

## **Explanatory Statement**

Issued by the authority of the Australian Communications and Media Authority  
*DO NOT CALL REGISTER (ADMINISTRATION AND OPERATION) AMENDMENT  
DETERMINATION 2007 (NO. 1)*

*Do Not Call Register Act 2006*

### **Background, purpose and legislative basis**

This document provides an explanation of the *Do Not Call Register (Administration and Operation) Amendment Determination 2007* (the Amendment Determination) made under section 18 of the *Do Not Call Register Act 2006* (the Act).

The Act requires ACMA to keep, or to arrange for another person (the Contracted Service Provider) to keep, the Do Not Call Register (the Register). Section 18 of the Act allows ACMA to make a determination dealing with a number of issues related to the administration or operation of the Register.

On 27 April 2007, ACMA made the *Do Not Call Register (Administration and Operation) Determination 2007* (the Principal Determination). The Principal Determination, among other things, sets out the manner in which applications for:

- registration of a number on the Register may be made;
- corrections for entries made on the Register may be made; and
- removal of entries on the Register may be made.

The Amendment Determination makes some minor amendments to sections of the Principal Determination to streamline the operation of the Principal Determination.

### **Consultation**

The amendments to be made by the Amendment Determination are of a minor or mechanical nature, and do not substantially alter existing arrangements. Accordingly, no public consultation has been undertaken.

## **Notes on the instrument**

### **Section 1 – Name of Determination**

Section 1 provides that the Amendment Determination is the *Do Not Call Register (Administration and Operation) Amendment Determination 2007 (No. 1)*.

### **Section 2 – Commencement**

Section 2 sets out that the Amendment Determination commences on the day after it is registered on the Federal Register of Legislative Instruments.

### **Section 3 – Amendment of *Do Not Call Register (Administration and Operation) Determination 2007***

Section 3 provides that Schedule 1 amends the Principal Determination.

### **Schedule 1 – Amendments**

#### **[1] Paragraph 4 (5) (h)**

Item 1 amends paragraph 4(5)(h) of the Principal Determination. Subsection 4(5) of the Principal Determination sets out the way in which a person can apply to have his or her telephone number entered on the Register by using an Internet registration site. Item 1 removes the requirement that the relevant telephone account holder has to state that he or she must not register more than 3 telephone numbers at any one time using that email address.

This requirement is no longer necessary, as the design of the Internet registration site for the Register only contains three fields in which an applicant can enter a telephone number. It is not possible to enter more than three at one time, and so the requirement to make a statement attesting is to be removed.

However, the requirement under subsection 4(6) of the Principal Determination, that limits a person to registering no more than three telephone numbers at any one time, remains.

#### **[2] Section 10**

Item 2 makes a minor editorial amendment to section 10 to correct a cross-referencing error. Item 2 provides that the reference to “section 6 or 7” in section 10 be changed to “section 7 or 8”.

Section 10 relates to the expiry of a registration. Under section 10 when an application for registration is lodged under section 4, ACMA or the Contracted Service Provider must inform the applicant that registration will take effect when the number is entered onto the Register, and that the registration will last for three years or until the entry is removed in accordance with section 6 or 7. Sections 7 and 8 of the Principal Determination relate to the removal of entries from the Register. Section 6 relates to the correction of the Register.