

Commonwealth of Australia

Australian Communications and Media Authority Act 2005

**AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY
(TELEMARKETING INDUSTRY STANDARD) DIRECTION
NO. 1 of 2007**

I, HELEN LLOYD COONAN, Minister for Communications, Information Technology and the Arts, make the following Direction under section 14 of the *Australian Communications and Media Authority Act 2005*.

Dated 4 April 2007.

HELEN LLOYD COONAN

Minister for Communications, Information Technology and the Arts

1 Name of Direction

This Direction is the *Australian Communications and Media Authority (Telemarketing Industry Standard) Direction No. 1 of 2007*.

2 Commencement

This Direction commences on the day after it is registered on the Federal Register of Legislative Instruments.

3 Definitions

In this Direction:

ACMA means the Australian Communications and Media Authority.

ACMA Act means the *Australian Communications and Media Authority Act 2005*.

research call has the same meaning as in clause 3 of the Telemarketing Industry Standard.

Telecommunications Act means the *Telecommunications Act 1997*.

Telemarketing Industry Standard means the *Telecommunications (Do Not Call Register) (Telemarketing and Research Calls) Industry Standard 2007* made by the ACMA on 22 March 2007.

4 Direction –ACMA to consider whether to exercise its power to vary the Telemarketing Industry Standard

- (1) I direct the ACMA under section 14 of the ACMA Act to consider whether to exercise its power in section 130 of the Telecommunications Act to vary the Telemarketing Industry Standard so as to:
 - (a) remove the prohibition on making, or attempting to make, a research call at any time on a Sunday; and
 - (b) include a prohibition on making, or attempting to make, a research call on a Sunday at the same times as a research call is prohibited on a Saturday.
- (2) In considering whether to exercise its power in section 130 I direct the ACMA to have regard to the following matters:
 - (a) the important public benefit derived from accurate and high-quality research; and
 - (b) the likely impact that prohibiting research calls on Sundays would have on the collection of accurate and high-quality research.
- (3) If, as result of this Direction, ACMA exercises its power to vary the Telemarketing Industry Standard, I direct ACMA to make the variation so that it commences at the same time as Part 2 of the *Do Not Call Register Act 2006*.