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Our File :  
P-2025-0000040

ADDRESS

July 24, 2025

Dear Mr. Mark Lepore,

This is further to your request, received in our office on July 2, 2025, and submitted under the *Privacy Act* (the Act) for:

“Please forward ALL private investment securities information which may be on file in regards to any private security purchases either domestic or foreign since 2021 in regards to the applicant of this request. (Mark Lepore, of Sault Ste. Marie, Ontario) The matter involves international money laundering, so prompt service will be appreciated.”

For your information, the *Proceeds of Crime (Money Laundering) and Terrorist Financing Act* (PCMLTFA) mandates the Financial Transactions and Reports Analysis Centre of Canada (FINTRAC) to assist in the detection, prevention and deterrence of money laundering and of the financing of terrorist activities. Pursuant to the PCMLTFA, FINTRAC receives financial transaction reports including Large Cash Transaction Reports, Electronic Funds Transfer Reports, Casino Disbursement Reports, Suspicious Transaction Reports and Terrorist Property Reports from persons and entities with reporting obligations under the Act. The Centre also receives voluntary information from law enforcement agencies, government institutions or agencies and the public. Based on its analysis and assessment of the reports and information it receives, FINTRAC determines whether a legislated threshold has been met which requires it to disclose designated information to police and to other disclosure recipients listed in the PCMLTFA.

**Outside of the specific disclosure authorities set out in the PCMLTFA and pursuant to subsection 55(1), FINTRAC is prohibited from disclosing any of the information that it receives in financial transaction reports; information that was voluntarily provided to the Centre by police, government or the public; and information prepared from the Centre’s analysis and assessment of information reported or voluntarily provided.**

Furthermore, when FINTRAC receives a Privacy Act request related to information described above, FINTRAC neither confirms nor denies the existence of such reports or information, pursuant to subsection 16(2) of the Act. In addition, if such information did exist, it would be exempted pursuant to sections 22(1)(b), 25, 26 of the Act and therefore could not be released. A description of these sections is enclosed. As well, while the prohibitions in the PCMLTFA do not apply to requests made under the Act, FINTRAC maintains the spirit of the PCMLTFA prohibitions when it processes such requests. Not doing so would be injurious to the integrity of the Anti-Money Laundering /Anti-Terrorist Financing regime by revealing that FINTRAC had

undertaken an analysis in respect of the individual and that the individual may be the subject of an investigation.

We regret our response could not have been more favourable.

Please be advised that you are entitled to complain to the Privacy Commissioner concerning the processing of your request. In the event you decide to avail yourself of this right, your notice of complaint should be addressed to the Office of the Privacy Commissioner of Canada, 30 Victoria Street, Gatineau, Quebec K1A 1H3 / by telephone toll-free at 1-800-282-1376.

If you have any questions, please do not hesitate to contact Alexandre Déry, by email at [atip-aiprp@fintrac-canafe.gc.ca](mailto:atip-aiprp@fintrac-canafe.gc.ca), or by mail at 234 Laurier Avenue West, Ottawa, Ontario K1P 1H7.

In processing your privacy request or correction request under the Act, FINTRAC respected the following 10 principles:

1. Process your request while protecting your identity.
2. Offer reasonable assistance throughout the request process.
3. Provide information on the Act, including information on the processing of your request and your right to complain to the Privacy Commissioner of Canada.
4. Inform you as appropriate and without undue delay when your request needs to be clarified.
5. Make every reasonable effort to locate and retrieve the requested personal information under the control of our government institution.
6. Apply limited and specific exemptions to the requested personal information.
7. Provide accurate and complete responses.
8. Provide timely access to the requested personal information.
9. Provide personal information in the format and official language requested, as appropriate.
10. Provide an appropriate location within our government institution to examine the requested personal information.

Yours sincerely,

Original signed by

John Widdis  
Access to Information and Privacy Coordinator

Enclosures

## ***Privacy Act***

### **Where access is refused**

**16.** (1) Where the head of a government institution refuses to give access to any personal information requested under subsection 12(1), the head of the institution shall state in the notice given under paragraph 14(a)

- (a) that the personal information does not exist, or
- (b) the specific provision of this Act on which the refusal was based or the provision on which a refusal could reasonably be expected to be based if the information existed, and shall state in the notice that the individual who made the request has a right to make a complaint to the Privacy Commissioner about the refusal.

Existence not required to be disclosed

- (2) The head of a government institution may but is not required to indicate under subsection (1) whether personal information exists.

### **Law enforcement and investigation**

**22.** (1) The head of a government institution may refuse to disclose any personal information requested under subsection 12(1)

- (a) that was obtained or prepared by any government institution, or part of any government institution, that is an investigative body specified in the regulations in the course of lawful investigations pertaining to
  - (i) the detection, prevention or suppression of crime,
  - (ii) the enforcement of any law of Canada or a province, or
  - (iii) activities suspected of constituting threats to the security of Canada within the meaning of the Canadian Security Intelligence Service Act,if the information came into existence less than twenty years prior to the request;
- (b) the disclosure of which could reasonably be expected to be injurious to the enforcement of any law of Canada or a province or the conduct of lawful investigations, including, without restricting the generality of the foregoing, any such information
  - (i) relating to the existence or nature of a particular investigation,
  - (ii) that would reveal the identity of a confidential source of information, or
  - (iii) that was obtained or prepared in the course of an investigation; or
- (c) the disclosure of which could reasonably be expected to be injurious to the security of penal institutions.

### **Safety of individuals**

**25.** The head of a government institution may refuse to disclose any personal information requested under subsection 12(1) the disclosure of which could reasonably be expected to threaten the safety of individuals.

### **Information about another individual**

**26.** The head of a government institution may refuse to disclose any personal information requested under subsection 12(1) about an individual other than the individual who made the request, and shall refuse to disclose such information where the disclosure is prohibited under section 8.

## ***Access to Information Act***

### **Where access is refused**

**10.** (1) Where the head of a government institution refuses to give access to a record requested under this Act or a part thereof, the head of the institution shall state in the notice given under paragraph 7(a)

(a) that the record does not exist, or

(b) the specific provision of this Act on which the refusal was based or, where the head of the institution does not indicate whether a record exists, the provision on which a refusal could reasonably be expected to be based if the record existed, and shall state in the notice that the person who made the request has a right to make a complaint to the Information Commissioner about the refusal.

Existence of a record not required to be disclosed

(2) The head of a government institution may but is not required to indicate under subsection (1) whether a record exists.

### **Law enforcement and investigations**

**16.** (1) The head of a government institution may refuse to disclose any record requested under this Act that contains

(a) information obtained or prepared by any government institution, or part of any government institution, that is an investigative body specified in the regulations in the course of lawful investigations pertaining to

(i) the detection, prevention or suppression of crime,

(ii) the enforcement of any law of Canada or a province, or

(iii) activities suspected of constituting threats to the security of Canada within the meaning of the [Canadian Security Intelligence Service Act](#),

if the record came into existence less than twenty years prior to the request;

(b) information relating to investigative techniques or plans for specific lawful investigations;

(c) information the disclosure of which could reasonably be expected to be injurious to the enforcement of any law of Canada or a province or the conduct of lawful investigations, including, without restricting the generality of the foregoing, any such information

(i) relating to the existence or nature of a particular investigation,

(ii) that would reveal the identity of a confidential source of information, or

(iii) that was obtained or prepared in the course of an investigation; or

(d) information the disclosure of which could reasonably be expected to be injurious to the security of penal institutions.

### **Safety of individuals**

**17.** The head of a government institution may refuse to disclose any record requested under this Act that contains information the disclosure of which could reasonably be expected to threaten the safety of individuals.

### **Personal information**

**19.** (1) Subject to subsection (2), the head of a government institution shall refuse to disclose any record requested under this Act that contains personal information as defined in section 3 of the [Privacy Act](#).

### **Third party information**

**20.** (1) Subject to this section, the head of a government institution shall refuse to disclose any record requested under this Act that contains

(a) trade secrets of a third party;

(b) financial, commercial, scientific or technical information that is confidential information supplied to a government institution by a third party and is treated consistently in a confidential manner by the third party;

(b.1) information that is supplied in confidence to a government institution by a third party for the preparation, maintenance, testing or implementation by the government institution of emergency management plans within the meaning of section 2 of the [Emergency Management Act](#) and that concerns the vulnerability of the third party's buildings or other structures, its networks or systems, including its computer or communications networks or systems, or the methods used to protect any of those buildings, structures, networks or systems;

(c) information the disclosure of which could reasonably be expected to result in material financial loss or gain to, or could reasonably be expected to prejudice the competitive position of, a third party; or

(d) information the disclosure of which could reasonably be expected to interfere with contractual or other negotiations of a third party.

**Statutory prohibitions against disclosure**

**24.** (1) The head of a government institution shall refuse to disclose any record requested under this Act that contains information the disclosure of which is restricted by or pursuant to any provision set out in Schedule II.