



Operational Information for

- ***Private Investigation Agency***
- ***Private Investigator Agent***
- ***Private Investigator
Agent – Shoplifting Prevention***



Introduction

This booklet is intended to serve as an information guide to licensees of private investigation agencies and their employees.

For complete and exact wording, please refer to the sections of the *Private Investigator and Security Services Act* and Regulations, which are shown at the end of each paragraph or consult the Act at <http://www.gnb.ca/0062/acts/acts-e.asp>

This document is available online at <http://www.gnb.ca/0276/PISSA/index-e.asp>. Copies are also available at the following locations:

Department of Public Safety Compliance and Regulatory Services Branch

P.O. Box 5001
430 Broadway Blvd.
Grand Falls, NB E3Z 1G1
Telephone (506) 475-4315

1780 Water Street, Suite 2004
P.O. Box 5001
Miramichi, NB E1N 1B6
Telephone (506) 778-6066

P.O. Box 5001
360 St. George St., Suite 200
Bathurst, NB E2A 1B9
Telephone (506) 547-2940

Provincial Lab. Bldg.
8 Castle St.
P.O. Box 5001
Saint John, NB E2L 4Y9
Telephone (506) 658-3005

414 Collishaw St.
P.O. Box 5001
Moncton, NB E1C 3C7
Telephone (506) 856-2958

65 Brunswick Street
Victoria Health Centre
P.O. Box 6000
Fredericton, NB E3B 5H1
Telephone (506) 444-4814

Carrefour Assomption
121 Church Street
Edmundston, NB E3V 1J9
Telephone (506) 735-2628

Agency Licence

- An agency shall not employ a person who does not hold a valid private investigator agent licence. [Act – subsection 3(2.1)]
- A private investigator agency owner or manager who acts as an agent must have a current agent licence. [Act – subsection 3(2)]
- A private investigator agency owner or manager who does not act as an agent is not required to obtain an agent licence. [Act – subsection 3(2)]
- The agency licence must be displayed in a conspicuous place in the office of the business at each location within the Province [Act – subsection 12(1)]
- The agency shall keep a duplicate copy of each agent’s licence employed by the agency. [Act – subsection 12(2)]

Agency’s Responsibilities

- A *private investigation agency* shall
 - a) keep records of each employee’s name and address including the commencing and terminating date of employment; and
 - b) keep records of the work performed in the preceding calendar year and provide such record to the Commission upon request. [Reg. 84-103 – section 9]
- An *agency* is required to notify the Department of Public Safety in writing within seven days:
 - a) if there is a change in business address;
 - b) when there is a change in officers or members in the case of a corporation, partnership or association of natural persons; and
 - c) if an agent is terminated. [Act – subsection 7(1) (a), (b), (c)]

- An **agency** shall keep all books, documents or records at the office of the agency in the Province and shall ensure such books, documents or records are readily accessible. [Act – section 12.1]
- An **agency** or person employed by an agency shall not withhold or destroy, conceal or refuse to provide any information or thing required for the purposes of an inspection, or obstruct or hinder an inspector engaged in carrying out his duties under the Act. [Act – subsection 17(4)]

Agency Licence Renewal or Termination

- A licence is renewed yearly on or before March thirty-first and upon payment of the prescribed fee. [Act – subsection 8 (1)]
- Upon termination of an agency, revocation or suspension of an agency’s licence, the business owner must forward the licence and the identification card to the Department of Public Safety, Compliance and Regulatory Services Branch. [Act – subsection 11(1)]
- Upon an agency owner’s death, a temporary licence may be issued for a specific period of time to his executor or administrator. [Act – section 9]

Agent

Agent Licence

- An agent must carry his licence / identification card while on duty and produce either or both for inspection at the request of any person. [Act – subsections 14.1(1) (2)]
- A person must be employed by an agency to be eligible for an agent licence. [Act – subsection 3.2]

Agent's Responsibilities

- An agent employed by an agency shall not withhold or destroy, conceal or refuse to furnish any information or thing required for the purposes of an inspection, or obstruct or hinder an inspector engaged in carrying out his duties under the Act. [Act – subsection 17(4)]
- A person licensed as an agent shall notify the Commission in writing when charged with an offence under the *Criminal Code*, chapter C-34 of the Revised Statutes of Canada, 1970 or under this Act. [Act – subsection 7(2)]
- An agent shall notify the Department of Public Safety in writing of any change in address within seven days of the change. [Act – section 7.1]

Agent Licence Renewal or Termination

- An agent licence is renewed each year on or before March thirty-first and upon payment of the prescribed fee. [Act – subsection 8(1)]
- When an agent's licence expires, is revoked or suspended, or the agency terminates his employment, the agent shall immediately forward his licence and identification card to the Department of Public Safety, Compliance and Regulatory Services Branch. [Act – subsection 11(3) (3.1)]
- An agent licence expires on the thirty-first day of March of each year, unless sooner revoked. [Act – subsection 8(1)]

Agency & Agent

No agency or agents are allowed to collect, seize or repossess property.

- The licensee is not allowed to collect accounts or advertise that he will collect accounts for any person. [Act – subsection 15(1), (a)]
- The licensee is not allowed to seize or repossess property or assist in seizing and repossessing property. [Act – subsection 15(1), (b)]
- The licensee shall not use his licence or identification card, a uniform or any other evidence of authority such as a badge, to collect or assist in the collection of accounts, or to seize or repossess property. [Act – subsection 15(2)]
- A licensee shall not hold himself out in any manner as a police officer or as performing or providing services or duties connected with a police force. [Act – section 16]

Uniform and Equipment

- A private investigator shall not wear a uniform or have in his possession or display any badge, shield or other evidence of authority. [Act – subsection 13(1)]
- A private investigator must have his licence / identification card or a business card on his person while on duty. [Act – subsection 13(1)(a), (a.1)(b)]

Offences / Penalties

- A person who violates or fails to comply with a provision of the *Private Investigators and Security Services Act* or any provision of the regulations commits an offence. [Act – subsection 23(1) (2) (3)]

List of available guides, notices, and applications

Copies of the following documents are available on request by contacting the Department of Public Safety.

Material available:

- G-100 Application Information Guide
- G-101 Frequently Asked Questions

To order, you may write, phone or fax your request.

Department of Public Safety
Compliance and Regulatory Services
P.O. Box 6000
Fredericton, NB E3B 5H1

Telephone: (506) 453-7472
Fax: (506) 453-3044

You may also download the information by going to Public Safety's web site at: <http://www.gnb.ca/0276/PISSA/index-e.asp>