

Act on the Finnish Transport Agency (862/2009)

Section 1 Function

The Finnish Transport Agency is a central government agency operating under the Ministry of Transport and Communications. It is responsible for maintaining and developing the service level in the state-managed transport infrastructure. The Agency promotes the operation of the entire transport system, traffic safety, balanced regional development and sustainable development.

Section 2 Duties

- (1) The Agency shall:
- 1) maintain and develop the transport system in cooperation with other actors;
 - 2) be responsible for the state road and railway network, the waterways under its control and the consolidation of measures targeted at them, as well as guide and supervise waterway maintenance in the whole country;
 - 3) be responsible for the implementation of significant road projects and for the planning, maintenance and construction of railways and waterways;
 - 4) be responsible, within its sphere of responsibility, for guiding the operations of Centres for Economic Development, Transport and the Environment and for the consolidation of road management in the said centres;
 - 5) participate in reconciling transport and land use;
 - 6) control and develop traffic management in the state-owned transport infrastructure and in maritime transport also outside the state-owned infrastructure as laid down in separate provisions;
 - 7) ensure preconditions for winter navigation;
 - 8) develop and promote transport services and the functioning of their markets;
 - 9) promote measures improving the productivity of infrastructure management;
 - 10) develop the operational preconditions for public transport and grant subsidies for shipping and other modes of transport;

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11) maintain and develop hydrography;

12) be prepared, within its sphere of responsibility, to ensure the operation of the transport system in emergency conditions and when normal operations are disrupted.

(2) The Agency shall also carry out other duties within its sector as set out by separate provisions.

Section 3 Director General

The Agency is headed by a Director General appointed by the Government.

Section 4 Further provisions

(1) Further provisions on the management of the Agency and the conduct of its duties, handling of matters and decision-making in the Agency, qualification requirements for the Director General and for other public positions, designation of the Director General's deputy, appointment and recruitment of personnel as well as any other issues related to personnel and to the representation of the Agency with regard to other authorities and in other duties will be issued by Government decree.

(2) The Director General shall issue the rules of procedure for the Agency. The rules shall contain provisions on:

1) the organisation;

2) use of the power of decision;

3) internal management;

4) deputies other than the deputy to the Director General;

5) other issues related to internal administration.

Section 5 Entry into force

(1) This Act enters into force on 1 January 2010.

(2) This Act repeals the following acts:

1) Act of 16 June 2000 on the Finnish Road Administration (568/2000), as amended;

2) Act of 21 March 2003 on the Finnish Maritime Administration (939/2003), as amended;

3) Act of 22 December 2005 on the Finnish Rail Administration (1095/2005).

- (2) Any reference made in another act or decree or in a Government or ministry decision to the Finnish Rail Administration or to duties of the central administration of the Finnish Road Administration as well as any reference to public office duties and procurement in connection with waterways management and icebreaking duties of the Finnish Maritime Administration, to vessel traffic services and tasks concerning enhancing the competitiveness of ships engaged in sea transport, hydrography and statistics on maritime transport will, after the entry into force of this Act, be regarded as a reference to the Finnish Transport Agency and its duties.
- (3) Measures necessary for the implementation of this Act may be undertaken before the Act's entry into force.

Section 6 **Transitional provisions for the duties**

- (1) At the entry into force of this Act, the matters pending in the Finnish Rail Administration and in central services of the Finnish Road Administration shall be transferred for handling and decision to the Finnish Transport Agency, as far as they fall under the Agency's responsibility by virtue of this Act or any other act.
- (2) At the entry into force of this Act, the matters pending in the Finnish Maritime Administration relating to public office duties and procurement in connection with waterways management and icebreaking, vessel traffic service, and tasks concerning enhancing the competitiveness of ships engaged in sea transport, hydrography and statistics on maritime transport shall be transferred for handling and decision to the Finnish Transport Agency, as far as they fall under the Agency's responsibility by virtue of this Act or any other act.
- (3) Any agreements or other commitments as well as any rights and obligations related to the matters referred to in subsections 1 and 2 above will be transferred to the Finnish Transport Agency.
- (4) At the entry into force of this Act, the real property assets in possession of the Finnish Rail Administration, the Finnish Road Administration and the Finnish Maritime Administration for the carrying out of duties under this Act shall be transferred to the possession of the Finnish Transport Agency.
- (5) Any permissions and decisions issued by the Finnish Road Administration, the Finnish Rail Administration and the Finnish Maritime Administration shall remain valid at the entry into force of this Act in accordance with the terms and conditions stated therein.

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- (6) At the entry into force of this Act, the regulations issued by the Finnish Road Administration, the Finnish Rail Administration and the Finnish Maritime Administration shall remain in force until other provisions concerning their application are issued.

Section 7
Transitional provisions for personnel

- (1) At the entry into force of this Act, all personnel who perform the tasks referred to in section 6 above is to be transferred to the Finnish Transport Agency, either in public-service or contractual employment relationships, and the corresponding public posts and employment positions will be transferred to the Finnish Transport Agency. Personnel employed for a fixed term will be transferred to the Agency for the remainder of their contract. The transfer of a public post or employment position within the same journey-to-work area does not require the consent of the public servant in question. Personnel who are transferring will retain the rights, duties and euro-denominated salary associated with their employment relationship at the time of transfer. If the duties of a public post change and a new post is established to replace it, the new post may, for the first time, be filled without declaring it for application.
- (2) On 1 January 2010, the public post of Director General will be established at the Finnish Transport Agency by a decision of the Ministry of Transport and Communications and will be subject to the provisions of the Public Servants Act (750/1994). Before this Act enters into force, the Ministry of Transport and Communications may establish the senior public posts immediately subordinate to the Director General as of 1 January 2010. The senior public posts immediately subordinate to the Director General may, for the first time, be filled without declaring them for application. At the entry into force of this Act, the public posts of Director General at the Finnish Maritime Administration, the Finnish Road Administration and the Finnish Rail Administration will be terminated. The public-service employment relationships associated with these public posts will terminate without notice when the posts are terminated.