

Full title of law or regulation

Code of Ethics Polish Direct Marketing Association SMB
PO: http://www.gregsregs.com/downloads/POCodeofEthicsSMB_DMA_PO2017.pdf
EN: <http://www.gregsregs.com/downloads/POCodeofEthicsSMB-DMA-EN.pdf>

Title of relevant section

Chapter VI. Email Marketing (s. 33)

Clauses

Those offering services consisting of the sending of solicited/ requested advertising in the form of e-mails, undertake to observe the following rules:

a) Mailing list holders must ensure that all designated recipients who are natural persons who receive shipments (i.e. emails) sent on behalf of the Ordering Party (i.e. brand/ company), expressly consent to receive commercial messages sent on behalf of third parties (such as those brands and other companies).

b) Mailing List holders must enable the recipient of the message to quickly and unambiguously identify them and the company (on behalf of whom the email is sent) by:

1. Using a clear description in the "From" field (e.g. in the "List Holder / Ordering Party (i.e. Brand/ Company)" format)
2. Inserting the email address of the List Holder or Ordering Party in the "From" field
3. Optional placing of the Ordering Party's (Brand/ Company's) e-mail address in the "Reply to" field
4. Placing a message in the footer of the name of the list holder and the name and address of the Ordering Party (company/ brand) (e.g.: Mailing sent by the List Holder on behalf of the Ordering party (brand/ company) headquartered in)

c) The list holder must reveal at the recipient's request how the e-mail address belonging to the recipient was obtained, including the exact date and method of obtaining consent for sending commercial messages. In the event that the consent was associated with the need to accept the terms and conditions, the list holder shall make the terms available to the recipient.

d) The list holder undertakes to include in each sent message, information on the method of obtaining the address of the recipient.

e) The list holder will honour any requests for deletion from the list or will allow unsubscription from the service that is associated with the need to receive commercial messages. It is recommended to use an automated removal process from the list or to cancel the service.

f) List Holders ensure that the number of e-mails ordered by the ordering Party (company/ brand) have been sent to the unique e-mail addresses in the date agreed with the Ordering Party.

g) Having a list guarantees that messages will be sent to recipients that exactly meet the selection criteria indicated by the Ordering Party and referring to the most recent data contained in the mailing list.

h) Any changes to the terms of shipment will be taken into account by the List Holder, provided that the indicated period of time permits reporting of these changes. Appropriate information should be made available to the ordering Party (Brand/ Company) at the time of ordering.

i) The list holder is obliged to maintain proper cleaning of the mailing list (i.e. keep it up to date/ clean against those recipients who have expressed their wish to be taken off it)

j) List Holder is obliged to update it with the Robinson List in accordance with the provisions of the Regulations, which is set out in Annex I to this Code.
