

November 2008

PRIVATE INVESTIGATOR'S

With any debt recovery and management strategy, the key is being able to contact the debtor so that written or verbal communication can occur and documents served as part of any legal proceedings.

If you can't find them, it's highly unlikely you will recover the debt.

This is where a Private Investigator can assist.

It is important, however to understand the legal framework in New Zealand in which Private Investigators operate.

MYTH

V

REALITY

The first thing people say when I tell them that I am a Private Investigator is a joke about Magnum PI. The reality is not quite as glamorous. Private Investigators are governed under a historic piece of legislation called;

Private Investigators and Security Guards Act 1974

To operate as a Private Investigator in New Zealand, a person must either hold a Private Investigators Licence, or be classified as an approved employee of a licensed Private Investigator. In other words the company holds the licence and the employees generally hold a Certificate of Approval (COA)

All Licenced Private Investigators and Certificate of Approval holders must be approved by the Police prior to the licence being issued. The licence must be renewed annually.

A Private Investigator is issued with an identity card and is obliged to produce it upon demand.

The Act is currently under review by Parliament.

It is important to note the following points about some of the things a PI can and can't do:

CASE STUDY

A Waikato company contacted us recently regarding an outstanding debt of approximately \$10,000. The debtors had previously operated a business in the Hawkes Bay that had purchased materials from the client.

The debt was about a year old and the client had basically given up on tracking the debtors down. He had no idea where they were despite having carried out his own enquiries.

It was established that the debtors had run up similar size debts with other business's who also had given up on finding them and had filed it in the "to hard basket".

The debtors were immigrants which limited the amount of information and family contacts available.

The client commissioned Aperio Investigations Ltd to carry out the necessary enquiries to locate the debtors, and if possible serve the necessary documents so as to commence court recovery proceedings.

Within hours the debtors had been located living in a remote settlement in the South Island. Legal documents were prepared by the client's lawyer and they were then served on the debtors by the investigation agent. Recovery action has commenced.

The total cost to the client was about \$600. This is of course a

CAN' T

- Has no more authority or powers than a normal citizen.
- Does not have access to information that is not publicly available (i.e Police intelligence, IRD, WINZ etc)
- Is prohibited from capturing images of a person without that person's authority (i.e photographs, videotape etc). Except in special circumstances.
- Can not access telephone records without the permission of the account holder.
- Can not intercept private communications (bugging, tapping phones etc)

CAN

- Access all information that is publicly available.
- Carry out surveillance.
- Carry out evidential interviews with witnesses and suspects.
- Prepare prosecution files prior to handing them to the Police so as to speed up any criminal proceedings. i.e Staff theft, fraud etc.
- Trace missing persons
- Serve documents

If you need some assistance with debtors go to www.collectit.co.nz or give us a call on 0508 collectIT (2655328).

Until next time

don't write off debt... **collectIT**

Melanie O'Neill & Catherine Clark
Directors



cost to the debtor if the client has a terms of trade agreement.

To discuss anything regarding your Private investigation requirements, please feel free to contact Dale Kirk of Aperio Investigations Ltd. Your enquiry will be treated in strict confidence.

Ph 07 8535472

Ph 021 2288422

www.aperioinvestigations.co.nz
info@aperioinvestigations.co.nz

If you do not wish to continue receiving emails from us, please click on the link below while connected to the internet. [Remove Me](#)

