




Member Profile

Member organization	Asociación Profesional de Detectives Privados de España (APDPE)
IKD membership	Since 2004
Company Status	Professional Association. Registered at the National Associations Registry at Ministry of Interior, section 1, registration number 168872.
APDPE Membership	400
Categories	Practicing Non-Practicing Probationary (only for PI students) Affiliated (for foreign PIs) Honour
Registered office	Marques de Urquijo, 6, 1º B 28008 Madrid
Telephone	+34 91 758 1399
Fax	+34 91 758 1426
Email	apdpe@apdpe.es
URL	www.apdpe.es
Logo	
President	Julio Gutiez
Secretary	Agustín Ruiz
IKD Delegate	David A. Sanmartin



Description

The APDPE was established as an initiative of the former ACBDP, the main Spanish Association of Private Detectives, to bring together all existing PD associations in Spain. As a result, 7 professional associations (plus ACBDP) joined at APDPE. Only the historical APNDP refused to join APDPE, but agreed that his members (95% of them are also members of APDPE) would be represented by APDPE. Since its creation, APDPE has been the only association representing PI professionals on a national level. Moreover, its also a member of the National Commission for Private Security (a government entity that includes public officers of the Ministry of Interior and representatives of the private security sector).

APDPE membership comprises almost 100% of the investigation firms in Spain and +30% of the practicing professionals (investigation employees at PI firms must hold a license).

The Board of Directors is formed by the President, 2 Vice-Presidents, the Secretary, the Treasurer and 9 Counselors. Its meetings are assisted by a PI regulation expert Lawyer. In addition, there is one regional delegate for every autonomic region and also there are working committees (institutional relationships, education, press, legal affairs, ethics and events and awards).

Governing council meetings take place every 2 months. A General meeting, with educational and leisure events, takes place annually.

Code of Ethics

APDPE AGM approved an extensive Code of Ethics available at <http://www.apdpe.es/apdpe-codigo.htm>

Directory of Members

A directory of members by location is available at <http://www.apdpe.es/apdpe-asociados.htm>

Newsletter

The APDPE publishes quarterly newsletter titled "Informa".



Membership selection process

Private Investigation is an activity regulated by Law and an official license is required for professional practice. So, for practicing members, holding a license is enough to be able to join the Association. The main process to do this is:

- a. Application form (available at the web) and one of the following evidentiary documents: professional license (for practicing), university degree (non practicing), University inscription (probationary) or any document enough to evidence professional practice (affiliated-foreigners). Honour members are nominated by the Board and elected by the General Assembly.
- b. During the vetting process, the board of directors will take into consideration whether the applicant fulfils the requirements or not, and if he has been disqualified or if there is enough evidence of professional wrongdoing.
- c. Any decision can be appellate to the General Assembly.

Disqualification:

Under article 10.5 of the By-Laws

Disciplinary procedures:

Under Title VIII of the By-Laws

Country regulation on PI:

PI is regulated by Law 23/92 “de Seguridad Privada” (later referred to as LSP) and its development regulations.

LSP establishes that the following activities can only be provided by PDs:

- i) To obtain and provide information and evidence of “private facts”. By private facts it means anything related to matters other than public criminal offences, which are exclusive competence of Police.
- ii) To investigate private criminal offences (offences that are not prosecuted without prior complain of the offended).



- iii) To provide non-uniformed security services in hotels, grand stores, fairs and any other similar areas.

LSP establishes a clear separation between security and investigation. All other security activities different from non-uniformed security (such as man-guard, bodyguard, money transportation, access control...) are reserved to security companies and specifically forbidden to PDs. In the same way, security companies cannot provide services assigned to PDs.

Even though the investigation of public prosecuted crimes by PDs is forbidden in LSP, Spanish Criminal Courts have admitted PD investigations and their reports.

Professional practice is only allowed to people holding a Private Detective License, issued by the Ministry of Interior. The license number must be shown in all reports, adverts, business cards and any other documents issued by the PD.

The requirements to obtain a license are:

- Legal age.
- Nationality of any EU country.
- Clear criminal record.
- Not having been convicted by private offences regarding privacy.
- Not being public servant.
- Not being separated from Police or Army because of wrongdoing.
- Hold a university degree on Private Investigation (3 year studies).

The incorporation of PD reports to court files and the deposition of PD is regulated at the Civil Procedure Law (LEC). Article LEC 380 confers PDs a specific status and orders the Court to verify the PD's professional condition (by showing the license card). Moreover, LEC confers a mixed nature to PDs, as witness (regarding the facts discovered) and as an expert (regarding the conclusions stated at the report regarding the facts discovered).