



Formal Warning

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

To: Investors Choice Group Pty Ltd ACN 146 164 650 (Investors Choice Group)

Of: 112 Sir Bruce Small Boulevard
Benowa QLD 4217

I, Jeremy Fenton, delegate of the Australian Communications and Media Authority (ACMA), being satisfied that Investors Choice Group has contravened 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, to comply with paragraph 9(2)(b) of the Telemarketing Industry Standard.

ACMA Investigation

The ACMA commenced an investigation into Investors Choice Group on 11 October 2021, following complaints alleging contraventions of the Telemarketing Industry Standard.

Obligations

Paragraph 9(2)(b) of the Telemarketing Industry Standard relevantly provides that:

- (2) The caller must give, or cause to be given, the following information to the call recipient as soon as the call starts:

...

- (b) if the individual making the call is not self-employed, the company name or registered business name of the employer of the individual making the call, or if these details do not exist, a name by which the organisation or individual can be readily identified.

Details of the contraventions

The ACMA, after investigation, has reasonable grounds to believe that between 18 February 2021 and 25 August 2021:

- a) Investors Choice Group made calls to Australian numbers;
- b) the calls were telemarketing calls; and
- c) Investors Choice Group's agents did not provide the company name or registered business name at the start of the calls.

Dated this 16th of March 2022.


Jeremy Fenton
Delegate of the Australian Communications and Media Authority