

Industry joins the ACMA to develop a fax marketing standard

The ACMA is working closely with the Australian fax marketing industry to develop an industry standard to accommodate the May expansion of the Do Not Call Register.

The register was expanded largely to allow fax number registration to stop marketing faxes being sent to people and companies who do not wish to receive them. To support the expansion, the ACMA must develop a standard relating to the fax marketing industry (under Part 6 of the *Telecommunications Act 1997*).

The standard will apply to all fax marketers and any marketing fax sent to an Australian number. This will also include those exempt from the general prohibition of faxing Australian numbers on the register, such as charities, registered political parties and religious organisations.

The new standard will not only promote best practice in fax marketing, but will provide the community with greater certainty regarding the minimum level of behaviour they can expect from fax marketers.

In developing the standard, the ACMA is conducting a two-tiered consultation process.

An initial discussion paper was released in June 2010 that sought public comment on the following four areas, which must be covered by the standard:

- > the days and times marketing faxes may be sent
- > marketing faxes must contain certain information about the person who authorised the sending of the fax
- > restricting the number of faxes which may be sent to a particular Australian number during a specific time period
- > including information on the fax about how the recipient can 'opt-out' of receiving future faxes from the fax marketer.

Next steps

The ACMA will consider all submissions received when drafting the fax marketing industry standard. At press time, it was anticipated that the draft standard would be released for further feedback from industry in mid September 2010.

It is expected the standard will be finalised and operational by January 2011. ☺

For more information on the standard and the Do Not Call Register in general, visit www.donotcall.gov.au.

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The consultation period closed on 9 August 2010 and the ACMA received a number of submissions to the paper.

Preliminary feedback has indicated the first, second and fourth points are common practice with most industry participants. Generally, the fax marketing industry would welcome the consistency that a compulsory industry standard will bring to marketing faxes.

Industry has expressed concern regarding the third point and the potential technical difficulties it raises.