Do Not Call Register

Comments sought on industry fee regimes to access the Do Not Call Register

ACMA has recently released a discussion paper on two options for the new fees that telemarketers will be charged to access the Do Not Call Register from 1 July 2008.

The new fee regimes follow the government's election commitment and a recent Federal Budget measure to require industry to fully fund the direct costs of operating the register.

Industry has been partially contributing to these costs through the payment of access fees since the register began operation in May 2007.

ACMA estimates that it has received $2.12 million in total revenue from industry accessing the register in its first year of operation—$0.88 million more than the adjusted direct costs for operating the register under the current partial cost-recovery arrangements.

This over-recovery is largely due to the industry demand for list-washing services—where telemarketers check, or 'wash', their calling lists against the numbers listed on the register—being underestimated in the initial modelling of the subscription fees.

Consistent with the *Australian Government Cost Recovery Guidelines,* any over-recovered funds are required to be returned to industry.

The estimated direct costs of operating the register over the next three financial years are $9.20 million. Once the $0.88 million that was over-recovered in the first year is deducted, the new cost recovery arrangements for the register are expected to collect $8.32 million in revenue over the next three years under either option.

ACMA has sought comment on whether to structure the fees to return the over-recovered funds over the next three years or in one year (2008–09). The two options are:

1. **Stable pricing regime**—excess fees collected in the first year would be returned evenly over the next three years. This would help to minimise price fluctuations and deliver a relatively stable scale of fees over the initial four-year register contract period.
2. **Fluctuating pricing regime**—excess fees collected in the first year would be returned in 2008–09. This would result in the fees falling by one-third from 1 July 2008, more than doubling in 2009–10 and falling again in 2010–11.

The Do Not Call Register allows individuals to 'opt out' of receiving certain unsolicited telemarketing calls by registering their home or mobile telephone numbers that are primarily used for private or domestic purposes. It is illegal for a non-exempt telemarketer to make an unsolicited call to any number listed on the register.

Under the *Do Not Call Register Act 2006,* ACMA is responsible for establishing and overseeing the operation of the register, including determining the fees payable by industry for accessing the register.

As it did before the first year of operation, ACMA engaged Access Economics (an independent consultancy) to help determine the new fees for accessing the register in 2008–09.

The discussion paper is available on the ACMA website at <www.acma.gov.au> (go to About ACMA: News & media centre > Issues for comment > IFC 09/2008) or by calling (03) 9963 6895. Comments closed on 30 May.