

Translation from Finnish

Legally binding only in Finnish and Swedish

Ministry of Finance, Finland

Act on Discretionary Government Grants

(688/2001; amendments up to 1075/2022 included)

By decision of Parliament, the following is enacted:

Chapter 1

General provisions

Section 1

Scope of application

This Act lays down provisions on the grounds and procedures that apply to awarding discretionary government grants. In this Act, discretionary government grants mean financing awarded in the form of financial support for an activity or project.

This Act applies to discretionary government grants awarded from an appropriation in the Budget or from the funds of an off-budget entity. This Act also applies when authorisation is granted in the Budget to make agreements on or commit to discretionary government grants.

Unless otherwise provided in another act, this Act also applies to discretionary government grants awarded for use outside Finland. However, if the government grant recipient referred to in subsection 2 is a foreign state or an institution of a foreign state or a transnational international organisation, only sections 5–8; section 11, subsection 5; and sections 32a–32e apply to the discretionary government grant.

(1075/2022)

This Act does not apply to financing awarded on the basis of international obligations binding on Finland.

Section 2

Application of the Act to financial support granted from the funds of the European Community or other European Union funds

Unless otherwise provided by Finnish law or European Community law, the provisions laid down in sections 8–37 apply, as appropriate, to financial support granted from funds of the European Community or other European Union funds. In this Act, financial support granted from the funds of the European Community or other European Union funds means grants, loans and other forms of financing, guarantees, payment reliefs and other financial benefits granted from the budgets of the European Communities or other funds governed by the European Union.

Section 3

Relationship with other legislation

Provisions in another act that diverge from this Act apply instead of what is provided in this Act.

Subsection 2 was repealed by Act 644/2022.

Unless otherwise provided in another act, the following are not considered discretionary government grants for the purposes of this Act:

- 1) financial support, compensation or other benefit if the right to receive it is based on law and if the criteria for determining the amount to be awarded are specified in law;
- 2) loans granted from central government funds and related interest relief or other benefits;
- 3) central government guarantees;
- 4) interest subsidy on loans granted by a credit institution or a state-owned specialised financing institution or company;
- 5) relief on or exemption from the payment of state tax and other claims of the State; and
- 6) social allowance, benefit based on social insurance and other financial support based on statutory social security granted to a private person.

The Act on Central Government Transfers to Local Government for Basic Public Services 1704/2009 was repealed by the Act on Central Government Transfers to Local Government for Basic Public Services 618/2021, which enters into force on 1 January 2023. The Act on Planning and Discretionary Government Grants for Healthcare and Social Welfare 733/1992 was repealed by the Act on the Implementation of the Reform of Health, Social and Rescue Services and on the Entry into Force of Related Legislation 616/2021, which enters into force on 1 January 2023.

Section 4

Definitions

In this Act:

1) *government grant authority* means the authority having statutory duties which include matters pertaining to a particular discretionary government grant; and

2) *public financial support* means grants, loans and other financing, interest subsidies, guarantees, payment relief and other comparable financial benefits provided by the State, a local authority or other public entity or a body or foundation governed by public law, or paid from their funds, and financial support granted from the funds of the European Community or other European Union funds, with the exception of financial support provided through the tax system.

Chapter 2

Grounds for awarding discretionary government grants

Section 5

Types of discretionary government grants

Discretionary government grants may be awarded in the form of general or special grants.

General grants may be awarded for the activities of the government grant recipient in general or for a specific part of the activities.

Special grants may be awarded in the form of:

1) an investment grant for purchasing a tangible or intangible asset;

2) a project grant for a pilot, deployment, research or development project or some other project with a defined purpose;

3) a grant, scholarship or assistance for the applicant's personal use or project; or

4) some other special grant comparable to those referred to in paragraphs 1–3.

Section 6

Amount of discretionary government grant

A discretionary government grant awarded from the Budget or off-budget entity, with the exception of grants referred to in section 5, subsection 3, paragraph 3, may not cover the full amount of the total costs incurred by the grant-financed activity or project, unless there are essential and justified reasons to do so to meet the objectives set for awarding the grant.

Notwithstanding the provisions of subsection 1, the actual costs of an activity or a project may be less than the discretionary government grant awarded on the basis of computational grounds approved by a government grant authority.

Discretionary government grants, together with other public financial support, may not exceed the maximum amount of discretionary government grant or other public financial support laid down in European Community or Finnish law.

Section 7

General grounds for awarding discretionary government grants

Discretionary government grants may be awarded from the funds allocated from the Budget or from off-budget entities if:

1) the purpose for which the government grant is applied is socially acceptable;

2) awarding a government grant is justified by the objectives of its use;

3) awarding a government grant is deemed necessary considering other public financial support received by the applicant and the type and extent of the grant-financed project or activity; or

4) awarding a government grant is judged to cause only minor distortion to competition and the market in a member state of the European Economic Area.

If the discretionary government grant can be used to cover wage and salary costs, it can be awarded only on very serious grounds if:

1) the government grant applicant or its representative referred to in chapter 47, section 8, subsection 1, paragraph 2 of the Criminal Code (39/1889) has been sentenced for a criminal offence referred to in chapter 47, section 6a of the said Act by final judgment during the year when the government grant was awarded or during two preceding years;

2) the grant applicant or its representative referred to in chapter 47, section 8, subsection 1, paragraph 2 of the Criminal Code has been sentenced for a criminal offence referred to in chapter 186 of the Aliens Act (301/2004) by final judgment during the year when the government grant was awarded or during two preceding years; or

3) a financial sanction referred to in chapter 11a, section 3 of the Employment Contracts Act (55/2001) has been imposed on the grant applicant with a final decision during the year when the government grant was awarded or during two preceding years.

(1113/2018)

A discretionary government grant may be awarded for the applicant's activities or project or to be used to finance an activity or a project that fulfils the purpose specified in the government grant decision but is carried out by a party other than the government grant recipient. When the grant is awarded to be used to finance an activity or a project that fulfils the purpose specified in the government grant decision but is carried out by a party other than the government grant recipient, the grant recipient shall conclude an agreement on its use, on the monitoring of its use and on the terms and conditions concerning the use and monitoring with the party carrying out the activity or the project.

Section 8

Further provisions on discretionary government grants

Further provisions on the awarding, payment and use of discretionary government grants within the scope of this Act and in accordance with the Budget may be issued by government decree.

Chapter 3

Awarding and payment of discretionary government grants

Section 9

Applying for discretionary government grants

Discretionary government grants are applied for in writing.

The government grant authority shall provide information about the opportunity to apply for discretionary government grants and the relevant application procedure as well as on the general terms and conditions of awarding government grants and of the grants themselves, unless this is clearly unnecessary.

Section 10

Government grant applicant's obligation to provide information

In conjunction with the application, government grant applicants shall provide the government grant authority with correct and sufficient information on how they intend to use the government grant and on any other matters the authority needs in order to make a decision on the application.

Section 11

Government grant decision

A government grant authority issues a decision on a government grant matter in writing (*government grant decision*).

A government grant decision to award a discretionary government grant shall include at least the following:

- 1) the name of the government grant recipient;
- 2) the purpose for which the government grant is used;

3) the amount of the government grant or the basis for calculating it.

The government grant decision may include terms and restrictions concerning the use of the discretionary government grant in order to ensure that the provisions laid down in section 7, subsection 1 are met.

A government grant decision to award a discretionary government grant shall also indicate the following, as required by the appropriate use of the government grant and to make the rights and responsibilities of the government grant recipient clear:

- 1) the eligible costs of the grant-financed activity or project;
- 2) the maximum share that the government grant represents of the total costs incurred by the grant-financed activity or project;
- 3) the effect of revenue received by the recipient from the grant-financed activity or project and of the recipient's other revenue on the amount and use of the government grant;
- 4) the period of use of the government grant and the terms, conditions and restrictions referred to in section 13, subsections 2–4;
- 5) the recipient's obligation to provide evidence on the use of the government grant and the date when the evidence should be provided; and
- 6) other grounds for awarding and paying the government grant and monitoring its use.

In case a discretionary government grant is awarded to a foreign recipient for use outside Finland, the government grant authority may also conclude an agreement with the recipient on the use and terms of use of the government grant. The agreement shall include the terms and conditions needed to ensure that the government grant is used in accordance with the Budget and to ensure the monitoring of its use.

Section 12

Payment of discretionary government grants

Discretionary government grants are paid to their recipients as a lump sum or in several instalments based on the timing of costs. The government grant authority may decide to pay a government grant on the basis of actual costs after it has been provided with acceptable evidence on the use of the grant.

An advance may be paid if this is justified by the use of the government grant and expedient with regard to the monitoring of its use.

Notwithstanding the provisions of subsection 1, a discretionary government grant of a small amount and one referred to in section 5, subsection 3, paragraph 3 may also be paid as a lump sum if this is justified by the use of the grant.

A government grant recipient shall provide the government grant authority with correct and sufficient information for paying the grant.

Chapter 4

Use of discretionary government grants and its monitoring

Section 13

Use of discretionary government grants

A discretionary government grant may be used only for the purpose specified in the government grant decision.

In addition to what is provided in this Act or a government decree issued under section 8, the government grant recipient shall observe the terms, conditions and restrictions specified in the government grant decision concerning the grant-financed project or activity.

When a discretionary government grant has been awarded for the purpose of purchasing or modernising a property that is to be used for a specific purpose defined in the government grant decision, the property may not be permanently used for purposes other than that specified in the government grant decision nor may the ownership or right of possession of the property be transferred to another party during the property's period of use defined in the government grant decision. This period may not be more than ten years from the payment of the government grant or its final instalment.

However, the period of use referred to in subsection 3 of a property for which a discretionary government grant has been awarded is 30 years from the awarding of the grant if the grant was awarded to purchase or modernise immovable property, a building or an apartment in a building for a purpose other than promoting business activity. A shorter period of use may, however, be specified by a government decree issued under section 8 of this Act or by a government grant decision if this is justified by the purpose of the government grant.

Section 14

Government grant recipient's obligation to provide information

A government grant recipient shall provide the government grant authority with correct and sufficient information for monitoring that the terms and conditions of the government grant decision are observed.

A government grant recipient shall notify the government grant authority without delay of any changes affecting the use of the government grant in accordance with its purpose and any other change affecting its use.

Section 15

Government grant authority's monitoring obligation

A government grant authority shall ensure appropriate and sufficient monitoring of the discretionary government grant by obtaining information on the use and monitoring of the grant and any other information and by carrying out audits as needed.

Section 16

Right to audit

A government grant authority has the right to audit the government grant recipient's finances and activities as required by the payment of the government grants and the monitoring of its use. If a discretionary government grant has been awarded under section 7, subsection 3 of this Act for a project or activity of a party other than the government grant recipient but in accordance with the purpose specified in the government grant decision, the government grant authority has the right to audit the finances and activities of the party implementing the activity or project specified in the government grant decision.

A government grant authority may issue a decision authorising another authority or an external auditor to carry out the audits referred to in subsection 1. The auditor shall be an auditor referred to in the Auditing Act (1141/2015). An audit firm shall designate an auditor to be in charge of the audit.

(1204/2015)

External experts may assist in audits at the request of a government grant authority.

The Administrative Procedure Act (434/2003), the Language Act (423/2003), the Act on the Openness of Government Activities (621/1999) and sections 14 and 15 of the Act on Public Officials in Central Government (750/1994) apply to auditors and external experts.

(1113/2018)

Provisions on criminal liability for acts in office apply to auditors and external experts.

Section 17

Auditing

A government grant recipient shall provide the auditing officials and auditors referred to in section 16, subsection 2 with all information and reports, documents, records and other material necessary for performing the audit and otherwise provide assistance with the audit free of charge.

The auditing officials and auditors referred to in section 16, subsection 2 are entitled to take possession of the material subject to audit if auditing so requires. A record shall be made of taking possession of material during an audit. The record shall state the purpose of taking possession of the material and indicate what has been taken. The material that has been taken possession of shall be returned without delay when no longer needed for the audit.

The auditing officials and auditors referred to in section 16, subsection 2 are entitled to have access, to the extent warranted by the audit, to the business, storage and other such premises used in the practice of a profession or in business and other areas in the possession or use of the government grant recipient, the conditions of which have a bearing on the awarding of a

discretionary government grant and the monitoring of its use. Audits may not be carried out in premises covered by the right to domestic privacy.

Section 18

Executive assistance

A government grant authority is entitled to receive the executive assistance it needs from the police, customs, tax, and debt enforcement authorities to carry out the monitoring and audit duties referred to in this Act.

Section 19

Suspension of payment

A government grant authority may decide to suspend the payment of a discretionary government grant if:

- 1) there are reasonable grounds to suspect that the government grant recipient is not complying with the provisions laid down in section 12, subsection 4, or sections 13 or 14;
- 2) the grounds on which the government grant was awarded have essentially changed; or
- 3) suspension of payment is required by European Community law.

Chapter 5

Repayment and recovery of discretionary government grants

Section 20

Repayment of discretionary government grants

A government grant recipient shall without delay pay back, in full or in part, any government grant it has received through error, in excess or clearly without justification. A government grant recipient shall also pay back, in full or in part, a grant that cannot be used as specified in the government grant decision. If the repayable sum does not exceed EUR 100, it is not necessary to pay it back.

(1113/2018)

The provisions of subsection 1 do not apply to the difference between the discretionary government grant awarded on computational grounds and the actual costs.

Section 21

Obligation to recover discretionary government grants

A government grant authority shall issue a decision to discontinue the payment of a discretionary government grant and to recover a grant already paid if the government grant recipient has:

- 1) failed to pay back a government grant which under section 20 must be paid back in full or in part;
- 2) used the government grant for a purpose essentially different from that for which it was awarded;
- 3) provided the government grant authority with false or misleading information on a matter that was conducive to influencing the awarding, amount or terms of the government grant, or concealed such matter; or
- 4) in a manner comparable to paragraphs 1–3, otherwise essentially violated the provisions concerning the use of government grants or the conditions of the government grant decision.

Section 22

Discretionary recovery of discretionary government grants

A government grant authority may issue a decision to discontinue the payment of a discretionary government grant and to recover in part or in full a grant already paid, if:

- 1) the government grant recipient has violated section 12, subsection 4, or sections 13 or 14;
- 2) the government grant recipient has refused to provide the data referred to in section 17, subsection 1, or to provide the assistance referred to in the said subsection with an audit;

3) the government grant recipient has discontinued the grant-financed activities, reduced them substantially or assigned them to another party;

4) the government grant recipient has in violation of section 13 assigned to another party the ownership or possession of the property purchased with the government grant;

5) the government grant recipient has in violation of section 13 permanently altered the purpose of the grant-financed property;

6) the government grant recipient has been subject to debt enforcement proceedings, or placed into liquidation or bankruptcy, or made subject to restructuring proceedings referred to in the Restructuring of Enterprises Act (47/1993) or debt adjustment referred to in the Act on Adjustment of the Debts of a Private Individual (57/1993), unless the purpose of the government grant requires otherwise; or

7) the government grant recipient in practical terms takes action that is comparable to what is laid down in this subsection by giving a subject related to the awarding, payment or use of the government grant a legal form that is not compatible with its true nature or purpose.

If the government grant recipient or its representative referred to in chapter 47, section 8, subsection 1, paragraph 2 of the Criminal Code has been sentenced by final judgment for a criminal offence referred to in chapter 47, section 6a of the said Act or for a criminal offence referred to in section 186 of the Aliens Act or a financial sanction referred to in chapter 11a, section 3 of the Employment Contracts Act has been imposed on the government grant recipient with a final decision, the government grant authority may continue the payment of the grant and leave the grant already paid unrecovered in full or in part only on very serious grounds.

(1113/2018)

If the property for which the discretionary government grant was awarded has been destroyed or damaged during the period of use specified in section 13 and new, corresponding property will not be purchased to replace the destroyed or damaged property, the government grant authority may issue a decision to discontinue the payment of the grant and order that a sum that corresponds to the share of the grant in relation to the original acquisition cost of the property be recovered from any insurance indemnity or other compensation.

A government grant authority may also issue a decision to discontinue the payment of a discretionary government grant and to recover a grant already paid if required by European Community law.

Section 23

Repaid and recovered amount in investment grants

The amount of the investment grant to be paid back or recovered under sections 20–22 is the share of the fair value of the property for which the investment grant was awarded that corresponds to the share of the grant in relation to the original acquisition costs of the said property after the completion of the investment project.

If the investment grant was awarded to promote business activity, the amount of the discretionary government grant to be paid back or recovered is, by way of derogation from subsection 1, the amount paid as investment grant.

Section 24

Interest

A government grant recipient shall pay an annual interest in accordance with section 3, subsection 2 of the Interest Act (633/1982) plus 3 percentage points on the amount to be paid back or recovered from the date the discretionary government grant was paid.

Section 25 (1113/2018)

Interest for late payment

If the recovered sum is not paid by the due date set by the government grant authority, an annual interest for late payment is payable on the sum in accordance with the interest rate referred to in section 4, subsection 1 of the Interest Act.

Section 26

Adjustment

The government grant authority may in cases referred to in sections 20–22 decide that a part of the sum to be paid back or recovered and any interest or interest for late payment on it will not be

recovered if repayment or recovery in full would be unreasonable, taking into consideration the financial standing and circumstances of the government grant recipient or the type of the property purchased using the discretionary government grant or the procedure on which repayment or recovery is based or because of a change in circumstances.

A government grant authority may decide on very serious grounds not to collect the sum to be paid back or recovered or the interest or interest for late payment on it at all.

Section 27

Joint and several liability

When a discretionary government grant has been awarded jointly to several government grant recipients, all recipients are jointly and severally liable to pay back the grant to the government grant authority.

Section 28

Time limit for recovery

A government grant authority shall make the decisions referred to in sections 19, 21 and 22 without delay or, where there is a special reason, within two calendar years of having received information based on which the suspension or discontinuation of the payment of a discretionary government grant or its recovery may be initiated.

A discretionary government grant and interest or interest for late payment on it may not be recovered if ten years have lapsed since the payment of the government grant or its final instalment. If a time limit specified in section 13 is set for the use of the grant or for the grant-financed property in a government decree issued under section 8 or in the government grant decision, the ten-year period is calculated from the end of this time limit.

Section 29

Period of limitation

The right to be paid a discretionary government grant that has been awarded expires if the government grant recipient has not provided acceptable evidence required for the payment of the grant within the time limit set in a government decree issued under section 8 or in the government

grant decision. If no time limit has been set, the right to be paid expires within two years of the end of the financial year in which the discretionary government grant was awarded.

The obligation to pay back a discretionary government grant in part or in full referred to in section 20 expires when ten years have lapsed since the payment of the grant or its final instalment. If a time limit specified in section 13 is set for the use of the grant or for the grant-financed property in a government decree issued under section 8 or in the government grant decision, the repayment obligation expires when ten years have lapsed from the time limit.

Section 30

Offsetting

A sum to be paid back or recovered, including interest, may be collected by deducting it from another discretionary government grant paid to the same government grant recipient and awarded by the same government grant authority.

Chapter 6

Right of access to information and disclosure of information

Section 31

Right of access to information held by other authorities

The provisions laid down in the Act on the Openness of Government Activities apply to government grant authorities' right of access to information held by other authorities.

Notwithstanding non-disclosure provisions, government grant authorities are entitled to receive from other authorities the following information they need to carry out their duties:

- 1) information on the financial standing of the government grant applicant and recipient;
- 2) information on public financial support received by the government grant applicant and recipient; and

3) any other information regarding the government grant applicant or recipient that has significant bearing on ensuring compliance with this Act regarding the awarding and payment of the government grant and the monitoring of its use.

Notwithstanding non-disclosure provisions, government grant authorities are entitled to receive, free of charge, information necessary for making a decision on the government grant application from the fine register referred to in section 46 of the Act on the Enforcement of a Fine (672/2002) regarding the judgments and decisions referred to in section 7, subsection 2 and section 22, subsection 2 of this Act.

(1113/2018)

Section 32

Disclosing information

The provisions laid down in the Act on the Openness of Government Activities apply to disclosing information received under this Act.

In addition to the provisions laid down in the Act on the Openness of Government Activities on disclosure of non-disclosable information, government grant authorities are entitled, non-disclosure obligation notwithstanding, to disclose information:

- 1) to the police and other criminal investigation authorities for the purpose of preventing or investigating a crime or to the prosecuting authorities for the purpose of considering charges;
- 2) for the purpose of conducting an official study or a research study commissioned by an authority on the application of this Act, provided that disclosing information is needed to conduct the study or research;
- 3) to a competent European Union institution or other body of the Union and to a competent authority of another Member State, if required by European Community law or by some other obligation associated with Finland's membership of the European Union; and
- 4) if an international obligation binding on Finland so requires.

The information referred to in subsection 2 may not be used for a purpose other than that for which it was disclosed.

Chapter 6a (1075/2022)

Data repository of government grant activities

Section 32a (1075/2022)

Data repository of government grant activities

The purpose of the data repository of government grant activities is to manage, collect and convey information on discretionary government grants and to improve the efficiency of the monitoring of their use. The State Treasury maintains the data repository services, which include:

- 1) the service for publishing calls for government grant applications and carrying out application-related transactions;
- 2) the service for publishing and using government grant information;
- 3) the service for processing and managing discretionary government grants.

Information stored in the data repository of government grant activities includes information on the applying for, awarding, payment, use and monitoring of discretionary government grants and on their repayment and recovery, necessary for carrying out the duties referred to in this Act. Information belonging to special categories of personal data that is necessary for processing government grant applications and monitoring the use of government grants may be stored in the data repository.

The State Treasury may modify and combine information stored in the data repository to improve its quality and usability.

Section 32b (1075/2022)

Storing and submitting information regarding government grant activities

The government grant authority or any other party awarding discretionary government grants by virtue of law which uses the service for processing and managing discretionary government grants,

referred to in section 32a, subsection 1, paragraph 3, shall store the information referred to in section 32a, subsection 2 in the data repository of government grant activities. When this is not the case, the government grant authority or any other party awarding discretionary government grants by virtue of law shall submit the minimum information about government grant activities to the State Treasury for storage in the data repository of government grant activities.

Information to be submitted for storage in the data repository include the name and personal identity code of the natural person who is the government grant applicant or recipient, the purpose of the government grant and the regional allocation of the use of the government grant. Provisions on other minimum information to be submitted for storage in the data repository about calls for government grant applications and their address details, the identification of government grant applications and decisions, the government grant matter, the government grant applicant and recipient, the government grant decision and the schedules and methods for submitting such information are issued by government decree.

Section 32c (1075/2022)

Controller for the data repository of government grant activities and information management

The joint controllers of the data repository of government grant activities and the related services are the State Treasury and the government grant authority and any other party awarding discretionary government grants by virtue of law. The State Treasury is responsible for the technical functionality and usability of the data repository and the related services, the technical interface for storing information and for submitting, processing and disclosing the minimum information and for the integrity and retaining of information. The State Treasury is responsible for the official duties specified in section 13, subsections 2–5 and sections 14, 15 and 17 of the Act on Information Management in Public Administration (906/2019) and for other corresponding technical duties associated with information management.

The government grant authority or any other party awarding discretionary government grants by virtue of law is responsible, for their own government grant activities, for the realisation of the data subject's rights, acts as the contact point for the data subject who is the government grant applicant or recipient and is responsible for other controller duties. The government grant authority or any other party awarding discretionary government grants by virtue of law decides on

granting access to information other than that published in the service for publishing and using government grant information referred to in 32d.

The State Treasury is responsible for all controller duties in the service for publishing and using government grant information.

Section 32d (1075/2022)

Service for publishing and using government grant information and the datasets published in the service

The State Treasury maintains the service referred to in section 32a, subsection 1, paragraph 2 on its website in a public information network. The State Treasury creates the datasets of the service from the public information in the data repository of government grant activities and publishes them.

Notwithstanding the provisions of section 16, subsection 3 of the Act on the Openness of Government Activities, personal data that is allowed to be published is the name of the natural person who is the government grant recipient, the purpose of the government grant and the regional allocation of the use of the government grant. In addition, other public information about applying for, awarding and using discretionary government grants may be published in the service. However, information about individual applications associated with discretionary government grants awarded to natural persons or information about awarded discretionary government grants of less than EUR 1,000 is not published in the service. Further provisions on the datasets to be published, other than those containing personal data, are issued by government decree.

The service only allows personal data to be retrieved based on individual searches using the name of the government grant recipient, the name of the call for government grant applications, the name of the government grant authority, the purpose of the government grant or the grant award year as the search criterion.

Section 32e (1075/2022)

Retaining and archiving information and documents

Information and documents on awarded discretionary government grants that are stored in the data repository of government grant activities shall be retained for ten years after the payment of

the final government grant instalment. However, the government grant authority or any other party awarding discretionary government grants by virtue of law may decide on a longer retaining period for information and documents when awarding a discretionary government grant referred to in section 13, subsection 4 or, if special reasons exist, another discretionary government grant. The need to retain information belonging to special categories of personal data stored in the data repository shall be re-assessed at the minimum every five years. Information and documents on decisions to reject a government grant application that are stored in the data repository shall be retained for five years after the decision is made.

The State Treasury is responsible for ensuring that information and documents stored in the data repository of government grant activities can be archived. The State Treasury may make a consolidated archiving proposal commissioned by the government grant authority or any other party awarding discretionary government grants by virtue of law.

Chapter 7

Miscellaneous provisions

Section 33 (1113/2018)

Section 33 was repealed by Act 1113/2018.

Section 34 (430/2022)

Request for review

An administrative review may be requested of decisions made by government grant authorities. Provisions on the request for administrative review are laid down in the Administrative Procedure Act.

Provisions on requests for review to administrative courts are laid down in the Administrative Judicial Procedure Act (808/2019).

Section 35 (430/2022)

Enforcement

Decisions of government grant authorities may be enforced irrespective of any requests for review. Decisions issued on requests for administrative review in matters referred to in sections 21 and 22 may be enforced in accordance with the procedure laid down in the Act on the Enforcement of Taxes and Public Payments (706/2007).

Section 36

Impact assessment

Government grant authorities shall in a suitable manner monitor the effectiveness and appropriateness of the use of discretionary government grants awarded by them, the effect of the government grants on competition and on the status of different population groups, and the environmental and other impacts of the grants. Government grant authorities shall periodically assess the necessity for discretionary government grants and the need to develop them. Government grant authorities provide each other with necessary assistance to this end.

Section 37

Further instructions issued by government grant authorities

Government grant authorities may issue further instructions on details of a technical nature that concern applying for discretionary government grants, the applicant's obligation to provide evidence, the recipient's obligation to maintain accounting records, the payment of grants, and the use of grants and the monitoring of their use.

Section 38

Implementation and transitional provisions

This Act enters into force on 1 September 2001.

This Act repeals the Government Resolution on Discretionary Government Grants (490/1965) issued as general regulations, as amended.

In the case of a discretionary government grant awarded before this Act entered into force, the provisions in force at the time when the grant was awarded and the terms and conditions of the government grant decision apply to the use and monitoring of use, repayment, recovery and

request for review procedures. However, section 12 of this Act applies unless otherwise provided on payment in a government grant decision issued before the entry into force of this Act.

Measures necessary for the enforcement of this Act may be taken before the Act's entry into force.

Entry into force and application of the amending acts:

1075/2022:

This Act enters into force on 1 January 2023.

The obligation laid down in section 32b, subsection 1 to submit minimum information applies to discretionary government grants which open for applications on or after 1 October 2023 and to the related government grant applications and decisions. The obligation to submit minimum information on the discretionary government grants referred to in section 1, subsection 3 which are awarded without an application procedure applies to discretionary government grants awarded in accordance with an administrative decision made on or after 1 October 2023. However, the obligation to submit minimum information on discretionary government grants for primary production in agriculture and forestry and for fisheries applies to discretionary government grants which open for applications on or after 1 June 2024 and to the related government grant applications and decisions.