



# Royal Institute for Deaf and Blind Children

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Note: This notification has also been submitted via email.

The general Manager  
Adjudication Branch  
Australian Competition and Consumer Commission  
Via facsimile: 02 6243 1211

Dear Sir,

I would like to attend the ACCC conference in relation to its ADMA draft determination to be held of 14 November 2005.

I represent the Royal Institute for Deaf and Blind Children (RIDBC) which has an interest in the determinations of the ACCC with respect to the ADMA Code of Practice.

RIDBC operates an outbound call centre engaged in charitable fundraising generating net proceeds in excess of \$2mill per annum to fund services to children with significant vision or hearing impairment and also children with additional disabilities. The call centre currently operates from 9:00am to 9:00pm on weekdays which is in accordance with the permitted calling hours of the ADMA Code of Practice 2001 and the Ministerial Council on Consumer Affairs Direct Marketing Model Code of Practice (September 2003).

Our interest is in respect of the September 2005 draft of the ADMA Direct Marketing Code of Practice in particular section D.20 Permitted Calling Times which specifies the hours of 9:00am to 8:00pm unless permitted by Federal or State legislation.

It is our position that the reduced calling hours would reduce our opportunities to raise funds for our cause by 8% and this would significantly impact our ability to fund the services provided by our organisation.

The intent of the ADMA draft in reference to this issue was to provide for organisations such as RIDBC to be able to draw on legislation to regulate the trading hours where permitted however the statement in D.20 is ambiguous in our opinion. We believe that we are disadvantaged in NSW as we are required by the NSW Charitable Fundraising Regulation 2003 schedule 1 - "13 Fundraising through telemarketing" to adopt the ADMA code of practice 2001 Part C. We do not have the option not to adopt the ADMA code and we therefore would like to ensure that our position is clearly stated.

We would submit that ADMA should adopt the wording from the Ministerial Council on Consumer Affairs "A model Code of Practice" dated September 2003 part 4 clause "63 permissible hours of calling" with the phrase "except when legislation provides for reduced calling hours."

I would appreciate your confirmation of my registration for the conference.

Regards,

Frank Antonini  
Manager, Call Centre Fundraising  
Royal Institute for Deaf and Blind Children