

DEPARTMENT of POLICE and PUBLIC SAFETY



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EXECUTIVE SUPPORT

17 November 2006



Ms Jackie Morris
A/Secretary Legal and Constitutional Affairs Committee
Department of Senate
Parliament House
Canberra ACT 2600
legcon.sen@aph.gov.au

RE: INQUIRY INTO THE ANTI-MONEY LAUNDERING AND COUNTER-TERRORISM FINANCING BILL 2006

Thank you for the invitation to make a submission to the Legal and Constitutional Affairs Committee on the inquiry into the *Anti-Money Laundering and Counter-Terrorism Financing Bill 2006*.

I note that the Bill will impose reporting and other obligations on the financial gambling sectors, bullion dealers, lawyers and accountants, who provide designated services, such as opening accounts, sending and receiving electronic funds transfer instructions, roll over or transfer of superannuation funds and exchanging currency. The second tranche of reforms will cover real estate agents, jewellers, lawyers and accountants.


I also note that the Bill builds on the existing obligations imposed under the *Financial Transaction Reports Act 1988 (Cth)*.

Throughout the Bill, it refers to 'police officers', the definition of which in part states, "**police officer**—includes members of the AFP or members of the police force or service of a State or Territory." Whilst it is expected that Australian Transaction Reports and Analysis Centre (AUSTRAC), Australian Federal Police (AFP) and Customs personnel having specific training and expertise will enforce this legislation, it is anticipated that a detailed explanatory brief will be provided to all States and Territories Police Services, outlining what the obligations and responsibilities of police officers will be under the Act, including the issue of infringement notices (clause 184), questioning, search, and arrest powers (Division 8).

Further, clause 212 permits the CEO AUSTRAC to consult with a number of agencies including the Commissioner of the Australian Federal Police. I would recommend that this authority be expanded to include the Commissioners of State and Territory Police Services, thereby allowing for the timely and appropriate flow of intelligence concerning criminal and terrorist activity.

Thank you again for the opportunity to comment.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'R McCREADIE', with a large, sweeping flourish extending to the left.

R **R McCREADIE**
Commissioner of Police