

**NB: Unofficial Translation**

**Legally binding texts are those in Finnish and Swedish**

**Government Decree on Derogations Laid down in the Hunting Act  
(169/2011)**

*Section 1 – Application for a derogation*

- (1) An application for a derogation referred to in section 41 of the Hunting Act (615/1993) must state the animal species concerned by the derogation and the number of animals to be hunted, if the derogation concerns the capturing or killing of a certain individual or individuals.
- (2) If the application concerns a derogation as regards the use of prohibited hunting devices or methods, the applicant must state in the application the reason why the prohibited hunting device or method is needed in the hunt. An application concerning the use of a prohibited hunting device or method may be processed together with a derogation concerning the capturing or killing of an animal.
- (3) The Finnish Wildlife Agency may require that proof of the hunting right in the area for which the application is applied for must be attached to an application for derogation concerning game animals.

*Section 2 – Assessment of the preconditions for derogation*

- (1) When assessing the preconditions for granting a derogation laid down in paragraphs 1 – 3 of section 41a(1), paragraph 1 – 4 of section 41b(1) and 41c of the Hunting Act the Finnish Wildlife Agency must examine:
  - 1) the population of the game animal species concerned in the application in the area for which the derogation is applied for, in the region and in the whole country;
  - 2) behaviour of an individual of a game animal species concerned by the derogation in the area for which the derogation is applied for;
  - 3) applications and notifications received by the police, forestry centre and municipal rural business authority and measures taken in the area concerned by the derogation;
  - 4) measures which could be implemented instead of the derogation.
- (2) When assessing the purpose of research, education and teaching, repopulating and re-introducing referred to in paragraph 4 of section 41a(1), paragraph 5 of section 41b(1) and section 41c the Finnish Wildlife Agency must examine:
  - 1) impacts of the derogation on the development of the population of the game animal species concerned in the area concerned by the derogation and nationally;
  - 2) impacts of the derogation on the population of wild animal species of the area concerned by the derogation; and
  - 3) measures which could be implemented instead of the derogation.
- (3) The Finnish Wildlife Agency must record the main results of the examinations referred to in subsection 1 or 2 in the decision on the derogation.

*Section 3 – Derogation concerning capturing or killing individuals of certain animal species*

- (1) A derogation referred to in section 41a(3) may be granted:
  - 1) for the capturing and killing of wolf in the reindeer herding area on 1 October – 31 March and in the other parts of the country on 1 November – 31 March;
  - 2) for the capturing and killing of bear, except for a cub less than one year old or a female bear accompanied by such a cub, on 20 August – 31 October;

- 3) for the capturing and killing of lynx, except for a female lynx accompanied by a cub less than one year old, on 1 December – 28 February; and
  - 4) for the capturing and killing of otter on 1 November – 30 April.
- (2) Derogation from the protection of bear in the reindeer herding area is arranged by virtue of the regional quota as provided in section 7 below.

*Section 4 – Granting of a derogation concerning a game animal and provisions to be included in the derogation*

- (1) A derogation is granted only for a limited area in which the preconditions for granting a derogation laid down in sections 41a – 41c are fulfilled.
- (2) A derogation granted under section 41a(1) of the Hunting Act concerning wolverine, lynx, bear, otter and wolf must provide that the names of the persons participating in the hunt must be notified to the police of the area before initiating the hunt and the police must be separately notified of every start of the hunt and the hunting area. If the hunt takes place in the border zone or close to this, the Finnish Border Guard must also be notified of the start of the hunt and the hunting area. A derogation referred to above may not be granted for more than 14 days. However, on particularly well justified grounds a derogation may also be granted for a period longer than this.
- (3) Derogations under section 41a(3) must only be granted for hunt in an area with a strong population of the species concerned.

*Section 5 – Granting a derogation to a person with reduced mobility*

- (1) A derogation referred to in section 41(3) of the Hunting Act concerning the use of a motor vehicle prohibited in section 32(2) and off-road transportation of a hunting weapon in a motor vehicle prohibited in section 35(3) may be granted to a person who presents reliable medical proof on reduced mobility. The medical proof must include an assessment whether the applicant is capable of hunting in a manner laid down in section 20(3) of the Hunting Act.
- (2) The derogation must specify that the engine of the vehicle must be switched off and the vehicle must have stopped moving before the hunting weapon is removed from the case or protected space referred to in section 35(2). It must also be specified that the derogation entitles to transports only the weapons needed for the hunt by the person to whom the derogation is granted. The derogation must state the motor vehicle type concerned by the derogation.
- (3) The derogation may be granted for no more than three years at a time.

*Section 6 – Notification obligation of quarry relating to a derogation*

- (1) The person to whom a derogation is granted must notify the quarry bagged by virtue of a derogation referred to in section 41 of the Hunting Act to the Finnish Wildlife Agency. The notification must be made on the first weekday after the day when a game animal referred to in the derogation has been captured or killed or, if the game animal has not been captured or killed, after the day when the derogation expires. In the case of unprotected species the notification must be made on the first weekday after the day when the derogation expires.
- (2) The notification must mention the number of animals killed, their sex, time when they were killed and information on the location where they were killed.
- (3) The Finnish Wildlife Agency must forward the information referred to in subsection 2 concerning wolf, bear, otter and lynx to the Ministry of Agriculture and Forestry within seven days of the day when the animal was captured or killed.

*Section 7 – Hunting of bear by virtue of a quota*

- (1) Bear, except for a cub less than one year old or a female bear accompanied by such a cub, may be hunted in the reindeer herding area by virtue of a quota on 20 August – 31 October.
- (2) The Ministry of Agriculture and Forestry determines quotas for the hunting of bear in the reindeer herding area separately for the eastern and western reindeer herding area. The eastern reindeer herding area comprises the municipalities of Utsjoki, Inari, Sodankylä, Pelkosenniemi, Savukoski, Salla, Kuusamo and Suomussalmi and the western reindeer herding area comprises the other municipalities of the reindeer herding area.
- (3) A bear killed in a hunt must be notified immediately to the Finnish Wildlife Agency. The notification must state the number of bears killed, their sex, time when they were killed and information on the location where they were killed.
- (4) When the quota is filled the Finnish Wildlife Agency must order the hunting of bear in the area closed. The order of the Finnish Wildlife Agency must be communicated with sufficient efficiency. The closing of the hunt is considered to have been notified to the hunters after three days of the issue of the order.
- (5) The Finnish Wildlife Agency must forward the information referred to in subsection 2 concerning the hunting of bear by virtue of a quota to the Ministry of Agriculture and Forestry within seven days of the day when the hunt by virtue of the quota ends.

Section 8 – *Entry into force*

- (1) This Decree enters into force on 1 March 2011.