



**CRTC – Public Notice 2006-4**

**Public Consultation Event  
Gatineau, Québec  
May 3, 2006, 9:05 a.m.**

**— Proceeding to establish a national do not call list framework  
and to review the telemarketing rules—**

Thank you Commissioners and members of the CRTC for the opportunity to speak today at this public consultation event, and good morning ladies and gentlemen.

The Marketing Research and Intelligence Association—the voice of the market and survey research industry in Canada—is pleased to be a part of these proceedings.

MRIA is a Canadian not-for-profit Association representing all sectors of the survey research industry. Among other initiatives, our organization is responsible for certifying both individual research practitioners and research companies in Canada.

Our members include over 1,700 individual research professionals and over 200 Corporate members, comprised of small to large research agencies, and many buyers of research services, such as financial institutions, major retailers, insurance companies, telecommunications firms, and manufacturers.

One of the major pillars of MRIA's mandate is to protect the good relationship that exists between survey researchers and the general public. For the most part, this revolves around ensuring that the activities of the research industry do not unreasonably infringe on an individual's right to privacy.

As such, MRIA applauds the Government's efforts to enhance privacy and consumer rights in Canada. We believe the creation of a national Do Not Call List (DNCL) will go a long way toward meeting that goal.

MRIA was an active participant in the consultations that led to the passage of Bill C-37. Legislators agreed to exempt survey research calls because they acknowledged that there are two key characteristics that define survey research and differentiate our work from that of the telemarketing industry:

- i) legitimate survey researchers never attempt to sell anything; in fact, solicitation violates the industry's rigorous Code of Conduct and Ethical Practices; and
- ii) survey research gives Canadians an opportunity to voice their opinions and to have influence on important issues related to public policy, as well as products and services, thereby serving a valuable societal purpose.

Survey researchers currently enjoy a good relationship with the public because Canadians are keenly aware of the impact that their opinions, when collected through survey research, can have. And they are willing to share their views with researchers because they trust the industry to respect their right to privacy.

Clearly, the inclusion of survey research calls within the scope of the DNCL framework would have severely impeded survey research. Statistical reliability is essential to good research which, in turn, is essential to good decision-making. Any such limitations were deemed by legislators — as well as regulators in previous CRTC decisions — to be a disservice to Canadians.

U.S. regulators had previously reached the same conclusion as Canadian legislators, where survey research is also excluded

In fact, a number of important lessons can be learned from the experience in implementing a National Do Not Call List in the U.S.

In the United States, the National Do Not Call Registry has been plagued since it was introduced by problems related to poor communication, specifically about what's covered, and what's not.

We understand that in many instances, registrants to the DNC did not clearly understand the scope of the calling restrictions and were not aware of exemptions. This led to confusion and frustration when they continued to receive calls from exempted parties such as survey researchers.

In this connection, the key point we'd like to leave you with today is that a comprehensive communications plan is required to educate Canadians about the Registry, and to make clear just what is covered and what is not. And in effect, to include messaging that explains the parameters of what should more accurately be called the "Telemarketing Do Not Call List."

A robust communications and awareness program will be instrumental in the smooth implementation of the DNCL as well as in reducing unwarranted complaints of violations by exempted parties.

The points that we are stressing through our participation in the CRTC's DNCL Operations Working Group (DOWG) are as follows:

1. A robust communications and awareness program will be critical to both managing public expectations with respect to the Registry; and to managing public enquiries and complaints once it becomes operational;
2. The U.S. Do Not Call Registry receives over 90,000 complaints a month, 15,000 of which are deemed to be incomplete or unfounded. A full 15 percent of all complaints are unfounded, many of which stem from consumer confusion about the system, particularly with respect to what types of calls are covered; and
3. New registrants with the Canadian Registry should be advised immediately upon registering as to its scope, including the list of exempted calls.

We would also like to speak briefly about two questions outlined in the Public Notice 2006-4.

With respect to paragraph 48 of the Public Notice, MRIA recommends that the DNCL rules should apply to telemarketers making the calls as well as to the companies on whose behalf telemarketers are engaged.

MRIA also strongly recommends that the DNCL should apply to voicecasting calls.

These two simple actions would serve to create a stronger, more coherent telemarketing DNCL, and go a long way toward limiting what has become an increasingly prominent irritant for consumers.

In closing, we want to stress that the market, survey and public opinion research industry regards Canadians who respond to surveys as our partners. We believe that if that partnership is to continue to thrive, our industry and our Association will have to place increasing emphasis on the treatment and rights of respondents as we go forward.

Therefore, as an important new initiative, we expect to introduce later this year a Respondent Bill of Rights.

This will be a major addition to our self-regulatory and professional standards programs, which include the Canadian Survey Registration System, which monitors member research projects being conducted across Canada. The System performs an important service by providing the public with a toll free number (1-800-554-9996) to confirm the legitimacy of a given research survey and to ensure that any personal information requested is being collected and used for legitimate purposes.

MRIA looks forward to continuing to work with the CRTC to provide input and assistance towards a smooth implementation of a DNCL in Canada. In this regard, we intend to align our industry's communications programs to support the CRTC in these efforts.

Thank you, again, for the opportunity of speaking to you this morning, and for considering our views on a topic that is of great importance for the survey research industry.

---

Nik Nanos, President  
The Marketing Research and Intelligence Association

For more information, contact Brendan Wycks, Executive Director

**MRIA National Office:**  
4-2600 Skymark Avenue, Suite 104  
Mississauga, Ontario L4W 5B2  
Tel: 905-602-6854 / Fax: 905-602-6855  
Toll free number 1-888-602-6742  
bwycks@mria-arim.ca  
www.mria-arim.ca

MRIA Survey Registration System: 1-800-554-9996