

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

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From: DNCR-compliance@acma.gov.au

To: sales [REDACTED].com.au

Date: 31/05/2016

Subject: [SEC=UNCLASSIFIED] Compliance with the Do Not Call (DNCR) legislation  
CRM:000441006218

Dear [REDACTED]

### **The Do Not Call Register - Compliance Warning**

The Australian Communications and Media Authority (ACMA) is responsible, among other things, for ensuring that individuals and businesses comply with:

- the Do Not Call Register Act 2006 (the Act);
- the Telemarketing and Research Industry Standard 2007; and
- the Fax Marketing Industry Standard 2011 (the Industry Standards)

The ACMA takes a graduated approach to Do Not Call compliance focusing on awareness of responsibilities and voluntary compliance in the first instance. 92 per cent of businesses receive no further complaints after receiving a first compliance warning from the ACMA.

#### **Why the ACMA is writing to you**

We are writing to inform you that we have received 2 complaints since 25/04/2016 alleging that 2 telemarketing calls were made, or caused to be made, by [REDACTED] that may have contravened the Do Not Call Rules.

Based on information in the complaint(s) it appears that:

- The call may not have been terminated as required
- The call(s) may have been made to a number on the Do Not Call Register
- The caller may not have provided all required information

A summary of the complaint(s) is provided in Table A.

#### **Getting more information on your Do Not Call responsibilities**

If you engage in telemarketing or fax marketing activities, you should check or 'wash' your contact lists against the Do Not Call Register to avoid contacting registered numbers. To check numbers against the Do Not Call Register, you will need to create a washing account through the Telemarketer Access Portal at [www.donotcall.gov.au](http://www.donotcall.gov.au).

To help you better understand your obligations under the Do Not Call legislation, the ACMA provides a range of materials and information, including telemarketing blogs on its [website](#).

## What happens now?

With the information provided in this letter, you should review your processes to ensure that you are compliant with the Do Not Call legislation. If you find that there are areas of your operations that are not compliant, these should be addressed immediately. If the ACMA continues to receive complaints about your business' compliance with the Do Not Call legislation, we may consider further compliance action.

If you have any questions about this letter, please contact the Unsolicited Communications Compliance Section by return email to [DNCR-compliance@acma.gov.au](mailto:DNCR-compliance@acma.gov.au) or call us on 1300 855 180.

Yours sincerely,

### Unsolicited Communications Compliance Section Australian Communications and Media Authority

The ACMA's Privacy Policy (<http://www.acma.gov.au/theACMA/Privacy-Policy>) contains information including how you can access and correct personal information, how you can make a complaint about the ACMA's compliance with the Privacy Act and Privacy contact details.

#### Table A

Summary of complaints received since 25/04/2016

The information below should only be used for the purpose of assisting your business to review its telemarketing/fax marketing procedures and compliance with the Do Not Call legislation. Your business should not contact any complainant with regard to this matter. Doing so may constitute an unlawful use of the complainant's personal information in contravention of the Privacy Act 1988.

Complaint Reference	Date of Call/Fax	Approx. time of Call/Fax	Number Dialed	Relevant Provision(s)
178696	26/04/2016	11:00AM-11:30AM		Making, or causing to be made, a telemarketing call to a number on the Do Not Call Register  Causing a call to be made without the caller terminating the call after the call recipient asked for the call to be terminated or otherwise indicated that the call recipient did not want the call to continue
179582	7/05/2016	09:30AM-10:00AM	██████████	Making, or causing to be made, a telemarketing call to a number on the Do Not Call Register  Causing a call to be made without the caller giving the call recipient, within a reasonable time, not exceeding seven days, if requested, the name and contact details of any

				<p>organisation that disclosed to the caller the telephone number and/or the name of the person for whom the call was intended</p> <p>Causing a call to be made without the caller giving the call recipient, immediately upon request, the name and contact details of any person responsible for dealing with inquiries or complaints about the caller, the caller's employer or another person who caused the call to be made</p> <p>Causing a call to be made without the caller giving the call recipient, immediately upon request, their employee or staff identifier</p>
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