

Formal Warning

Section 129(2) of the *Telecommunications Act 1997*

To: Salescorp Marketing Solutions Pty Ltd ACN 1336 863 217 (Salescorp)
Of: Suite 51a, Circle on Cavil
3184 Surfers Paradise Blvd
Surfers Paradise, QLD, 4217

I, Matthew Anderson, delegate of the Australian Communications and Media Authority (ACMA), being satisfied that Salescorp Marketing Solutions Pty Ltd Can 1336 863 217 (Salescorp) has contravened section 128(1) of the *Telecommunications Act 1997* (the Act), by failing to comply with the *Telecommunications (Telemarketing and Research Calls) Industry Standard 2017* (Telemarketing Industry Standard) as described below;

HEREBY issue a formal warning under subsection 129(2) of the Act, for contraventions of subsection 128(1) of the Act, for failing to comply with paragraph 13(1)(b) of the Telemarketing Industry Standard, namely failing to immediately terminate a call after the call recipient asked for the call to be terminated, or otherwise indicated that they did not want the call to continue.

ACMA Investigation

On 19 May 2020, the ACMA commenced an investigation into Salescorp for alleged contraventions of the Telemarketing Industry Standard. Salescorp admitted the contraventions and had taken steps to rectify the causes of noncompliance.

Obligations

Section 13(1)(b) of the Telemarketing Industry Standard relevantly provides that:

(1) A caller must immediately terminate a call, or ensure that a call is immediately terminated, if:

...

(b) the call recipient asks for the call to be terminated or otherwise indicates that the call recipient does not want the call to continue.

Details of the contraventions

The ACMA, after investigation, has reasonable grounds to believe that, on 4 July 2019, 14 October 2019, and 17 December 2019:

- (a) Calls by Salescorp were not terminated when the call recipients asked for the calls to be terminated or it was otherwise indicated that the call recipient did not want to continue the call.
- (b) The calls were telemarketing calls.

Dated this 10th day of July 2020



Matthew Anderson
Delegate of the Australian Communications and Media Authority