



Commission for
Communications Regulation

Information Notice

Complaints about telemarketing calls

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An Coimisiún um Rialáil Cumarsáide

Commission for Communications Regulation

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ComReg has been receiving exceptionally high numbers of enquires and complaints in respect of repeated and persistent tele-marketing calls from a company where the telephone subscriber has previously informed the calling company that they do not want to receive such a call. ComReg believes this situation is unacceptable and in cooperation with the Data Protection Commissioner is taking action to address this issue in order to inform and protect consumers of fixed telephony services.

In relation to the communications sector for which ComReg has responsibility, ComReg wishes to emphasise that all providers of electronic communication services who are engaged in making direct marketing calls are required to observe the provisions of the Data Protection and Privacy Regulations. In particular, all service providers must have procedures and processes in place to ensure that they do not make unsolicited sales calls where a subscriber has specifically expressed a preference not to receive such calls.

Every consumer has the right to instruct 'cold-callers' that they do not wish to receive any direct marketing calls from them in the future. Accordingly when a telephone user receives an unwanted marketing call, they can instruct the caller not to call them again. If the company continues to make calls, ignoring this request, an offence is being committed.

Advice for Telephony Subscribers:

- If you receive an unwanted marketing call, instruct the calling company not to phone you again
- State that you wish them to remove your telephone number from their contact list and enter it into any no-contact list they have
- You may still receive calls for a short period, up to 3 working days, whilst your request is progressed but if the company keeps calling you they are breaking the law
- You can report a company to the Office of the Data Protection Commissioner, Lo-Call 1890 252231, if these calls persist

To provide a further safeguard for consumers against receiving unsolicited marketing calls, telephone subscribers can have their number entered into a centrally held no-contact listing which is available to all marketing companies. Under the Data Protection and Privacy Regulations, it is an offence for anyone to ring a telephone number for the purpose of a sales call more than 28 days after the number has been entered into this listing unless the caller has some form of consent to rely upon. To be entered on this central listing, users should contact the telephone company to whom they pay their line rental charge and advise them that they wish to opt-out from receiving direct marketing calls.

ComReg has powers to investigate the activities of telephony service providers that make repeated, unwanted, direct marketing calls and has launched a formal investigation into a company in respect of a number of specific complaints received to date. ComReg is coordinating with the Data Protection Commissioner's Office in carrying out this investigation.

Further information about dealing with unwanted marketing calls and other advice can be found on the ComReg consumer website www.askcomreg.ie under the consumer guides section.

If consumers believe that they have been subject to unsolicited calls when there has been a prior request that no contact be made, they may report such behaviour to the Data Protection Commissioner's Office on their Lo- Call Number 1890 252231.