

Educating the real estate industry about 'unsolicited communications'

In November 2008, the ACMA commenced an education campaign aimed at raising the real estate industry's awareness of, and compliance with, the *Spam Act 2003* and the *Do Not Call Register Act 2006*.

The campaign was initiated in response to the increasing number of consumer complaints about telephone, SMS, and email marketing by real estate agents.

During the campaign, it became apparent that many real estate agents were unaware that much of their marketing activity may be subject to the provisions of either or both acts.

To address this lack of awareness, the ACMA has created a new web page within the ACMA website which features information specific to the real estate industry. The page, which can be accessed at www.acma.gov.au/realestateindustry, aims to increase awareness and understanding of the Spam and Do Not Call legislation, and their application to the industry.

The web page includes a PowerPoint presentation about the Do Not Call Register Act and the Spam Act, which has been designed to enable staff at real estate agencies to present training in-house. Agents can also download a template attendance sheet to use at open for inspections to validly gain consent from consumers who wish to receive follow-up marketing contact by telephone, email or SMS.

It is anticipated that the presentation, attendance sheet and other information contained on this page will assist in reducing consumer complaints about the marketing activity of real estate agents. The ACMA has engaged with national and state real estate institutes, real estate franchises and individual agents, to promote the new website and encourage use of the materials.

In addition to the new web page, the ACMA will continue to monitor complaints against members of the real estate industry. Any complaints received about individual businesses may be subject to a full investigation, and the imposition of penalties as appropriate, including pecuniary penalties. ☎

If you have an enquiry about telemarketing matters relating to the real estate industry, please direct them to DNCInvestigations@acma.gov.au.

If you have an enquiry about spam matters please call 1300 855 180, or send an enquiry at www.spam.acma.gov.au.

