

Telephone: 61 3 9829 5376
Facsimile: 61 3 9829 3760
tony.leon@coles.com.au

14 June 2011

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

By email: legcon.sen@aph.gov.au

Dear Sir

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 Minister responsible for these Bills.

I am writing to express Coles Liquor's concerns about some of the practical implications of these proposed rules. The Coles Liquor businesses comprises of Liquorland, Vintage Cellars and First Choice Liquor Superstore.

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)
- 10 June 2011 of birth
- Residential address
- Phone number
- Occupation
- Copy of ID document (eg driver's license).

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*.


Whilst Coles Liquor 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.

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.

Yours sincerely,

 **Tony Leon**
General Manager
Coles Liquor