

# NORTHWESTEL TELEPHONE AND FAX SOLICITATION



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These conditions do not apply to voice calls made for emergency purposes, account collection, surveys and market research.

## RESTRICTION ON AUTOMATIC DIALING- ANNOUNCING DEVICES (ADADS)

### **Definitions**

**"Automatic Dialing-Announcing Device" (ADAD)** means any automatic equipment incorporating the capability of storing or producing telephone numbers to be called, used alone or in conjunction with other equipment to convey a prerecorded or synthesized voice message to the telephone number called.

**"Solicitation"** means the selling or promoting of a product or service, or the soliciting of money or money's worth, whether directly or indirectly and whether on behalf of the ADAD user or another party.

### **Prohibition on ADAD calls for Solicitation**

The use of ADADs to make unsolicited calls for the purpose of solicitation is prohibited, including ADAD calls made to solicit on behalf of a charity, the use of ADAD messages to request that a called party hold until an operator is available (when the purpose of the call is to solicit), activities such as radio station promotions, or ADAD calls referring the called party to a 900 or 976 service number.

### **Restrictions on ADAD calls for other than Solicitation**

1) ADADS may be used to make unsolicited calls for purposes other than solicitation, subject to the following conditions:

- Calls may only be placed between 9:30 a.m. and 8 p.m., Monday through Friday; between 10:30 a.m. and 5 p.m. on Saturday; and between noon and 5 p.m. on Sunday. These restrictions do not apply in the event of conflict with territorial or provincial legislation governing the calling hours of certain calling

activities, such as the collection of overdue accounts.

- Calls must begin with a clear message identifying the person on behalf of whom the call is being made. This identification message must include: (1) a mailing address; and (2) a telephone number at which the called party can reach, at no charge, a responsible individual representing the originator of the message. If the actual message relayed exceeds 60 seconds, the identification message must be repeated at the end of the call. Where the person making the call is conducting a survey on behalf of a client, either the survey research organization or the client on whose behalf the call is made must be identified in accordance with the requirements of this section.
- Calls must display either the originating calling number or an alternative number at which the call originator can be reached, except where number display is unavailable for technical reasons.
- Sequential dialing is prohibited.
- Calls may not be placed to emergency lines or health care facilities.
- ADAD users must make all reasonable efforts to ensure that their equipment disconnects within ten seconds of the called party hanging up.

2) The restrictions in (1) do not apply to calls made for public services reasons, such as calls made for emergency or administrative purposes by police departments, fire departments, schools, hospitals, or similar organizations.

### **Enforcement**

Service used in the placing of calls that contravene the terms and conditions of this tariff may be suspended or terminated two business days after notice from the Company of any alleged violation.



### **Rates**

The monthly rates specified for Private Branch Exchange Trunks in Item 207 and the service charges specified in Section III of the CRTC 3001 apply.

## **UNWANTED TELEPHONE OR FAX SOLICITATION**

Persons making voice or fax calls for the purpose of solicitation must:

- identify the person on behalf of whom the call is being made
- display the originating number or an alternative number where they can be reached, unless number display is not available for technical reasons. The fax number, name, address and telephone number must also appear on the fax
- remove a customer's name and telephone number from calling or fax lists within 30 days for voice calls and seven days for fax calls (the request will remain in effect for three years)
- provide upon request the name, telephone number and address of the telemarketing organization.

Faxes for the purpose of solicitation may be sent only between 9:00 a.m. and 9:30 p.m. Monday to Friday, and 10:00 a.m. to 6:00 p.m. Saturday and Sunday.