



INFORMATION NOTE ON PRIVATE INVESTIGATOR CONTRACTORS

■ Definition of a Private Investigator

A Private Investigator is defined as a person who in the course of a business, trade or profession conducts investigations into matters on behalf of a client and includes a person who:

- a) obtains or furnishes information in relation to the personal character, actions or occupation of a person,
- b) obtains or furnishes information in relation to the character or kind of business in which a person is engaged,
- c) searches for missing persons,
- d) obtains or furnishes information in relation to the loss or damage of property.

■ Who is licensable?

Since the 1st November 2015, contractors providing any of the activities above have required a Contractors Licence from the Private Security Authority (PSA). Contractors include sole traders, partnerships and companies.

From the 1st November 2022, employees carrying out any of the activities above as part of their employment will require an Employee Licence from the Private Security Authority (PSA). Further details on the licensing of Private Investigator employees can be found on PSA Information Note (PSA 87:2022).

For the purposes of PSA licensing, a Private Investigator who solely works for a single PSA Licensed Private Investigator contractor is deemed to be similar to an employee and requires an employee licence.

■ What is licensable?

Any contractor carrying out activities falling within the definition at (1) above require a licence. Contractors who provide services as debt collectors, tracing agents, summons servers, loss assessors/adjusters, security consultants or other occupation where part of their activities fall within the definition at (1) above will require a licence. See (6) on page 2 for further information.

■ What isn't licensable?

The following do not require a licence:

- a person who undertakes technical surveillance counter measures,
- a person who provides information technology security measures,
- a person who has statutory powers to carry out investigations for their employer,
- a person who carries out workplace investigations with the consent or knowledge of the person under investigation and where the matters under investigation are subject to regulation under the enactments listed in Schedule 1 of the Workplace Relations Act 2015,
- store detectives in the normal course of their duties who hold a valid PSA Security Guard (Static) or PSA Security Guard (Guarding) licence,
- law searchers conducting documentation searches,
- a person whose activities relate to accessing publicly available information,
- the professional activities of accountants, auditors, barristers, broadcasters, journalists and solicitors*,
- any other such person as the PSA may decide.

*where these persons engage third parties outside of these professions to undertake activities falling within the definition at (1) above, such third parties will require a licence.

Queries relating to licensable activities should be forwarded to our Qualifications and Standards Division at standards@psa-gov.ie





▪ **Services which may require a licence**

- a) **Summons servers** serving a summons under the terms of S.I. No 475 of 2017: Rules of the Superior Courts (Service) 2017 on the basis of information provided with the summons documentation is not a licensable activity. (However the activities of a summons server are licensable where any investigative activities are undertaken e.g. investigative activities undertaken to identify and address other than that stated on the summons).
- b) **Loss assessors or loss adjustors or claims investigators** who assess damages, do site assessments (e.g. take measurements and photographs), take statements from the insured and witnesses, question the insured and witnesses in relation to the statements taken and complete a report on the loss/claim incident based on these assessments and statements are not considered to be carrying out licensable activities. (However any activities other than these are considered to be investigative activities and are licensable, e.g. investigative activities related to the credibility of the insured or witnesses).
- c) **Scientific and engineering forensic investigators** who carry out forensic examinations at the scene of losses and may remove samples for forensic analysis, who may also take statements from the insured and witnesses and question the insured and witnesses in relation to these statements and who completes a report based on their scientific and/or engineering expertise are not considered to be carrying out licensable activities. (Any activities other than the foregoing are considered to be licensable investigative activities, e.g. investigative activities related to the actions of any persons before, during and following the occasion of the loss).

▪ **Applying for a Contractor Licence**

Application packs and further information are available from our website, www.psa-gov.ie.

You must lodge a valid application with the PSA if you wish to provide private investigator services. Please contact contractors@psa-gov.ie if you have any queries on the contractor application process.

▪ **Applying for an Employee Licence**

Application packs and further information are available from our website, www.psa-gov.ie. You must lodge a valid application with the PSA if you wish to provide private investigator services as an employee. Please contact licensing@psa-gov.ie if you have any queries on the employee application process.

▪ **If I have a valid Private Investigator Employee Licence, can I operate my own business as a Private Investigator?**

No, a PSA Private Investigator Licence only permits the holder to carry out activities subject to PSA licensing as an employee of a PSA licensed contractor or other organisation undertaking licensable private investigator activities in accordance with PSA legislation. It is an offence to provide security services as a Private Investigator contractor without the appropriate licence. The provision of such services without the appropriate licence may result in prosecution.

- **It is an offence to employ an unlicensed private investigator contractor employee.**
- **It is also an offence to provide private investigator services without the appropriate licence.**
- **Persons breaking the law may face a fine of up to €3,000 and/or a five year term of imprisonment.**

