

## Formal Warning

### Compliance with the *Do Not Call Register Act 2006*

**To:** Chase Edwards & Associates Pty Ltd

**Of:** '301', 40 Mann Street, Gosford NSW 2250

I, Jeremy Fenton, delegate of the Australian Communications and Media Authority (ACMA), being satisfied that Chase Edwards & Associates Pty Ltd ACN 140 950 956 (Chase Edwards) has contravened subsection 11(1) of the *Do Not Call Register Act 2006* (the DNCR Act);

**HEREBY** issue Chase Edwards with a formal warning under section 40 of the DNCR Act to comply with subsection 11(1) of the DNCR Act.

#### Obligations under subsections 11(1) of the DNCR Act

Subsection 11(1) of the DNCR Act provides that:

A person must not make, or cause to be made, a telemarketing call to an Australian number if:

- (a) the number is registered on the Do Not Call Register; and
- (b) the call is not a designated telemarketing call.

Under subsections 11(2), (3), (4) and (5) of the DNCR Act, exceptions apply to the prohibition in subsection 11(1).

Subsection 11(8) provides that subsection (1) is a civil penalty provision.

Section 40 of the DNCR Act provides that the ACMA may issue a formal warning if a person contravenes a civil penalty provision.

'Telemarketing call' is defined in section 5 of the DNCR Act.

'Designated telemarketing call' is defined in Schedule 1 to the DNCR Act.

#### Investigation

The ACMA commenced an investigation into Chase Edwards on 6 November 2020, following complaints alleging telemarketing calls had been made to a number on the Do Not Call Register.

#### Details of the contraventions

The ACMA found that:

- (a) Chase Edwards caused 2 telemarketing calls to be made to Australian numbers on the Do Not Call Register on 20 August 2020;
- (b) the calls were not designated telemarketing calls; and
- (c) no exceptions applied to Chase Edwards causing the telemarketing calls to be made.

Dated this 18th day of May 2021.

  
**Jeremy Fenton**  
Delegate of the Australian Communications and Media Authority