

Note: the below is an extract of correspondence sent through the ACMA's customer relationship management system.

---

From: DNCR-compliance@acma.gov.au

To: info@[REDACTED].com.au

Date: 15/07/2019

Subject: Correspondence from the Australian Communications and Media Authority (ACMA)  
[SEC=UNCLASSIFIED]

Please find attached correspondence from the Australian Communications and Media Authority (ACMA)

Yours sincerely

**The Do Not Call Register Team**

26 September 2019

[REDACTED]  
[REDACTED]

Dear [REDACTED],

## ⊗ Telemarketing Compliance Alert!

The Australian Communications and Media Authority (ACMA) is currently targeting unlawful solar telemarketing.

We are contacting you because consumers have complained about solar telemarketing calls alleged to have been made by your business in the past 12 months.

Australia has strict laws that protect people from intrusive telemarketing. Poor telemarketing practices can frustrate consumers, damage your reputation and break the law.

If the ACMA investigates and finds breaches, it can lead to serious financial penalties (up to **\$210,000** per day) and action in the Federal Court of Australia.

This is an opportunity to make sure your business is making *the right call*. You can find out about the rules and some simple steps to help you comply in the attached fact sheet. You can also find more information [here](#).

The ACMA has not investigated your business at this time. However, we may take action against illegal telemarketing and will seriously consider any further complaints.

If your business has made improvements to its compliance processes or if you believe that this letter has been sent in error, please contact us at [DNCR-compliance@acma.gov.au](mailto:DNCR-compliance@acma.gov.au).

Yours sincerely

**Carmen Mitchell**  
Manager  
Unsolicited Communications Compliance

# Solar telemarketing — make the right call



The Australian Communications and Media Authority (ACMA) is targeting unlawful solar telemarketing.

Telemarketing can help reach potential customers. However, some practices may frustrate consumers, have a negative impact on your reputation, and break the law.

You must comply with the rules, even if you outsource telemarketing to other businesses.

You are also responsible for checking that leads or marketing lists you buy are compliant before you use them.

## The rules

Australia's telemarketing rules protect people from unwanted or intrusive telemarketing.

The rules are set out in the [Do Not Call Register Act 2006](#) and the [Telecommunications \(Telemarketing and Research Calls\) Industry Standard 2017](#).

Under the rules, Australians can opt out of most telemarketing calls by listing their numbers on the Do Not Call Register.

There are also strict rules about when calls can be made, when they must be ended and what information must be provided.



## How to get it right

### 1. Review your processes

- ✓ Check (or 'wash') numbers against the Do Not Call Register, or make sure your provider does.
- ✓ Get—and maintain—records of consent to call numbers on the Do Not Call Register. It's your responsibility.

### 2. Meet the minimum standards

- ✓ Only make calls between 9.00 am and 8.00 pm weekdays, and 9.00 am and 5.00 pm Saturdays.
- ✓ Provide all required information, including the name of your business and the purpose of the call.
- ✓ End the phone call as soon as someone asks.
- ✓ Enable caller ID and make sure the number can receive return calls.

### 3. Check in with your outsourced telemarketing provider

- ✓ Have a written contract in place that requires compliance with the rules.
- ✓ Regularly check that your provider has effective training, systems and processes in place to ensure compliance, as you may be liable.
- ✓ Act if you find out your provider is doing the wrong thing—it's your reputation on the line.

### 4. Be careful when buying leads or marketing lists

- ✓ Make sure written contracts include compliance with the rules.
- ✓ Make sure your provider is 'washing' lists or has consent. It's your responsibility, so ask for records.

You can find out more about the rules, including how to check your calling lists, at [donotcall.gov.au](https://donotcall.gov.au).

