



# Compliance and Enforcement Order CRTC 2025-161

PDF version

Gatineau, 30 June 2025

## Unsolicited Telecommunications Fees – Telemarketing regulatory costs for 2025–26 and fees paid for 2024–25

1. The *Unsolicited Telecommunications Fees Regulations* (the [Regulations](#))<sup>1</sup> came into force on 1 April 2013 and were subsequently amended on 20 July 2015.<sup>2</sup> The Regulations prescribe fees that will be assessed to recover the Commission’s costs to investigate and enforce 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 fiscal 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. Under 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 2025–26 total \$3.3 million.

5. Under 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 made no later than 90 days after the end of each fiscal year 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.

6. The Commission hereby announces that the total of all amounts paid under subsection 3(1) of the Regulations in the last completed fiscal year (2024–25) was \$2,888,766. The total of all amounts paid in 2024–25 was less than the estimated

---

<sup>1</sup> See Compliance and Enforcement Decision 2013-26.

<sup>2</sup> See Compliance and Enforcement Decision 2015-321.

\$3.3 million in regulatory costs indicated in Compliance and Enforcement Order 2024-144. As a result, in accordance with subsection 4(1) of the Regulations, since the fees payable for 2024–25 did not exceed the regulatory costs paid by the persons referenced in paragraph 5 above, no refund is required.

7. The Commission issues this order by majority decision. A concurring opinion by Commissioner Bram Abramson is attached.

Secretary General

### **Related documents**

- *Unsolicited Telecommunications Fees – Telemarketing regulatory costs for 2024-25 and fees paid for 2023-24*, Compliance and Enforcement Order CRTC 2024-144, 28 June 2024
- *Call for comments – Proposed conditions of service requiring implementation of the call traceback process by telecommunications service providers providing voice telecommunications services*, Compliance and Enforcement Notice of Consultation CRTC 2024-43, 28 February 2024, as amended by Compliance and Enforcement Notice of Consultation CRTC 2024-43-1, 4 March 2024
- *Development of a network-level blocking framework to limit botnet traffic and strengthen Canadians’ online safety*, Compliance and Enforcement and Telecom Decision CRTC 2022-170, 23 June 2022, as amended by Compliance and Enforcement and Telecom Decision CRTC 2022-170-1, 11 October 2022
- *STIR/SHAKEN implementation for Internet Protocol-based voice calls*, Compliance and Enforcement and Telecom Decision CRTC 2021-123, 6 April 2021
- *Implementation of universal network-level blocking of calls with blatantly illegitimate caller identification*, Compliance and Enforcement and Telecom Regulatory Policy CRTC 2018-484, 19 December 2018
- *Measures to reduce caller identification spoofing and to determine the origins of nuisance calls*, Compliance and Enforcement and Telecom Decision CRTC 2018-32, 25 January 2018, as amended by Compliance and Enforcement and Telecom Decisions CRTC 2018-32-1, 24 October 2018, and 2018-32-2, 18 December 2018
- *Empowering Canadians to protect themselves from unwanted unsolicited and illegitimate telecommunications*, Compliance and Enforcement and Telecom Regulatory Policy CRTC 2016-442, 7 November 2016
- *Amendments to the Unsolicited Telecommunications Fees Regulations*, Compliance and Enforcement Decision CRTC 2015-321, 20 July 2015

- *Permanent number registration*, Compliance and Enforcement Regulatory Policy CRTC 2014-341, 25 June 2014
- *Review of the Unsolicited Telecommunications Rules*, Compliance and Enforcement Regulatory Policy CRTC 2014-155, 31 March 2014
- *Extension of telecommunications number registrations on the National Do Not Call List*, Compliance and Enforcement Decision CRTC 2013-528, 30 September 2013
- *Unsolicited Telecommunications Fees Regulations*, Compliance and Enforcement Decision CRTC 2013-26, 28 January 2013
- *Network interconnection for voice services*, Telecom Regulatory Policy CRTC 2012-24, 19 January 2012
- *Modifications to some Unsolicited Telecommunications Rules*, Telecom Regulatory Policy CRTC 2009-200, 20 April 2009
- *Unsolicited Telecommunications Rules framework and the National Do Not Call List*, Telecom Decision CRTC 2007-48, 3 July 2007, as amended by Telecom Decision CRTC 2007-48-1, 19 July 2007
- *CRTC Interconnection Steering Committee Do Not Call List Operations Working Group reports*, Telecom Decision CRTC 2007-47, 3 July 2007
- *Review of telemarketing rules*, Telecom Decision CRTC 2004-35, 21 May 2004
- *Telemarketing restrictions extended to all telecom service providers*, Order CRTC 2001-193, 5 March 2001
- *Local competition*, Telecom Decision CRTC 97-8, 1 May 1997
- *In the matter of applications received from Bell Canada (Bell) under Tariff Notices 5685 dated 29 January 1996 and 5685A dated 7 February 1996, proposing revisions to General Tariff Item 1800, and from BC TEL under Tariff Notice 3444 dated 14 February 1996, proposing revisions to General Tariff Item 13*, Telecom Order CRTC 96-1229, 7 November 1996
- *Use of telephone company facilities for the provision of unsolicited telecommunications*, Telecom Decision CRTC 94-10, 13 June 1994
- *Use of Automatic Dialing-Announcing Devices*, Telecom Decision CRTC 85-2, 4 February 1985

## Concurring opinion of Commissioner Bram Abramson

1. This is a routine cost-recovery decision. It is consistent with the Commission's long-standing framework for overseeing unsolicited voice telecommunications, where telemarketer registrations fund regulatory oversight. But the world it was built for is gone. How Canadians use, rely on, and trust the telephone system has changed radically.
2. I therefore write separately to raise a foundational question. Why, in 2025, do we still regulate unsolicited voice telemarketing on an opt-out basis, when unsolicited commercial electronic messages default to an opt-in framework? Is there still a principled justification for this split? Or, on the contrary, has the structure of our funding model boxed us in?
3. To start at the beginning: the Commission, like many of its global peers, has long regulated nuisance communications. We began in 1985 by restricting the use of Automated Dialing-Announcing Devices (ADADs). Even then, a dissenting trio of Commissioners (Coupal, Gower, and McRae) wanted to go further, calling for outright prohibition in warning that "the possible economic and social advantages of ADADs do not outweigh the negative aspects to subscribers".<sup>3</sup>
4. The 1993 *Telecommunications Act* mandated that we regulate unsolicited telecommunications, balancing inconvenience and nuisance against freedom of expression.<sup>4</sup> Telemarketing and ADAD Rules, including Internal Do-Not-Call List (DNCL) governance (1994),<sup>5</sup> were expanded to faxes (1996),<sup>6</sup> new competitive local exchange carriers (1997),<sup>7</sup> and resellers and Internet-based phone providers (2001).<sup>8</sup> By 2004 we saw considerable merit in an opt-in National DNCL.<sup>9</sup> By 2007 we had set in motion<sup>10</sup> three-,<sup>11</sup> five-,<sup>12</sup> and six-year,<sup>13</sup> then permanent,<sup>14</sup> National DNCL

---

<sup>3</sup> See Telecom Decision 85-2.

<sup>4</sup> S.C. 1993, c. 38, section 41.

<sup>5</sup> See Telecom Decision 94-10.

<sup>6</sup> See Telecom Order 96-1229.

<sup>7</sup> See Telecom Decision 97-8.

<sup>8</sup> See Order 2001-193.

<sup>9</sup> See Telecom Decision 2004-35, paragraph 92.

<sup>10</sup> Building on new *Telecommunications Act* provisions: see sections 41.1–41.7 and 72.01–72.15.

<sup>11</sup> See Telecom Decisions 2007-47 and 2007-48.

<sup>12</sup> See Telecom Regulatory Policy 2009-200.

<sup>13</sup> See Compliance and Enforcement Decision 2013-528.

<sup>14</sup> See Compliance and Enforcement Regulatory Policy 2014-341.

registrations.<sup>15</sup> By 2013<sup>16</sup> the *Unsolicited Telecommunications Fees Regulations* (the Regulations) had locked in a funding mechanism that ties our oversight directly to National DNCL registration and subscription by telemarketers.

5. The current decision is part of that scheme. It notifies the public, as the Regulations require, of our actual telemarketing regulatory costs for 2024–25 and our estimated costs for 2025–26. It allows the wheels of our cost recovery mechanism to continue to turn. I concur in it. But I write separately to register a deeper misgiving.
6. Back in 2004, when we saw considerable merit in an opt-out National DNCL, we were guided by our opt-out Internal DNCL and by the similar approach taken by our neighbours to the south. But fast-forward two decades. Canada has adopted e-commerce protection legislation (CASL) built around an opt-in model for commercial electronic messages.<sup>17</sup> Synchronous voice telephony’s role in daily life has receded. Robocalls, unregistered telemarketing, and impersonation fraud have surged, now assisted increasingly by AI. Against this backdrop, is an opt-out model still in the public interest?
7. That dystopian backdrop is less the fault of law-abiding telemarketers or survey researchers than of illicit and unregistered telemarketers, cybercriminals, and data-driven scammers. The Commission has mandated a growing battery of techniques like blocking blatantly illegitimate calls,<sup>18</sup> reducing caller ID spoofing,<sup>19</sup> increasing traceability,<sup>20</sup> and Canadianizing the STIR/SHAKEN standard<sup>21</sup> (for the still-limited share of Internet Protocol-interconnected calls).<sup>22</sup> Telephony providers have likewise pressed suspicious-call labelling and filtering intermediaries into service.<sup>23</sup> Yet the

---

<sup>15</sup> Further minor changes were made in Compliance and Enforcement Regulatory Policy 2014-155 and Compliance and Enforcement Decision 2015-321.

<sup>16</sup> Building on then-new section 41.21 of the *Telecommunications Act*. See Compliance and Enforcement Decision 2013-26.

<sup>17</sup> *An Act to promote the efficiency and adaptability of the Canadian economy by regulating certain activities that discourage reliance on electronic means of carrying out commercial activities, and to amend the Canadian Radio-television and Telecommunications Commission Act, the Competition Act, the Personal Information Protection and Electronic Documents Act and the Telecommunications Act*, S.C. 2010, c. 23; *Electronic Commerce Protection Regulations (CRTC)*, SOR/2012-36 (“CASL”).

<sup>18</sup> See Compliance and Enforcement and Telecom Regulatory Policy 2018-484.

<sup>19</sup> See Compliance and Enforcement and Telecom Regulatory Policy 2018-32.

<sup>20</sup> See Compliance and Enforcement Notice of Consultation 2024-43.

<sup>21</sup> See Compliance and Enforcement and Telecom Decision 2021-123.

<sup>22</sup> IP interconnection, last reviewed in 2012, has not been mandated in Canada, and appears to lag significantly in key areas. See Commission [Letter](#), 21 October 2021, and Telecom Regulatory Policy 2012-24.

<sup>23</sup> See Compliance and Enforcement and Telecom Regulatory Policy 2016-442, paragraphs 56–86, and Compliance and Enforcement and Telecom Regulatory Policy 2018-484, paragraph 43. Where a third-party blocklist or provider intermediates a material proportion of calls, this may raise due process, accountability,

issue remains: when trust in the model has eroded, and the adversary risk from live automated threats and data-gathering impersonators greater than ever, should we not rethink the model itself? Do unregistered phone numbers reflect informed choice—or lack of awareness and disengagement?

8. If the latter, why maintain a complex system of registrations and subscriptions? Why not follow CASL's lead and make the rules that apply to registered numbers the default? Is it time telemarketing joined other unsolicited commercial electronic communications to become opt-in, subject to existing business relationships?
9. The answer may have less to do with public policy than with institutional inertia. The National DNCL is more than just a consumer protection tool: it is a revenue mechanism hardwired into legislation. What if that mechanism has become a regulatory artefact that inhibits modernization?
10. The order to which this concurring opinion is appended correctly administers the system as it is, and as it has stayed even as the telephone system has changed fundamentally. But the old way of funding, and therefore of regulating, is embedded into sections 41.1, 41.2, and 41.21 of the *Telecommunications Act*. I have written separately to flag that constraint and ask how we might chart a path beyond it.