

FURTHER INFORMATION REQUIRED BY ACCC

REQUEST 1:

All (3) Annual Reports of Code Authority enclosed. (Clarify whether required in electronic form)

REQUEST 2:

CEASA Direct Marketing Report for 2002 provides details on the size of the DM market. The ADMA Member Directory for 2003 attached.

Direct Marketing is not an industry as such; rather it is a data-driven marketing discipline employing a number of channels from the traditional direct mail to mobile marketing. The new technologies such as SMS technology were not envisaged at the time of the original authorisation. ADMA members are organisations including companies and not-for-profit organisations which utilise direct marketing as part of their operations, suppliers to those organisations and advertising agencies.

The barriers to entry are very low and there are any number of small organisations which could broadly be described as direct marketers, most of which are not ADMA members operating at any one time. Particularly since the advent of the Internet the numbers fluctuate considerably. It is therefore impossible to quantify the proportion of ADMA's 'market share' as would be the case with a manufacturing or retailing activity.

The latest CEASA report quantifies direct marketing in terms of media spend, which was \$17.4b in 2002. ADMA estimates that its members account for between 80% and 85% of that total.

REQUEST 3:

The ADMA Board of Directors decided to undertake the review of the ADMA Code subsequent to the review of the MCCA Model Code of Practice. This timing ensures that additions or amendments to the MCCA Code can be considered by the independent panel undertaking the ADMA Code review.

The Ministerial Council undertook to review the Model Code within a three year period. Had this deadline been adhered to, the review of the ADMA Code would have been undertaken prior to the reapplication for Authorisation.

ADMA proposed to undertake the Code review on approval of the amended Model Code.

REQUEST 4:

1. Compliance with 9.3 of A4077

- a) See ADMA Code - Appendix 1 - Clause 3.7
- b) See ADMA Code - Section A - Clause 6
- c) Superseded by National Privacy Principles applying without limitation
- d) See ADMA Code - Section B - Clause 17
- e) See ADMA Code - Section G - Clause 1 & 2
- f) See ADMA Code - Section F - Respecting Consumer Preference
- g) See ADMA Code - Section G - Clause 8
- h) See Appendix 1 - Clause 3.5
- i) This is by the exercise of Section G - Clause 2. With regard to the second requirement see ADMA Code - Section G - Clause 13
- j) See ADMA Code - Section G - Clause 18
- k) See ADMA Code - Section G - Clause 18 (reference to ADMA Board removed)
- l) See ADMA Code - Section G (the required deletions have been made)
- m) See Request 3 above

2. Compliance with 9.4 of A4077

- a) See compliance with Compliance with 9.3 of A4077 above
- b) See ADMA Code - Section D
- c) See ADMA Code - Section E

ADMA 21 August 2003