



The World's Leader in Data-Research-Innovation

How
B2B Businesses
CAN COMPLY
to World-wide

Email Marketing
Laws and Regulations

I'VE HEARD IT ALL- TELL ME SOMETHING NEW!

EMAIL

The Superhero among all marketing channels, the most effective Marketing channel the Highest ROI producing channel and so on. You will find more such adjectives in google.

Benefits of leveraging email marketing as a primary B2B marketing tactic are enormous. By now you must be well acquainted with that, especially if you're a B2B Marketer or an enterprise business.

In this guide, we'll highlight the laws around email marketing and things you should do to generate greater results. You will also learn to comply with worldwide email regulations being on the right side of the law.

The number of e-mail users worldwide is forecasted to rise to 2.9 billion users by 2019

87% of businesses agree that senior data officers will emerge as a critical organizational link to deal with compliance

DIGITAL COMPLIANCE

The laws that govern digital communications and digital marketing vary from country to country. Such a vast list of laws and regulations makes compliance a challenge. As a marketer, it's your responsibility to understand the anti-spam laws and marketing regulations for all of the regions where you run the business.










The question now is whether to follow all these laws separately or follow one standard protocol which meets all the laws and regulations worldwide?

WORLD WIDE! SO HOW MANY LAWS ARE WE TALKING HERE?

HERE ARE THE TOP TEN LAWS

 CANADA Canada Anti-Spam Law	 UK Data Protection Act
 USA CAN-SPAM Act	 EU General Data Protection Regulation (after 25th May, 2018)
 SPAIN Spanish Act on the Information Society Services and e-Commerce	 FRANCE Article L.43-5 Code of Postal and Electronic Communications
 ITALY Italian Data Protection Act	 GERMANY Federal Data Protection Act Tele-media Act Act against Unfair Competition
 NETHERLANDS Dutch Telecommunications Act	 AUSTRALIA Spam Act of 2003

If your business requires you to send emails to customers across the globe, you need to comply with the email regulations. You need to identify the law for those particular regions from where you're getting the form fills/subscribers/leads.

Country	Controller/Processor Information to be provided before opt-in (Email)				Data Protection Non-Compliance Penalty (maximum)
	UNSUBSCRIBE OPTION	SENDER IDENTIFICATION	POSTAL ADDRESS	SENDER CONTACT INFORMATION	
 US	✓	✓	✓		USD 16,000 / email
 CA	✓	✓	✓	✓	CAD 10 million
 UK	✓	✓	✓		GBP 500,000
 AUS	✓	✓		✓	AUD 1.7 million
 GER	✓	✓	✓	✓	EUR 4,000 / email
 NL	✓	✓	✓		EUR 450,000
 FR	✓	✓	✓		EUR 750 / email
 ES	✓	✓	✓		EUR 600,000 / infringement
 IT	✓	✓	✓		3 years' imprisonment



THE
EUROPEAN UNIONS
New Privacy Policy
will come into
effect on

25th May 2018-
GDPR (General Data Protection Act)



ARE THERE ANY STANDARD RULES TO COMPLY WITH?

OPT-INS EXPLAINED

Soft opt-in: Assumed consent based on previous contact such as meetings, training and sales.

Hard opt-in: Actively-given consent to receive targeted marketing messages. Given by an individual through a tick box or other consciously provided statement.


Single opt-in: The one-step process of a user submitting personal details and giving consent for it to be used.

Double opt-in: The two-step process that uses the single opt-in method, then follows up with a triggered email including a link to confirm that the details are correct.

Privacy Matters and hence these laws are crafted worldwide with an aim to Protect Consumer Database and Privacy. However these laws may differ with respect to Jurisdiction, Definition of Spam, Consent Requirement, labeling requirements, banned or restricted activities, types of Sender, Who can Sue, and Penalties.

Hence the best way to comply with world wide email marketing laws is by maintaining the highest standards- Double Opt-in Model. Opt-out model, as well as the opt-in model, may leave loopholes. In this model, consent may be given by entities other than the owner of the contact details.

In such a situation, a double opt-in model is a great way to ensure that only the addressee is enabled to successfully opt-in. Presently, the double opt-in model has not been adopted by any of the countries. But these changes post 25th May 2018 with the General Data protection Act (GDPR) comes into effect in the European Union.



Here's a compiled list of things B2B marketers like you can do to ensure your campaigns are compliant with all the laws across the globe.

- ✓ **ENSURE YOU HAVE PERMISSION TO EMAIL THE PEOPLE ON YOUR LIST**
 - ✓ **DON'T USE MISLEADING HEADER INFORMATION**
 - ✓ **IDENTIFY YOUR EMAIL AS AN ADVERTISEMENT**
 - ✓ **INCLUDE YOUR ADDRESS**
 - ✓ **INCLUDE A WAY TO OPT-OUT OF RECEIVING FUTURE EMAILS FROM YOU**
 - ✓ **HONOR OPT-OUT REQUESTS PROMPTLY**
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THAT'S ALL. DO I NEED TO KNOW ANYTHING ELSE?

BEST PRACTICES

- ✓ Only add an email address to your mailing list after gaining provable permission of the owner of the email address
- ✓ Never take an email address and move it from one list to another, or otherwise re-purpose the email address, without the user's express permission
- ✓ Include a working opt-out mechanism in all non-transnational email, and process all opt-outs immediately
- ✓ Encourage subscribers to add your email address to their address book.
- ✓ Ensure a transparent privacy policy
- ✓ Clean your email lists regularly

Yes, there are two things you need to know -

a) Even if you're not responsible for sending campaigns yourself, you'll be penalized.

b) Laws are less strict for transnational Emails - sending order confirmations, shipping confirmations, password reset emails, etc. which are designed to provide information about an existing purchase or membership

49% SMBs do not use email marketing data to assist with their email marketing campaigns because they do not know where to begin

CONCLUSION

AS A B2B MARKETER, IT'S A BRILLIANT ETHICAL ETIQUETTE TO ASK FOR PERMISSION EVERY TIME YOU BUILD A BUSINESS RELATIONSHIP ON ANY DIGITAL PLATFORM.

THAT'S THE RIGHT WAY!

IN THE CURRENT SCENARIO LAKE B2B IS EXTREMELY POSITIVE ABOUT GDPR (GENERAL DATA PROTECTION ACT)IT'S GREAT WAY TO BECOME

100% CITIZEN CENTRIC

to protect and respect privacy!

MAKE YOUR EXISTING EUROPEAN EMAIL MARKETING LISTS TO MATCH THE GDPR REQUIREMENTS. GET IN TOUCH.

IF YOU'VE ALREADY STARTED DOING THAT **CHECK OUT** OUR REPOSITORY OF EUROPEAN EMAIL LISTS- COMPLIANT AND 100% VERIFIED.

Lake B2B has been helping B2B companies to strategize effective data-driven email marketing strategies. With over +80 million verified B2B European customer records obtained through dedicated research, to implement effective marketing initiatives and build customer relationships leveraging data-driven strategic marketing services. Our Databases are compliant to world wide data protect Acts.



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