

# Private Investigator Transition Arrangements – Operative Licensees



On 1 July 2022, the *Commercial Agents and Private Inquiry Agents Act 2004* will be repealed.

Private inquiry agent activities previously authorised by a CAPI licence (surveillance of persons and investigation of persons) will be regulated by SLED under the *Security Industry Act 1997* and require a Class 2E (Private Investigator) security licence.

All CAPI licences authorising commercial agent activities (process serving, debt collection and repossession of goods) will cease to exist on 30 June and [NSW Fair Trading](#) will assume regulation of the commercial agent industry from 1 July 2022.

## What will happen to my CAPI licence if I'm authorised to carry on private inquiry agent activities only?

On 1 July 2022, CAPI operator licences for private inquiry agent activities that were current on 30 June 2022 will automatically become Class 2E (Private Investigator) security licences.

If you have an existing security operative licence, subclass 2E (Private Investigator) will automatically be added to your licence, with the security licence retaining its expiry date. However, SLED will not issue you with a new photo licence card at this time. You will need to carry both photo licence cards until you renew your security licence (your renewed licence will show all authorised subclasses, including 2E).

If you don't have an existing security operative licence, you will be granted a Class 2E (Private Investigator) security licence.

It will have the same number and expiry date as your CAPI licence, but you will not be issued with a security photo licence card until you renew the licence. Until then, you can continue working as a private investigator using your previous CAPI photo licence card.

## What will happen to my CAPI operator licence if I'm authorised to carry on both commercial agent and private inquiry agent activities?

If you are authorised to carry on both commercial agent and private inquiry agent activities, the private inquiry agent activities will automatically become a Class 2E (Private Investigator) security licence from 1 July 2022.

The commercial agent activities will cease to exist from 1 July 2022. You will need to contact [NSW Fair Trading](#) to determine your commercial agent licensing requirements.

## What will happen to my CAPI licence if I'm authorised to carry on commercial agent activities only?

If you are authorised to carry on commercial agent activities only, your CAPI licence will no longer exist from 1 July 2022. You will need to contact [NSW Fair Trading](#) to determine your commercial agent licensing requirements.

## Why do I have to provide my qualifications to SLED?

Since 1 May 2006, private inquiry agents have been required to successfully complete training qualifications to be eligible for a CAPI operator licence.

To ensure licensing records are correct and licensees have completed the required training, SLED is asking everyone who becomes licensed for the subclass 2E (Private Investigator) to provide a copy of their qualifications (e.g. Certificate III in Investigative Services) on or before 1 July 2023.

Current licensees aren't required to upgrade to the current Certificate III in Investigative Services if they met the qualification requirements that applied when they were first licensed. You will need to provide SLED with a copy of the qualifications that were applicable at the time you were granted your licence by emailing them to [sled@police.nsw.gov.au](mailto:sled@police.nsw.gov.au).

If you held a current Probationary CAPI licence on 30 June 2022, you will no longer be subject to supervision requirements from 1 July 2022, so it's particularly important that you provide us with evidence that you have obtained the required qualifications.

Licensees who don't provide their training qualifications to SLED may have their licence revoked.

## What training do I need for a Private Investigator licence?

Probationary licences will no longer be part of the licensing pathway for private investigators, so all new applicants must have either successfully completed or be undertaking the required qualification for a Class 2E (Private Investigator)

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security licence.

To be eligible for a Class 2E security licence, you must have completed CPP30619 Certificate III in Investigative Services. Security industry legislation allows an applicant to provide their qualifications within 42 days of lodging their application.

## How do I get a refund for the unused portion of my CAPI licence?

SLED will process refunds for the unused portion of CAPI licences in August 2022. Your refund will depend on the activities authorised by your CAPI licence and the amount of time left before its expiry date (i.e. between 1 July 2022 and the expiry date). Please ensure your contact details and postal address are up to date with SLED so we can send you your refund.

If you are authorised to carry on private inquiry agent activities only and don't have an existing security operative licence, you will not be entitled to a refund. However, you will not be required to pay for the security licence until you apply to renew it.

## My CAPI licence is about to expire. How can I renew it before 1 July 2022?

SLED is no longer processing new CAPI applications or reapplications involving commercial agent activities.

If you are authorised to carry on private inquiry agent activities, and your CAPI licence is due to expire before 1 July 2022, you can submit a reapplication to SLED. Your details will be recorded, and your licence will be renewed as a Class 2E (Private Investigator) security licence on 1 July 2022.

If you are authorised to carry on commercial agent activities, your reapplication will be returned to you, but you will be able to continue working as a commercial agent until you can apply for a licence with NSW Fair Trading from 1 July 2022.

## Need more help?

You can get in touch with the SLED Contact Centre by calling 1300 362 001 or via email at [sled@police.nsw.gov.au](mailto:sled@police.nsw.gov.au).

## WHERE CAN I FIND MORE INFORMATION?

The information provided in this Fact Sheet is for general guidance only. Applicants and licensees should familiarise themselves with the *Security Industry Act 1997* and the *Security Industry Regulation 2016*, which are available on the NSW Legislation website ([www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au)).