

IKD 2010 report : FRANCE

A corporate intelligence law in France

After being out of the limelight for a while, France's new internal security bill, known as "LOPPSI", is being examined recently by the French parliament. Article 21 of the bill institutes a legal framework for corporate intelligence activities as Art. 20 did for the private investigators a few years back.

Under the terms of the bill, the founders, directors and associates of corporate intelligence agencies will need authorization from the Interior Ministry to be able to practice their trade. Their criminal record will be checked to ensure "they are not likely to harm individuals, property, and the interests of the State."

Former managerial-level police officers, gendarmes and intelligence officers will have to wait three years before they can operate in the private sector unless they receive special permission from the relevant ministry for their service, which is usually the case unless they really got burned out. Companies will also need to receive ministerial approval, granted by a commission whose composition will be decided by decree.

The bill defines the activities of corporate intelligence as "research and information about the economic, commercial, industrial and financial environment of an individual, in order to protect them from risks of all kinds, or to enhance their business."

One of the problems raised by this text is that Private Investigators and Corporate Intelligence find it difficult to trace a very distinct frontier between their respective activities and it may turn out into frictions as to who is authorized to investigate one case or another.

On the other Hand, the official preamble to the law refers to its purpose as the "preservation of public order and security". This may pave the way for public missions, such as video surveillance, to be handled by private companies.

A Small Business ?

The latest studies carried out by the French Professional Investigators associations showed that, in France, the market of Private Investigation, Corporate Intelligence and Skip tracing would worth less than 300 Million Euro per year.

It has to be compared with the 1 Billion euro made in the debt collection/recovery sector and even way more in the security/guard business.

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