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Unwanted telephone calls - submit a complaint

Heruntergeladen am 24.06.2025

<https://fimportal.de/xzufi-services/1257/L100022>

Modul	Sachverhalt
Leistungsschlüssel	99070008000000
Leistungsbezeichnung I	Unwanted telephone calls - submit a complaint
Leistungsbezeichnung II	Unwanted telephone calls - submit a complaint
Typisierung	1 - Bund: Regelung und Vollzug
Quellredaktion	Baden-Württemberg
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	

Modul	Sachverhalt
Fachlich freigegeben am	
Fachlich freigegeben durch	
Handlungsgrundlage	<p>Gesetz gegen den Unlauteren Wettbewerb (UWG)</p> <ul style="list-style-type: none"> • § 7 Unzumutbare Belästigungen • § 8 Beseitigung und Unterlassung • § 20 Bußgeldvorschriften <p>Telekommunikationsgesetz (TKG)</p> <ul style="list-style-type: none"> • § 102 Rufnummernanzeige und Unterdrückung
Teaser	You can report such calls to the relevant authorities free of charge.
Volltext	<p>You can report such calls to the relevant authorities free of charge.</p> <p>An advertising call is permitted if you have expressly consented to the telephone advertising beforehand.</p> <p>To do this, you must have given your consent specifically to telephone advertising offers.</p> <p>It is not sufficient for the caller to obtain your consent during the telephone call.</p> <p>Consent you can usually also give your consent by confirming a pre-formulated declaration (for example by ticking or signing it) if sit</p> <ul style="list-style-type: none"> • is contained in a separate text or • Text section without any other content and • it is clear from the text of the consent which specific products or services of which companies are to be advertised. <p>Consent is generally ineffective if it is</p> <ul style="list-style-type: none"> • is hidden in the general terms and conditions or • is linked to further declarations, such as consent to a telephone notification of a prize.

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The calling company may not suppress its telephone number. This also applies to telephone advertising to which you have consented.

Tip: Read the small print carefully and cross out the relevant text passages. A already consent you have already given can be revoked at any time for the future.

Even if a contractual relationship exists between you and the calling company, the company may not call you for advertising purposes without your express consent. This also applies to additions, amendments and extensions to the existing contract or new offers. Even after you have cancelled a contract, the provider may not generally engage in "follow-up advertising" by making you alternative offers by telephone.

Erforderliche Unterlagen

In the event of a complaint about unauthorised telephone advertising, the Wettbewerbszentrale also requires the submission of a signed affidavit stating

- the date and time of the call,
- the person making the call,
- the company for which the call was made
- the course of the call and
- stating that you have not given the advertising company your consent to telephone advertising.

If necessary, she can then quickly obtain an interim injunction.

The Wettbewerbszentrale can provide you with a leaflet for a memo for unauthorised telephone calls.

Voraussetzungen

- The advertising call is made without your consent or
- the calling company has suppressed its telephone number.

Kosten

Complaints to the competent authorities are free of charge.

For an individual telephone consultation with the Consumer Advice Centre, you may incur costs of EUR 1.86 per minute from a German landline (mobile

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phone prices may vary) - but only after making an appointment.

Personal or written specialist and legal advice as well as e-mail counselling:

- Standard counselling up to 20 minutes: EUR 22.00
- particularly time-consuming advice: for every additional ten minutes or part thereof: EUR 11.00

Verfahrensablauf

You can submit a complaint to the competent authorities in various ways.

You should provide the following information:

- Your contact details: Address and telephone number, fax number or e-mail address, different contact person if applicable
- Telephone number to which the call was made
- Name, owner of the company making the call
- Telephone number of the company (if this has not been suppressed)
- Name of the caller
- Date of the call
- Time of the call
- Reason for the call: What was advertised?
- possible existence of consent to telephone advertising

The Federal Network Agency and the Competition Centre have each prepared their own complaint forms. If you regionalise yourself on this page, these are available to you under Forms & Online Services. However, you can also submit your complaint informally by post, fax or e-mail.

If the company does not stop the advertising calls, you can also take action against the company yourself.

Bearbeitungsdauer
Frist

none

weiterführende Informationen

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Hinweise

The Federal Network Agency will take up your complaint, register it and follow up on any useful information. If it discovers an infringement of the law, it can impose a fine of up to EUR 300,000 on the calling company as the state supervisory and regulatory authority for the telecommunications sector. Anyone who violates the ban on number suppression can be fined up to EUR 100,000.

The Federal Network Agency cannot always inform you as the complainant about the progress and outcome of the proceedings.

The Consumer Advice Centre and the Competition Centre can take civil action against the company making the complaint, for example by issuing a warning or taking legal action for an injunction. Consumers who are not members of the Wettbewerbszentrale are not informed about the status of the proceedings. The Wettbewerbszentrale would like to point out that it must disclose your name and address or e-mail address as part of an out-of-court dispute settlement.

If you would like to report a company to the consumer advice centre and do not wish to receive a response or advice, you can do so by e-mail at info@vz-bw.de.

If you would like individual advice, the consumer advice centre offers you the choice between

- a personal consultation at one of the local advice centres,
- telephone counselling or
- an e-mail counselling service with an online input mask.

Please note: The ban on unauthorised telephone advertising does not affect the validity of contracts that may be concluded between you and the calling company in the event of an unsolicited call. If you agree to order goods or services during such a telephone call, a binding contract may be concluded under certain circumstances. Contracts agreed by

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telephone are valid. Therefore, do not enter into any discussion with the caller and hang up. If a company nevertheless claims that a contract has been concluded as a result of the telephone call, you generally have the right to cancel the contract within 14 days without giving reasons. If the company has informed you of your right of cancellation in accordance with the statutory provisions, this period begins on receipt of the goods in the case of a purchase contract and on conclusion of the contract in the case of a contract for services. If you are informed of your right of cancellation at a later date, the start of the period is postponed accordingly. If you have not been properly informed about your right of cancellation, or have not been informed at all, the right of cancellation generally only expires one year later than usual - after twelve months and 14 days from receipt of the goods or conclusion of the contract.

An exception applies to prize draw services: Contracts in which a company offers to register you to take part in prize draws organised by a third party can only be effectively concluded by letter, fax or email (text form).

Even if you have consented to a call, no obligations can arise for you from a telephone agreement with prize draw services.

Rechtsbehelf

Revocation

Kurztext
Ansprechpunkt
Zuständige Stelle
Formulare
Ursprungsportal