



Member Profile as per

Member organisation	APDPE Asociación Profesional de Detectives Privados de España
IKD membership	2004
Company Status	Professional association. Registration number 168872 (National Registry of Associations, Ministry of Interior)
Members	350
Membership Categories	Practicing Non-Practicing Students (student of PI studies at the university) Foreign Honorary
Registered office	c/. Orense, 8, 5-C Bis 28020 Madrid - Spain
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Logo



President Email	Enrique Hormigo presidente@apdpe.es
Secretariat/Secretary Email	Antonio Labrador secretario@apdpe.es
IKD Delegate	David A. Sanmartín d.sanmartin@apdpe.es
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, APDPE is 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 5 Counsellors. 2 of the current board members are also lawyers. In addition, there is one regional delegate for every autonomic region and also there are working committees.

APDPE publishes a occasional e-Newsletter, "Cuaderno de Bitácora" and a yearly Yearbook.

Governing council meetings take place as needed with a minimum of one meeting every 3 months. A General meeting, with educational and leisure events, takes place annually. Also, the Association organizes a periodical "Encuentro", a learning meeting on professional matters. Finally, APDPE joining to Spanish universities organizes post-graduate courses for Private Detectives.

Code of Ethics	https://www.apdpe.es/la-asociacion/codigo-deontologico APDPE Code of Ethics is compliant with IKD Code of Ethics approved in 2015.
Directory of Members	https://www.apdpe.es/listado-de-detectives
Disqualification	Regulated at article 10.5 of the By-Laws
Disciplinary procedures	Regulated at Title VIII of the By-Laws

Country regulation on PI:

PI is regulated by Law 5/2014 "de Seguridad Privada" (later referred to as LSP) and its development regulations.

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

- 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.
- To investigate private criminal offences (offences that are not prosecuted without prior denunciation of the offended).
- To provide non-uniformed security services in hotels, grand stores, fairs and any other similar areas.

Note: In 2018 the Spanish Supreme Court sentenced that PDs can investigate facts that could be a crime until they get evidence enough that a crime was committed. This judgement opens the possibility to investigate crimes, except those being currently investigated by a criminal Court.



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. Anyhow, the investigation of facts that could be a criminal offence is permitted when the client has a legitimated interest other than the criminal prosecution of the fact (ie civil liability, employment law offence, etc.)

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 or 4 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).

November, 2019.