

Are you SPAM Compliant?

SPAM compliance is one of the most important aspects of email marketing in Australia, but it is often misunderstood by marketers and other digital publishers. Most information on industry websites will focus on the US CANSPAM law, which is very different to the Australian legislation.

The Australian SPAM Act is the strictest and most comprehensive SPAM Act in the world, and it is important to understand the basics. One of the key aspects of the SPAM Act is that it is designed to place the onus on the organisation sending the communications to seek permission from the recipient (opt in); while other SPAM legislations place the onus on the recipient to opt out.

Reading through legislation can be like watching paint dry, but if you would like to read the whole act, it is located [here](#).

You can also find an easier to read guide [here](#).

Essentially, the SPAM Act has three main points:

- The recipient must give their consent receive communications from the organisation
- The organisation sending the communication must identify who they are
- There must be an unsubscribe function in the communication and it must be actioned promptly

Consent

The SPAM Act states that the recipient must give you permission to send to them. This consent can be express consent or inferred consent, which would be based on the business relationship that your organisation has with that recipient.

Provided that you have some form of permission to send communications to your recipients, you are compliant. In terms of best practice though, you should consider:

- Using only an express consent through an opt in form
- Ask recipients that you do not have express consent for to opt into your communications
- Respect the option of clients and recipients to not opt in



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Identity

Secondly, you must identify who you are and provide contact details for your organisation. Recipients must know who is sending communications to them and have the option to contact that organisation if required. The information contained in the Identification must be accurate for a period of 30 days from sending. In order to be compliant, you should look at:

- Using the From Name and From Address fields to identify the organisation
- Use a well branded design, incorporating your organisation's colours and logo
- Place your contact details into the email footer so that recipients can easily contact you
- Add any new contact details if you are moving or changing any other contact details

Unsubscribe

Finally, there needs to be an opt-out function within the email communication. This can be a link or an instruction and needs to be honoured within 5 days of the request being sent. The unsubscribe function must work for 30 days from when the communication was sent.

Campaign Master makes this compliance easy. Best practice for unsubscribes are:

- Include a link in your email to get recipients to opt out
- Make the link highly visible and easy to action
- Suppress the recipient straight away and notify them of that through a confirmation email or landing page
- Include a survey on the opt-out page to understand why the recipient wants to opt out.

Provided that you include these elements in your communications, you will be compliant and not have any issues with SPAM complaints.

Invisage Mail Manager ensures that all emails send on your behalf are 100% spam complaints, removing any risk and makes the entire process easy for you.

If you have any legal issues, please seek the advice of a professional.

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