



14 June 2011

AUSTRAC Senate Committee Secretary Senate Legal and Constitutional Committee
PO Box 6100
Parliament House
CANBERRA ACT 2600

Dear the Committee Secretary

LEGISLATION REQUIRING THE DISCLOSURE OF EMPLOYEES PERSONAL DETAILS TO THIRD PARTIES

I write to you regarding the legislation which is currently before Parliament which will require our employees to disclose their personal details to third parties.¹ Specifically the *Australian Transaction Reports and Analysis Centre Supervisory Cost Recovery Levy Bill 2011*; *Australian Transaction Reports and Analysis Centre Supervisory Cost Recovery Levy (Collection) Bill 2011*; and *Australian Transaction Reports and Analysis Centre Supervisory Cost Recovery Levy (Consequential Amendments) Bill 2011* (the Bills). The Bills will be considered by the Senate on Thursday 16 June 2011. We write to you as the Committee Secretary for the Senate Legal and Constitutional Committee which is reviewing these Bills.

I am writing to express Coles Express' concerns about some of the practical implications of these proposed rules.

The legislation will require that on each occasion an individual team member has contact with our cash collection services provider, in this case Armaguard, he/she would need to provide the following information to the Armaguard representatives:

- Full name (and any other name that they may be known by)
- Date of birth
- Residential address
- Phone number
- Occupation
- Copy of ID document (eg driver's license).

Whilst Coles Express strives to comply by the legislative and regulatory requirements of the Australian Government, we are extremely concerned that these new rules would:

- Invade our team members' privacy
- increase security risks for our employees personally
- increase security risks for our business
- put employers in an untenable position and may cause industrial unrest
- significantly increase the burden and cost of compliance.

¹ The changes are contained in the *Anti-Money Laundering and Counter-Terrorism Financing Rules Instrument 2010 (No 3)* due to take effect on 1 October this year and in the *Australian Transaction Reports and Analysis Centre Supervisory Cost Recovery Levy Bill 2011*; *Australian Transaction Reports and Analysis Centre Supervisory Cost Recovery Levy (Collection) Bill 2011*; and *Australian Transaction Reports and Analysis Centre Supervisory Cost Recovery Levy (Consequential Amendments) Bill 2011*.

We therefore submit that these disadvantages clearly outweigh any perceived anti-money laundering benefit.

I would therefore ask that you take whatever steps are necessary to prevent these rules becoming law. Should you wish to further discuss this further please feel free to contact Robert Hadler on 03 9829 3534 or via email robert.hadler@coles.com.au.

Yours sincerely

Peter Short
General Manager
Coles Express