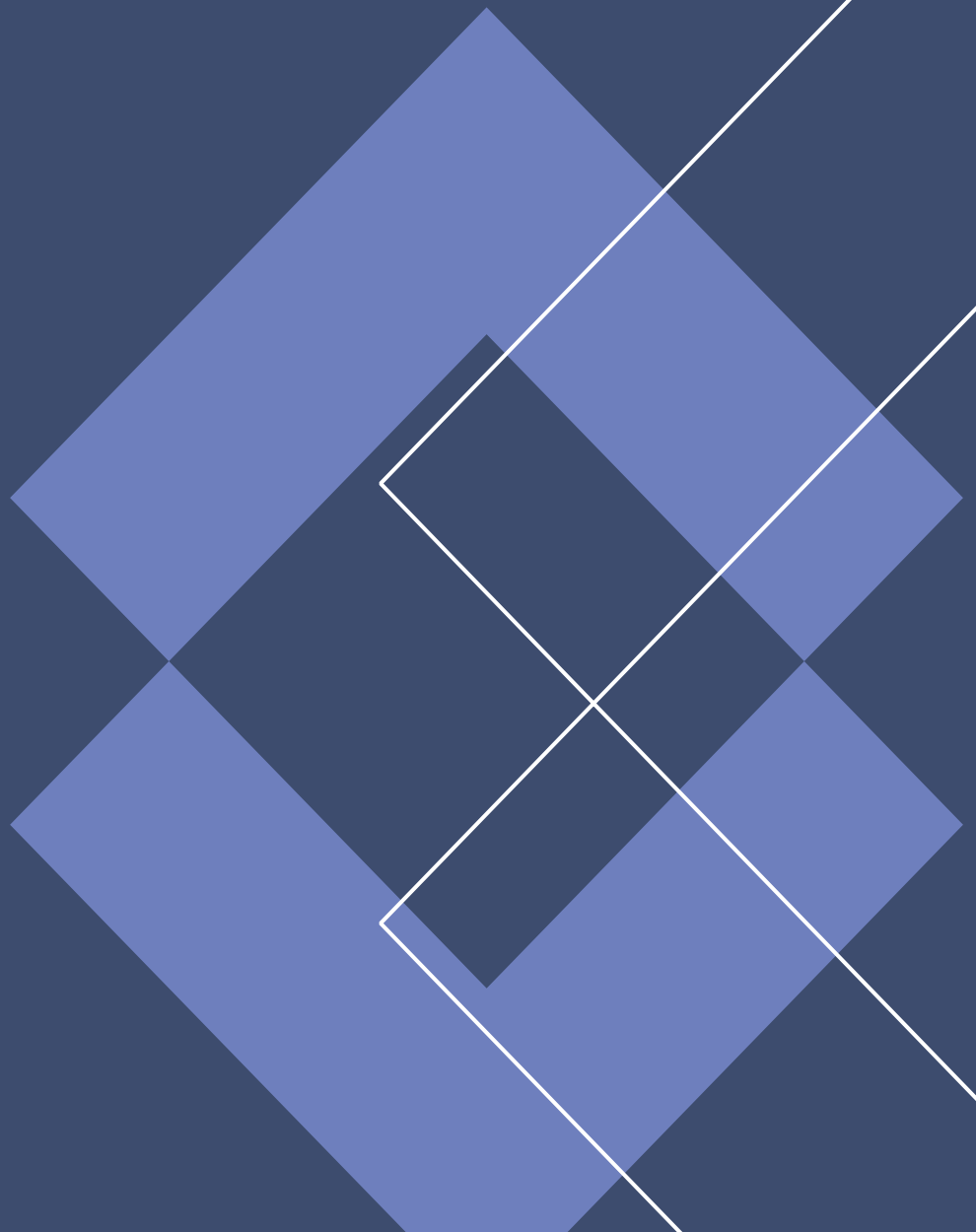




Rules of Procedure

for Violations by IP Platform-Certified
Companies of the Conditions of Participation
and Criteria of the
Certified Senders Alliance (CSA)



Preamble

The CSA Certified Senders Alliance ensures a binding quality framework for the sending of commercial bulk emails through its Criteria and Conditions of Participation. These rules govern the process for handling complaints and information about possible violations of these requirements by IP platform-certified companies (hereinafter referred to as “the certified company”).

The aim is to ensure a transparent and effective procedure that verifiably demonstrates compliance with CSA regulations, clearly defines the rights and obligations of all parties involved, and ensures appropriate decision-making.

These rules form the basis for the activities of the eco Complaints Office and the Complaints and Certification Committee (CCC)¹. Those rules strike a balance between protecting the interests of certified companies, safeguarding users, and maintaining the integrity of CSA certification.

1 Parties to the Proceedings

The parties to the proceedings are:

- The certified company to which a complaint or information about a possible violation relates,
- The complainant (Internet users, customers of the certified companies [hereinafter referred to as the “brand”] or a mailbox or security provider which is using the certified IP list),
- The eco Complaints Office (hereinafter referred to as the “Complaints Office”), which handles complaints and information about possible violations,
- The CCC.

2 Responsibilities

(1) The Complaints Office is responsible for:

- a) initiating and conducting proceedings in accordance with the Rules of Procedure. This requires the existence of actual evidence of a violation of the CSA Criteria or the CSA Conditions of Participation,
- b) issuing notifications,
- c) the issuing of warnings,
- d) deciding on partial delisting and its revocation,
- e) the lifting of a full delisting at the end of the delisting period, provided that there are no indications that the underlying violation continues to exist,

¹This consists of four people and is composed equally of two elected representatives from eco and DDV

- f) immediately informing the certified company about significant procedural developments and decisions of the CCC.
- (2) The CCC is responsible for:
- a) deciding on appeals by the certified company against any warnings issued and other decisions by the Complaints Office,
 - b) the decision on full delisting and its termination, when the Complaints Office cannot decide independently on whether to terminate the delisting,
 - c) the decision on the exclusion of a certified company from the IP platform certification.
- (3) The CCC requires a three-quarters majority to overturn decisions made by the Complaints Office, to impose or terminate a full delisting, and to impose a permanent exclusion. It generally makes its decisions within two weeks. In the event of a member's bias (in particular in the event of a conflict of interest or if their own company is affected), their voting rights are suspended; instead, the representative appointed by eco or the DDV for this procedure decides.

3 Complaints procedure

- (1) The procedure at the Complaints Office is initiated by:
- a) an individual complaint,
 - b) a complaint or information from a brand,
 - c) a complaint or information from a mailbox or security provider that obtains the certified IP list,
 - d) internal information or findings.
- (2) A complaint within the meaning of the Rules of Procedure is any verifiable submission, notification or information provided by a complainant that concerns a possible violation of the CSA Criteria or the CSA Conditions of Participation by a certified company.
- (3) The complainant shall provide specific details of the alleged violation or suitable evidence to enable a comprehensible and proper investigation. Unsubstantiated reports do not constitute grounds for initiating proceedings. The withdrawal of a complaint by the complainant does not automatically lead to the proceedings being discontinued. The Complaints Office shall independently examine whether proceedings should be continued.
- (4) The Complaints Office independently and comprehensively reviews compliance with the CSA Criteria and the CSA Conditions of Participation and is not limited to the specific grounds for complaint.
- (5) The Complaints Office is entitled, within the scope of its competence to clarify the facts of the case, to request information from the parties involved in the proceedings and to use all data sources available to it. It decides on its own responsibility whether to initiate proceedings. In particular, it reserves the right not to pursue anonymous, obviously unfounded or abusive complaints.

- (6) During the proceedings, the certified company is entitled to submit information, which will be taken into account when a decision is made. Where the facts underlying a decision are unclear or inconsistent, or at the start of proceedings concerning a full delisting or the exclusion of a certified company, the Complaints Office shall, before issuing a decision, invite the certified company to submit its comments. The certified company's statement must be submitted to the Complaints Office within two weeks and, where appropriate, must include proposals for suitable measures to be taken by the certified company to ensure future CSA-compliant sending, together with a timeframe for implementation.
- (7) If no violation of the CSA Criteria or the CSA Conditions of Participation is found in the course of the proceedings, the complaint shall be dismissed by the CSA Complaints Office as unfounded. Irrespective of this, an informal notification of other irregularities may be issued.
- (8) If a violation of the CSA Criteria or the CSA Conditions of Participation is detected, the Complaints Office shall take the measures provided for in the Rules of Procedure².
- (9) The certified company may lodge an informal appeal against the measures taken by the Complaints Office within two weeks, stating the reasons for doing so. The certified company bears the risk of timely receipt by the Complaints Office. The measure will not be implemented or will be suspended until a decision has been made on the appeal. The Complaints Office will forward the appeal to the CCC for a decision.
- (10) Correspondence within the framework of the procedure shall generally be conducted in electronic form by email; all communications, submissions and decisions shall be transferred in this manner, unless a different form is expressly provided for.

² See ANNEX 1, which contains a detailed list of the consequences of violations.

4 Measures in the event of identified violations of Criteria or Conditions of Participation of the CSA

(1) The Complaints Office or the CCC shall make their decisions on established violations of the mandatory CSA Criteria or CSA Conditions of Participation on the basis of the following graduated catalogue of measures. ANNEX 1 lists the specific violations associated with the respective thresholds and measures.

(2) Notification

A notification is an informational communication from the Complaints Office to a certified company regarding specific violations of the CSA Criteria or circumstances that do not result in further measures.

A notification may also relate to circumstances that may fall outside the scope of the CSA Criteria or the CSA Conditions of Participation, but which may contain indications of a possible violation of best practices or applicable legal requirements, particularly with regard to data protection law and consent requirements.

(3) Warning

The certified company will usually receive a warning if violations are identified.

A warning is a formal measure taken by the CSA under the Rules of Procedure. It is used to object to specific misconduct and usually announces possible further measures in the event of repetition or failure to remedy the situation. In the case of identical violations (i.e. the same section of the CSA Criteria or the CSA Conditions of Participation is affected), the interval between the issuing of two warnings is usually two weeks.

(4) Delisting

If the warnings are based on repeated or serious violations by the certified company of mandatory CSA Criteria or the CSA Conditions of Participation, the Complaints Office will initiate a delisting procedure.

Delisting is a temporary measure taken by the CSA to remove individual (partial delisting) or all (full delisting) IP addresses of a certified company from the certified IP list. In the interests of proportionality, partial delisting should be given priority when selecting appropriate measures, provided that the identified violation can be effectively and completely remedied in this way. The standard duration for partial delisting is four weeks, and for full delisting eight weeks. At the end of the delisting period, a decision is made on whether to lift or extend the delisting. As part of this decision, the delisting must be lifted if there is no indication that the originally identified violation is still ongoing.

If a partial delisting is still in place after three months due to a lack of effective action by the certified company, this may result in full delisting.

(5) Exclusion of the certified company

The certified company may face exclusion proceedings if it is fully delisted multiple times or for a prolonged period. Exclusion is a measure taken by the CSA to withdraw a certified company's participation in the CSA. This results in the complete and permanent removal of all IP addresses of the certified company from the certified IP list, as well as the loss of all rights associated with CSA certification. An

application for readmission to the CSA will be treated as a new application in accordance with Section 4 of the Conditions of Participation and can only be submitted six months after exclusion.

If a certified company has been fully delisted three times within two years, the CCC shall decide on the exclusion of the certified company from the CSA. In addition, the CCC may decide on exclusion if the certified company has been fully delisted for at least six consecutive months due to circumstances for which it is responsible.