



Telemarketing and research calls standard complements Do Not Call Register

To complement the establishment of the Do Not Call Register, ACMA has made a national industry standard for making telemarketing and research calls.

The standard establishes minimum standards aimed at providing greater certainty for consumers on the minimum level of conduct they can expect from those making unsolicited telemarketing and research calls. It was made after wide consultation to ensure a balance between the expectations and needs of consumers and industry.

The new industry standard applies to:

- all telemarketing calls made to an Australian number to offer, advertise or promote goods, services, interests in land, business

opportunities or investments, or to solicit donations

- all research calls to conduct opinion polling and standard questionnaire-based research and
- calls made for the above purposes by organisations exempt from the general prohibition on calling numbers listed on the Do Not Call Register, such as charities, registered political parties, and religious organisations.

The standard provides clear and enforceable rules in four areas, including restrictions on hours of calling, unless consent has been given

in advance by the call recipient to receive the call. Where more stringent calling hour restrictions apply under a state or territory law, then that more stringent law will continue to apply. ACMA will review the minimum standards for prohibiting calling times and their relationship to state and territory laws 12 months after the standard commences.

The standard also requires the person making a telemarketing or research call to provide certain caller contact information and the source of the number and name of the person for whom the call was intended.

Under the standard, the caller must terminate the call where the recipient asks for it to be terminated or indicates that he or she does not want the call to continue, and calling line identification must be enabled when

the caller makes or attempts to make a call.

The *Telecommunications (Do Not Call Register) (Telemarketing and Research Calls) Industry Standard 2007* commences at the same time as Part 2 of the *Do Not Call Register Act 2006*, on 31 May 2007. Compliance with the standard will be enhanced by amendments to the *Telecommunications Act 1997* that come into effect at the same time, including a requirement that agreements or contracts for carrying on telemarketing activities comply with the standard.

The industry standard and information about the Do Not Call Register scheme are on the ACMA website at www.acma.gov.au/donotcall.