

Investigation Agents Licence

Business Conditions

Guidelines for Applicants

Who needs to be licensed?

If you wish to contract for investigation work as defined below, you must hold an Investigation Agents Licence with Consumer and Business Services.

All partners in a partnership must hold their own licence, even if they do not personally perform the functions of an investigation agent. If the business is conducted by a body corporate (e.g. a company) it must hold its own licence; it is not covered by a licence held by one of the directors or shareholders.

Collection work

- Ascertaining the whereabouts of or repossessing goods that are subject to a security interest
- Collecting or requesting the payment of debts
- Executing legal process for the enforcement of a judgement or order of a court
- Executing distress for the recovery of rates, taxes or money

Inquiry work

- Obtaining or providing (without the written consent of a person) information as to the personal character or actions of the person or as to the business or occupation of the person
- Searching for missing persons
- Obtaining evidence for the purpose of legal proceedings (whether the proceedings have been commenced or are prospective)

Am I eligible to obtain a licence?

You are entitled to be licensed as an investigation agent (business condition) if you meet the following criteria.

Individuals (including partners in a partnership)

- You hold or are applying to hold a licence which allows you to personally perform the functions of an agent (refer to the ISL Investigation Agent Employee Guidelines)
- You are not an insolvent under administration (e.g. bankrupt) within the meaning of the Corporations Act 2001 of the Commonwealth
- You are not suspended or disqualified from practicing or carrying on an occupation, trade or business under Australian law
- During the last 5 years you have not been a director of a body corporate wound up for the benefit of creditors either when it was being wound up or within 6 months before it commenced winding up.
- You have sufficient business knowledge and experience to properly carry on the business to be authorised by the licence
- You have sufficient financial resources
- You have not been convicted of a Prescribed Offence (refer to the Prescribed Offence guideline for more information)
- You are a fit and proper person

If you do not have the required qualifications, business knowledge or financial resources, you may be eligible for a licence restricted to carrying on business in partnership with a specified licensee.

Body corporate

- The body corporate and each of its directors are not suspended or disqualified from practicing or carrying on an occupation, trade or business under Australian law
- It is not being wound up and is not under official management or receivership
- During the last 5 years no director has been a director of a body corporate wound up for the benefit of creditors either when it was being wound up or within 6 months before it commenced winding up
- The directors have sufficient business knowledge and experience to properly direct the business to be authorised by the licence
- No director has been convicted of a Prescribed Offence (refer to the Prescribed Offence guideline for more information)
- Each director is a fit and proper person
- The body corporate has sufficient financial resources

How do I apply?

Visit our website www.cbs.sa.gov.au and apply on line, or come in to our customer service centre at 91 Grenfell Street Adelaide.

All applications need to be printed, signed and submitted with the appropriate supporting documentation.

Management Requirements (Body corporate only)

A body corporate must ensure that its business (under its licence) is properly managed and supervised by a person licensed to perform the security work personally, without supervision. The body corporate may choose to use more than one manager, provided that all the work functions authorised by its licence are covered, either individually or combined, by the managers.

Financial Requirements

To qualify for a licence, a body corporate must have sufficient financial resources for the purposes of properly carrying on the business to be authorised by the licence. To meet the financial requirements, the body corporate must either:

- Have a minimum of \$10,000 in tangible net assets. Where the body corporate will be carrying on the business as a trustee, this includes the net tangible assets of the trust.
- or
- Provide a letter from a Chartered Accountant, Certified Practising Accountant or NIA Public Accountant certifying that the accountant has examined the financial position of the body corporate, the body corporate is solvent and has an ongoing (minimum 12 months) source of finance in place sufficient to meet its business needs.

What information do I need to provide to complete an application?

Fees

The application and pre-grant fee specified on the attached fee details.

National Police Certificate

A National Police Certificate is required for each applicant and each director of the applicant company *except* where one of the following applies:

- The applicant company is listed on the Australian Stock Exchange
- The applicant or director is a director of another company listed on the Australian Stock Exchange
- The applicant is a body established by statute (eg a council or Government authority)
- The applicant or director has lodged a National Police Certificate with CBS within the previous 12 months
- The applicant or director is an overseas resident who has never resided in Australia
- The applicant has held a licence within the last 12 months and is applying for an equivalent licence. Note: in the case of a company the director must have been recorded as a such at the time the company was last licensed
- The applicant or director holds or is associated with another licence issued under this Act for which an NPC has already been supplied.
- The applicant or director holds, is applying to hold or is associated with a Security Agent licence for which a Personal Information Declaration form is/has been submitted

The certificates must be no more than twelve months old at the time of lodging your application. A National Police Certificate can be obtained through state and territory police departments and the Australian Federal Police. Alternatively, you can obtain National Criminal History/Record Checks from CV Check Pty Ltd (www.cvcheck.biz) or an Australian Criminal Intelligence Commission Accredited Organisation (www.acic.gov.au for further information).

Important note: Checks that simply verify you are able to work with particular persons (e.g. children) without specifying your criminal history are **not** sufficient.

Business criteria

The applicant, or in the case of a body corporate, at least one director, must have sufficient business knowledge and/or experience (refer to the Business Criteria guidelines for options).

Qualification Requirements (individuals only)

If you hold a current "employee only" licence for the business function you are applying for you do not need to supply any further information. If you do not hold a current employee licence please refer to the ISL Investigation Competencies guideline for qualification requirements.

Trust Account Details (collection work only)

If you have opened a trust account for the purpose of holding monies for clients, you will need to supply the following information to the Commissioner; account name, BSB, account number and name of financial institution.

Financial information

The applicant needs to meet the financial requirements.

Fee schedule

Fees and charges effective 1 July 2017

No GST is applicable - our ABN is 15 088 976 178

Application and pre-grant fees	Application Fee	Pre-Grant Fee	Total
Individual (Business)	\$467.00	\$635.00	\$1102.00
Body Corporate (Company)	\$756.00	\$830.00	\$1586.00
Amending licence/registration conditions			
Application for alteration to conditions	\$284.00		\$284.00

Periodic Fees

Individual (Business)	\$635.00
Body Corporate (Company)	\$830.00

Other Fees

Replacement of licence card or certificate	\$26.50
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Payment options

Credit cards accepted are Visa and MasterCard.

Annual renewal fees can be made online at www.cbs.sa.gov.au or by phone on 1300 668 531.

Cheques should be made payable to the Commissioner for Consumer Affairs.

Eftpos facilities are available at our Customer Service Centre in Adelaide.

Information regarding BPAY is provided on annual renewal notices.

Partial or instalment payment options are not available.

For more information

Email	Website	Phone	In person
occupational@sa.gov.au	www.cbs.sa.gov.au	Ph: 131 882	Customer Service Centre 91 Grenfell Street ADELAIDE SA 5000