



BY FAX

October 4, 2005

Diane Lafleur
Director, Financial Services Division
Department of Finance
140 O'Connor Street
Ottawa, Ontario K1A 0G5

Dear Diane Lafleur:

Department of Finance discussion paper—"Enhancing Canada's Anti-Money Laundering and Anti-Terrorist Financing Regime"—OIPC File No. P05-26693

I write respecting the above Department of Finance consultation paper.

I have had the benefit of reading the September 29, 2005 submission made by Raymond D'Aoust, Assistant Privacy Commissioner of Canada, on behalf of the Office of the Privacy Commissioner of Canada ("OPCC"). I gratefully adopt the OPCC's submissions and urge the Minister to give careful consideration to them.

An over-riding consideration is whether the case has been made that further expansion of the state's powers is necessary. As the OPCC submission says (at p. 1):

Are the changes being proposed in the consultation paper necessary? We do not know and the paper does not present a compelling case for the proposed changes. Answering this question is extremely difficult for an organization with limited knowledge of the world of money laundering or terrorist financing. We do not have a sense of the scope of the problem or if the measures being proposed will be effective.

This is of critical importance because the proposed changes to the *Proceeds of Crime (Money Laundering) and Terrorist Financing Act* would further erode privacy rights for residents of British Columbia.

In light of the impact on privacy of the enhancements and new powers and obligations proposed in the discussion paper, I suggest that the changes not be

made unless and until there is clear evidence of a compelling need for them and it has been shown that the changes have the least intrusive impact on privacy possible in the circumstances.

Yours sincerely,

ORIGINAL SIGNED BY

David Loukidelis
A/Information and Privacy Commissioner
for British Columbia

cc: Jennifer Stoddart
Privacy Commissioner of Canada

Raymond D'Aoust
Assistant Privacy Commissioner of Canada

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