



ADVANTAGE
COMMUNICATIONS AND MARKETING



13th June 2006

Committee Secretary
Senate Environment, Communications, Information Technology and the
Arts Committee
Department of the Senate
PO Box 6100
Parliament House
Canberra ACT 2600
Australia

Re: Inquiry into the provisions of the Do Not Call Register Bill 2006

Dear Sir/Madam,

I write in response to the above Inquiry. As a member of the Australian Direct Marketing Association and an organisation that conducts responsible telephone marketing practices, I would like to support the submission made by the Association in relation to the provisions of the Do Not Call Register Bill 2006.

Advantage Communications & Marketing Pty. Ltd. is a small Perth supplier of telephone communications services. Established in 1989 we have built up a significant market share in WA for the provision of services such as telephone surveys, business development, database updating, customer communications, member contact, event marketing and the like. Depending on the level of activity at a particular time, staff numbers may vary from 30-40 employees. While around 50% of our activity comprises telemarketing, this does not involve making a sale, but rather the business development context of arranging appointments, or for contacts to receive other information. A large number of locally based companies and local and state government entities use Advantage to fulfil their telephone communications requirements.

Whilst we have heard of the apparent backlash in the eastern states from the increase in telemarketing activity, we have no evidence of either an increase occurring to the residential or business market in WA, or of any more than the low level mild annoyance which has occasionally been expressed in the local media, over the past 20-30 years.

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Because of our company philosophy and the nature of programmes we conduct, at Advantage, we receive an extremely low number of complaints, of approximately one complaint from a member of the general public for roughly every 200,000-300,000 contacts we make. These complaints are invariably about the conduct of a telemarketer putting the phone down on a contact, or being mildly abusive. In the past 16 years none of the complaints has been serious enough to warrant any action beyond a written or verbal apology. If anything, the level of complaints we have received in the past 2-3 years has been lower than previously. Given the highly professional manner with which we develop each programme, the high degree of respect we show for all people we contact, and that each programme is likely to be on behalf of a local organisation, the general reaction of most consumers to our calling is quite agreeable and receptive. This includes where we are making 'cold-calls', which fall under the provisions of the Do Not Call Register Bill.

In addition, procedures are currently in place at Advantage to ensure that, if any person we speak to requests no further contact be made with them, that person's details are immediately deleted from any data we hold. Where a client company has supplied the records to be phoned, we advise that client of the contact's request.

For the reasons outlined in ADMA's submission, the Bill, as currently drafted, will significantly hinder the ability of Advantage Communications to effectively service our existing customers and continue to conduct responsible telephone marketing. Indeed many of the current provisions, while appearing sound in theory, will actually be detrimental to the operations of our business and the stated wishes of the people we contact by phone. For example many customers we speak to actually request that further contact be made with them say 6, 9 or 12 months in the future. The current provisions of the bill suggest such contact will be prohibited after 3 months.

We submit that the amendments proposed by the Association are essential to ensure the legislation can deliver on its objectives – i.e. to provide individuals with the choice whether or not to receive future unsolicited telephone calls.

In conclusion I would like to add that while the introduction of a Do Not Call Register will impact on our business, we are largely supportive of its introduction. In recent years the Australian Direct Marketing industry has attempted to develop methods to ensure that communications are directed

only at these people who are receptive to such communications and any offers being made. A method to allow the exclusion of those people who do not wish to be contacted is totally acceptable, providing that;

- The finer details of this method ensures that responsible business practices, and in many cases the wishes of consumers are not interfered with
- The costs for implementing the provisions of the Do Not Call Register are not prohibitive for small business
- The methodology employed for the implementation of the Do Not Call Register is simple to administer and maintain, to ensure its maximum effectiveness
- Penalties for infringements not be punitive, and take into account the fact that small business, while making every effort to adhere to the legislation may, particularly in its current form, unwittingly breach some of its provisions.

I also request that this company be consulted on future developments relating to a national Do Not Call Register.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'David Forrester-Walker', with a long, sweeping horizontal line extending to the right.

David Forrester-Walker
Director