



Item	Questions	Comment & References
	<p>The first list of relevant items to clarify ahead of the revision of our Law on Private Investigators, on which we would appreciate your information, guidance and suggestions based on the current European practice, are as follows:</p>	<ol style="list-style-type: none"><li data-bbox="1032 938 1682 970">1. The ABI – A go to guide on GDPR, click here<li data-bbox="1032 1038 1877 1070">2. The ABI adopted Guide to GDPR Documentation, click here<li data-bbox="1032 1139 1541 1171">3. The ABI DPIA narrative, click here

(a)	how the application of the rules of the GDPR affect the practice of a data request by a private investigator,	<p>Out of the 6 grounds on which someone is permitted to process personal data, a PI will most probably rely on his or his client's 'Legitimate Interest' and this will be recorded in the data privacy impact assessment (DPIA). In the absence of a 'Legitimate Interest' the PI will have to seek the data subject's consent at some point; for example in a trace case (perhaps for domestic reasons that has no legitimate interest) the PI would contact the data subject after locating him and seek his consent prior to reporting the address to the client.</p>
(b)	regulation of access to personal data from certain registers (e.g. access to personal data and access to the database),	
(c)	if and how GDPR narrows down the private investigator's right to obtain information, and	
(d)	if GDPR limits the rights of the private investigator to obtain the data, is it possible to obtain the data acquisition and data retrieval powers obtained by the private investigator before and after the entry into force of the GDPR.	<p>GDPR has not altered or restricted the PI's good practice methods. What the Regulation does is create transparency and accountability by requiring a documented trail covering, but not necessarily limited to:-</p>

1	An initial audit of the personal data the PI processes, retains and transfers. (A record of the data flow).	DP Audit sample template, click here
2	Record of the basis on which the data is processed by a detailed DPIA, which includes the 'Legitimate Interest'.	Sample Proposal to Client incorporating the DPIA, click here
3	A statement on the processing of personal data.	Model ABI DP Statement, click here
4	A publicly available policy on the processing, where for example data is collated on a web site or other electronic platform; for example a web site's contact form completed by visitors.	The ABI Privacy Notice & Cookie Policy, click here
5	Maintains a record of the	Personal Data Audit Trail (Spread-sheet / Case Management), click here

	processing of data / audit trail (Case Management System).	
6	Accepts instructions only under written contract with the client, which must include assurances to meet the obligations under GDPR.	Model Terms of Business (Investigator and Client), click here
7	Ensures that the client's permission has been obtained prior to sub contracting any part of the investigation that requires the processing of personal data and that a written contract exists with the sub-contractor (sub-processor / joint data controller), which must cover the GDPR obligations given in the contract with the client.	Model Terms of Business (sub-contractor), click here