



Dodo pays penalty for calling numbers on the Do Not Call Register

Telecommunications provider Dodo Australia Pty Ltd has paid a penalty of \$147,400 after ACMA alleged that an offshore call centre made telemarketing calls on its behalf to numbers on the Do Not Call Register.

After investigating numerous consumer complaints, ACMA issued an infringement notice to Dodo Australia for allegedly contravening the *Do Not Call Register Act 2006*. This is the largest penalty paid since the Do Not Call Register legislation took effect in late 2007.

ACMA has also accepted enforceable undertakings given by Dodo Australia under the *Telecommunications Act 1997* that set out the steps it will take to comply with the Do Not Call Register legislation.

ACMA sees enforceable undertakings as

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'The penalties for calling numbers on the Do Not Call Register can be very high,' said Chris Chapman, ACMA Chairman. 'ACMA is committed to enforcing this legislation and will take formal action—which may include imposing substantial penalties—where appropriate.'

an important regulatory tool that can produce effective outcomes and encourage a culture of compliance.

As Dodo Australia has paid the penalty and taken steps to address the issues, ACMA's investigation of the matter is now closed.

'If you are in business and hire offshore call centres to make telemarketing calls, you need to be extremely diligent in overseeing what they do,' said Mr Chapman. 'You can't hide behind offshore call centres, because ultimately the calls they make are your responsibility.'

Where a business decides to use an offshore call centre to make its telemarketing calls, some steps it might take to protect itself include:

- establishing clear, enforceable contractual terms that require the call centre to comply with the legislation
- setting up effective procedures for checking numbers against the register
- training all relevant staff—in Australia and overseas—about their obligations and most importantly
- regularly auditing the call centre's calling records to make sure they are not calling any numbers on the register.