
CRTC Announces Undertaking with Ancestry

Posted by [Derek A. Lackey, Editor](#) / April 25, 2018

Undertaking: ANCESTRY IRELAND UNLIMITED COMPANY (Ancestry)

File No.: 9090-2017-00480

Date of undertaking (signed by all the parties): 24 January 2018

Under section 21 of the 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 (the Act)



Person entering into an undertaking

ANCESTRY IRELAND UNLIMITED COMPANY (Ancestry)

Acts and omissions covered by the undertaking and Provisions at issue

Subsection 3(2) of the Electronic Commerce Protection Regulations (CRTC Regulations) stipulates that the unsubscribe mechanism set out in paragraph 6(2)(c) of the Act must be able to be readily performed.

Ancestry voluntarily entered into an undertaking with the CRTC's designated representative concerning alleged violations of the above paragraph.

Ancestry uses emails to communicate with people who have subscribed to its online service, which helps them search for genealogical records, including family history data, family trees, historical records and information based on genetic analysis (DNA). Two types of commercial electronic messages are sent to users: promotional offers and messages related to products for which clients have subscribed. Since each message category had its own unsubscribe or preference management system, it was alleged that it was not possible to unsubscribe from all messages with just one operation, which does not comply with the CRTC Regulations.

The commercial electronic messages at issue were sent between July 1, 2015, and January 1, 2017.

Summary of conditions

Ancestry undertook to comply with and ensure that all third parties sending commercial electronic messages on its behalf comply with the Act and CRTC Regulations, particularly subsection 3(2) of the Regulations.

In addition, Ancestry has agreed to put in place a program to ensure compliance with the Act. This program includes a review of current compliance practices, the development and implementation of corporate policies and procedures aimed at ensuring compliance with the Act, employee training and awareness raising, the taking of proper disciplinary measures in the event of non-compliance with internal procedures, the implementation of thorough complaint follow-up and settlement measures related to commercial electronic communications, and various other monitoring and audit measures, such as mechanisms for reporting to CRTC personnel concerning implementation.

This undertaking fully settles all alleged or potential responsibility of Ancestry regarding all commercial electronic messages sent by Ancestry or on its behalf between 1 July 2015 and the date of this undertaking.

[Press release](#)