



Committee Secretary
Senate Environment, Communications,
Information Technology and the Arts Committee
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9th June 2006

Re: Inquiry into the provisions of the Do Not Call Register Bill 2006

I write in response to the above enquiry. As a member of the Australian Direct Marketing Association (ADMA), and an organisation that conducts responsible telephone marketing practices, we would like to fully support the submission made by ADMA in relation to the provisions of the Do Not Call Register Bill 2006.

Australian Wine Selectors (AWS) operates some of Australia's most successful direct marketing wine clubs, including the Hunter Valley Wine Society, with over 100,000 customers located throughout Australia. AWS employs over 250 local people through its head office and call centre in Newcastle, and its distribution warehouse located in Kurri Kurri, NSW.

AWS is one of the largest independent retailers of premium wine in Australia. The company contributes significantly to the local economies of wine regions throughout rural Australia, dealing with over 400 wine producers nationally.

Currently AWS uses publicly available telecommunications data to perform telemarketing activities, such as acquiring new customers. This method of communication provides an effective way of marketing and achieving sales. We believe that our current self regulation practices ensure we use this data appropriately and do not make further contact with those members of the public who would prefer this. AWS uses both the Australian Direct Marketing Association's (ADMA) Do Not Contact List as well as AWS's internal call suppression processes.

AWS utilises computerised dialler technology which is currently the most cost and time effective telemarketing methodology available. Any moves to ban or over-regulate its use would be a disastrously retrograde move for our business, and others like it.

In particular we have significant concerns regarding a number of specific issues within the Bill. These include:

- The registration of phone numbers rather than individuals,
- Inconsistencies with both the Privacy Act and the Spam Act,
- The complex and unwieldy definitions of the various forms of Consent,
- The lack of clarity in what constitutes both a “mistake” and “reasonable precautions”,
- The fines structure being based on a “per call” rather than a “per incident” basis, and
- The entire section relating to compensation.

AWS offer one of the few alternatives to the retail duopoly. Excessive regulation will only further strengthen the unhealthy and anti-competitive grasp held on the retail sector by the Coles Myer and Woolworths duopoly. The fact that there has been no limitation put on the acquisition of shopfront retailing by these giants only further strengthens the needs for alternatives such as Australian Wine Selectors.

We would be happy to elaborate on these issues with you further, if required, and look forward to further consultations from your Committee regarding this Bill.

Yours sincerely,



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