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Email Legislation Explained

By John McCabe

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European Email Legislation in 5 minutes!

There has been a lot has been talk over the last couple of years – particularly since the August 2000 Distance Selling Directive did not give the direct marketing industry sufficiently clear guidelines about opt-in and opt-out status in respect of email usage.

At that point it was left to individual EU Member States to ensure that Unsolicited Commercial Emails (UCE) are only sent where there is no clear objection from the consumer. This ambiguity left the way clear for the dubious spamming practices we have all witnessed over the last couple of years.

Following persistent lobbying from pressure groups, MEP's and responsible email marketers, the EU Parliament finally moved in mid 2002 to clarify the position in favour of gaining explicit consent from email users. Opt-in email marketing will become the standard following the second reading of the EU Directive 2002/58/EC and its subsequent adoption later this year.

So in practical terms, what does it mean when the Directive is adopted in the UK? In a nutshell, it boils down to a couple of points: –

1. ".....it is justified to require that prior explicit consent of the recipients is obtained before such communications are addressed to them." This could not be clearer – opt-in is the only legitimate form of email marketing left available to the direct marketing industry. Providing a simple opt-out mechanism will now no longer be sufficient to ensure legitimacy.

2. "Within the context of an existing customer relationship, it is reasonable to allow the use of electronic contact details for the offering of similar products or services, but only by the same company that has obtained the electronic contact details....." This protects the use of email as a medium to existing customers. However there is a word of caution in the Directive....

"When electronic contact details are obtained, the customer should be informed about their further use for direct marketing in a clear and distinct manner, and be given the opportunity to refuse such usage. This opportunity should continue to be offered with each subsequent direct marketing message"

3. Implementation of the Directive by each Member State is due by 31st October 2003, so time is running out for spammers.

4. Move quickly to gain opt-in status for your email address lists, and protect yourself when renting email lists by ensuring that the status is only opt-in

As the implementation in the UK gets closer I will from time to time re-visit this subject. To be kept abreast of what this legislation change means to you as a direct marketer, go to our website and opt-in to receive our regular news updates.

<http://www.ukmarketingmanagement.com>

This document was downloaded from the Bonar Media "knowledge base" at: <http://www.bonar.co.uk/>

John McCabe is the co-founder of UK Marketing Management (UKMM), a specialist direct marketing agency. He has 15 years experience of developing direct marketing campaigns in a variety of industries. During the last four years he has concentrated on email marketing, both as a corporate end user and as an agency. During this time he has helped develop the media with list owners, broadcasters and clients – pushing up service levels and quality of data.

All You Wanted To Know About Asbestos Legislation

By Kirsten Hawkins

It is necessary for all the Americans to have an understanding of Asbestos legislation. Asbestos legislation refers to the US government's attitude towards the asbestos Victims. Asbestos was widely used in the industry for a considerable amount of time. However, asbestos is harmful contaminant and causes harmful diseases such as asbestosis and a fatal cancer known as mesothelioma. It is important for our government to understand the plight of Asbestos victims, and streamline asbestos legislation for providing due compensation to asbestos victims.

Bail out bill:

In spite of the serious nature of Asbestos health hazards, government is taking it very lightly. The last version of the bail out bill of the Asbestos Legislation has provisions that inadequately compensate asbestos victims. The amount proposed in the proposed legislation is not sufficient to take into account the plight of millions of workers, their dependents, reduced life expectancy, and massive medical bills.

The companies that have been using Asbestos, in spite of being aware of its ill effects, should be asked to compensate for the lives and health of hapless asbestos workers.

Over the next 20 years, chances are that every year more than 10,000 Americans will die of Asbestos related disease. More than 2,500 Americans are being diagnosed for mesothelioma each year. In spite of these alarming figures, the federal government has not invested in early detection and cure of these diseases. This Asbestos legislation ignores the vital need of funds required for compensation to asbestos victims and research for asbestos related disease. To add to the woes of asbestos victims, mesothelioma patients as termed as 'beyond help'.

This proposed Asbestos legislation puts the law obeying companies at a disadvantage. According to the proposed bill, the companies responsible for causing asbestos exposure are going Scott free. A public opinion drive is going on wherein all the persons are requested to write to the senators to put some more sense in the forthcoming asbestos bill. This is important because the people who have been wronged should get their due compensation. Moreover, asbestos legislation should contain provisions for stringent measures to curb the use of this harmful contaminant.

Kirsten Hawkins is a asbestos and mesothelioma specialist from Nashville, TN. Visit

<http://www.asbestosblog.org/>

for information on asbestos reform, mesothelioma lawsuit news, and

more.

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