

klzii Anti-Spam Policy

Effective Date: 1st July 2016

Terms of Use

Please make yourself familiar with our overall [Terms of Use](#) Policy. Your usage of the **klzii** platform and services means you accept these conditions.

Email and Prohibited Content

This policy applies to your use of the **klzii** platform and services.

If you contravene this policy at any time, as determined by **klzii** in its sole discretion, we may notify you, or suspend or terminate your account.

Please note, that in accordance with the **klzii** [Terms of Use](#), we may change this policy at any time. It is your responsibility to keep up-to-date, and comply with this policy.

Email Requirements

klzii has a zero-tolerance spam policy. This means that all email recipients must have opted in to, or otherwise validly given permission to, receiving communications from you, the sender. Subscriber accounts may be terminated for sending unsolicited email messages.

All email messages sent by you in connection with a **klzii** Session must contain an “unsubscribe” link that allows subscribers to remove themselves from your email messages. You acknowledge and agree that you will not hide, disable, or remove or attempt to hide, disable, or remove the opt-out link from the **klzii** system email messages.

The system includes automatic deletion of unsubscribed Contacts from the Contact Lists. However, you will also actively manage and process any unsubscribe requests received by you directly within ten days of submission, and update your email Contact Lists, databases and address books to reflect the unsubscribe requests.

You are responsible for ensuring that the email messages you send in connection with your Sessions do not generate a number of spam complaints or bounce rates in excess of industry standards. If **klzii** determines that your level of spam complaints or bounce rate is higher than industry standards, **klzii**, at its sole discretion, has the right to suspend or terminate your use of its website and services. If you receive low response rates, high abuse rates or high bounce rates, we may request additional information regarding your mailing lists to investigate and attempt to resolve the problem, or in some cases we may suspend or remove email privileges on your account.

Email Restrictions

- Emails you send via a **klzii** Contact List must have a ...
 - a) valid reply-to email address owned or managed by you in the Email Template signature. This is inserted by default from your Contact details and not able to be deleted.
 - b) PO Box number or physical mailing address where you can receive postal mail (not an email or website address)
- You can only use **klzii** to send emails to lists of people that gave you permission to email them. If you don't have proof that each recipient on your list opted in for your emails, don't import them into **klzii**. Please note that a Contact List created in **klzii Recruiter** includes a mandatory Permission-To-Contact question that must be answered Yes by the Participant, before their Contact Details are added to the Contact List.
- We prohibit the use of harvested mailing lists. **klzii** will terminate an Account violating this prohibition.
- We prohibit the use of third-party, purchased, or rented mailing lists unless you are able to provide proof that individuals on the list have opted-in to receiving emails of the type you will be sending them from the **klzii** system.
- You must be able to tell us where you got your **klzii Contact List**.
- You must not send unsolicited mail from the **klzii** system to newsgroups, message boards, distribution lists, or email addresses.
- You must not utilize the **klzii** system to send any commercial electronic mail messages (as defined in the CAN-SPAM Act of 2003) to any recipient who has opted out, unsubscribed, or otherwise objected to receiving such messages from you or another party on whose behalf you may be commissioned. If you intend on sending commercial emails, you should familiarize yourself with the CAN-SPAM Act, which outlines requirements under United States law for sending out such emails, and any other applicable anti-spam laws.
- You must not use **klzii** to send emails with deceptive subject lines or false or misleading header information or contact information

Reporting Spam

If you suspect that **klzii** has been used by someone to send spam, please contact us immediately at legal@klzii.com and we will investigate the matter.

Additional Anti-Spam Requirements

The above are very strict rules that must be adhered to in all countries, but you may find that your country has additional requirements for compliance.

If you use an integrated service or e-commerce platform with **klzii**, you also need to comply with their Terms of Use.

International Requirements By Country

Australia

Spam Act 2003, Act No. 129 of 2003 as amended.

Austria

Telecommunications Act 2003

Belgium

Commission de la protection de la vie privée, Le spam en Belgique Etat des lieux en juillet 2003, July 4, 2003

Canada

Canada's Anti-Spam Legislation (CASL) amends the Canadian Radio-television and Telecommunications Commission Act, the Competition Act, the Personal Information Protection and Electronic Documents Act and the Telecommunications Act. It is very similar to CAN-SPAM but has some minor differences and covers all electronic messages, not just email.

China

Measures for Administration of E-Mail Service on Internet (2006)
(Unofficial English Translation)

Cyprus

Section 06 of the Regulation of Electronic Communications and Postal Services Law of 2004 (Law 12 (I) / 2004 deals with unsolicited communications (spam)

Czech Republic

Act No. 480/2004 Coll., on Certain Information Society Services

Estonia

Information Society Service Act

EU

Article 13 of DIRECTIVE 2002/58/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (Directive on privacy and electronic communications).

The EU body that addresses spam is The Contact Network of Spam Enforcement Authorities (CNSA).

The Directive is implemented by each member state independently so you will want to check with your particular country law for more details.

France

Falls under the Commission Nationale de l'Informatique et des Libertés (CNIL) [National Data Processing and Liberties Commission], Electronic Mailing and Data Protection (Oct. 14, 1999) (French) CNIL Guidelines on email marketing.

Germany

Art. 7 German Unfair Competition Law (Gesetz gegen Unlauteren Wettbewerb) (UWG)
Art. 202a, 263, 303a, 303b of the German Criminal Code Art. 6 of the German Law regarding Information Society Services Art. 28 Par. 4 of the German Data Protection Act

India

Information Technology Act of 2000

Italy

Italy's anti-spam laws are very strict. You can even be imprisoned for sending spam. If you're sending to Italian recipients, follow these guidelines as well.

Personal Data Protection Code (legislative decree no. 196/2003)

The Code transposed EC Directive 95/46 on the protection of personal data and EC Directive 2002/58 on privacy in electronic communications; it consolidated all Italian pre-existing laws and regulations in this sector.

DL 196/2003 Personal Data Protection Code • DL 675/1996 on privacy protection states, inter alia, that a company must have authorization from each user whose personal data (such as e-mail) they want to use. • DL 171/1998 (deriving from the European Community directive 97/66/CE) on telecommunications privacy protection: this put outlaws all automatic systems to call a user and says that all the expenses of an advertising must be paid by the company and not the user (faxes and e-mails are instead paid also by the user). DL 185/1999 (deriving from the European Community directive 97/7/CE) on customer protection with respect to long-distance contracts: this obliges companies to seek the permission of the user for virtual or telephone sales.

Netherlands

Dutch law requires very explicit permission and heavily protects data and privacy.

New Zealand

The Unsolicited Electronic Messages Act 2007. The Department of Internal Affairs provides detailed guidelines on the anti-spam laws.

South Africa

Regulation of Spam in South Africa - South African Law

Sweden

Swedish Marketing Act (Swedish Code of Statutes, SFS 1995:450).

Personal Data Act (Swedish Code of Statutes, SFS 1998:204), in so far as spam activities involve processing of personal data.

UK

The Privacy and Electronic Communications (EC Directive) Regulations

USA

US CAN-SPAM Act