
jMailPro Anti-Spam Policy

Guidelines

Before adding new recipients to your contact list, you need to ensure that you have the proper permission for each and every recipient on your list. Why? Without proper permission, you run the risk of getting reported for spam, or worse, being sued or facing monetary penalties under anti-spam laws. The basic principle of permission is that you can only email people who have explicitly given you permission to contact them, and only about subjects that they have specifically agreed to. Failure to ensure that all your recipients fall into the “Acceptable Use” category below will result in immediate termination of your account.

Acceptable Use

1. Explicitly opted in with you online. Each recipient subscribed to your list online and opted in for one or several types of mailings, for example by clicking one or more subject-related checkboxes that were unselected by default. Co-registration on a partner’s site is OK as long as there are separate opt-in options for each list and it is clear to users that they are subscribing to your list. If you haven’t sent the recipient email in over 6 months, we recommend a reintroduction message reminding them what they subscribed to, and when.
2. Explicitly opted in with you offline. Recipient completed your offline form, survey or participated in your contest and gave their express permission to be contacted by email about specific subject(s), for example by ticking an empty checkbox.
3. Gave you their business card at an event. If it’s absolutely clear that by giving their card the recipient would be added to a list with a particular subject matter, you have permission. We recommend an introductory message reminding them what they subscribed to, and when.
4. Explicitly opted in for the subject you are contacting them about. When opting in, it should be clear to the recipient what the nature of the mailings will be. For example, just because someone opted in for updates about a specific product doesn’t mean you can also add them to your general newsletter or promotional mailings for other products.

Unacceptable Use

1. Email address copied from the Internet or other source. Just because someone published an email address online, in a directory or on a business card, doesn’t mean they’ve given permission to be added to your mailing list.

2. No email sent to recipient's address in over 2 years. Even when proper permission is granted, it doesn't last forever. When too much time goes by, people forget they opted in and will consider your email to be spam. The industry norm is that permission expires after 2 years of no contact.
3. Email address obtained from a third party. If you purchased, rented, borrowed or otherwise acquired a list from another party, even if it's an opt-in list, the recipients didn't give their permission to hear from you specifically.
4. Recipient is a customer but hasn't opted in. Just because someone is your customer doesn't give you explicit permission to send them email marketing messages. They would first have to opt in for the specific subject about which you are contacting them.
5. Email address is generic and used by several people. You cannot email to generic email addresses like sales@domain.com, contact@domain.com or webmaster@domain.com because they are often role-based and the users of such addresses change frequently. The only exception to this rule would be if you knew the recipient and were sure that it was their permanent individual email address.
6. Email address is a distribution list or mailing list. You cannot send email to any address that forwards to more than one person because it is impossible to determine whether all recipients have given permission, and there is no way for them to unsubscribe individually.

Mandatory content

Every email you send using jMailPro must include the following:

A single-click unsubscribe link that instantly removes the subscriber from your list.

The name and physical address of the sender.

Compliance under Anti-Spam Law

Businesses need to comply with the provisions of the Spam Act when sending commercial electronic messages.

Equally importantly, businesses should make sure that their practices are in accordance with the National Privacy Principles, available from www.privacy.gov.au, in all activities where they deal with personal information. Personal information includes customers' contact details.

The ACA is responsible for regulating telecommunications and radiocommunications, including licensing, spectrum management, compliance with codes and standards, performance monitoring and consumer safeguards.

The Australian Communications Authority is responsible for enforcing the provisions of the Spam Act.

The maximum penalties under the Spam Act are substantial:

- A business that is found to be in breach of the Spam Act may be subject to a Court imposed penalty of up to \$220,000 for a single day's contraventions. If, after that finding, the business contravenes the same provision, they may be subject to a penalty of up to \$1.1 million.
- The Spam Act specifies a number of options that are available to enforce the legislation, depending on which is the most appropriate response to the contravention that has occurred. The range of possible activities includes formal warnings, infringement notices (similar to a speeding ticket), and court actions.
- More information from governing bodies can be found at:
<http://www.acma.gov.au/Industry/Marketers/Anti-Spam/Ensuring-you-dont-spam/spam-spam-act-2003-faqs>