

## What to do if you receive a recorded (automated) marketing call from the UK.

An automated call is a call during which the person taking the call can't speak to an actual person. They usually involve recorded messages played to the recipient when they answer the telephone. In the UK, it is required that people must say beforehand that they want automated marketing calls. All marketing messages sent by automated calling systems must include the caller's identity and an address or a freephone number at which the caller can be contacted.

## To complain about a recorded marketing message you've received from a UK number

If the automated call invites you to call a UK premium-rate number (one starting with 090), ask PhonepayPlus, the premium-rate regulator, for advice at [www.phonepayplus.co.uk](http://www.phonepayplus.co.uk).

For all other UK calls you can contact the Information Commissioner's Office (ICO) who is the UK's independent authority set up to promote access to official information and to protect personal information. Please click on the link to the ICO's website to complete a complaint form.

## How can I contact the Data Protection Commissioner?

By phone: (057) 868 4800 or 1890 252 231

By email: [info@dataprotection.ie](mailto:info@dataprotection.ie)

By post: Office of the Data Protection Commissioner  
Canal House,  
Station Road,  
Portllington,  
Co Laois.

## How can I contact ComReg?

By phone: (01) 804 9668 or 1890 229 668\*  
(9.00am to 5.30pm, Monday to Friday)

By fax: (01) 804 9680

By email: [consumerline@comreg.ie](mailto:consumerline@comreg.ie)

By post: **ComReg Consumer Team**

**Irish Life Centre, Block DEF, Lower Abbey Street, Dublin 1.**

Our websites are: [www.comreg.ie](http://www.comreg.ie) / [www.askcomreg.ie](http://www.askcomreg.ie) / [www.callcosts.ie](http://www.callcosts.ie) / [www.phonesmart.ie](http://www.phonesmart.ie)

# Dealing with Cold Calls

[www.askcomreg.ie](http://www.askcomreg.ie)



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**Plain English**  
Approved by NALA

 Commission for  
Communications Regulation

# A guide to preventing unwanted calls from direct marketing companies

As a telephone user, you can register whether or not you want to receive 'cold calls' or 'unsolicited calls' to your phone.

'Cold calling' is when a company calls you, without getting your permission, and try to sell you goods or services. An 'unsolicited call' means a call that you did not ask for. This is sometimes called 'direct marketing'. It is easy and free of charge to make your preference known. You just need to contact your phone line provider - the company to which you pay line rental.

You should note that the regulatory requirements in this area are about direct marketing calls only. So, it is legal, for example, for companies to contact you to ask you to take part in a survey.

In this guide, we:

- describe how you can make your preference known; and
- outline what you can do if you receive 'cold calls' against your wishes.

## How does the process work?

All phone numbers in public phone books or available through directory enquiries are held in a central record known as the National Directory Database (NDD).

To stop receiving direct marketing calls contact your phone provider and tell them that you do not want to receive these calls. They will make sure that this is recorded in the NDD.

The NDD also maintain the 'do not call' direct marketing register. This may take up to five working days.

It can take up to 28 days after the information is recorded in the NDD for marketers to access the opt-out listing. This depends on how often they update their own listings.

**Landline users** If you have a landline (fixed-line phone) and you do not want direct marketing companies to call you, you should contact the company from which you rent the line.

If your telephone line is ex-directory you should not receive direct marketing calls from marketers who use the NDD do not call list. Ex-directory means that your number is not listed in the printed telephone book or with directory enquiries.

**Mobile phone users** It is against the law for a direct marketer to call you on your mobile phone unless you told them beforehand that they could. If they do contact you without your agreement and you do not want them to ring you again, ask them not to contact you again and or complain to the Office of the Data Protection Commissioner (contact details are overleaf).

This office can investigate and prosecute the company if necessary.

If you wish to receive direct marketing calls on your mobile you should contact your mobile phone operator. They will place you on the NDD opt-in direct marketing list.

It is also against the law for a direct marketer to use text messages to try and sell you something without having agreed with them beforehand that they had your permission to do this.

For businesses, text messages can be sent until the sender is asked to stop and any messages after that from the sender is against the law. You can get more detailed information on this - from the Office of the Data Protection Commissioner (contact details are overleaf).

## What about unsolicited faxes?

**To homes** Direct marketing companies are not allowed to send any household customer a fax without getting their permission first.

**To businesses** Direct marketing companies are allowed to send unsolicited faxes to businesses. If you do not wish to receive faxes from a direct marketing company you should tell the company that you do not wish to receive such faxes, they are required to respect your wishes. If they contact you again you can contact the Data Protection Commissioners Office to make a complaint.

## What can you do if you receive marketing calls against your wishes?

Not all marketing calls fall into the category of 'unsolicited calls' or a 'cold call'. A business may contact you for marketing purposes if you are or recently were a customer. It can do this if you have agreed to be receive direct marketing as a customer or a past customer.

You might also receive a marketing call if you provide phone details to a company, for example by entering a competition, redeeming coupons or requesting a brochure. If you do not want the company to phone, say that when you give your details.

If you get an unwanted marketing call from a business that you have not dealt with before, or to which you have not provided contact details, tell the caller you do not want to be contacted by that company again.

If you get the call more than 28 days after your details have been recorded in the opt-out register of the NDD, or after you have told the company in question not to contact you again, you may wish to complain to the Office of the Data Protection Commissioner. This office can investigate and prosecute the company if necessary.

The rules and Regulations regarding direct marketing calls do not extend to direct marketing calls from outside Ireland.