

# Publicity e-mail without spam

BRUSSEL – Spam or e-mail marketing?

It is not always easy for the consumer to distinguish the two. A publicity relationship with the customer based on their permission is necessary to avoid companies from being intrusive or obtrusive with their e-mails.

The Belgian law since 2003 prescribes those commercial messages can only be sent by electronic mail (sms, e-mail) if the consumer gave his prior, explicit permission for this, the so-called opt-in principle.

“The opt-in duty is a signal for change in mentality, to be able to cater for the preferences of individual prospects and customers,” writes Michel Walrave in his newest book “Met uw Permissie” (With your permission). According to Walrave, companies should not see the legal obligation as a limitation of their freedom, but use it as an opportunity to build a long term relationship with their customers.

Walrave pleads for the use of electronic newsletters with tips and news for users to maintain the relationship with the customers. For specific actions, a direct e-mail approach can be used. As the customer already knows the name of the sender, he will not remove it immediately as spam. To attract new customers, the company can use its website through research, polls and contests. However, collecting the e-mail address of the participant done

can only be done with his explicit permission.

However, an inquiry of the Internet Surveillance department of the FOD Ministry of Economics shows that many websites are still not compliant with the legal obligations. Of the 495 researched websites, between 11 June 2003 and 1 September 2004, only 35 websites were in order. 149 service providers said they would adapt their website after receiving a warning, 20 stopped their online activities, and 96 did not respond to the warning.

Walrave points to the fact that the sender of the e-mail has to encourage trust by clearly and visibly stating the rights of the consumer. By the explicit permission, the (new) customer defines to what degree the marketer can be informed of his habits and needs and in what manner can he be contacted. In his book, Walrave gives a few practical tips on how to build this relation of trust.

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Michel Walrave, Met uw permissie. E-mailmarketing en de opt-in-regel, De Boeck, Antwerpen, 200 blz., 24,75 euro.

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