



Compliance and Enforcement Order CRTC 2016-187

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Ottawa, 17 May 2016

Unsolicited Telecommunications Fees – Telemarketing regulatory costs for 2016-17 and fees paid for 2015-16

1. The *Unsolicited Telecommunications Fees Regulations* (the Regulations)¹ came into force on 1 April 2013, and were subsequently amended on 20 July 2015.² The Regulations prescribe fees that will be assessed in order to recover the Commission's costs associated with the investigation and enforcement of the National Do Not Call List (the Commission's "telemarketing regulatory costs" as defined in subsection 4(4) of the Regulations).

2. Subsection 4(4) of the Regulations defines "telemarketing regulatory costs" as follows:

The telemarketing regulatory costs of the Commission for a given fiscal year are the portion of the costs of the Commission's activities for that year, as set out in the Commission's Expenditure Plan published in Part III of the *Estimates* of the Government of Canada and, if applicable, the *Supplementary Estimates* of the Government of Canada, that are attributable to the Commission's responsibilities under section 41.2 of the *Telecommunications Act* and that are not recovered under any regulation made under section 68 of that Act.

3. Pursuant to subsection 5(1) of the Regulations, the Commission is required to publish each year a public notice of the Commission's telemarketing regulatory costs.

4. The Commission hereby announces in this public notice that the estimated telemarketing regulatory costs for fiscal year 2016-17 total \$3.3 million.

5. Pursuant to subsection 5(2) of the Regulations, the Commission is to publish, each year in a public notice, the total of all amounts paid under subsection 3(1) of the Regulations in the last completed fiscal year. In accordance with subsection 3(2) of the Regulations, the determination must be done no later than 90 days after the end of each fiscal year in order to determine actual fees payable by those persons who subscribed to the National Do Not Call List and paid the Commission's component of the fees.

¹ <http://laws-lois.justice.gc.ca/eng/regulations/SOR-2013-7/page-1.html> (also see Compliance and Enforcement Decision 2013-26).

² See Compliance and Enforcement Decision 2015-321.

6. The Commission hereby announces in this public notice that the total of all amounts paid under subsection 3(1) of the Regulations in the last completed fiscal year (i.e. 2015-16) was \$3,677,716. As the total amount paid in 2015-16 exceeded the estimated \$3.3 million in regulatory costs that were noted in Compliance and Enforcement Order 2015-193, the excess amount (\$377,716) is being refunded to telemarketers in accordance with the formula set out in subsection 4(2) of the Regulations.

Secretary General

Related documents

- *Amendments to the Unsolicited Telecommunications Fees Regulations*, Compliance and Enforcement Decision CRTC 2015-321, 20 July 2015
- *Unsolicited Telecommunications Fees – Telemarketing regulatory costs for 2015-16 and fees paid for 2014-15*, Compliance and Enforcement Order CRTC 2015-193, 15 May 2015
- *Unsolicited Telecommunications Fees Regulations*, Compliance and Enforcement Decision CRTC 2013-26, 28 January 2013