



## **CRTC asked to clarify whether survey research is telemarketing**

**September 29, 2014 (Ottawa)** *Probit* Inc., one of Canada's leading survey research companies, is asking the CRTC to explain why it believes that professional researchers who survey Canadians are actually telemarketers. On September 10 the CRTC demanded extensive information about every telephone call made by *Probit* from October 2012 and September 2012, and in the same letter told *Probit* that it had already decided that *Probit* was telemarketing by offering people prizes to encourage them to participate in surveys.

Applications filed today by *Probit* with the CRTC ask it to give the company a chance to defend itself before concluding that *Probit* is a telemarketer, and to review its telemarketing rules to exempt survey companies. “The CRTC's decision to go after survey researchers is baffling,” said Frank Graves, the President of EKOS Research Associates, which owns *Probit*. “Parliament specifically excluded survey research calls from its new telemarketing regime, and when the CRTC briefed survey researchers about its new rules in 2008, it said it would not treat telephone surveys and focus group recruitment like telemarketers.”

The CRTC has not issued any information bulletins to explain why or when it decides that survey research is telemarketing. “What's happening now is more like 'stealth regulation’”, added Graves. “The CRTC's rules are very complex, and there doesn't seem to be any rhyme or reason for how penalties are set.” The CRTC has issued fines of over \$6 million for telemarketing violations since 2008, ranging from \$2,000 to \$1.3 million.

Graves suggested that if the CRTC wants to prohibit incentives, which are key to encouraging busy and hard-to-reach people to participate in surveys and focus groups, it should say so. “New regulations for surveys will raise our costs,” Graves said, “but what's worse is that they will actually make survey results less reliable.” He explained that rules forcing survey companies to state their client's name will increase error, due to

the well-studied and well-known problem of response bias.

### **About Probit**

For the past 5 years, Probit has provided call centre services and panel and non-panel sample for online, mixed-mode, telephone (mobile and land), IVR, mail, and face-to-face surveys. Our practice covers the entire survey data collection spectrum: programming, hosting, field, and data analysis. Our services range from full field-and-tab to sample only service, and everything in between.

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The Request for Information sent to EKOS by the CRTC can be found here:  
<http://www.probit.ca/CRTC/letter.pdf>

The Application to Review and Vary filed with the CRTC can be found at:  
<http://www.probit.ca/CRTC/CRTC29Sept2014.pdf>

The Application to amend the *Unsolicited Telecommunications Rules* can be found at:  
<http://www.probit.ca/CRTC/CRTC29Sept2014a.pdf>

CRTC's *Unsolicited Telecommunications Rules*

<http://www.crtc.gc.ca/eng/trules-reglest.htm>