

Government Decree
on Communications Administration
(697/2001; amendments up to 709/2002 included)

Section 1
Duties

The main function of the Finnish Communications Regulatory Authority is to promote the development of the information society within its own sector.

The Finnish Communications Regulatory Authority shall

- 1) supervise telecommunications, radio and television operations and postal services, and promote technical implementation and undisturbed flow of communications;
- 2) plan the use of radio spectrum and carry out administrative duties related to radio operations, telecommunications and postal services;
- 3) carry out market surveillance of radio and telecommunications terminal equipment and devices used for unauthorised opening of conditional access systems;
- 4) plan and carry out the administrative duties related to the numbering and codes of telecommunications networks and services;
- 5) coordinate standardisation within the telecommunications sector;
- 6) supervise privacy protection in telecommunications, information security in telecommunications operations and protection of information society services;
- 6 a) examine information security infringements on information systems and telecommunications by means of a public telecommunications network, and to gather and disseminate information about information security infringements in order to prevent them; (709/2002)
- 7) supervise the separation of telecommunications operators' tasks and supervise that their pricing policy complies with the statutes on pricing;
- 8) carry out administrative duties related to television fees and control that people meet the obligation to notify of the use of a television;
- 9) direct the technical implementation within the sector by issuing instructions and recommendations;
- 10) be engaged in the international cooperation within the sector;
- 11) take part in preparedness planning and supervise and develop the technological capacity in the sector to meet the needs of exceptional circumstances; and
- 12) carry out other duties issued for it by provisions and regulations.

Section 2
Organisation of the Finnish Communications Regulatory Authority

The Finnish Communications Regulatory Authority shall be managed by a Director-General. The Director-General shall, in other respects, decide the structure of the organisation.

The Director-General may appoint advisory boards to help the decision-making in the Finnish Communications Regulatory Authority.

Section 3
Resolving a matter

Matters within the scope of the Finnish Communications Regulatory Authority are resolved by the Director-General or some other civil servant at the Finnish Communications Regulatory Authority who has been issued the decision-making power required for the matter in question.

In individual cases, the Director-General may undertake to resolve a matter that falls within the scope of duties of his or her subordinate civil servant.

A matter should be submitted to the decision of the Director-General, if there is uncertainty as to who should resolve it or if the person holding the decision-making power considers it to be of such nature.

Section 4 *Deputies*

If the Director-General is prevented from attending to his or her duties, a civil servant of the Finnish Communications Regulatory Authority appointed by the Ministry of Transport and Communications shall act as his or her deputy.

The Director-General shall appoint the deputies of his or her immediate subordinates.

Section 5 *Personnel*

The number of the personnel in the Finnish Communications Regulatory Authority, in addition to the Director-General, shall be determined by its duties and budget.

Section 6 *Duties of the Director-General*

The Director-General shall be responsible for the general development and management of the Finnish Communications Regulatory Authority. He or she shall supervise that the duties within the scope of the Finnish Communications Regulatory Authority are carried out efficiently and appropriately.

Section 7 *Qualification requirements*

The general qualification requirement for an office in the Finnish Communications Regulatory Authority shall be the skill and ability necessary for the successful discharge of the duties in question.

Furthermore, the Director-General and directors of units that are directly subordinate to him or her must have a master's degree, management skills and good knowledge of the duties included in the post. Additionally, the Director-General must have managerial experience.

Section 8 *Appointment and employing of personnel*

The Director-General is appointed by the Government. Other members of the personnel are appointed or employed by the Director-General unless otherwise provided in the rules of procedure.

Section 9 *Leave of absence*

Leave of absence is granted to the Director-General by the Ministry of Transport and Communications and to other members of the personnel by the Finnish Communications Regulatory Authority in accordance with its rules of procedure.

Leave of absence, excluding such to which a civil servant is entitled by virtue of law or a collective agreement, for a period of more than two years is granted to the Director-General by the Government.

Section 10

Temporary management of a post

The authority that grants the leave of absence shall decide on appointing a temporary holder for the vacant post and how the post will be managed during the leave of absence.

Section 11

Attendance to interests

The Finnish Communications Regulatory Authority shall sue and be sued on behalf of the State and shall attend to the interest of the State before a court of law, arbitration or other authorities and in other proceedings in all matters concerning the Finnish Communications Regulatory Authority.

Section 12

Rules of procedure

Further orders on the organisation of the Finnish Communications Regulatory Authority, the duties and authorities of its units and personnel, and on how to deal with matters in the Authority shall be issued by the Director-General in the rules of procedure.

Section 13

Entry into force

This Decree enters into force on 1 September 2001.

This Decree repeals the Government Decree on Telecommunications Administration (478/2000). Measures necessary for the implementation of this Act may be undertaken before its entry into force.

Implementing provisions of the Decree 709/2002:

This Decree enters into force on 1 September 2002.

Measures necessary for the implementation of this Decree may be undertaken before the Decree's entry into force.