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9 June 2011

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

Dear Sir/Madam

**URGENT CALL FOR YOUR ACTION AGAINST LEGISLATION  
REQUIRING EMPLOYEE PRIVATE DETAILS**

Changes to anti-money laundering legislation are about to be introduced by Federal Parliament which will invade employees' privacy and increase costs to business.<sup>1</sup>

When conducting cash delivery or pickup, cash collection agencies, like Armaguard, will be required to collect from [name of organisation's] individual employees and then report to AUSTRAC the employees':

- Full name (and any other name that they may be known by);
- Date of birth;
- Residential address;
- Phone number;
- Occupation; and
- Proof of identity, ie. copy of identity document (eg driver's licence).

Collection of this information is apparently aimed at preventing money laundering and terrorism funding, although we don't understand how.

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<sup>1</sup> 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 are extremely concerned about this. We have made a submission to the Senate inquiry on the proposed legislation opposing these measures. We have also written directly to AUSTRAC.

These changes are due to be considered by the Senate on Thursday 16<sup>th</sup> June 2011.

Our submission to the Senate Inquiry expresses our deep concern 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; and
- significantly increase the burden and cost of compliance.

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

We urge you not to support this aspect of the legislative package. Our view is that it would be sufficient for the cash collection agency to confirm the person with whom they interact is an employee of [name of your organisation] and authorised to act on our behalf.

We are happy to provide a copy of our Senate Inquiry submission if that would assist you. Please feel free to give me a call if you would like to discuss this issue further.

Yours sincerely

Ruth Feltoe  
Legal Counsel – Corporate Solicitors Office