

Essential Guide to Cold Calling & Emailing Laws Across Europe





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Essential Guide to Cold Calling & Emailing Laws Across Europe

The world of <u>cold calling and email outreach</u> across Europe has become something of a legal minefield. Navigating the legalities of the different countries can be overwhelming, especially with GDPR and e-Privacy regulations thrown into the mix.

But cold-calling is not a dying art, and businesses still very much depend on sales teams picking up the phones and reaching out to prospects. Consider this guide your go-to resource for understanding the laws around direct electronic marketing, specifically cold calling and emailing, in the EU's B2B space. We'll walk you through the basics of consent, opt-ins, and opt-outs, and explain how different countries handle things like national Do-Not-Call (DNC) lists and the exceptions that can make your life easier.

It's important to note that this guide focuses on the rules around e-Privacy – the laws specific to electronic marketing – and doesn't dive into the broader data protection rules under GDPR. But don't worry, we'll make sure you know what's needed to stay on the right side of the law when you're making those allimportant sales calls and emails.

DISCLAIMER

The information provided in this document does not, and is not intended to, constitute or substitute legal advice; nor does it cover all aspects of the legal regimes surveyed. All information, content, and materials available are for guidance and general informational purposes only.

As legal requirements in this area continue to evolve, information in this document may not constitute the most up-to-date legal or other information. Readers should research their local laws and regulations on the topics in order to meet their applicable compliance requirements and to seek legal advice where appropriate. This document contains links to other third-party websites. Such links are only for the convenience of the reader.

General Guidelines for Cold Outreach

When it comes to <u>cold outreach</u>, whether by phone or email, knowing when and where you need consent is essential. Across Europe, the rules vary by country, but the key takeaway is simple: consent is paramount.

In most places, you'll need someone's permission before reaching out, but how that permission is given can differ.

Consent: Opt-in vs. Double Opt-in

Opt-in means the person you're contacting has actively agreed to receive your marketing communications. This could be as simple as them ticking a box on a form. Many countries allow cold emailing with just opt-in consent.

Double opt-in takes things a step further. This is when someone opts in, and then you send them a confirmation email to make sure they really want to hear from you. This extra step isn't required everywhere, but some countries (like Germany) prefer it to ensure everything's crystal clear.

Opt-out is another important concept. It means that, even if someone didn't initially object to your contact, they must always have a clear and easy way to say, "no thanks, don't contact me again." This opt-out mechanism should be included in all of your communications.

LinkedIn and Social Media: The Gray Area

Cold outreach on platforms like LinkedIn is still a bit of a legal gray zone. Unlike cold calling and emailing, many countries haven't explicitly laid out laws for social media messaging yet. However, a few are starting to treat LinkedIn messages the same way as email outreach requiring consent or presumed consent. So, while the rules aren't fully fleshed out in most places, it's a good idea to play it safe and treat social media outreach with the same caution you would for emails. So, always be transparent, and respect any opt-out requests.

Essentially, if you're planning on reaching out to someone, you must make sure you've got the green light to do so, and always give them a way to say "no." Whether it's through traditional channels like phone and email, or newer methods like LinkedIn, keeping things above board will save you a lot of hassle in the long run.

"Previous Business Context" Exception

One of the big wins for sales teams across Europe is an exception to these prohibitions through the context of your previous business dealings. This exception appears in countries' legislation like <u>Germany's [UWG / Act against Unfair Competition] 7(3)</u>. This allows you to send cold emails without needing prior consent, as long as you meet certain conditions. So, if you've done business with a contact before, this could be your golden ticket for keeping communication flowing.

Here's how it works:

01 Prior Sale or Service

You can only take advantage of this exception if you've previously sold something to the person or business you're emailing. This could be a product or service, the key is that you've already had a business transaction.

02 Similar Products or Services

You can't go rogue and start promoting totally unrelated products. Your follow-up email has to be about something relevant to what you've sold before. Think upselling or cross-selling; if they bought one of your software tools previously, they might be interested in an upgrade or an add-on service.

03 Clear Opt-Out Option

Every time you send an email, you must give the recipient a way to easily say "no thanks" to future messages. This opt-out option must be visible and simple to use – whether it's a button or a clear link, make sure it's there.

04 No Prior Opt-Out

This one's important: if your contact has previously told you they don't want to receive emails, you can't reach out to them, even under this exception. So, make sure your records are up to date, and respect any previous requests to opt out.

By following these steps you'll be able to use the "Previous Business Context" exception to keep your cold emailing compliant while still building relationships with your past customers. What's important is that you're striking the right balance between keeping in touch and staying within the legal lines.

Country-Specific Cold Calling & Emailing Regulations

When it comes to cold calling and emailing, every EU country has its own rules and quirks. Some countries are very strict, while others give you a bit more freedom. To make things easier, we've broken it down for you, country by country, so you can see exactly what's allowed, where.



Country	Cold Calling	Cold Emailing	National Opt-Out List	Legal Basis
Austria	You'll need consent before making any cold calls	Consent is required for any emailing unless "Previous Business Context Exception" applies. You'll need to provide an Opt-In choice, a Double Opt-In would be even better.	Yes, Austria has a national opt-out list called the <u>ECG list</u> , so check it out before reaching out.	<u>§174</u> <u>Telekommunikati</u> onsgesetz (TKG)
Belgium	In Belgium you're allowed to cold call, but only if the person hasn't objected or registered on the Do-Not-Call-Me List (DNCM).	You'll need Opt-In consent unless you're emailing a generic address (eg. info@company.com) or you've already done business with the contact, in which case it would fall under "Previous Business Context Exception".	Yes, check <u>https://</u> <u>www.dncm.be</u> before you make contact.	Article XII.13 and VI. 111-115 of the Code of Economic Law and Royal Decree of 4 April 2003 regulating advertising by electronic mail.
💻 Bulgaria	In Bulgaria, you need consent before cold calling, but you don't have to go the extra mile with double opt-in	No consent is needed, but your emails must be clearly marked as commercial and unsolicited. You also can't email people if their details are listed on the national opt- out list.	Yes, there's a national opt-out list you'll need to check: <u>https://</u> www.kzp.bg/bg/.	Art. 6 (1) and Art. 261 <u>Bulgarian Electronic</u> <u>Communications</u> <u>Act,</u>
T Croatia	Allowed, as long as the person hasn't explicitly opted out	Here you'll need opt-in consent, unless the "Previous Business Context Exception" applies, in which case you can carry on with outreach, as long as it's relevant.	Yes, Croatia has one – make sure to check it: <u>https://</u> <u>www.hakom.hr/</u> <u>hr/e-registar-ne-</u> <u>zovi/224</u> .	Article 107 <u>Croatian</u> <u>Electronic</u> <u>Communications</u> <u>Act</u> .
Czech Republic	Here consent is required, but there is a handy work around for some. Legal entities and individuals can also indicate via public subscriber lists that they wish to be contacted for marketing purposes, in which case there is no additional consent needed.	This is the same as cold calling – you need consent and double opt-in is recommended, unless there's a previous business relationship (then the 'Previous Business Context Exception' applies).	No, there is no national opt-out list here.	<u>Section 93, 96</u> <u>Act on Electronic</u> <u>Communicatio</u> <u>ns</u> .

Country	Cold Calling	Cold Emailing	National Opt-Out List	Legal Basis
E Denmark	Yes, cold calling is allowed in Denmark, as long as the person you're contacting hasn't explicitly opted out.	You'll need opt-in consent here, unless you're emailing someone with an existing business relationship (in which case the good old 'Previous Business Context Exception' comes into play again).	Yes, Denmark has an opt-out list called the <u>Robinson List</u> . Make sure to check it before making your move.	Section 10 of the <u>Marketing</u> <u>Practices Act</u> .
Estonia	Cold calling is allowed here, as long as the person you're contacting hasn't already opted out.	You'll need consent unless the 'Previous Business Context Exception' applies or if the email is sent to a legal person or generic/impersonal email address (eg. <u>info@company.com</u>) and an easy opt-out option is provided.	No national opt- out list in Estonia.	Section 60 <u>Law</u> of Obligations, Section 103 <u>Electronic</u> <u>Communications</u> <u>Act</u> .
+ Finland	Yes, cold calling is allowed, but the product or service you're marketing must be closely related to the recipient's work duties. Of course, you'll need to make sure they haven't previously opted out either.	You'll need consent unless you're marketing something relevant to their job role (based on their job description), or you're emailing a generic address (such as info@company.com) and you give them a chance to opt-out.	Yes, direct marketing through telephone may be restricted by registering with the <u>Prohibition of</u> <u>Services of the</u> <u>DMA Finland/</u> <u>ASML</u> (it's worth this is only for consumers, not B2B).	Chapter 24, Section 200-205 <u>Electronic</u> <u>Communication</u> <u>Services Act</u> , Interpretation of Data Protection Ombudsman: <u>https://</u> <u>tietosuoja.fi/en/</u> <u>faq-direct-</u> <u>marketing</u> .
France	Yes, it is allowed if you're calling the main company phone number or an employee's number – as long as they were given the option to opt out when they provided it. Just don't call consumers without their consent as France is super strict about this and you'll face higher fines for cold-calls to consumers.	You'll need opt-in consent unless you informed the person at the time of collecting their email that it would be used for marketing, and they had an easy way to opt-out, or, you're emailing a generic address (like info@company.com) and again, you give them a simple way to opt out.	Yes, the <u>Bloctel</u> list is for phone calls (only for private persons/ consumers, not companies/ employees).	Article L34-5 Postal and Electronic Communications Code and CNIL guidelines on Electronic marketing.

Country	Cold Calling	Cold Emailing	National Opt-Out List	Legal Basis
Germany	Generally, not allowed without consent, except when there is "presumed consent", i.e. when you have a solid reason to believe that the product or service you promote is of interest to your contact and that the person being called can be presumed to currently agree to be contacted via phone (our <u>article</u> on how Dealfront tools can help establish these indications).	Germany is one of the stricter countries on cold emailing – you'll need double opt-in consent, unless the 'Previous Business Context Exception' applies.	There is no national opt-out list in Germany	Section 7 of the Act against Unfair Competition (UWG)
➡ Greece	Cold calling is allowed here, except if the person contacted has opted-out (for example via their phone provider).	This requires double opt-in consent, unless the 'Previous Business Context Exception' applies, meaning you've already had a business relationship with the contact.	No, there's no official opt-out list.	Article 11 of the Telecommunic ations Law; Article 4 of the Consent Directive.
Hungary	Yes, it is allowed, except if the person contacted has already explicitly opted- out.	You'll need opt-in consent, unless the email is sent to a generic/impersonal email address (eg. <u>info@company.com</u>) and there is an opportunity to opt-out provided.	No, Hungary doesn't have a national opt-out list	Section 162(2) Act C of 2003 on Electronic Communicati ons and Sec. 5G § 6 of the Advertising Act.
Ireland	Requires consent unless the 'Previous Business Context Exception' applies. Keep in mind that marketing calls to mobile phones are mostly prohibited without consent. Also, don't forget to check the Do-Not-Call List (see below) before dialing.	Allowed if the email address is used mainly for business purposes, and the cold email relates to that activity. You're good if it's clearly a work- related email!	Yes, make sure to screen your calls against Ireland's Do-Not-Call list: <u>https://</u> www.pxs.com/ <u>ndd</u>	Art. 13 <u>Privacy</u> and Electronic <u>Communicati</u> <u>Ons</u> <u>Regulations</u> and <u>Rules</u> and other guidance material provided by the Data Protection Commission.
ltaly	No consent needed as long as the recipient hasn't opted out or objected, and their number isn't on the national Do-Not-Call list.	Requires opt-in consent (double opt-in is recommended), unless the 'Previous Business Context Exception' applies.	Yes, both for consumers and companies: <u>https://</u> registrodelleoppo <u>sizioni.it/</u> .	Article 130 of the Personal Data Protection Code (also applies to legal entities).

Country	Cold Calling	Cold Emailing	National Opt-Out List	Legal Basis
Latvia	Allowed as long as the number belongs to a legal entity (like a company) and they haven't previously opted out. If the phone number is published on their website, you're generally good to go!	Allowed if you're emailing a company or employee and they haven't previously opted out. Opt-out must always be offered.	No, there isn't a national opt-out list.	Section 9 Information Society Services Law.
📕 Lithuania	In Lithuania you'll need opt-in consent for cold calling, whether it's a business or an individual.	Requires opt-in consent, unless the 'Previous Business Context Exception' applies (when you've already done business with the contact).	No, Lithuania doesn't have a national opt-out list.	Art. 81 <u>Electronic</u> <u>Communicat</u> <u>ions Law;</u> Art. 13 <u>Advertising</u> <u>Law</u> .
Luxembourg	There are no specific laws for B2B cold calling. Consent is only required for calling consumers, so B2B cold calls are fair game unless the person opts out.	No specific law for B2B cold emailing either. Consent is only required when emailing individuals (like consumers). You're also fine to email generic email address (eg. info@company.com) or if there's a 'Previous Business Context Exception'.	No, no national list in Luxembourg.	Article 11(1) of the Electronic Privacy Act (only for natural persons).
* 📕 Malta	Allowed, if you've given the contact the opportunity to opt-out if they don't want to be contacted again.	Consent required unless 'Previous Business Context Exception' applies (ie you've already done business with the recipient).	No official opt- out list in Malta.	Art. 9 of <u>Regulation</u> for <u>Electronic</u> <u>Communica</u> tions Sector.
The Netherlands	Consent is required, unless you've received the contact details from the business for commercial purposes or there's a prior relationship with the customer.	Opt-in consent is required, unless you can use the Previous Business Context Exception.	No, the previous opt-out lists were discontinued.	Article 11.7 of the Telecommun ications Act.
Poland	Yes, consent is required.	Consent is explicitly required for individuals (consumers), but there's a gray area for company emails or generic addresses like info@company.com. The Previous Business Context Exception can also still be used for cold emailing. Allowed if <u>Previous Business</u> <u>Context Exception</u> applies.	No national opt- out list here.	Art. 10 <u>Electronic</u> <u>Services</u> <u>Act</u> ; Art. 172 <u>Telecommun</u> <u>ications Act</u> .

Country	Cold Calling	Cold Emailing	National Opt-Out List	Legal Basis
Portugal	Yes, cold calling is allowed, unless the contact has previously opted-out, for example via the national DNC list (see below).	There are no legal provisions specifically for contacting companies or legal persons. For consumers, you'll need consent. Cold emailing is prohibited if the contact is listed in the national opt-out list.	Yes, an official Opt-out list by the DGC (the Consumer General Directorate) exists for consumers and legal persons. Marketing calls have to be screened against this list and the national opt-out list is only available from the DGC upon request.	Art. 13 <u>Law no.</u> <u>46/2012</u> .
II Romania	No specific legal provision for cold calling in Romania. Just be careful if you're using automated calling systems as they are explicitly forbidden.	You'll need consent, unless you can use the 'Previous Business Context Exception'.	No official DNC list, but there is a voluntary one set up by the Romanian Association for Direct Marketing.	Art. 12 <u>Electronic</u> <u>Communications</u> <u>Law</u> .
❶■ Slovakia	You'll need consent, unless the number is publicly available (like in a public directory) or flagged for marketing purposes. Don't call if they're on the national DNC list.	Consent is required unless there's a 'Previous Business Context Exception', or if the person has publicly shared their contact info, for example as a solo entrepreneur	Yes: <u>www.teleoff.gov.sk</u> .	Art 116 <u>Electronic</u> <u>Communication</u> <u>Act.</u>
🖿 Slovenia	There are no specific rules for person-to- person calls. Automated calls, however, are strictly off-limits without consent.	You need consent unless there's a 'Previous Business Context Exception' or the email address has been publicly shared.	No opt-out list in Slovenia.	Art. 226 <u>Electronic</u> <u>Communications</u> <u>Act</u> .
Spain	You're allowed to cold call unless the person has explicitly opted out, for example, through the Robinson List (Spain's DNC list).	Yes, consent is required, unless 'Previous Business Context Exception' applies.	Yes, the Robinson List (mostly for consumers, but can be used for employees of companies); you must check this before sending out marketing communications: <u>https://</u> www.listarobinson.es/.	Art. 66 <u>Telecoms</u> <u>law</u> and Art. 21 <u>Law 34/2002 on</u> <u>information</u> <u>society services</u> <u>and electronic</u> <u>commerce</u> (LSSI).

Country	Cold Calling	Cold Emailing	National Opt-Out List	Legal Basis
Sweden	Allowed, unless the person has opted out. You can call individuals on the NIX-register (Sweden's opt-out list) only if they've previously given explicit consent.	Consent is needed unless there's a 'Previous Business Context Exception', or if the email is clearly connected to the recipient's professional role (interpretation of the regulatory guidance, see below). Emails to individual traders are only allowed with active consent.	Yes, Sweden uses the <u>NIX-register</u> , so check it before you call or email.	Section 19 and 21 <u>Marketing</u> <u>Practices Act.</u> Also, <u>B2B</u> <u>Marketing</u> <u>Ethical Rules</u> (Regulatory Guidance).
• Switzerland	Allowed, unless the phone number has been marked with an asterisk (*) in the public directory, indicating they don't want marketing calls.	You need opt-in consent, unless the 'Previous Business Context Exception' applies.	Numbers can be listed with an asterisk (*) in the phone directory, meaning they do not wish to be contacted for marketing purposes. According to Swiss law, companies are required to check the public phone registry if the respective person has marked their phone number with a do-not-call remark.	Art 3 UWG, Interpretative <u>Guidance</u> (only available in German).
UK	You can cold call here, unless the contact has opted out, for example through the Telephone Preference Service (TPS) or Corporate TPS (CTPS).	Allowed if you contact businesses (and their employees) that are a corporate body with separate legal status (e.g. companies, limited liability partnerships, Scottish partnerships, and some government bodies) that are not sole traders or partnerships treated as individuals. Sole traders and other types of partnerships (for example non-limited liability partnerships) are classed as "individual subscribers" and can only be contacted without consent under the 'Previous Business Context Exception'.	Yes, the Telephone Preference Service (TPS) and the Corporate Telephone Preference Service (CTPS) are the official DNC-lists for landlines and mobile numbers. Organizations are legally required to screen against the TPS/CTPS: Link	Regulations 21 and 22 of <u>The</u> <u>Privacy and</u> <u>Electronic</u> <u>Communicati</u> <u>ons (EC</u> <u>Directive)</u> <u>Regulations</u> <u>2003; see here</u> for <u>further</u> <u>official</u> <u>guidance</u> by the ICO.

This breakdown should help you understand the rules for each country. Remember, always double-check before starting any cold outreach to ensure you're staying compliant!

What Happens If You Call a DNC Number?

Failing to follow the cold outreach laws in European countries can lead to serious consequences, ranging from hefty fines to reputational damage. Here's a breakdown of what can happen if you don't comply with the cold calling and emailing regulations:

GDPR Fines

If your outreach violates GDPR (such as sending cold emails without consent or mishandling personal data), you could face significant financial penalties. GDPR fines can reach up to ≤ 20 million or 4% of your company's global annual <u>turnover</u>, whichever is higher. This applies across the EU, including non-EU businesses dealing with EU citizens.

Country-Specific Penalties

Many countries also have their own specific penalties for violating e-Privacy laws that can be held alongside any GDPR rules. The fines for non-compliance vary from country to country, but can be costly not only financially but also in terms of reputational damage too.

Germany, for example, is a leader in privacy protection, and has strict laws that exceed most other European countries. Their <u>Federal Data Protection Act 2017</u> (Bundesdatenschutzgesetz - BDSG) applies to both public and private entities that handle personal data and includes provisions for appointing a Data Protection Officer (DPO), as well as specific rules on employee data processing and credit checks. The BDSG also covers data subject rights, data transfers, and informed consent, offering additional protection beyond the GDPR. Similarly, <u>France's Data Protection Act 2 (Law No. 2016-1321)</u> stands alongside and in support of the GDPR. This law also sets specific expectations for data controllers, processors, and recipients in France. It emphasizes that personal data must be processed fairly, lawfully, and only for legitimate purposes, ensuring that only the necessary data is collected. The act also highlights key rights for individuals, such as knowing the identity of the data controller, the purpose of data processing, and the right to access or transfer their data.

Sweden has supplemental privacy legislation in addition to the GDPR, which covers data protection principles, processing legalities, and transparency. Additionally, Sweden also has some sector-specific laws including the Patient Data Act, Criminal Data Act, and Electronic Communications Act that provide further regulation and protection.

Reputational Damage

Beyond financial penalties, non-compliance can severely impact your company's reputation. Public fines can erode trust with prospects and customers, making it harder to build meaningful business relationships in the future. Being transparent and compliant ensures you're seen as a trusted partner, not a rule-breaker.

This emphasis on transparency and trust is echoed by industry experts, highlighting the importance of staying compliant to safeguard both credibility and legal standing:

"The ever-evolving regulatory landscape surrounding consumer protection requires companies to adapt and maintain compliant processes with regards to sales-led marketing communications in order to maintain credibility in the market and avoid potential legal consequences."



Caspar Miller Senior Legal Counsel at Dealfront

Recent Violations

In April 2024, the ICO fined <u>Outsource Strategies Ltd £240,000</u> and <u>Dr</u> <u>Telemarketing Ltd £100,000</u> for making around 1.43 million unsolicited calls. Between February 2021 and March 2022, both companies had contacted individuals on the "do not call" register, using aggressive, high-pressure tactics to push their services and products.

In January 2024, another duo were charged, having been under investigation. The ICO fined <u>Poxell Ltd and Skean Homes Ltd a combined £250,000</u> for making unlawful marketing calls to individuals on the UK's "do not call" list. Poxell Ltd, fined £150,000 for 2.6 million calls, was found to have used aggressive tactics and targeted vulnerable individuals. Meanwhile, Skean Homes Ltd, was fined £100,000 for 600,000 calls, for misrepresenting itself, and for failing to check the TPS register.

The ICO has also warned charities to stop sending unsolicited texts without consent, highlighting its commitment to protecting the public from spam. <u>Penny Appeal</u>, a charity under investigation for sending 460,000 texts without proper consent, was found in <u>violation of PECR regulations</u>. Despite complaints and an ICO investigation, the charity continued sending messages, prompting enforcement action. Charities must comply with legal standards, including offering opt-out options and ensuring consent, as their special status does not exempt them from privacy laws.

It's not just cold calling and text violations that incite fines though. <u>HelloFresh</u> <u>was fined £140,000</u> by the ICO for sending 79 million spam emails and 1 million spam texts between August 2021 and February 2023. The ICO found HelloFresh violated PECR by failing to obtain proper consent, bundling email opt-ins with age confirmation, and not informing customers their data would be used for 24 months post-cancellation. The company had also delayed or ignored opt-out requests, leading to a breach of public trust.

Special Considerations

When it comes to direct marketing, the legal landscape can change dramatically depending on the communication channel you're using. Just because a country doesn't allow cold calling doesn't necessarily mean that you can't sell there. What it does mean is that in some countries you'll need to be particularly cautious about how you approach your outreach.

Cold Calling

As we've established, cold calling laws across Europe vary widely with some countries allowing it under specific conditions, while others enforce stricter regulations requiring prior consent. Some nations have strict regulations that essentially make cold calling a no-go unless you have clear, prior consent. Countries such as Austria, <u>Germany</u>, and Poland require prior-consent. Here's how you would typically secure that consent:

Explicit Consent

Written or Digital Consent:

You need to obtain clear, informed, and explicit consent from individuals or businesses before making a cold call. This means the person must actively agree to be contacted via phone, typically through a form, website opt-in, or email request. For example, you could offer potential customers an opt-in form on your website where they can check a box agreeing to receive promotional calls. Consent must be voluntary, and you can't precheck the box or assume consent by default.

Double Opt-In for Emails Leading to Calls:

In some cases, companies will use a double opt-in method for email subscriptions and include phone call permission in that process. After signing up for email communications, the recipient would receive a confirmation email, where they also have the opportunity to consent to phone calls.

Specific Details in the Consent Request

When asking for consent, it must be specific and transparent. The individual should know who will be calling them, the nature of the products or services being marketed, and how their contact information will be used. For example, ensure your opt-in wording covers these points: "*By ticking this box, I consent to receiving phone calls from [Company Name] regarding [Product/Service] at the phone number provided.*"

Record-Keeping

It's essential to maintain records of consent, such as the date and method of consent, so you can prove compliance if necessary. In Germany, authorities can ask for evidence of consent during an audit or in response to a complaint.

Revoking Consent

Always provide a way for people to withdraw their consent. For example, during the cold call, inform the recipient they can opt out of future calls, and ensure that opting out is a simple process (e.g., contacting the company via email or phone).

By obtaining prior consent this way, you ensure that your cold calls are lawful under the many strict data protection laws, especially GDPR.

Cold Emailing

Email marketing, particularly cold emailing, is usually more tightly regulated than cold calling due to privacy concerns. In most cases, you'll need explicit consent before sending out marketing emails, but there are some special circumstances and exceptions. Obtaining prior consent for cold emailing is an important step in complying with GDPR and various national regulations. Here's how you can obtain that consent:

Sign-Up Forms on Websites

Create clear opt-in forms:

Use forms on your website where visitors can voluntarily subscribe to your newsletter or updates. These forms should make it clear what type of emails they'll receive (e.g., promotions, product updates).

Use a double opt-in process:

This ensures that after someone signs up, they receive a confirmation email to validate their consent. This extra step proves they willingly agreed to receive emails, providing a stronger layer of compliance.

Offering Valuable Content (Lead Magnets)

<u>Offer an incentive in exchange</u> for an email address, like a free ebook, access to a webinar, whitepaper, or discount code. Just make sure the form clearly states that by providing their email, they're agreeing to receive marketing communications. For example: *"Sign up for our newsletter and receive a free ebook! By subscribing, you agree to receive updates and promotional emails from us. You can unsubscribe at any time."* You must ensure that your privacy policy clearly states how email addresses will be used and provide a link to this policy wherever you are collecting email addresses.

Remember, you must:

- Clearly explain what they are opting in to.
- Ensure they understand how they can unsubscribe at any time.
- Keep a record of their consent, such as timestamps and the consent text, for compliance purposes.

By following these steps, you can gather prior consent in a transparent, GDPRcompliant manner and avoid any potential legal issues with your cold emailing efforts.

Remember

Navigating the legal landscape of cold calling and emailing in Europe may seem daunting, but it's essential for protecting your business and maintaining trust with your prospects. By understanding the country-specific regulations and staying informed on when and how to obtain consent, you can confidently engage in outreach while staying compliant with GDPR and other e-Privacy laws.

Whether you're reaching out via phone, email, or social media, keeping things transparent and offering clear opt-out options is key. Building trust with potential customers doesn't just mean respecting their inboxes and phone lines —it means building a relationship on a foundation of mutual respect for privacy.

Remember, the rules may vary from country to country, but the fundamental principles remain the same: obtain consent when required, be transparent in your communications, and always give your contacts the option to say "no." By following these guidelines, you can continue to make meaningful connections while staying on the right side of the law.

This Guide was brought to you by Dealfront

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