

## Formal Warning

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

**To:** National Advice Service Pty Ltd

**Of:** 'Oasis Shopping Centre', Level 2, Suite 1, 75 Surf Parade, BROADBEACH QLD 4218

I, Jeremy Fenton, delegate of the Australian Communications and Media Authority (ACMA), being satisfied that National Advice Service Pty Ltd ACN 636 436 747 trading as National Review Team (National Review Team), has contravened subsection 11(1) of the *Do Not Call Register Act 2006* (DNCR Act);

**HEREBY** issue National Review Team with a formal warning under section 40 of the DNCR Act, to comply with subsection 11(1) of the DNCR Act.

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

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

- (1) 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.

Subsection 11(2) has the effect that subsection 11(1) does not apply if the relevant account-holder consented to the making of the telemarketing call.

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.

Consent is defined in Schedule 2 to the DNCR Act.

#### Investigation

The ACMA commenced an investigation into National Review Team on 8 October 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) National Review Team made, or caused to be made, calls to an Australian number on the Do Not Call Register on 9 June 2020
- (b) the calls were telemarketing calls
- (c) the calls were not designated telemarketing calls, as set out in Schedule 1 to the DNCR Act.

Dated this 9th day of December 2020.

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