

FEAR #2 DON'T FEAR REGULATIONS

There's no need to be scared of SMS...regulations.

First of all, regulations are good. They help protect businesses and customers or subscribers, so that there is more trust and clarity about SMS messages being sent.

Regulations should involve a bit of work, which will help keep the get-rich-quick scammers away from real people who want to connect with valuable brands.

While you shouldn't fear SMS regulations, you should respect those regulations. Because Omnisend lets you send SMS to anyone in any country (unlike many other ESPs), that means it's important for you to be aware of local requirements.

Here are some laws related to the bigger markets.

Regulations in the United States



Important: Omnisend is not a lawyer, and this is not intended to be taken as legal advice. You should check the regulations within your subscribers' countries to make sure you're compliant. While we make it easier for you to be compliant – with TCPA and GDPR legal consent blocks for signup forms, and unsubscribe options automatically included in all SMS campaigns – the responsibility is ultimately yours.

TCPA



This law requires you only send texts to customers that opted in, you need a record of that opt-in, and you must use clear consent language in the text of your signup forms when collecting people's phone numbers. You should always include an opt-out/unsubscribe link in all your SMS messages.

CAN-SPAM



While it predates SMS marketing, this law says you can't use misleading information in your text. You must include your business name in your SMS, and you must make it clear it's a marketing message (and not make it appear to be a personal text).

SHAFT



This prohibits certain topics from being communicated via text message: Sex, Hate, Alcohol, Firearms and Tobacco. SHAFT currently also includes CBD, vaping, marijuana/cannabis, and any content relating to these topics.

Regulations **outside the US**

Following US regulations will generally cover you for international regulations. This includes clear language in signup forms, having valid written consent, and including unsubscribe options in your messages.

There are a few differences though.

Canada has the Anti-Spam Legislation (CASL), which is similar to the TCPA.

For **Europe** there's the GDPR, and the **Middle East** has the PECR (Privacy and Electronic Communications Regulations). These are very similar to the TCPA, with some additions:

- Businesses must perform regular privacy and security checks
- Consumers can always access their data and remove it from use
- Companies must be able to explain why and how they are collecting data from consumers

For **France**, the **Middle East/North Africa** and **Asia**, business must also respect "quiet hours". For many countries it's prohibited to send messages from 8 PM and 9 AM on weekdays and 5 PM to 9 AM on weekends (depending on the region).

In **Australia**, they also have quiet hours observed between 8 PM and 9 AM.

Additionally, Australia's Spam Act requires:

- Compliant opt-in forms
- Accessible opt-out forms
- Sender identification (alpha-numeric ID or text)



Again, important: Many of the laws and regulations surrounding SMS marketing are in constant flux and change on a yearly basis. If you have any questions about your legal compliance before launching a new campaign, it would be wise to consult with your legal team.

Why do ecommerce owners fear SMS regulations?

Some ecommerce owners or marketers have fears when it comes to using SMS marketing to reach their customers.

THEY THINK REGULATIONS ARE EXTREMELY COMPLICATED



This isn't completely wrong. They aren't very complicated, but they do require you to respect them. Regulations, like any laws, require you to understand and comply with them. While Omnisend makes it easier to do so, you should still understand and follow the region's laws.

THEY THINK IT TAKES FOREVER TO BE COMPLIANT



Within the US, businesses are required to have a verified toll-free number. While this verification process takes a few weeks with other ESPs, it takes just 5 business days at Omnisend (and some customers get it done much faster).

THEY THINK THEY NEED TO DO IT ALL BY THEMSELVES



Omnisend's got you covered. All signup forms are required to have TCPA- and GDPR-compliant legal consent blocks when collecting phone numbers. Omnisend also automatically includes a "Reply Stop to unsubscribe" for US & Canada subscribers, and an unsubscribe link for all non-US customers.

THEY DON'T KNOW HOW TO GET STARTED



Luckily, this is an easy problem to solve. Omnisend makes it easy to get verified, and collect email & phone numbers with multi-step forms. Creating SMS campaigns is also a breeze. In fact, if you've ever sent a text message on your phone, you can send an SMS campaign.

How to get started with SMS marketing at Omnisend

1.

Legal & practical setup

In order to send SMS to US subscribers, you'll need to [verify your toll-free number](#). This can take up to 5 business days, so plan well. Because you can send SMS to any country with Omnisend, be aware that different countries have different [SMS regulations](#).

2.

Collecting subscribers

If you already have subscribers, you can easily import them into Omnisend. Omnisend makes it easy to collect subscribers by using standard or multi-step signup forms. To help protect you and your subscribers, all forms that collect phone numbers must include TCPA or GDPR-compliant consent.

3.

Sending SMS campaigns

Setting up and sending out SMS campaigns is easy. As [Dan Judd of Vape Superstore said](#): "It's just as simple as writing a text message on your phone. You can do it in 5 minutes or less." We take care of the unsubscribe or opt-out requirements, shorten links, and handle everything — you just need to write the message.

4.

Adding SMS into your automations

Many of our best-performing automated workflows, like the Welcome message or Abandoned cart, come with pre-built options that already include an SMS message. All you'll need to do is click to use the workflow, adapt the message for your brand, and you're set!

5.

Your SMS credits

It's easy to pay for SMS on Omnisend. You can either top up your SMS credits in a pay-as-you-go model. Or if you're on our Pro plan, you get free SMS credits equal to the price of the plan (if you pay \$150 to send unlimited emails to 10,000 contacts, you get \$150 in free SMS credits each month).

24/7 customer support & unbeatable prices.

You & Omnisend—**strong alone, beautiful together.**