



**IKD
Delegates Report**

Date: 25 September 2006

Country: SPAIN

Association Name: Asociación Profesional de Detectives Privados de España. (APDPE)
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Is it linked to IKD? Yes

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Association Membership Criteria:

- Practicing: holding a PD license.
- Non-practicing: University degree. Also, most employees having a license join the association in this category because of its lower cost.
- Probationary: Being student of PI at the University.



- Foreign: Evidencing professional practice.

In any case: Not having been disqualified.

Comments on Association Activities, if any:

Membership:

At this moment APDPE is transferring databases to a new software and membership details are not available. In any case, during 2005 membership has increased about a 10%.

Events:

The annual meeting took place in May in Madrid. Attendance was higher than usual because it took place the election of the new board. Former president Javier Iglesias was re-elected with his team. The congress was also attended by main authorities, including autonomic government of Madrid, judges association and national and local police representatives.

In March 2006, Javier Iglesias resign as President, being substituted by the 1st vice president Julio Gutiez.

Publications:

3 issues of the INFORMA newsletter.

Institutional relationships:

In 2004 Spain elected a new government. So, main relevant authorities in our sector (Ministry of Interior and Ministry of Justice) were substituted by new ones. During 2005, APDPE directors established contacts with the new Interior Ministry team. Currently the relationships are fluent again.

Relationships with other authorities (police and judges associations) still on the highest level.

International Congress Attendance:

During 2005, APDPE representatives have attended the IKD meeting in Madrid. Also, 10 members of APDPE attended WIC 2005 and WAD AGM in Las Vegas (USA). News from all events were reported to APDPE.

Legal:

During 2005, APDPE legal amendment projects has been keep in stand-by by authorities. Nevertheless, court and some authorities decisions has enforced the regulation and activity of PD's activities. This improvements has been specially significatives in 2 areas: professional practices areas and license requirement (2



(2 court decisions against subjects providing PD services without holding a license) and Data Protection (2 decisions issued by DP Authority stating that PD legal regulation is a legal exception to the common obligation to gather subject's authorization to get, process and provide persona data).

Total No. Of Members: APDPE is currently moving information to a new software. Membership details are not available at this moment. Nevertheless, during 2005 membership has been increased as usual.

Is there a Government License? : YES

If yes, under what authority? : Ministry of Interior

Name of Licensing Regulator: Direccion General de la Policia

If no, is regulation proposed? : N/A

Comments on Regulation, if any: As said, the election of a new government and its authorities has result in the stand-by of major legal amendments requirements. Main concerns still as in 2004: to get a "new" license for non-uniformed security tasks personnel, improvement of the reserved professional practice areas (i.e. public crimes) and to include PD's services in the Legal Aid service ("Beneficio de Justicia Gratuita").

Also, APDPE has provided a new proposal to the government, judges representatives and interested associations in order to provide assistance in matters connected to domestic violence. The main aim is, join to help authorities in the matter, to recall the Legal Aid amendment proposal to include PD's services.

Finally, in 2006 the 1st Instance European Court stated that Spanish regulation on Private Security is not in accordance to European Treaty provisions. Most of the issues are connected to security companies and do not affect PD regulation. Actually, the decision just affects PD regulation in one matter: Spain has to regulate the recognition of foreign academical qualifications on Private Investigation when this qualifications are equal or equivalent to Spanish ones (according to EU directives, this means at least 1 year of academical studies, i.e. 90 university credits). In any case, a new regulation must be produced and authorities has requested APDPE to participate in the production of the new regulation.