

MINUTES OF THE MEETING OF THE XVth CONGRESS OF THE IKD, HELD ON SATURDAY THE 12TH OF JUNE 2004, AT THE RICA OSLO HOTEL, OSLO, NORWAY.

1. Registration

The Secretary General, Mr. Richard Jacques-Turner, opened the Meeting of the 15th Congress of the IKD at 0915 hours on Saturday, the 12th June 2004.

2. Introductions and Welcome

Present were:

Mr. Richard D. Jacques-Turner, Secretary General of IKD.

Mr. Werner E. Sachse, Vice-Secretary General of IKD, Honorary member of IKD, and Delegate of the World Association of Detectives (W.A.D.).

Mr. Markus Wegst, Treasurer of IKD and Delegate of the Fachverband Schweizerischer Privat-Detektive (FSPD) (Swiss Association).

Mr. Claus Jensen, Auditor of IKD and President and Delegate of the Dansk Privatopdager Sammenslutning (DPS) (Danish Association).

Mr. Harald Olsen, Host and Delegate of Private Etterforskeres Forening (PEF) (Norwegian Association).

Mr. Lothar Kimm, President and Delegate of the Bund Internationaler Detektive (BID) (German Association).

Mr. Javier E. Iglesias, President of the Asociacion Profesional de Detectives Privados de Espana (APDPE) (Spanish Association).

Mr. Georg Hirtl, Delegate of the Osterreichischer Detektiv-Verband (ODV) (Austrian Association).

Mr. Bodo Scholl, Delegate of the Bundesverband Deutscher Detektive (BDD) (German Association).

Mr. Tony Imossi, Delegate of the Association of British Investigators (ABI) (United Kingdom Association).

Mr. Jean C. Schmitt, Delegate of the Syndicat National des Agents Recherches Privee (SNARP) (French Association)

Mr. David Sanmartin, Delegate of the Asociacion Profesional de Detectives Privados de Espana (APDPE) (Spanish Association).

Mr. Kjetil Eide, Applicant/Delegate of the Norsk Forening for Etterforskning og Sikkerhet, (NFES), (Norwegian Association)

Mr. Julio Gutiez, Observer and Vice-President of the Asociacion Profesional de Detectives Privados de Espana (APDPE) (Spanish Association).

Mrs. Maureen Jacques-Turner, Observer from the World Association of Detectives and Minute-taker.

Ms. Birgit Schmidt, Germany, Guest.

The Secretary General welcomed all present to the IKD meeting in Oslo

3. Apologies for absence

Received from Mr. Sergey Morozov, President and Delegate & Mr. Vladimir Solomanidin, of Alternativa-M, Russian Association; Mr. Guglielmo Conti & Mr. Gavino Piredda, of Federpol, Italian Association; Mr. Alexandru Restivan, President & Mrs. Maria-Elena Cretu, of Societatea Detectivilor Particulari Din Romania, Rumanian Association, and from Mr. Richard Newman, President & Mr. Eric Shelmerdine, of the Association of British Investigators, United Kingdom Association.

4. Ratification of New Member

The S-G said that APDPE, the Spanish Association, had been granted membership of IKD by the Secretariat, pending ratification by the Executive Committee, and there now needed to be a vote. It was agreed unanimously to accept the APDPE as a member and the Secretary General welcomed them. Javier Iglesias thanked the meeting for the unanimous vote and introduced David Sanmartin who would represent the APDPE as the IKD delegate.

5. To consider the Application of NFES

The S-G asked Kjetil Eide to say a few words about his Association. Mr. Eide said he is the Secretary of the NFES, which was established in 2001 and which now had 17 members, 95% of the membership are former policemen. He said there are no disagreements between them and the other Norwegian Association, PEF, and hopes they can work together in the future, which he sees as his goal. He hoped IKD would accept their application. The S-G asked Mr. Eide to leave the meeting whilst the application was being discussed. After a period of discussion, the matter was put to the vote and the NFES was unanimously accepted into membership of IKD. The S-G asked Mr. Eide to return to the meeting and informed him of the decision and Kjetil Eide thanked the members and looked forward to working with them.

6. Minutes of the Meeting of the Executive Meeting of IKD held on the 24th of May 2003 in Rome, Italy

Minutes of the previous meeting, having already been circulated, were taken as read. Proposed for acceptance by Werner Sachse and unanimously approved by those present.

7. Matters Arising

i) Javier Iglesias, through David Sanmartin, said the APDPE were proud to join IKD but felt that IKD must become more active, the main concern of IKD is organisation in Europe and IKD must provide some kind of representation of the profession, perhaps in small things which are easy to achieve. There is very little contact with the people so IKD needs to be more attractive for the members. It would also be useful to have a short report of the situation in each country on the IKD website. Finally, IKD needs more publicity to make it the leading Association in Europe and mentioned the many e-mails he received concerning the meeting of the Association headed by Alain Bernier. Jean Schmitt outlined the situation in France concerning Mr. Bernier. Tony Imossi said it is up to the delegates to communicate the information to their own membership, as IKD is an Association of Associations, not of individual members. With regard to Mr. Bernier, Tony Imossi said he did not think he would win the confidence of the industry as he appeared more disruptive than progressive and it was unclear what his motivations were.

ii) Tony Imossi said the ABI were very grateful to receive the donation of CHF2,800, amounting to £1,200, for legal fees for a project to produce a Best Practice Guide, a data protection based practical guide for private investigators.

8. Report of the Secretary General

As you are aware, I have decided, after 9 years as Secretary General of IKD that it is time for me to stand down and hand over the leadership of the Federation to a younger man.

It has been an interesting and rewarding experience but also one of considerable frustration. My plans and hopes of being able to establish an effective lobby, in order to influence EC Legislators, have not materialised. There is no single reason for this failure but, I would suggest, it has been a combination of the lethargy of the members of the Federation, the intransigence of the legislators, the failure of the previous Legislation Committee that was formed three years ago in Moscow and, I must confess, my own failure to be more aggressive in pushing our Committee Chairman and our Federation members to do much more.

The task of influencing legislators to take more account of our concerns on matters relating to such laws as the Data Protection Acts has never been and will never be easy. However, if I have achieved nothing else during my tenure as Secretary General, I do leave the Federation in a stronger position than it has ever been in the past. This year, for the first time in the history of IKD, we have all the major Associations of all the major European countries joined together under the 'umbrella' of the IKD Federation.

I hope that this new strength, coupled with the current awareness and appreciation of the very real threat of restrictive Data Protection legislation, will enable my successor to achieve what others and I have failed to achieve in the past.

I believe that Tony Imossi is the man to succeed me. He has proved himself a most successful President of the Association of British Investigators, having served for an unprecedented 4 years and having turned around the fortunes of the ABI after a very low period in its history. He has, I am sure, the ability, personality and drive to push forward our cause and make IKD an effective force in influencing current and future legislation affecting our profession. He can, of course, count on my full support in the future although, knowing Tony, I doubt that he will need this very much.

I am confident that the IKD is the best hope we have for the future of our profession and that the time is close when it will fulfil our hopes and wishes.

Dear Colleagues, I should like at this time to thank particularly my Vice Secretary General, Werner Sachse, his predecessor, Heinz Rambousek, and our Treasurer, Markus Wegst, for their support, help and advice during my term in Office. Werner has been particularly supportive and I have relied hugely on his experience and advice. I should also like to thank the members of those Associations who have hosted our meetings in the past and who have made Maureen and I so welcome when we have visited their meetings over the years. We have enjoyed all these meetings immensely and it has been a joy for us to meet and make friends with so many wonderful people in so many countries.

It has been a privilege and an honour to head this great Federation for the past 9 years and I again thank you all for your support.

In closing, I would like to wish the Federation and its new Secretariat increasing influence and success for the future.

The S-G's Report was proposed for acceptance by Claus Jensen and unanimously approved.

9. Report of the Vice-Secretary General

Werner Sachse said the most important target had been to get the Southern European large organisations, like Italy and Spain, back into the IKD. He had started this quest in 2001 to develop relations with Italy. Subsequently the Secretary-General and Tony Imossi had visited Spain and he was pleased that both Italy and Spain had returned to IKD. In the past most of the funds were used to produce a printed Membership Directory. CHF5,000-8,000 used to be spent compiling lists and mailing it out and the day the Directory arrived it was already obsolete and complaints were received about wrong information, etc. Now each Secretary of each Association has the control of their own website which are linked to the IKD website. He suggested that the CHF5,000-8,000 could be used to update the IKD website. It is the responsibility of the Delegates to brief their National Associations and the IKD Secretariat just gives out information to the Delegates. He was now retiring as Vice-Secretary General after completing 9 years as S-G and 20 years as Vice-S-G and he introduced Georg Hirtl of Austria as candidate for Vice-Secretary General.

Tony Imossi, on behalf of the members, proposed a vote of thanks to the S-G and the Vice-S-G.

Report proposed for acceptance by Harald Olsen and unanimously approved.

10. Report of the Treasurer

Markus Wegst said the written annual statement as at December 31st 2003 was in the possession of all Delegates. He was pleased to say that all annual contributions for 2003 had been paid in the course of the year and at the end of 2003 there were 16 Associations and 1 single member. There was a reduced income because of the lowering of the annual fees for 2003. Some Associations sent bank cheques which cost IKD in bank charges and the costs of using Policy Action amounted to CHF9,127.45. We had therefore made a loss in 2003 but the total assets of IKD amounted to CHF33,131.25.

The S-G said, as always, Markus Wegst had done a good job and thanked him for looking after the funds so efficiently. He asked the Auditor, Claus Jensen, if he confirmed the figures and the Auditor confirmed that he had audited the books and found them to be in order. He also felt that in the future the expenses could be a little lower by not attending every meeting in Europe. The S-G said he believed the new S-G should continue to support the Association meetings because the idea is also to promote those Associations in their country by giving more publicity and this has been done some of the time but not all of the time. Some further discussion continued on this subject.

Tony Imossi said he put a proposal last year on the basis that the S-G will only attend if invited, with part of the costs being covered by that Association. He had attended the Federpol meeting last week, representing the IKD, and that Association covered the hotel etc. so he only had to pay the airfare. The S-G said that smaller Associations cannot afford to do this and even if they would like the S-G there they can't afford it so may not issue the invitation. The IKD income will increase in 2004 with the full annual fees and no Policy Action fee to pay.

Report proposed for acceptance by Claus Jensen and unanimously approved.

11. Report of the Disciplinary Committee

The S-G read out Eric Shelmerdine's report recommending the procedure for any future grievances:

"Committee members: Eric Shelmerdine, England (Chairman), Vladimir Solomanidin, Russia, Harald Olsen, Norway

The committee were asked to consider recommending changes to the Articles to address the lack of any actual procedure in the event that a complaint should ever be made against a member Association.

After due consideration it was suggested that the following amendments be made to Article 12. The additions and amendments are highlighted in BOLD for ease of reference.

Article 12 Grievance Committee

Any differences concerning member Associations shall be settled by the Grievance Committee to the best of its knowledge and conscience **FROM THE WRITTEN FACTS PRESENTED TO THEM.**

THE Grievance Committee shall **CONSIST OF 3 REPRESENTATIVES FROM 3 SEPARATE NATIONAL ASSOCIATIONS AND SHALL BE ELECTED/RE-ELECTED AT EACH ANNUAL MEETING.** All **SUCH** positions are honorary and the **IKD WILL NOT** cover any expenses accruing from grievance proceedings.

THE GRIEVANCE COMMITTEE can only make recommendations **AND THERE WILL BE NO RIGHT OF APPEAL.**

ANY GRIEVANCE MUST IN THE FIRST INSTANCE BE SENT IN WRITTEN FORM TO THE SECRETARY GENERAL WHO WILL ACKNOWLEDGE RECEIPT OF SAME AND COPY THE GRIEVANCE CORRESPONDENCE TO THE CHAIRMAN OF THE GRIEVANCE COMMITTEE. THE CHAIRMAN SHALL AS SOON AS PRACTICAL CONVENE A MEETING OF THE GRIEVANCE COMMITTEE WHO WILL DELIBERATE AND IF THEY DEEM IT NECESSARY SEEK FURTHER DETAILS FROM THE PARTIES INVOLVED.

AFTER DUE DELIBERATION THE COMMITTEE WILL FORWARD THEIR RECOMMENDATION IN WRITING TO THE SECRETARY GENERAL WHO WILL INFORM THE INVOLVED PARTIES OF THE FINAL RECOMMENDATION IN WRITTEN FORM.”

After general discussion took place, Tony Imossi suggested inserting the words “Unless otherwise authorised by the Secretariat” at the end of the sentence starting “All such positions are honorary...”, the whole sentence amended to read as follows:

“All such positions are honorary and the IKD will not cover any expenses accruing from grievance proceedings, unless otherwise authorised by the Secretariat.”

Similarly, the following sentence should be amended to read:

“The Grievance Committee can only make recommendations and there will be no right of appeal, other than to the Secretariat”.
*Spellings have been corrected where necessary.

Proposal to accept the report, as amended, made by Georg Hirtl and unanimously approved.

12. Reports of the Member Associations

The Secretary General called upon the Delegates to submit the reports of the member Associations. This was done in seat order.

NOTE: The following reports from the member Associations that appear below in **BLUE** are exact copies of the written reports submitted to the Secretary General by the Member Associations, no corrections having been made to the text.

Spain

David Sanmartin reported:

“Background

2003 has been a good year for the profession in Spain. Most of our members have reported a substantial increase of services demand.

It have not exist formal modifications on the professional and related legal regulations. Nevertheless, the final interpretation of such regulations have been favoured the profession. Among other improvements, we want to signify 3 ones:

- a) Private Security Law: A private detective can investigate public criminal offences when the Court is informed and do not deny this.

- b) Data Protection: Legal advice and activities authorizes to process personal data without neither knowledge nor authorization form the affected subject. This has been declared by the Spanish DP Authority and, in the terms it is stated, can be applied to Private Investigations activities.
- c) Data Protection: Private Detectives can deny access to personal data according to article 23 of Private Security Law (professional secret). The DP Authority has stated that art. 23 of the law is a legal exception to Data Protection Law.

APDPE

APDPE membership has been increased in 53 new members. Total membership was 411 members at the end of 2003. 4 meetings of the board have taken place.

We have issued 3 issues of our publication “APDPE INFORMA”, including also articles form other professionals related to private investigation (most of them lawyers).

Anyhow, main success of the Association during this year has been our annual congress that took place in Arcos and Jerez de la Frontera and the coincident III European Congress of Private Detectives. More than 150 private detectives attended the meeting and the gala dinner raised a record attendance of more than 350 persons. The congress was widely reported by most of local newspapers and 2 nationwide newspapers, as well as TV and radio.

Main concerns for 2004.

Main concerns form 2004 still being the improvement of legal regulations, including depending on the Justice Ministry instead of the Interior Ministry (the Spanish Home Office) and the formal ability to investigate public criminal offences.

The relationship with the ANDP (the other nationwide Spanish PD Association) still being at the most friendly way and we will do all the best to keep this convenient climate of mutual understanding. Most of the members of ANDP are also members of APDPE. The relationship with the Catalanian and Valencia Councils of Private Investigators are also in the best mutual collaboration.

We have stated November 11 to 14 for our annual congress, that will take place in the Parador Nacional de Bayona, in Bayona (Galicia). The organization of the event is quite concluded and we expect to equal the success of the last one in Jerez. The congress would be open so any detective from Europe and the rest of the world will be welcome.”

United Kingdom

Tony Imossi presented the report of the President of the ABI, Richard Newman:

“On behalf of The Association of British Investigators (ABI), the Governing Council and the membership I wish you all a successful meeting.

The Security Industry Authority (SIA) is continuing with licensing our colleagues in the security industry who are door supervisors and wheel clampers. The cost of obtaining a licence has risen from £35 (euro 52) to £190 (euro 280). The cost of training is rising, as is professional indemnity insurance. The SIA have surveyed their pilot area for licensing and have found that some 40% of persons who should have applied have failed to do so. The Private Security Industry Act 2001 will require all investigators in the private sector to be licensed and it is intended that this will be achieved by 2006. This licence will, at present, be required by all persons entering the UK to work as a private investigator.

All of the above could dramatically change in the event that the EU imposes the “Directive of the European Parliament and of the Council on services in the internal market [Sec (2004)21]”. This directive is intended “to make it easier for persons to take up and pursue activities as self-employed persons”. The Directive gives an indication that it will be possible for persons to enter the UK and work as investigators without holding an SIA licence. You will no doubt be aware of the recent EU case against the Belgian government which held that their licensing of investigators was too strict and prevented persons from other EU countries from practicing there. (The Commission - v - Belgium C-355/98 refers).

The SIA have yet to advise on the competence criteria for investigators so we are unable to train for want of information. The ABI has a training partnership for new investigators and this is progressing well. We are in talks with academic bodies that may assist in formulating a training programme for investigators when the SIA decide the terms. I have been advised by a senior member of the SIA that the ABI will have an opportunity to make representations when the time is appropriate. We have learnt from the criteria set down for other sectors that professional indemnity insurance will almost certainly be a requirement. To that end Tony Imossi (Immediate past-President of the ABI) has been in protracted negotiations with members

of the insurance industry to broker an excellent package for ABI members. Article 27(1) of the proposed EU Directive, previously referred to, has also indicated a need for such insurance for investigators operating between EU countries.

The ABI has published a book entitled "Data Protection, A Best Practice Guide for Professional Investigators" and available by post from the General Secretary at 48 Queens Road, Basingstoke, Hampshire RG21 7RE. £23 (euro 35) including postage.

It has been adopted as a "set text" by a provider of assessment for the National Vocational Qualification in Investigation level 4. This is the highest level available. The book details the majority of laws, acts and regulations that govern the work of investigators within the UK. It has been described as an invaluable guide. As a result of study of the book, by third parties, there is a strong possibility of stores of information becoming available to investigators that were previously closed. I have entered into correspondence with the Information Commissioner's Office and have received clarification on matters of information disclosure that are of a significant benefit to investigators. There has been a recent High Court judgement in the UK that has helped to define what is and is not personal data and what constitutes a relevant filing system. The Information Commissioner's Office has issued guidelines that make matters clearer. Further details can be found at www.theABI.org.uk

I would like to congratulate Richard Jacques-Turner on becoming a life member of the Association of British Investigators at the Annual General Meeting in April 2004. Further congratulations are due to Tony Imossi who was awarded the Gold Medal for outstanding services to the Security Industry at the Joint Security Industry Council forum also in April 2004."

Germany - BDD

Bodo Scholl said, that at their Annual meeting in May, Eveline Wippermann was re-elected as President; the Vice-President and Treasurer were also re-elected and he was elected IKD Delegate and the work will continue as in former times. After two years trying to unite the BDD and the BID without success, they will now go back to their normal agenda and work as single Associations.

Denmark

Claus Jensen said legislation was unchanged in Denmark. The DPS was organising Seminars for future members and a great many people wished to join. At present they had 28 members, but only 9 are affiliated to IKD. The S-G reminded him that all members should be affiliated. Subsequently Claus Jensen explained that 19 of the 28 members were Probationary Members so this is why they cannot be affiliated to IKD.

The S-G called a recess at 1100 hours for a coffee break.
The meeting resumed at 1120 hours.

W.A.D.

Werner Sachse said that at the Annual Conference of the W.A.D. it was decided to continue membership in the IKD and W.A.D would continue to support them. This year's Conference will be in Moscow and, as the majority of the IKD delegates sitting at the table were W.A.D. members he looked forward to seeing all of them in Moscow.

Switzerland

Markus Wegst reported:

"Searching for great events which happened in our Association, I went through all the minutes of our board meetings since last June. What I found was mainly everyday business such as admission and the leaving of members, address changes and further matters without great importance. Half a year ago, we were finally ready to send out our new bylaws which were slightly modified, especially concerning our code of ethics.

Our next General Meeting will take place in Interlaken, a famous village in the Bernese Oberland, in two weeks. The only motion which was filed concerns our written examination of the knowledge of the law, one of the hurdles for the admission as an active member. The applicant of that motion would like to move this exam from an obligatory to a voluntary basis, since he is of the opinion that the passing of the mentioned exam is a deterrence for quite a few interested persons which did therefore not apply for membership. When the passing of this exam was adopted more than 10 years ago, it was the board's intention not to make it too easy to join our association but to select the members by means of that exam. Since the board is still of the same opinion by seeking quality rather than size, the mentioned motion is recommended to be denied.

As mentioned, the board had 4 meetings and I am glad to say that there is still a pleasant atmosphere within the committee. All the members of the board will stand for re-election on the occasion of our next General Meeting.

For the time being, our association has 59 members, 4 members more than last year. Most of them are foreign members and only 11 are active members with their own office in Switzerland.

Concerning the legislation in our country, there are still 9 Cantons which require a license for private investigators and the remaining 17 Cantons do not have any licensing requirements whatever for investigators.

Based on a Data Protection Law enacted by the Federation some years ago, the Cantons and the Communities are free to adopt further rules. This leads to a certain variety of Data Protection Regulations and makes it necessary to get acquainted with the current legal regulations of a Canton before the beginning of an investigation.”

Norway – PEF

Harald Olsen said on the question of licensing, the Government are very positive when discussing the subject but they say that as there are no scandals licensing is not really necessary. Norway is not a member of the EU but associated with the EU and Norwegians can go where they want to work and there are no limitations any more. PEF now had 16 members, who are all active members, there being no retired members any more. He had stepped down as President after almost 10 years but he hoped to remain the Delegate to the IKD. His wish is that PEF and NFES would merge soon as two small Associations should work together, and hopefully there will be only one Association again in Norway.

Germany – BID

Lothar Kimm reported that the annual main meeting of the BID took place in Ettlingen on the 8th May 2004. The seminars and meetings were well supported. Because of the resignation of two members, Sigurd Feineis was elected as the new Treasurer and Mrs. Loff of Berlin as the Third Vice-President. Mr. Detlef Jordan is the new manager. The BID hope that the relevant people in IKD can interact in Brussels concerning “silly laws” in order to bring about necessary changes in the Data Protection laws.

Norway – NFES

Kjetil Eide said he applauded Harald Olsen and PEF for their desire for closer contact and hoped to have discussions on that in the future. Discussions with the Government concerning licensing were ongoing.

France

Jean Schmitt reported:

“Early 2004, was officially created in France the « SNARP » Syndicat National des Agents de Recherches Privées, during the Biarritz assembly which gathered about 50 members. It is the result of true efforts of our president Michel Forget to join the two main French associations : C.N.A.R., the oldest, and France-Detectives, the biggest in terms of members. It is also the new regulations that helped professionals to come to an agreement.

So, for the first time ever in this country, we now feel like having a decent and representative private investigators association with close to 200 members at this date (about 130 agencies + members employed as staff). A large board composed of 12 administrators with specific tasks and 10 regional administrators has been elected. All members are covered by the association professional risk insurance. A new professional card is being issued. We are still expecting the law decrees that will set the license exact release requirements. Once it is done, things will become quite clear and we will be able to organize ourselves.

Richard Jacques-Turner presented a speech regarding IKD and convinced the members to vote for the SNARP membership to IKD to be continued (as France-Detectives was already a member). It is now understood that it has become the main European association, gathering most of the European countries by now. And French P.I.s did not want to be left out of it.

The new association site can be visited at :

www.snarp.org

It will soon contain information in English. It allows member's to search by location or name. A link to the IKD's web site and conference details can be found.

Following is a synthesis of the new regulations of private investigation business in France

NEW LAWS REGARDING PRIVATE INVESTIGATION IN FRANCE

The law concerns the liberal profession that consists, for an individual or a company, to collect information or investigate, even without mentioning its quality or revealing the object of its assignment, with the object of defending third parties' interests.

The practise is only allowed to professionals legally licensed and registered at the company commercial register in France or within the E.E.C.

The professionals have to make sure the private nature of investigations is clearly advertised and that there are no confusions possible with official state services.

Former law enforcement personnel have to request a special authorization if registration as private investigator is prior to 5 years after retirement. They are not allowed to publicize their former employment.

To obtain the new licence, requirements are as follows:

- to be a E.E.C. citizen
- to have a professional qualification
- no other professional activities including security, fund transport, bodyguard...
- no previous convictions, bankruptcies, expulsions or mentions in police records regarding state security, persons and belongings security, morality or integrity.

Identical rules apply to all personnel employed as investigator in the company.

The licence is delivered to the company and to the office itself. Each branch office has to receive its own agreement. You have to provide authorities with founders, directors, share holders, managers & employees' details as well as shares owned in other companies. And give notice of any changes. Licence number has to appear on all company documents.

The license is taken away:

- if one stops to match requirements
- if the source of company funds is proven illegal
- in case of trouble to law and order, state security or country fundamental interests (economical, scientific or commercial)
- after retirement.

Police visits are allowed at company offices to check employee records.

Investigating without license is subject to a 3 year prison sentence and a 45 000 € penalty.

There is a two year delay to comply with the new law regarding professional qualifications. The coming decrees will set the exact qualification required (most probably 3 to 5 years of experience for existing professionals and a 1 or 2 year degree + 1 or 2 years in an existing company for new applicants)."

Austria

Georg Hirtl reported:

"The president, Mrs. Susanne Skale, sends her regards to the Board and the Delegates. She wanted to attend the meeting herself but now personal reasons do not allow her to come to Oslo. She deeply regrets this. The president and the members of the Austrian Association send their best for a peaceful and successful meeting.

The Austrian Association wants to thank the Board sending Toni Imossi to our 2003 General Assembly, where we had a chance to discuss the problem with the "grandfather's rule" and hear a different opinion as well as suggestions how to get along with it.

In August 2003 the Austrian Association's members together did security services for an open-air event. As the event's net proceed was for local flood victims, most of the people involved in organisation, public relations, marketing, stage, light & sound, the actors, a.s.o. participated either pro bono or donated their salaries. So did the OEDV. 24 colleagues throughout Austria and an Association's member from Switzerland, who came with his son and an employee all the way from Zuerich to that small town near Vienna, did the work pro bono. It was not a hard job as we always expected the unexpected. So even sightseeing flights open to the public after a scheduled helicopter landing of VIP's were more routine than work. We have been thanked more than once for doing our job, but this is not the reason for mentioning it. We had a chance to present the organisation and the profession and in return we got public relation stories and pictures in newspapers as well as a positive feedback from the police, companies and organisations. The participating PI's had a chance to meet each other on a professional, case oriented level, to work together and discuss both business and private matters on a different level than at any General Assembly or other Association's events. This "get together" was a good experience for all of us – even those who did not or could not participate.

The Association's periodical magazine "Der Detektiv", web: www.detektiv-online.at has been outsourced to one of our members. It became unprofitable for the OEDV to give the financial background while the quality increased but a distribution

to a larger audience was not possible. The magazine is now open to the public and currently has 250 subscribers. All topics concerning the Association are distributed separately as a newsletter, sent whenever it is necessary. Information's on congresses and events of our and other Associations can be found in a calendar on www.detektiv-online.at/events.html

If you have an event on schedule feel free to mail to: international@detektiv-online.at

We are renewing our homepage www.oedv.at and it will become an information platform for both members and the public.

At our 2003 General Assembly we passed ethical guidelines and a new disciplinary code for our members which were the basic steps to the idea of establishing a quality seal in order to contrast OEDV members from other PI's in Austria. This will be an additional reason to attract people to join the OEDV. The latter goal is to increase the level in the PI business in Austria.

Along with that we started talks with the Chamber of Commerce's Institute of Business Promotions to install a training and education academy for Austrian PI's and their employees. Though Austria has a very strict licensing, we do not have any regulations for PI education and training. The initial talks with the Institute in Salzburg led to controversial and dissenting opinions and failed, but we found a partner in Vienna's Chamber of Commerce. The conception is finished and the schedule is to start by the end of October. Instructors from Vienna's University Law Division, lawyers, experts from private companies, government officials as well as Private Investigators will teach the audience.

Besides that we sought more assistance from Vienna's University Law Division. If the Instructors and the Dean of the Faculty agree lectures on criminology for PI's can be joined by every Austrian PI at the Institute of Penal Law and Criminology.

We organized several seminars open to people within the security industry with topics such as the applicability of illegally obtained evidence in a criminal/civil case, everybody's law under the aspects of PI work, the GSM tracking system e-guard www.eguard.at developed by one of our members (e-guard basically uses GSM cell information and cross bearings) and a workshop for selling PI services.

We initiated a case study on "The Field and Practices of Private Investigations under the Aspects and Articles of Austrian and EC-Laws" at the University Salzburg. We had throwbacks as well as headaways. The current status is progressing, but the presentation will not be before 2006.

We had talks with German and Hungarian Associations and the other Austrian Associations or at least members of them. It is our believe that only a strong Austrian Association combining the majority of PI's working in Austria can move things forward. Manpower is one argument, a stable financial budget another angle. We were able to recruit newly licensed people though we are sorry to say that till now we are no further than just talking with established investigators who are outside the OEDV. But at least some of these promote, assist, support or participate in the education program.

Our General Assembly in 2005, which will be the 55th, will take place in Vienna. The OEDV has decided to invite other organizations to have a meeting with us. Maybe the IKD could think of the idea to join us with a midterm-meeting."

Finland

No Delegate present.

Hungary

No Delegate present.

Israel

No Delegate present.

Italy

No Delegate present – apologies received. **Written report received and attached.**

Japan

Sumio Hiroshima not present.

Netherlands

No Delegate present.

Romania

No Delegate present – apologies received.

Russia

No Delegate present – apologies received.

The Secretary General thanked all Delegates for their reports.

13. Any Old Business

a) Amendments to the IKD Statutes. Werner Sachse said these originated in Austria and asked if the laws in Austria permitted voting for them en bloc. Georg Hirtl confirmed that they did. Tony Imossi said, as he had been involved in drafting the amendments, he was happy to make the proposal for the amendments to be accepted – agreed unanimously. **Copy attached.**

14. To receive nominations for Secretary General

Richard Jacques-Turner nominated Tony Imossi of London, UK. As there were no other nominations, it was moved nominations be closed and Tony Imossi was elected unanimously. He then took over the Chair.

15. To receive nominations for Vice-Secretary General

Werner Sachse nominated Georg Hirtl of St.Polten, Austria and, as there were no other nominations, it was moved nominations be closed and Georg Hirtl was elected unanimously.

16. To receive nominations for Treasurer

Harald Olsen proposed Markus Wegst. As there were no other nominations, it was moved nominations be closed and Markus Wegst was re-elected unanimously.

The new Secretary General, Tony Imossi, said, as the elections had taken place, with the meeting's permission, he would re-name item 17.

17. To receive nominations for two Committees – Legislation and Grievance

i) **Legislation Committee:** The Committee was Guglielmo Conti, Gavino Piredda and Tony Imossi. The S-G said at the last minute this week Gavino Piredda had resigned from both the Committee and as the IKD delegate for Italy. Guglielmo Conti had stood down as President of Federpol and a new President has been elected, Laura Giuliani, who had previously been Secretary General of Federpol. Mr. Conti wished to continue on the Committee but the S-G has asked for Ms. Giuliani's consent. With the meeting's permission, the S-G would like to leave the positions on the Legislation Committee open and he and the Vice S-G will deal with this later, when it is known what the position will be with regard to Guglielmo Conti and Gavino Piredda.

ii) **Grievance Committee:** Committee members are Eric Shelmerdine, Vladimir Solomanidin and Harald Olsen. The SG asked if anyone wished to join the Committee. He proposed to leave the Committee as it is. Carried unanimously.

18. Appoint an Auditor

The S-G, on behalf of all the delegates, thanked Claus Jensen who has done the job for the past 12 years. He was willing to carry on for at least a further 3 years. As there were no other nominations, it was moved nominations be closed and Claus Jensen was duly re-appointed Auditor.

19. Any New Business

i) **Official language of IKD:** It was pointed out that according to the Statutes the official IKD language may change. At each General Assembly the official language for the next term of three years shall be decided by vote. Werner Sachse proposed that the official language for the IKD remain English. There was no opposition to this proposal, which was carried unanimously.

ii) **Secretary General proposals:** The S-G suggested, based on what he had heard today, that he will draft a standardised Delegate Report form to make it easier for the delegates to give their reports to the IKD meeting about what is happening with their Association. He would also give guidance about what should be included in the delegates report, which should be short and to the point.

He would also be preparing a template for the Associations to give the information that was suggested by Spain in the website and he will create one for the ABI so it will be the same pattern for all the Associations on the website.

With regard to lack of communication, the S-G proposed to correct this with an aggressive use of the website and plans to invest quite heavily with a new webmaster to develop the IKD website, promoting what we actually do, the Associations that are members and the members themselves. To post on the site sufficient information to keep everybody who is interested informed on what is actually happening through the IKD revisions being made and what it is planned to do. Perhaps the forming of a discussion group and, although this would be difficult to moderate in view of the number of languages involved, it should help the delegates pass on information down the line to their own membership.

The S-G said he needs to know, from the delegates and the Associations, a policy decision on what IKD is going to do on the main issue concerning licensing and its harmonisation throughout Europe. In the UK in 2001 an Act of Parliament was passed creating a mandate for the Security Industry Authority (SIA). Later this year the Authority will begin talking to investigators to decide what standard there should be for PIs; this is timetabled to be implemented in 2006. Licensing of the Security Industry has already started. However, there will be a big problem with enforcement as 40% of known Door Supervisors have decided not to apply for a licence, and are therefore working illegally, and the Authority are not sure how to deal with it as they don't have the resources to enforce it on such a large scale. The Government has said there will be an examination for everybody, a programme of training and also a criminal record check, which will require a 2 years clear record and more, depending on the seriousness of the offence.

The EU has come up with a proposed Directive to deregulate all service industries throughout Europe. They say the way we conduct business is not very competitive because of too much red tape. The highest standard in the world is Spain and the UK has no licensing at all. This is creating problems in Europe being competitive enough to compete in the wider world. If a self-employed PI working under the standards in one country also wants to work in another country, then the standard of control would be the lowest one. The SIA have said that there would, therefore, be no point in licensing in the UK or anywhere. For example, a PI in Spain, who is unable to get a licence there, could set up an agency in another country, with a very low standard, and then set up in Spain and the Spanish Authorities would be unable to take any action to stop him.

The S-G proposed that IKD put forward the argument to Europe, and he will do so through the British Government; that, rather than have the standard being lowered to the bottom, there should be a compromise by raising the lowest standard up to somewhere in the middle, thus setting a more equitable standard for all countries to work to. He wants an agreement from members that the policy of the IKD should be that we do not support the Directive as it stands but that we come up with a compromise proposal as outlined above. This is going to be the main focus of his term as S-G. and is the route to harmonisation in Europe.

Data Protection issues are difficult as they have already been harmonised on paper. All European States should be enforcing DP on the same level but it is not happening. The S-G is not planning to waste time and money on this matter.

The S-G said he would put everything he had said into writing to make it clearer.

Discussion on the above followed and the S-G said IKD needs to act before the Directive is in place and presented as a fait accompli.

Georg Hirtl said he has the English version and the German version of the Directive and he will e-mail it out to the delegates.

The S-G asked the delegates to take this matter back to their individual Boards; IKD has to have a thinking on this because it is law, it is today and it is happening. The timetable will become full law for everybody throughout Europe in 2010 and it will start with pilot schemes in 2008. We have a duty and a responsibility to future generations in our business to act now.

iii) **Annual Fees:** Lothar Mueller said he had been approached by a Latvian Association and a Bulgarian Association who are interested in joining IKD but are having difficulty with affording the fees. He also mentioned the President of an Association in Rumania, who speaks English, and who had inferred that the present Rumanian member may not be an Association. Jean Schmitt said this was an important matter and if we were unable to find out whether or not they are an Association we should not accept them. The S-G said a formal complaint could be made through the Grievance Committee who would make a recommendation to the Secretariat.

Lothar Mueller asked about the position with the fees. A great deal of discussion followed and it was established that this matter could be proposed and voted on at the meeting to set the fees for the IKD for the next three years. The S-G felt that the present fees were too high, that any legal or webmaster expenses would be well within the CHF30,000 which we had. After further discussion, the view from the Secretariat was that a reduction in fees would be workable for the next three years.

Werner Sachse proposed that the fees for membership of the IKD for the next three (3) years be set at:

700 CHF for Associations with 50 or more members
500 CHF for Associations with less than 50 members
500 CHF for Single Members

Carried unanimously.

Further discussion ensued regarding a reduced fee for applying later in the year. Various suggestions were made but most were difficult to implement. The S-G suggested if a proposed member applies to the IKD, there is no application fee but the advance annual subscription to be apportioned quarterly.

It was agreed that a failed application would result in the retention of 100 CHF administration fee.

The matter of payment by Euros was raised and the S-G said the Treasurer would explore the possibility of converting the IKD account into a Euro account but still leave it in Switzerland. If this was effected then the fees would need to be put into Euros currency accordingly.

The Immediate Past S-G said the new Secretariat were a tremendous team and he was impressed with the way the new S-G had started out and the suggestions for the future of the IKD are very positive. He felt very happy about them and wished them all the very, very best for the coming years.

20. To fix the date and venue of the next IKD Executive Meeting

Harald Olsen suggested Spain to host the next IKD meeting. Javier Iglesias said the next APDPE meeting will be the 11th-14th November 2004 in Galicia and IKD could take advantage of the meeting in Spain to start making public the IKD activities.

Bodo Scholl said next year the BDD would meet near Freiburg in May 2005 and invited IKD to have their meeting there.

The S-G said a vote would have to be taken but lunch was waiting so the vote would take place after lunch.

The meeting broke for lunch at 1300 hours and resumed at 1435 hours.

The S-G reminded the meeting of the two venues proposed:

- 1) Spain, in conjunction with the APDPE, probably to be held in Madrid, towards the end of October or early November 2005.
- 2) Germany, in conjunction with the BDD, near Freiburg, in May 2005.

Ballot papers were circulated and collected and the S-G announced the result was for Spain, the date and exact venue will be confirmed nearer the time.

In the absence of any other matters, the S-G closed the meeting by thanking the members for showing confidence in him and he will try his best to serve IKD well, together with Georg and Markus.

The meeting closed at 1458 hours.

...oOo...