

FEDERPOL REPORT FOR IKD ANNUAL MEETING IN OSLO

Dear President, Vice-President, Secretary General, Presidents of the Associations members.

It is a pleasure to be again with you after a year full of job and full of news, above all speaking of the FEDERPOL, the Italian association I am representing at the moment as Delegate to IKD.

In Italy FEDERPOL has become the main counterpart of the Parliament representatives that are performing two different texts of law concerning the establishment of a Professional Order for P.I's (Project of Law nr. S490) and some deep modifications of the old legislation established in 1931 and 1940 with a recent Project of law named "SUBSIDIARY SECURITY PROVISIONS".

Both the two projects of law are going on but the fastest, after two years of stand by inside the Senate Legislative Committee, seems to be the Project of Law classified with the number "S. 490", as the proponent, Senator Bettamio, has told us during the Congress and AGM of the FEDERPOL held Saturday and Sunday 5th and 6th June last.

The association is also cooperating with the Privacy Guarantor for a final definition of a Code of Ethics for the entire category and is deeply involved in making easy for the membership the adoption of the recent law regulating the Italian job market (the text of law is better known LEGGE BIAGI) and above all certain traditional contracts adopted until recent times by the major part of P.I's in its crucial relationships with external co-operators.

After the above mentioned AGM the FEDERPOL, as everyone of you knows being I have already sent that information by e-mail, has a new President and a new Secretary General as follows:

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The newly elected National President, who has been the Secretary General in charge until the AGM end, has confirmed the FEDERPOL membership in the IKD being she understands the importance for the represented association to stay inside an international context among other 17 countries.

During the next year the FEDERPOL, more than the important activities I have already mentioned has taken care of its membership training by activating some formative stages held at the University of Urbino, in Florence, in Carpi (MO) and in Milan. More: the association has also create links with the Universities of L'Aquila and of Bari which are involved in degree courses on Investigative and Security matters.

The importance of those mentioned activities (training and a Professional Order) it's easy to understand not only if you consider internal and foreign business relationships but, above all if you'll see the development our field will have from now to the 2010, when the European Parliament and Council Directive on services in the internal market, presented by the Commission to accomplish the requests made in March 2000, during the European Council in Lisbon, by Chiefs of State and of Government, should have unfolded all its potentialities.

As you know Security and Investigation are services provided by companies of firms. In Italy they are submitted to an authorization released by Prefectures being they are services with a social relevance that integrate and sometimes fully substitute the Law Enforcement in some relevant activities like property protection, investigation on insurance frauds, child abduction, thefts, investigations in favour of the defence as allowed by the some recently up-dated criminal laws (Criminal Procedure Code, Law 397/2000 on defensive investigations, etc.).

In Europe our field is at the moment differently regulated or not regulated at all. That situation creates a leak of certainty inside users of our service above all in terms of quality and affordability. There are also many obstacles for free exercise of service in a Country different of your because of laws, administrative rules or other reasons. And that situation causes a lack of growth and job creation.

The proposal of directive is thought to eliminate any possible obstacle and with a view to establishing the mutual trust between member States, provides for:

- harmonisation of legislation in order to guarantee equivalent protection of the general interest on vital questions, such as consumer protection, particularly as regards the service provider's obligations concerning information, professional insurance, multidisciplinary activities, settlement of disputes, and exchange of information on the quality of the service provider;
- stronger mutual assistance between national authorities with a view to effective supervision of service activities on the basis of a clear distribution of roles between the Member States and obligations to cooperate;
- measures for promoting the quality of services, such as voluntary certification of activities, quality charters or cooperation between the chambers of commerce and of crafts;
- encouraging codes of conduct drawn up by interested parties at Community level on certain questions, including in particular commercial communications by the regulated professions.

The proposal encourages also the application of the Principle of the Original Country and of a mutual recognition as well as the establishment of a clear and balanced framework to facilitate the free movement of services in the internal market as necessary element for the success of the new integrated competitiveness strategy.

A deep study of that proposal is needed at any level, inside the IKD LEGISLATIVE COMMITTEE and also outside, with a possible co-operation of a jurist to see what we can do, before a definitive approval, in favour of our European Members and what we could possibly do in favour of a single member in his country to obtain an adequate legislation.

To make easier your contribution to the above mentioned study I am enclosing a copy of that proposal of directive obtained after the communication sent by Richard Jacques-Turner on behalf of Tony Imossi the 19th of May last.

Good job to everybody.

Gavino Piredda
FEDERPOL Delegate to IKD