



Office of the Secretary  
Federal Trade Commission  
Room 159 H  
600 Pennsylvania Avenue NW  
Washington, DC 20580  
United States of America

Dear Secretary

**Alternative Forms of Privacy Notices, Project No. P034815**

I am writing to you about the advance notice of proposed rulemaking (ANPR) announced by eight US federal regulators in which they request public comment on ways to improve the privacy notices financial institutions provide to consumers under the Gramm-Leach-Bliley Act (GLB Act).

I am writing in my capacity as the Federal Privacy Commissioner of Australia and in my capacity as the convenor of the 25<sup>th</sup> International Conference of Data Protection and Privacy Commissioners that was held in Sydney in September 2003.

As convenor, I sponsored a resolution that was unanimously adopted by all Commissioners at the conference which called for improved privacy notices for consumers. The nub of the resolution set out requirements that Commissioners considered essential to appear in an easily comprehended 'Condensed Notice' to be made available to consumers. A copy of the resolution is attached.

As such, Data Protection and Privacy Commissioners support the broad direction being taken by the Federal Trade Commission and the other regulators in seeking to improve notices provided under the Gramm-Leach-Bliley Act. Commissioners noted in the Conference resolution the importance of achieving global consistency in the way organisations communicate this information.

In drafting the resolution, we kept in close contact with developments in the United States where similar concerns had already been identified, including the work of the Center for Information Policy Leadership directed by Martin E Abrams. The Center has pioneered some excellent work on the 'short' or 'layered' notice approach to improving privacy notices.

A group of data protection commissioners has worked with the Center since the adoption of the resolution on ways of implementing the Conference resolution worldwide. We are working informally with a group of interested business and consumer representatives towards this end, with the aim of reporting further to the 26<sup>th</sup> Conference of Commissioners when they meet in Poland in September 2004.

I hope that this letter of support assists the Federal Trade Commission and the other regulators in the important work of improving consumer understanding and involvement in the management of their personal information. I wish the Federal Trade Commission and the other regulators well in your work.

Given his interest in this particular issue, I am also writing in similar terms to the Comptroller of the Currency, John D Hawke, Jr.

Yours sincerely

A handwritten signature in black ink that reads "Malcolm Crompton". The signature is written in a cursive, flowing style.

Malcolm Crompton  
Federal Privacy Commissioner

15 April 2004

**25<sup>TH</sup> INTERNATIONAL CONFERENCE OF DATA PROTECTION &  
PRIVACY COMMISSIONERS  
SYDNEY, 12 SEPTEMBER 2003**

**Resolution on improving the communication of data protection and privacy  
information practices**

**Proposer:** Privacy Commissioner, Australia

**Co-sponsors:**

- Commissioner for Data Protection and Access to Information, Brandenburg, Germany;
- Commission Nationale de l'Informatique et des Libertés, France
- Data Protection Commissioner, Czech Republic;
- Hellenic Data Protection Authority,
- Independent Centre for Privacy Protection, Schleswig-Holstein,
- State Data Protection Inspectorate, Republic of Lithuania,
- Dutch Data Protection Authority.

**Resolution**

That the 25<sup>th</sup> International Conference of Privacy and Data Protection Commissioners resolves that:

- 1 The conference calls the attention of organisations, in both public and private sectors, to the importance of:
  - improving significantly their communication of information on how they handle and process personal information;
  - achieving global consistency in the way they communicate this information;and by these means
  - improving individuals' understanding and awareness of their rights and choices and their ability to act on them; and
  - putting an incentive on organisations to improve, and make more fair, their information handling and processing practices as a consequence of this awareness.

