

The Law for Private Investigators

Chapter One: General Instructions

1. Definitions

In this law-

“**Private investigator**” - One who deals with attaining or collecting information about one person for the use of another person, and who provides this service for everyone with the exception of scientific research, general opinion surveys, or mass publicity;

“**Security services**” - Security services for the safety of a person or of property, including the services of installing and maintaining an alarm system and other security devices.

2. Licensing Committee

A) The Legal Minister will appoint a licensing committee according to this law (to be further referred to as the committee).

B) The committee will consist of seven members, including one district court judge who will serve as the chair and six other members (of which at least three cannot be government employees, one must be recommended by the Prime Minister, one must be recommended by the Defense Minister, and one must be recommended by the Minister of Police.

Chapter Two: Private Investigators

3. Prohibition of Involvement

A person cannot work as a private investigator unless he possesses the appropriate license as distributed by the committee and office responsible for private investigations.

4. Qualification for Private Investigations

(A) A person will not be allowed to work as a private investigator unless he or she has met the following criteria:

- (1) The person is an Israeli citizen and resident;
- (2) The person is at least 23 years of age;
- (3) The person has completed 12 years of schooling in a recognized educational institution, or the committee has deemed the person's education to be of equal value;
- (4) In the six years prior to the request, at least three years (either consecutively or alternately) were spent practicing investigation methods –

(A) At a private investigation agency and under the direct supervision and guidance of the agency director, or

- (B) At a place and under conditions that the committee has recognized and with the Legal Minister publicized in a written document;
- (5) The person passed the exams regarding the laws of Israel and the laws of professional ethics, in accordance with the laws determined by the Legal Minister;
- (6) The opinion sees no reason to withhold the license, due to public security reasons or due to the past behavior, character traits, or current behavior of the license seeker.
- (C) In special cases the committee is entitled to forego the conditions of clause 4A (either entirely or in part)

5. Procedures in Granting a License

- (A) The name of the person requested a license according to this law will be published in a manner determined by the rules, and within a determined period during which any person can file an objection to the committee regarding granting a license to the requester.
- (B) The committee appointed according to this law will provide both the license seeker and the governmental legal consultant (or his representative) with an opportunity to make claims and submit evidence, and the committee is entitled to allow other people to express their opinions.
- (C) The committee is authorized to collect evidence in order to use the authority vested by this law.

6. Obligation of Loyalty

A private investigator will act with complete loyalty to his or her client, and the laws regarding their relationship are as the laws of the relationship between a messenger and his or her sender.

7. Revelation of Findings and Ceasing the Investigation

- (A) A private investigator will submit information that he or she discovered regarding a criminal offense to the governmental legal advisor (or a person authorized by the governmental advisor).
- (B) Despite the statement in the aforementioned minor clause (A) a private investigator will not disclose information provided by the client, and if during his professional service to the client the investigator discovered incriminating information regarding the client then the investigator cannot disclose this information without the client's consent.
- (C) If the governmental legal advisor is convinced that the continuation of a private investigator's investigation will disrupt a criminal investigation being conducted by the police, the legal advisor is entitled to demand that the private investigator cease his or her investigation; upon completion of the police investigation - the governmental legal advisor will inform the investigator and he or she will be entitled to proceed with the investigation.

8. Supervision

A private investigator will submit, according to the demands of the governmental legal advisor (or whoever else is authorized to do so), any information necessary to execute this law or any of its clauses or to supervise the methods and means used in attaining and collecting information.

Chapter Three: Private Investigation Agency

9. The Existence of an Agency without a License

A person cannot operate a private investigation agency unless he or she holds the appropriate license for doing so from the committee.

10. Fitness to Operate an Agency

A license for operating a private investigation agency will not be given to a person unless he or she meets the following requirements:

- (1) He or she is a licensed private investigator;
- (2) He or she is at least 28 years of age;
- (3) He or she has at least five years of experience as a private investigator.

11. Employment in Private Investigations

The owner of a private investigation agency shall not hire a person for an investigation unless he or she is a licensed private investigator; he is entitled, however, to hire a trainee who is not yet a licensed private investigator as long as the trainee is directly supervised and guided by the agency director.

12. Employee Supervision

The owner of a private investigation agency will take reasonable measures in order to ensure the appropriate behavior of those employed by his or her agency.

Chapter Four: Investigator Corporations

13. Corporations of Private Investigators

- (A) A corporation is not entitled to open a private investigation agency or a branch of such an agency or to manage [private investigations](#), unless it holds the license to do so granted by the committee.
- (B) A license shall not be granted to a corporation unless it meets the following criteria:
 - (1) The corporation is legally registered in Israel and has no limitation on the guarantee of its members;
 - (2) All the members and directors are private investigators, unless the committee has approved the participation of a person who is not a private investigator in accordance with the rules determined by the committee;
 - (3) The goal, as detailed in the corporation memorandum, is to deal in one of the following fields only: private investigations, organizing security services and actions related to these services, and it was determined in the corporation memorandum that clause 6 of membership directive 2 does not apply.

14. Prohibition on Participating in Profit

- (A) Whomever is not a member of the corporation of private investigators will not be entitled, despite any other directive in the company memorandum and its regulations or in any other document defining the conditions of the incorporation, to any part of the company profits unless he or she is one of the heirs of someone who was a member of the corporation and passed away while still a member of the corporation and as long as the deceased member's part in the corporation had not already been purchased.

- (B) A member's part in a corporation can be transferred to anyone suitable to be a member according to clause 13(B)(2), unless determined otherwise in the corporation's documents.
- (C) If a corporation member has passed away or his/her license has been revoked and the member's part has not been transferred as in the aforementioned clause (B), the corporation members will purchase it within a determined period; the Legal Minister, with the approval of the Knesset Committee for Constitutional, Legal, and Court Affairs, will constitute regulations regarding the manner and time frame for purchasing the part of a corporation who is deceased or whose license has been revoked.

15. Disciplinary Responsibility of Corporation Members

The maker of the corporation of **private investigators** performed a deed that, if performed by a private investigator would be considered a disciplinary violation, and so every member of the corporation is considered to have violated the disciplinary rule unless he/she can prove one of the following:

- (1) The violation was performed without the member's knowledge and his/her role did not require him/her to know about the deed;
- (2) The member took all the reasonable measures possible in order to prevent the violation.

16. Maintaining Responsibility

The corporation cannot reduce the disciplinary responsibility of its members.

17. Damage Responsibility

In accordance with clause 13 of the damages directive [new version] 3, a corporation of private investigators is considered partially responsible for any action or omission on the part of its members acting as private investigators.

Chapter Five: Organization of Security Services

18. Forbiddance of an Organization without a License

- (A) A person cannot establish an agency for security services or organize security services without the appropriate license to do so issued by the committee.
- (B) A person shall not act as a security guard for the types of security determined by the Legal Minister and authorized by the Knesset Committee for Constitutional, Legal, and Court Affairs unless the person has the appropriate license to do so issued by the committee.

19. Restrictions on Issuing a License

- (A) A person cannot establish an agency for security services or organize security services without the appropriate license to do so issued by the committee.
- (B) A person shall not act as a security guard for the types of security determined by the Legal Minister and authorized by the Knesset Committee for Constitutional, Legal, and Court Affairs unless the person has the appropriate license to do so issued by the committee.

20. Prohibition on Investigating Security Services

A person or institution operating security services at an office or factory cannot take it upon themselves, directly or indirectly, to manage a private investigation dealing with that office or agency and will not use any documents found in that office or factory for the purpose of any investigation.

Chapter Six: Judging Discipline

21. Professional Ethics

- (A) The Legal Minister, after consulting the committee, shall determine rules regarding the professional ethics of a private investigator.
- (B) The Legal Minister, authorized by the Knesset Committee for Constitutional, Legal, and Court Affairs, is entitled to determine the regulations for employment under which a private investigator shall not work in addition to his employment as an investigator.

22. Disciplinary Committee

- (A) The Legal Minister shall appoint a judge to be chair of the disciplinary committee; the chair of the disciplinary committee shall appoint the rest of the committee members one by one from a list of **private investigators** and from a list of people who are not private investigators, edited by the Legal Minister.
- (B) The disciplinary committee will be subject to clauses 8 through 11 of the investigation committee law, 1968 4.

23. Appointing an Examiner

The governmental legal advisor is entitled to appoint an examiner to examine matters related to the behavior of a private investigator; the aforementioned examiner will have the authority of a police officer with the rank of a supervisor according to clause 2 of the criminal procedure directive 5, and the law of testimony legally provided by the aforementioned directive.

24. Complaints Regarding a Private Investigator

Complaints regarding a private investigator should be filed to the disciplinary committee established by the governmental legal advisor or to the committee; the complainer is entitled to appoint a person – in general or in regards to a specific matter - to represent him/her and make the claim to the disciplinary committee.

25. Disciplinary Punishment

- (A) A complaint was filed against a private investigator and the disciplinary found - after providing the investigator with the opportunity to defend him or herself - that either a law or one of the rules of professional ethics determined in clause 21 was broken, or that the investigator is guilty of behavior unfitting the profession. The committee is entitled to decide to take one of the following actions:
 - (1) To warn the investigator;
 - (2) To reprimand the investigator;
 - (3) To withhold the investigator's license for a period no longer than three years;

- (4) To revoke the investigator's license and prevent the investigator from receiving a new license either for a limited period of time or permanently.
- (B) In addition to the aforementioned minor clause (A), the disciplinary committee is entitled to:
 - (1) Obligate the private investigator to pay for the costs of the legal proceedings; if the committee has been convinced that the investigator took bothersome or irritating means of protection;
 - (2) Obligate the complainant to pay for the costs of the legal proceedings to the state and the private investigator, or obligate the complainant to pay for the costs of the legal proceedings to the private investigator in a determined sum if the private investigator is acquitted and the committee has found the complaint to be filed without justifiable foundations.

26. Disciplinary Law and Criminal Law

- (A) Disciplinary law, according to this law, is not sufficient to delay or cancel discussing an offense due to that act or complaint.
- (B) If a private investigator was accused of acting in manner that necessitates a discussion of the disciplinary committee according to this law, the disciplinary committee is entitled to cease its proceedings until a final criminal verdict has been reached.

27. Suspension of a License

If a complaint against a private investigator was filed with the disciplinary committee, the committee is entitled to suspend the license of the investigator until the end of the proceedings if it has found that the seriousness of the matter and best interest of the public require this; if the proceedings have not come to an end within three months of the beginning of the license suspension, the suspension is voided unless it has been extended by a courthouse.

Chapter Seven: Various Instructions

28. The Validity of a License

The validity of a license, according to this law, is for one year and can be renewed yearly with an annual fee unless the committee has found reason not to renew the license.

29. Appeal

- (A) The refusal of the committee to grant or renew a license according to this law, in addition to the decisions of the disciplinary committee according to this law, can be appealed by the accused and the complainant in a local courthouse; the legal procedures for appeal will be determined in the regulations.
- (B) A decision of the disciplinary committee that obligates the complainant to payment of the costs according to clause 25(B)(2) can be appealed by the complainant in a court of law.

30. Violations

Anyone violating clauses 3(A), 7, 9, 11, 13, 18(B), 19, or 20 shall be sentenced to one year imprisonment or a fine in the sum of ten thousand lira.

31. Transition Instructions

Whoever worked as a private investigator on January 1, 1972 or directed a private investigation agency and still worked in this framework on the day of publication of this law - shall not be subject to the conditions for requesting a license outlined in clauses 4(A)(2) or 10(2), and the committee can also forego the conditions outlined in clauses 4(A)(3) through (5) and 10(3).

32. Execution and Regulations

The Legal Advisor appointed to execute this law is entitled to instate new regulations regarding

- (1) Licensing fees;
- (2) Internship routes
- (3) The legal proceedings of the disciplinary committee
- (4) The maximal fee for hiring security services.

33. Implementation

This law will be implemented on July 2, 1972.

Shazar

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