



**Australian
Privacy
Foundation**

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13 September 2007

Senator Joe Ludwig
Shadow Attorney-General and
Manager of Opposition Business in the Senate
Parliament House
Canberra

Re: Anti-Money Laundering/Counter-Terrorism Financing Act

Dear Senator Ludwig

The AMC-CTF Amendment Act is very bad policy. It requires a host of small businesses to become government agents and to spy on their customers.

When the first tranche of the AML-CTF legislation was passed, it was understood that separate legislation would be tailored to the patterns of small businesses such as real estate agents, financial planners, and jewellers. Instead, the Minister proposes to apply the existing draconian provisions on a wide scale.

The Australian Privacy Foundation is the country's leading privacy advocacy organisation. I attach a copy of the APF's most recent submission in relation to the AML-CTF legislation. The substantial submissions in relation to the original Bill, prepared during 2006, are also attached.

We urge you, in your roles as Shadow Attorney-General and Manager of Opposition Business in the Senate, to pursue a Senate Committee inquiry with regard to this amendment before it is considered for a vote.

We further submit that, after the Labor Party resumes government, all aspects of the AML-CTF regime should be promptly re-visited, in order to restore the balance in civil liberties and privacy that Australians have progressively lost under the Howard Government.

Yours sincerely

Roger Clarke
Chair, Australian Privacy Foundation
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Australian Privacy Foundation

Background Information

The Australian Privacy Foundation (APF) is the primary association dedicated to protecting the privacy rights of Australians. The Foundation aims to focus public attention on emerging issues which pose a threat to the freedom and privacy of Australians. The Foundation has led the fight to defend the right of individuals to control their personal information and to be free of excessive intrusions.

The APF's primary activity is analysis of the privacy impact of systems, and proposals for new systems. It makes frequent submissions to parliamentary committees and government agencies. It publishes information on privacy laws and privacy issues. It provides continual background briefings to the media on privacy-related matters.

When necessary, the APF conducts campaigns for or against specific proposals. It works with civil liberties councils, consumer organisations, professional associations and other community groups as appropriate to the circumstances. The Privacy Foundation is also an active participant in Privacy International, the world-wide privacy protection network. Where possible, it cooperates with and supports official agencies, but it is entirely independent – and often critical – of the performance of agencies set up to administer privacy legislation.

The APF's Board comprises professionals who bring to their work deep experience in privacy, information technology and the law.

The following pages provide access to information about the APF:

- papers and submissions <http://www.privacy.org.au/Papers/>
- resources <http://www.privacy.org.au/Resources/>
- media <http://www.privacy.org.au/Media/>
- Board-members <http://www.privacy.org.au/About/Contacts.html>

The following pages outline several campaigns:

- the Australia Card (1985-87)
<http://www.privacy.org.au/About/Formation.html>
- the Medicare Smart Card (2004-06)
http://www.privacy.org.au/Campaigns/ID_cards/MedicareSmartcard.html
- the Human Services Card (2005-06)
http://www.privacy.org.au/Campaigns/ID_cards/HSCard.html
- the Australia Card Mark II (2005-06)
http://www.privacy.org.au/Campaigns/ID_cards/NatIDScheme.html
- the Human Services 'Access Card' (2006-)
http://www.privacy.org.au/Campaigns/ID_cards/HSAC.html