for reaching customers who did not contact you first, and a lot of small businesses mix them up:

- **Text messages, email and other electronic messages** are governed by Canada's Anti-Spam Legislation (CASL), [S.C. 2010, c. 23](#). The core rule is consent plus identification plus an unsubscribe mechanism.
- **Live sales calls, robocalls and sales faxes** are governed by the CRTC's [Unsolicited Telecommunications Rules](#) (UTRs), made under the *Telecommunications Act*. The core rules are the National Do Not Call List, your own internal do-not-call list, identification, calling hours and express consent for automated calls.

The hinge between the two is one subsection of CASL. Section 6(8) says the CASL message rules do not apply to a commercial message that is "in whole or in part, an interactive two-way voice communication between individuals", that is sent by fax to a telephone account, or that is "a voice recording sent to a telephone account" ([CASL s. 6\(8\)](#)). Those channels are left to the telemarketing rules instead.

The same regulator sits on both sides: the CRTC's stated responsibilities include the *Telecommunications Act* and CASL ([CRTC mandate](#)). So the question is not "which agency?" but "which rulebook applies to this particular message?"

This guide is educational, reflects the rules as of October 2026, and is not legal advice. If your business does volume outreach, talk to a lawyer who works on CASL and telemarketing compliance.

Quick decision table

What you send or do	Rulebook	Key requirement
Promotional text message (SMS) to a customer	CASL s. 6	Consent (express or implied), sender identification, unsubscribe

What you send or do	Rulebook	Key requirement
Promotional email or newsletter	CASL s. 6	Same as above
Live sales call by a staff member	CRTC UTRs	National DNCL check, internal DNCL, identify yourself, calling hours
Pre-recorded sales message (robocall)	CRTC UTRs (ADAD rules)	Prior express consent of the person called
Sales fax to a phone number	CRTC UTRs	DNCL and fax rules; excluded from CASL s. 6
Quote the customer asked for, sent by text	CASL, but consent not required (s. 6(6)(a))	Identification and unsubscribe still apply
Appointment confirmation text for a booked job	CASL, consent not required (s. 6(6)(b))	Identification and unsubscribe still apply
Reply to a customer's question by text or email	Excluded from s. 6 by regulation (SOR/2013-221 s. 3(b))	None of the s. 6 requirements
Sales call to another business	CRTC UTRs, but exempt from the DNCL part	Telemarketing and ADAD rules still apply
Customer calls your business number	Neither	Inbound calls are not unsolicited telecommunications

Each row is explained, with sources, below.

What CASL covers

Electronic messages include texts and voice

CASL defines an "electronic message" as "a message sent by any means of telecommunication, including a text, sound, voice or image message," and an "electronic address" includes an email account, an instant messaging account and a telephone account ([CASL s. 1](#)). That is why an SMS to a mobile number is squarely inside CASL.

Only commercial electronic messages (CEMs) need consent

The consent rule bites on **commercial** electronic messages: messages whose purpose, or one of whose purposes, is to encourage participation in a commercial activity, judged by the content, links and contact information in the message ([CASL s. 1\(2\)](#)). Innovation, Science and Economic Development Canada (ISED) puts it the same way: CASL focuses on messages "that encourage participation in a commercial activity whether or not there is an expectation of profit," and spam includes unsolicited text messages ([ISED](#)). A message asking for consent to send CEMs is itself a CEM (s. 1(3)).

The three requirements of section 6

Under [section 6\(1\)-\(2\)](#), you may not send a CEM unless:

1. the recipient has consented, expressly or impliedly;
2. the message identifies who sent it and on whose behalf, and gives contact information valid for at least 60 days (s. 6(3)); and
3. the message contains an unsubscribe mechanism. Unsubscribe requests must be honoured without delay and no later than 10 business days after they are sent (s. 11(3)).

When consent is implied

Implied consent exists only in the situations listed in [section 10\(9\)](#). The ones a small business uses most:

- **Existing business relationship.** The person bought or leased something from you within the two-year period before the message, accepted a business opportunity from you in that period, or has a written contract with you that is current or expired within that period (s. 10(10)(a)-(d)).
- **Recent inquiry.** The person made an inquiry or application to you within the **six-month** period before the message (s. 10(10)(e)).
- **Published or disclosed business address.** The person conspicuously published the address, or gave it to you, without saying they do not want unsolicited messages, and your message is relevant to their business role (s. 10(9)(b)-(c)).

Practical consequence: implied consent expires. A customer who bought once in 2024 and never again is outside the two-year window by 2026. If texting customers matters to you, ask for express consent and record when and how you got it.

Messages that do not need consent

Section 6(6) removes the **consent** requirement (but not identification and unsubscribe) for messages that solely provide a requested quote or estimate, facilitate or confirm a transaction the person already agreed to, give warranty, recall or safety information, give factual information about an ongoing account or subscription, or deliver something the person is entitled to ([CASL s. 6\(6\)](#)).

The *Electronic Commerce Protection Regulations* go further and exclude some messages from section 6 entirely, including messages sent in response to "a request, inquiry or complaint" or otherwise solicited by the recipient, and messages between employees or representatives of organizations that have a relationship, where the message concerns the recipient organization's activities ([SOR/2013-221 s. 3\(a\)-\(b\)](#)).

Penalties and reach

The maximum administrative monetary penalty for a CASL violation is **\$1,000,000 for an individual and \$10,000,000 for any other person** ([CASL s. 20\(4\)](#)). Section 12(1) says a person contravenes section 6 only if a computer system located in Canada is used to send **or access** the message, so a US-based business texting customers who read the message in Canada should assume CASL applies ([CASL s. 12\(1\)](#)).

What the CRTC Unsolicited Telecommunications Rules cover

The CRTC describes the UTRs as rules for "communicating with Canadians who have not reached out to them first," with three key parts: the **National Do Not Call List (DNCL) Rules**, the **Telemarketing Rules** and the **Automatic Dialing-Announcing Device (ADAD) Rules** ([CRTC, Know your obligations](#)). It defines telemarketing as "the use of telecommunications facilities to make unsolicited calls for the purpose of solicitation."

The key obligations the CRTC lists ([Key UTRs](#)):

- Register with the National DNCL before making unsolicited calls, **even if the calls are exempt**. Registration is free ([CRTC business alerts](#)).
- If you make non-exempt telemarketing calls, also **subscribe** to the National DNCL for the area codes you call, and use a version no more than **31 days** old.
- Keep your own **internal do-not-call list**. A number must be added within **14 days** of the request and kept for **3 years and 14 days**.
- Identify yourself clearly and give contact information on request.
- Call only between **9:00 a.m. and 9:30 p.m. on weekdays** and **10:00 a.m. and 6:00 p.m. on weekends**.
- Robocalls (ADAD) for solicitation require the consumer's **prior express consent**, including calls that put the consumer on hold until a live agent is free. Charities are not exempt from the ADAD rules.

Penalties are up to **\$1,500 per violation for individuals** and up to **\$15,000 per violation for corporations**, where a violation can be a single call ([CRTC](#)).

Business-to-business calls

Calls to businesses are exempt from Part II (the National DNCL Rules), but they are still regulated by Part III and Part IV, the Telemarketing Rules and the ADAD Rules ([CRTC business alerts](#)). The same page says that if you telemarket to businesses you must still register with the National DNCL and respect your internal do-not-call list.

Hiring someone to call for you

Using a call centre or lead generator does not shift the risk. The CRTC points to section 72.16 of the *Telecommunications Act*: a person is liable for violations committed by an employee or by an agent or mandatary acting within their authority ([CRTC business alerts](#)). The client of a lead generator must hold its own DNCL registration and subscription.

A review is under way

In June 2026 the CRTC opened a review of the UTRs (Compliance and Enforcement Notice of Consultation CRTC 2026-132, "Review of the Unsolicited Telecommunications Rules"). Interventions were due 27 July 2026 and replies 11 August 2026, under public record 1011-NOC2026-0132 ([CRTC, Notices of consultation 2026](#)). A trade-association summary reports that the review looks at clearer definitions, including whether the ADAD definition captures modern software, AI and synthesized voices, and closer alignment with CASL definitions

(MEF, 24 June 2026). No decision appears in the CRTC's published lists through mid-August 2026, the latest we could read. A consultation changes nothing until a decision issues, so the obligations above are the ones to follow. Check the public record for a decision before relying on this section in 2027.

Where the two regimes meet

Most confusion comes from messages that sit at the boundary. Use these rules of thumb, which follow from CASL s. 6(8) quoted above:

Situation	Treatment
A staff member phones a prospect	Two-way voice between individuals: excluded from CASL s. 6, UTRs apply
A pre-recorded voice message is played to a phone number	"Voice recording sent to a telephone account": excluded from CASL s. 6, UTR ADAD rules apply
A voicemail drop left by software without the phone ringing ("ringless voicemail")	A voice recording sent to a telephone account, so excluded from CASL s. 6. The CRTC has not ruled on these drops, but the UTR definition of an ADAD, equipment that conveys "a pre-recorded or synthesized voice message to a telecommunications number", reads broadly enough to cover them (UTRs, Part I). Get express consent
A promotional text sent to the same mobile number	Electronic message: CASL s. 6 applies
A call that mixes live and recorded segments	"In whole or in part" two-way voice: excluded from CASL s. 6, but the recorded part may engage the ADAD rules
A fax advertisement	Excluded from CASL s. 6 (fax to a telephone account), UTRs apply

Two consequences that surprise people:

1. **One customer, two rulebooks.** A plumbing company that calls a past customer and then texts a promotion is under the UTRs for the call and CASL for the text. Being on the customer's good side for one does not cover the other.
2. **Text consent is not call consent, and vice versa.** CASL's implied-consent windows (two years, six months) are CASL concepts. The UTRs have their own exemptions, such as existing business relationships, which the CRTC lists among the defences it considers (CRTC business alerts). Keep separate records.

Why an inbound menu line is neither

An auto attendant that answers calls, plays a menu and rings the right person is handling calls that **customers chose to make**. Nothing in it is an unsolicited call, and the greeting is not sent to anyone's electronic address, so the telemarketing rules and CASL's section 6 are aimed at a different activity: reaching out. The obligations start when your business initiates contact, for example a staff member returning a voicemail with a sales pitch, or a promotional text sent from someone's mobile.

That said, returning a call or text the customer asked for is the easy case. A reply to a request or inquiry is excluded from CASL section 6 ([SOR/2013-221 s. 3\(b\)](#)), and a call the customer requested is not unsolicited under the CRTC definition of telemarketing quoted above. Stick to the subject of the inquiry; adding an unrelated promotion is where businesses drift into the rules.

Penalties side by side

	CASL (messages)	CRTC UTRs (calls, faxes, robocalls)
Maximum for individuals	\$1,000,000 per violation	\$1,500 per violation
Maximum for organizations	\$10,000,000 per violation	\$15,000 per violation
Legal basis	CASL s. 20(4)	Telecommunications Act, as summarized by the CRTC
Liability for vendors	Applies to anyone who sends, causes or permits a CEM to be sent (s. 6(1))	Vicarious liability for employees, agents, lead generators (s. 72.16)

Sources: [CASL](#); [CRTC](#).

The UTR figure looks small until you multiply it: the CRTC gives "per call" as its example of a violation.

Where complaints go

- **Spam texts and emails:** the Spam Reporting Centre, linked from ISED's CASL page. ISED reports more than 167,939 complaints between October 1, 2021 and March 31, 2022, and says text-message spam "is also on the rise" ([ISED](#)).
- **Telemarketing calls and robocalls:** the National DNCL site, where consumers can register home, mobile, fax or VoIP numbers for free and file complaints ([National DNCL](#)).

Checklist for a small business that calls or texts customers

Before any outreach

- ☐ List every channel you use for outreach: staff calls, texts from team mobiles, email newsletters, review requests, fax.
- ☐ Mark each one CASL (text, email) or UTR (call, recorded message, fax).
- ☐ Decide who in the business owns compliance and where consent records are kept.

For texts and email (CASL)

- ☐ Record express consent: what the person agreed to, the date, and how (web form, signed estimate, verbal note).

- [] For implied consent, record the purchase date or inquiry date and set reminders at two years and six months.
- [] Put your business name, a working contact method and an unsubscribe instruction in every promotional message, including texts ("Reply STOP to opt out" plus your business name).
- [] Process unsubscribes within 10 business days, across every staff phone that sends texts.
- [] Do not send promotions from personal mobiles that sit outside your consent records.

For calls (UTRs)

- [] Register with the National DNCL even if you believe your calls are exempt.
- [] If you make non-exempt calls, subscribe for the area codes you call and refresh the list at least every 31 days.
- [] Keep an internal do-not-call list; add numbers within 14 days and keep them 3 years and 14 days.
- [] Call only within 9:00 a.m.-9:30 p.m. weekdays and 10:00 a.m.-6:00 p.m. weekends.
- [] No pre-recorded sales messages without documented prior express consent.
- [] If an outside firm calls for you, check its registration and contract; you remain liable.

Sample opening for a live sales call

"Hi, this is [Name] from [Business name] in [City]. I'm calling about [purpose]. Is now a good time? If you'd rather we didn't call again, I'll add your number to our do-not-call list today."

Sample promotional text

"[Business name]: [offer] until [date]. Book at [link] or call [number]. Reply STOP to opt out."

FAQ

Do I need consent to text a customer? For a promotional text, yes, express or implied (CASL s. 6(1)). For a text that solely confirms a booking, sends a requested quote or gives warranty or safety information, consent is not required, but identification and unsubscribe still apply (s. 6(6)). A reply to the customer's own question is excluded from section 6 by SOR/2013-221 s. 3(b).

Are business-to-business texts covered? Yes, CASL has no general B2B exemption. Implied consent can come from a published or disclosed business address when the message is relevant to the person's role (s. 10(9)(b)-(c)), and messages between organizations that have a relationship, about the recipient's activities, are excluded (SOR/2013-221 s. 3(a)(ii)).

Are business-to-business calls covered? They are exempt from the National DNCL Rules but not from the Telemarketing and ADAD Rules ([CRTC](#)).

Does my phone menu greeting count as a commercial electronic message? A greeting played to someone who called you is not a message your business sent to their electronic address, so it is not the outreach CASL section 6 is aimed at. Keep promotions in the greeting short anyway; callers want the menu.

Does CASL apply if we are a US business? If the message is accessed on a computer system in Canada, section 12(1) indicates CASL can apply. Treat Canadian recipients under CASL.

Who enforces all this? The CRTC administers both CASL and the UTRs ([CRTC mandate](#)).

For the Canadian side of running a business line, see our [Canada page](#), the [business number calls and texts checklist](#) and the [glossary](#).

Auto Attendant only answers and routes inbound calls; it places no outbound calls and sends no texts.

Source links

Links cited in this article, in order of first appearance. Full addresses are provided for readers using extracted text.

1. <https://laws-lois.justice.gc.ca/eng/acts/E-1.6/FullText.html>
2. <https://crtc.gc.ca/eng/phone/telemarketing/tobligations.htm>
3. <https://crtc.gc.ca/eng/acrtc/acrtc.htm>
4. <https://www.fightspam.gc.ca/eic/site/030.nsf/eng/00304.html>
5. <https://laws-lois.justice.gc.ca/eng/regulations/SOR-2013-221/FullText.html>
6. <https://crtc.gc.ca/eng/phone/telemarketing/tobligations/rules-regles.htm>
7. <https://crtc.gc.ca/eng/phone/telemarketing/biz.htm>
8. <https://crtc.gc.ca/eng/8045/n2026.htm>
9. <https://mobileecosystemforum.com/2026/06/24/crtc-launches-consultation-to-modernise-unsolicited-telecommunications-rules>
10. <https://crtc.gc.ca/eng/trules-reglest.htm>
11. <https://lnnte-dncl.gc.ca/en>

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About Auto Attendant

Auto Attendant gives a small business one phone number and a recorded menu that sends each caller to the right person. The call rings the mobile that person already carries, using their normal dialler and their normal mobile plan. Pricing is a single flat monthly fee for the whole company rather than a charge for each user, and there is no app, desk phone or hardware to install.

One number, one menu, the phones you already own

A caller dials the business number, hears a short greeting and chooses an option. Each option can ring one mobile, ring several at once so whoever is free answers first, or try people one after another in a set order. There is no limit on how many people sit on the receiving end, because nobody is billed per seat. Setup is done by the owner in a few minutes: pick a number, write the greeting, and point each option at a mobile.

What it deliberately is not

An auto attendant routes a call; it does not answer one. Nobody at Auto Attendant speaks to callers, and no AI stands in for a receptionist. A business that wants its calls handled, messages taken and appointments booked wants an answering service, which is a different product at a different price. A business that needs call recording, queues, agent dashboards or CRM integration wants a contact centre platform. Auto Attendant is for the case where the call should simply reach the right pocket.

Keeping personal numbers off the internet

The business number is the only number a caller ever sees. Personal mobile numbers are never displayed and never given out, which is what lets an owner put a number on a website, an invoice, a van or a Google Business Profile without handing a personal line to everyone who finds it. An existing advertised number can be ported across and kept, and the old line keeps working while the port is in progress.

Work with Auto Attendant

Visit [Auto Attendant](#) to see [how it works](#), [how it compares](#) to a personal mobile, Google Voice and a full phone platform, and the current [pricing](#).

Telephone number portability, emergency calling and caller-ID rules differ by country and change over time. Articles published here describe general practice and cite primary regulator and carrier sources; they are not a guarantee of any timeline, and they are not legal or regulatory advice for a specific business.

Website: <https://autoattendant.io>

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