

## Ministry of Agriculture and Forestry, Finland

**NB: Legally binding only in Finnish and Swedish**

# Wildlife and Game Administration Act (158/2011, amendments up to 573/2014 included)

## Chapter 1 – Finnish Wildlife Agency

### Section 1 – *Finnish Wildlife Agency*

- (1) The Finnish Wildlife Agency is an independent institution governed by public law. Its operating area covers the whole country except for the Åland Islands. The operating areas of the regional offices of the Finnish Wildlife Agency are laid down by the Rules of Procedure of the Finnish Wildlife Agency.
- (2) The purpose of the Finnish Wildlife Agency is to promote sustainable game husbandry, support the activity of game management associations, see to the implementation of wildlife and game policy and manage the public administration functions laid down for it.
- (3) The Finnish Wildlife Agency is steered and supervised by the Ministry of Agriculture and Forestry. The Finnish Wildlife Agency and Ministry of Agriculture and Forestry negotiate annually on the strategic and performance objectives to be set for the activity of the Finnish Wildlife Agency, which are written down in the annual performance agreement.

### Section 2 – *Functions of the Finnish Wildlife Agency*

- (1) The public administration functions of the Finnish Wildlife Agency are:
  - 1) tasks laid down in the Hunting Act (615/1993) and Act on the Game Management Fee and Hunting Licence Fee (616/1993);
  - 2) acquisition and maintenance of validity of a group insurance for hunters and sufficient insurance cover for the staff it has appointed to game management associations relating to the management of their tasks;
  - 3) appointment, steering and supervision of the hunting wardens of game management associations;
  - 4) appointment, steering and supervision of the examiners of the hunter's examinations and shooting tests;
  - 5) appointment, steering and supervision of the representatives of game management associations working in field inspections referred to in section 25 of the Game Animal Damages Act (105/2009); and
  - 6) other public administration functions that fall within the scope of its activities under this Act or other law.
- (2) The other functions of the Finnish Wildlife Agency are:
  - 1) promoting sustainable game husbandry and supervision of the public interest relating to game husbandry;
  - 2) monitoring the status, development, sustainability and viability of game animal populations and development of activities relating to these together with research;
  - 3) promoting game management and management of game habitats;
  - 4) preparation, drawing up and updating of management plans concerning game animal species and the management of their habitats;
  - 5) promoting the prevention of damages caused by game animals;

- 6) promoting sustainable, safe and ethically acceptable hunting;
  - 7) promoting the activity of game management associations and training of the staff of game management associations;
  - 8) producing expert, training and advisory services relating to hunting, game husbandry and game animals;
  - 9) information and communication;
  - 10) maintaining and developing joint information systems, information resources and information services of the Finnish Wildlife Agency and game management associations and participating in the development of joint information systems, information resources and information services of the sector;
  - 11) participating in international cooperation; and
  - 12) other functions laid down and assigned to it which do not involve the use of public power.
- (3) The Finnish Wildlife Agency shall deliver the information on the management of public administration functions and other functions specified by the Ministry of Agriculture and Forestry regularly to the Ministry of Agriculture and Forestry.
  - (4) Further provisions on the management of functions referred to in subsection 1, paragraphs 1, 2 and 6 above may be issued by Government Decree. Further provisions on the management of functions referred to in subsection 1, paragraphs 3–5 and subsection 2, paragraphs 1–11 above may be issued by Decree of the Ministry of Agriculture and Forestry.

### Section 3 – *Board of the Finnish Wildlife Agency*

- (1) The supreme decision-making body of the Finnish Wildlife Agency is the Board. The Ministry of Agriculture and Forestry appoints 10 members to the Board of the Finnish Wildlife Agency. The National Wildlife Council referred to in section 4 below proposes six members to the Board to represent persons who have paid the game management fee from among the persons proposed by the regional meetings referred to in section 13. In addition, the Board has one representative from the Ministry of Agriculture and Forestry, one from the Natural Resources Institute Finland, one from an association with national significance with regard to agriculture and forestry, and one representative of the staff of the Finnish Wildlife Agency. Each member has a personal alternate member, with the same rules applying to the alternate member as to the member. The Ministry of Agriculture and Forestry appoints the chair and vice-chair from among the members proposed by the National Wildlife Council. (573/2014)
- (2) The rights and obligations of the member representing the staff in the Board are the same as those of other Board members. However, the member representing the staff has no right to participate in the processing of a matter concerning the contract terms of the management of the Finnish Wildlife Agency, employment relationship of the staff or collective action.
- (3) Provisions on the presence of a quorum, functions, term of office and appointment of the Board are laid down by Government Decree.
- (4) Provisions on public liability under criminal law apply to the Board members when they manage public administration functions or deal with matters relating to the use of funds.

### Section 4 – *National Wildlife Council*

- (1) The purpose of the National Wildlife Council operating in connection with the Finnish Wildlife Agency is to deal with matters relating to game husbandry. Further provisions on the functions of the National Wildlife Council are laid down by Government Decree.
- (2) The members of the National Wildlife Council are appointed by the Ministry of Agriculture and Forestry. The National Wildlife Council has 15 representatives proposed by the regional meetings referred to in section 13 below. In addition, the National Wildlife Council has representatives from the following organisations:
  - 1) Ministry of Agriculture and Forestry;

- 2) Ministry of the Environment;
  - 3) Metsähallitus;
  - 4) a public national organisation representing forestry;
  - 5) Natural Resources Institute Finland;
  - 6) an organisation with national significance with regard to agriculture and forestry;
  - 7) an organisation with national significance with regard to hunting and game management;
  - 8) an organisation with national significance with regard to nature conservation.
- (3) Each member has a personal alternate member, with the same rules applying to the alternate member as to the member. The Ministry of Agriculture and Forestry appoints the chair and vice-chair from among the members proposed by the regional meetings.
  - (4) Provisions on the presence of a quorum, functions, term of office and appointment of the National Wildlife Council are laid down by Government Decree.
  - (5) Matters to be dealt with at a meeting of the National Wildlife Council are prepared and presented by the Director-General of the Finnish Wildlife Agency or a person designated by the Director-General.

#### Section 5 – *Regional Wildlife Councils*

- (1) The purpose of the Regional Wildlife Councils operating in connection with the Finnish Wildlife Agency is to deal with matters relating to game husbandry as well as support, steer and assist in the activity of the regional office of the Finnish Wildlife Agency in functions other than the public administration functions and personnel administration. Further provisions on the functions of the Regional Wildlife Councils are laid down by Government Decree.
- (2) The Regional Wildlife Councils are appointed by the Ministry of Agriculture and Forestry. The Regional Wildlife Council has up to ten members. The Regional Wildlife Council has six members proposed by the regional meeting referred to in section 13 as well as one representative from the Regional Council, one from the Centre for Economic Development, Transport and the Environment, one from the Forestry Centre and one from a landowner organisation with regional significance. Each member has a personal alternate member, with the same rules applying to the alternate member as to the member. The Ministry of Agriculture and Forestry appoints the chair and vice-chair from among the members proposed by the regional meeting.
- (3) Provisions on the presence of a quorum, tasks, term of office and appointment of the Regional Wildlife Council are laid down by Government Decree.
- (4) Matters to be dealt with at a meeting of the Regional Wildlife Council are prepared and presented by a staff member of the Finnish Wildlife Agency.

#### Section 5a – *Remuneration and reimbursement of expenses*

(1421/2011)

- (1) The Ministry of Agriculture and Forestry determines the remunerations to the chair, vice-chair and members of the Board of the Finnish Wildlife Agency, National Wildlife Council and Regional Wildlife Councils and grounds for the reimbursement of expenses. The remunerations and reimbursements of expenses shall be in line with those usually paid in public administration.

#### Section 6 – *Staff of the Finnish Wildlife Agency*

- (1) The Finnish Wildlife Agency has a Director-General, Director for Public Administration Functions and a necessary number of other staff. The employment relationship of the staff of the Finnish Wildlife Agency is a contractual employment relationship.
- (2) Provisions on public liability under criminal law apply to the Director for Public Administration Functions. Provisions on public liability under criminal law also apply to the

other staff of the Finnish Wildlife Agency when they manage public administration functions or deal with matters relating to the use of funds.

- (3) The Government appoints the Director-General of the Finnish Wildlife Agency and the Director for Public Administration Functions. When preparing the decision the Government shall hear the Board of the Finnish Wildlife Agency. The Director-General appoints the other staff.
- (4) The required qualifications of the Director-General include a higher university degree, good knowledge of game husbandry and leadership skills proven in practice. The required qualifications of the Director for Public Administration Functions include a higher university degree, good knowledge of game husbandry and experience in administration.

#### *Section 7 – Tasks of the Director-General of the Finnish Wildlife Agency*

- (1) The task of the Director-General of the Finnish Wildlife Agency is to direct and develop the activity of the Finnish Wildlife Agency except for the public administration functions as well as bear the responsibility for the operational performance. The Director-General also sees to the preparation of matters to be dealt with at the Board of the Finnish Wildlife Agency and implementation of the Board's decisions.

#### *Section 8 – Management of the public administration functions*

- (1) The Director for Public Administration Functions is responsible for the management of the public administration functions laid down for the Finnish Wildlife Agency in section 2(1). The Director for Public Administration Functions is independent when managing a public administration function.
- (2) The Director for Public Administration Functions may order in writing a staff member of the Finnish Wildlife Agency to use public power in matters referred to in section 2(1) provided that he or she can be considered to have sufficient training and experience in dealing with and resolving such matters. However, a staff member of the Finnish Wildlife Agency may be ordered to resolve matters referred to in section 41(1–3) of the Hunting Act only for a special reason. A person ordered to use public power is independent when managing a public administration function. The Director for Public Administration Functions may reserve the decision-making power in spite of the written order.
- (3) Provisions on the other tasks of the Director for Public Administration Functions may be laid down by Government Decree.
- (4) A decision on a licence referred to in the Hunting Act may be signed electronically. An application concerning a licence referred to in section 10 and 26 of the Hunting Act may be resolved without presentation.

#### *Section 8a – Deputies for the Director for Public Administration Functions (1421/2011)*

- (1) The Ministry of Agriculture and Forestry designates the deputies for the Director for Public Administration Functions on the proposal of the Director for Public Administration Functions.
- (2) A person who fulfils the required qualifications of the Director for Public Administration Functions in section 6(4) may be designated as the deputy.

#### *Section 9 – Accounting and auditing of the Finnish Wildlife Agency (1421/2011)*

- (1) The provisions of the Accounting Act (1336/1997) apply to the accounting obligation, accounting and final accounts of the Finnish Wildlife Agency.
- (2) The provisions of the Auditing Act (459/2007) apply to the auditing of the Finnish Wildlife Agency.

- (3) The auditors of the Finnish Wildlife Agency are designated by the Ministry of Agriculture and Forestry.

## Chapter 2 – **Game management associations**

### Section 10 – *Game management association*

- (1) A game management association is an independent actor with a geographical operating area of its own based on the self-initiative of hunters who have paid the game management fee referred to in the Act on the Game Management Fee and Hunting Licence Fee. The Finnish Wildlife Agency steers and supervises the activity of game management associations.
- (2) A game management association is responsible for promoting sustainable game husbandry in its own operating area, sees to the promotion and organisation of voluntary action by hunters as well as manages the public administration functions laid down for it.
- (3) The Associations Act (503/1989) applies to game management associations as laid down below.

### Section 11 – *Operating area of a game management association*

- (1) The operating area of a game management association is the territory of one or several municipalities. For special reason the operating area may deviate from the municipal boundaries if this is appropriate geographically or due to local circumstances. In such a case, however, the operating area of a game management association must be based on the village division under section 3 of the Real Estate Register Act (392/1985) so that the operating area constitutes a uniform area.
- (2) The operating areas of game management associations are confirmed by the Finnish Wildlife Agency upon the proposal of the game management association or associations concerned.

### Section 12 – *Merger and division of game management associations*

- (1) Game management associations that wish to merge give a joint proposal on this to the Finnish Wildlife Agency. The decision to give the proposal is made at the meetings of a game management association. The proposal shall include proposals for the operating area and name of the game management association to be set up.
- (2) A proposal concerning the division of a game management association into two or several game management associations is given by the meeting of the game management association concerned. The proposal shall include a proposal for the operating areas and names of the game management associations to be set up.
- (3) The Finnish Wildlife Agency makes a decision on the merger and division of game management associations on the basis of proposals referred to in subsections 1 and 2. A new game management association starts its operations as from the beginning of the calendar year following the decision. A new game management association shall, however, hold a meeting of the game management association for selecting the Board within two months from the decision made by the Finnish Wildlife Agency.

### Section 13 – *Regional meetings*

- (1) Regional meetings are meetings composed of representatives appointed by game management associations of the operating areas of the Finnish Wildlife Agency. Each game management association operating within the area may select one representative and an alternate to the regional meeting. Each representative has one vote at the regional meeting. The meeting selects a chair from among the participants.
- (2) A regional meeting is held once a year. In addition, an extraordinary meeting is held if so decided by the Regional Forest Council or if at least a third of the Boards of the game

management associations operating in the area request this in writing from the Finnish Wildlife Agency to deal with a specific matter.

- (3) Provisions on the tasks of the regional meeting are laid down by Government Decree.

#### Section 14 – *Functions of a game management association*

- (1) The public administration functions of a game management association are:
- 1) organisation of shooting tests referred to in the Hunting Act and hunter's examinations referred to in the Act on the Game Management Fee and Hunting Licence Fee;
  - 2) participation in field inspections referred to in section 25 of the Game Animal Damages Act;
  - 3) assisting authorities responsible for the supervision of the compliance with the Hunting Act in the supervision of hunting; and
  - 4) other public administration functions that fall within the scope of the activities of a game management association under this Act or other law.
- (2) The other functions of the game management association are:
- 1) promoting sustainable game husbandry;
  - 2) promoting sustainable, safe and ethically acceptable hunting;
  - 3) promoting game management, sustainability and viability of game animal populations and management of game habitats and prevention of damages caused by game animals;
  - 4) producing expert, training and advisory services relating to hunting, game husbandry and game animals and related information and communication; and
  - 5) performing other tasks laid down for it by the Ministry of Agriculture and Forestry or assigned by the Finnish Wildlife Agency.
- (3) Further provisions on the management of functions referred to in subsection 1 above may be issued by Government Decree. Further provisions on the management of functions referred to in subsection 2(1–4) may be issued by Decree of the Ministry of Agriculture and Forestry.

#### Section 15 – *Membership in a game management association*

- (1) A person who has paid the game management fee may belong as a member to the game management association in whose operating area he or she mainly hunts or has his or her place of residence. A person may not be a member of more than one game management association at a time. If a person is not a member of a game management association, he or she is entered to the register of hunters on the basis of the home municipality
- (2) After having taken the hunter's examination the person shall notify the examiner of the hunter's examination of the membership in a game management association, who sees to the forwarding of the notification to the register of hunters referred to in section 7a of the Act on the Game Management Fee and Hunting Licence Fee. A person who has paid the game management fee shall notify any changes to the membership in a game management association to the register of hunters. The membership in a game management association cannot be changed after the payment of the game management fee in the middle of a hunting year referred to in section 4 of the Hunting Act.
- (3) Membership in a game management association is terminated if the game management fee is not paid or if a hunting prohibition is imposed on the person concerned.

#### Section 16 – *Meetings of a game management association*

- (1) The decision-making power of a game management association is vested in the annual meeting of the game management association. The annual meeting selects a chair from among the participants. Each member at least 18 years of age has one vote at the meeting. A member at least 18 years of age may authorise another member to represent his or her at the meeting. No single member may, however, represent more than five members who are absent. Members

of game management association who are under 18 years of age have the right to speak and be present at the annual meeting of a game management association.

- (2) An extraordinary meeting of a game management association is held when the Board of the game management association considers this necessary or at least one tenth of the members of the game management association who are at least 18 years of age request this in writing from the Board of the game management association for a matter notified to the Board. Otherwise the provisions in subsection 1 on the annual meeting apply to the extraordinary meeting.
- (3) Provisions on the matters to be dealt with at the meeting of a game management association are laid down by Government Decree.

#### Section 17 – *Board of a game management association*

- (1) A game management association has a Board. The annual meeting of a game management association selects no less than five and no more than eight members and a personal alternate member for each member from among the full members of the game management association who are at least 18 years of age. The annual meeting first selects the chair of the Board and his or her alternate and then the other Board members and their alternates. The vice-chair of the Board is selected by the Board from among the members referred to in this subsection.
- (2) In addition to the members referred to in subsection 1 above, the annual meeting of a game management association selects one member and his or her personal alternate member from among the candidates proposed by a significant landowner organisations in its operating area. In areas referred to in section 8 of the Hunting Act the Board includes, besides the members selected by the annual meeting, a member designated by Metsähallitus, with a personal alternate member designated by Metsähallitus.
- (3) Provisions on the presence of the quorum, tasks, terms of office of the members and resignation of the Board are laid down by Government Decree.

#### Section 18 – *Application of the provisions of the Associations Act to a game management association*

- (1) The provisions of section 26 of the Associations Act concerning disqualification, section 31(1 and 2) concerning drawing up of minutes, section 32 concerning voidability of resolutions, section 33 concerning voidness of resolutions, and 34 concerning ban on enforcement apply to the meeting of a game management association and meeting of the Board of a game management association.
- (2) The provisions of the Act on the Openness of Government Activities (621/1999) apply to the publicity of minutes.

#### Section 19 – *Coordinator of Activities of a game management association*

- (1) A game management association has a Coordinator of Activities in employment relationship.
- (2) The Coordinator of Activities is appointed and dismissed by the Board of the game management association. Provisions on the tasks of the Coordinator of Activities are laid down by Government Decree.

#### Section 20 – *Other staff of a game management association*

- (1) A game management association may have hunting wardens, examiners of hunter's examinations and shooting tests and other staff necessary for the activity of the game management association.
- (2) A person to be appointed to the staff of a game management association shall be
  - 1) at least 18 years of age;
  - 2) legally competent; and
  - 3) known as an honest and reliable person with suitable personal properties for the task.

### Section 21 – *Specific training requirements*

- (1) A person to be appointed as a hunting warden and examiner of a shooting test and hunter's examination shall have
  - 1) successfully completed the training required for the task concerned organised by the Finnish Wildlife Agency; or
  - 2) successfully completed the refresher training required for the task concerned organised by the Finnish Wildlife Agency no less than 6 months before the application for the reappointment if the person applying for the appointment has earlier been appointed to a similar task under paragraph 1.
- (2) Further provisions on training referred to in subsection 1 are issued by Decree of the Ministry of Agriculture and Forestry.

### Section 22 – *Restrictions concerning the staff*

- (1) A hunting warden and examiner of a shooting test and hunter's examination may be appointed for no more than five years at a time.

### Section 23 – *Tasks and rights of a hunting warden*

- (1) The task of a hunting warden is to monitor the lawfulness of hunting and game management in his or her operating area and, where necessary, notify the authorities responsible for controlling the compliance with the Hunting Act, Finnish Wildlife Agency, holders of the hunting right and owners of the hunting right of his or her observations and assist the police and other authorities for this purpose.
- (2) When performing his or her task the hunting warden has the right to check the hunter's identity, hunting right, payment of the game management fee and passing of a shooting test. A hunting warden also has the right to inspect the hunting devices and methods.
- (3) Where requested, the hunting warden is obliged to present proof of his or her right to act as a hunting warden.

### Section 24 – *Liability under criminal law in a game management association*

- (1) Provisions concerning liability under criminal law apply to the members of the Board of a game management association and its staff when these persons manage public administration functions or decide on the use of the funds of a game management association.

### Section 25 – *Accounting and auditing of a game management association*

- (1) The provisions of the Accounting Act apply to the accounting obligation, accounting and final accounts of a game management association.
- (2) The provisions of section 38a of the Associations Act apply to the auditing of a game management association.
- (3) The Ministry of Agriculture and Forestry or Finnish Wildlife Agency may designate an auditor to examine the accounts of a game management association.

## Chapter 3 – **Miscellaneous provisions**

### Section 26 – *Administrative procedure in the Finnish Wildlife Agency and game management associations*

- (1) The provisions of the Administrative Procedure Act (434/2003), Act on the Openness of Government Activities, Sámi Language Act (1086/2003) and Act on Electronic Services and Communication in the Public Sector (13/2003) apply to the management of public administration functions.

- (2) The provisions of section 25 of the Language Act (423/2003) apply to the language to be used in the Finnish Wildlife Agency and game management associations.

*Section 27 – Rules of Procedure  
(1421/2011)*

- (1) The Finnish Wildlife Agency and game management associations have Rules of Procedure which are approved by the Ministry of Agriculture and Forestry on the proposal of the Finnish Wildlife Agency.
- (2) The Rules of Procedure of the Finnish Wildlife Agency provide for:
- 1) the operating areas and their limits;
  - 2) the organisation as far as provisions on this are not laid down in this Act or the Government Decree;
  - 3) leadership and use of the power of decision;
  - 4) staff other than the Director-General and Director for Public Administration Functions and their tasks as far as provisions on these are not laid down in this Act or the Government Decree;
  - 5) deputies for staff other than deputies for the Director for Public Administration Functions;
  - 6) the procedure for convening and holding the regional meetings and meetings of the Regional Wildlife Councils, National Wildlife Council and the Board as well as other necessary matters concerning these bodies; and
  - 7) other tasks as far as provisions on these are not laid down in this Act or the Government Decree.
- (3) The Rules of Procedure of a game management associations provide for:
- 1) the procedure for convening and holding the meeting of a game management association and the Board as well as other necessary matters concerning these bodies;
  - 2) general organisation of the activity of a game management association; and
  - 3) other tasks as far as provisions on these are not laid down in this Act or the Government Decree.

*Section 28 – Decision-making procedure*

- (1) The opinion which has received more than half of the votes given becomes the decision of the body referred to in sections 3–5, 13, 16 and 17 above. Persons who receive the majority of the votes in elections become elected. When the vote is even the opinion of the chair decides the result except in an election, where lots are drawn.

*Section 29 – Legal capacity, contractual capacity, signers and receipt of service*

- (1) The Finnish Wildlife Agency and game management associations may possess rights and make commitments, possess immovable property and sue, claim and defend in a court of law and before other public authorities.
- (2) The name of the Finnish Wildlife Agency is signed by the chair of the Board of the Finnish Wildlife Agency or, when he or she is prevented from attending to the task, the vice-chair together with the Director-General of the Finnish Wildlife Agency or a staff member designated in the Rules of Procedure. The Director-General of the Finnish Wildlife Agency or a staff member designated in the Rules of Procedure may, however, sign the name of the Finnish Wildlife Agency in matters of minor importance and in matters decided separately by the Board. In the case of public administration functions the name of the Finnish Wildlife Agency is signed by the Director for Public Administration Functions or a staff member designated by him or her.
- (3) The name of a game management association is signed by the chair and vice-chair of the Board jointly or either of these together with a Board member or Coordinator of Activities.

The Coordinator of Activities may, however, sign the name of a game management association in matters of minor importance and in matters decided separately by the Board.

- (4) A summons and other notice served to the Finnish Wildlife Agency is considered to have been served when it has been delivered to the chair or vice-chair of the Board of the Finnish Wildlife Agency or the Director-General of the Finnish Wildlife Agency. A summons and other notice is considered to have been served to a game management association when it has been delivered to one of the persons mentioned in subsection 3.

#### Section 30 – *Claim for rectification procedure*

- (1) Rectification of a decision of the Finnish Wildlife Agency other than one referred to in section 2(1)(1) and decision of a game management association concerning the passing of a hunter's examination or shooting test may be claimed from the Finnish Wildlife Agency as laid down in the Administrative Procedure Act.

#### Section 31 – *Appeal* (92/2014)

- (1) A decision by the Finnish Wildlife Agency referred to in section 2(1)(1) and one issued on a claim for rectification is appealed to the Administrative Court as provided in the Administrative Judicial Procedure Act (586/1996). A decision of the Administrative Court may be appealed only if the Supreme Administrative Court grants a leave to appeal.
- (2) A decision of the Finnish Wildlife Agency referred to in subsection 1 concerning an individual permit may be implemented in spite of appeal. The appellate authority may, however, prohibit the implementation of the decision.

#### Section 32 – *Funding of the activity*

- (1) Provisions on the funding of the activity of the Finnish Wildlife Agency and game management associations are laid down in the Act on the Game Management Fee and Hunting Licence Fee.
- (2) The Finnish Wildlife Agency and game management associations may also apply for, receive and manage other funds and revenue.
- (3) The other revenue of the Finnish Wildlife Agency and game management associations shall be spent on expenditure arising from the activity on a non-profit basis.

#### Section 33 – *Charges collected for performance of actions*

- (1) The provisions of the Act on Criteria for Charges Payable to the State (150/1992) apply to the charges collected on the performance of actions by the Finnish Wildlife Agency and game management associations.

#### Section 34 – *Control of the use of funds*

- (1) The Ministry of Agriculture and Forestry controls the use of funds of the Finnish Wildlife Agency and game management associations. For the control purpose a game management associations and Finnish Wildlife Agency shall provide the information and accounts requested by the Ministry of Agriculture and Forestry.

#### Section 35 – *Engaging in a business*

- (1) The Finnish Wildlife Agency and game management associations may engage in a business activity which supports the realisation of their function and does not compromise their impartiality in the management of public administration functions.

### Chapter 4 – **Entry into force**

*Section 36 – Entry into force*

- (1) This Act enters into force on 1 March 2011.
- (2) The Ministry of Agriculture and Forestry may undertake actions required for the implementation of this Act before the Act's entry into force.

*Section 37 – Transitional provisions concerning functions, rights and obligations*

- (1) Matters pending at the Hunters' Central Organization and game management districts upon the entry into force of this Act are transferred to be processed and decided by the Finnish Wildlife Agency. The rights, contracts, commitments and obligations concerning the Hunters' Central Organization and game management districts are transferred to the Finnish Wildlife Agency.
- (2) The permits, approvals, prohibitions, restrictions and decisions issued by game management districts in force upon the entry into force of this Act remain in force under the terms specified in them.

*Section 38 – Transitional provisions concerning game management associations*

- (1) Game management associations that exist upon the entry into force of this Act continue their activity in their respective operating areas. The Finnish Wildlife Agency shall confirm the operating areas of game management associations no later than 31 December 2013 to comply with section 11(1) on the proposal of the relevant game management association or game management associations.

*Section 39 – Transitional provisions concerning the staff*

- (1) Upon the entry into force of this Act the staff in employment relationship at the Hunters' Central Organization and game management districts and their tasks are transferred to the Finnish Wildlife Agency in accordance with the principles laid down for the assignment of business in Chapter 1, section 10 of the Employment Contracts Act (55/2011). The staff transferred shall retain the rights and obligations associated with their employment relationship at the time of transfer and their salary in euros.
- (2) The Finnish Wildlife Agency has no right to give notice on an employee's employment contract on the ground of assignment of business referred to in Chapter 1, section 10 of the Employment Contracts Act only.
- (3) Unless otherwise agreed, the Finnish Wildlife Agency shall locate the person's task to the same commuting area referred to in Chapter 1, section 9 of the Unemployment Benefits Act (1290/2002) where the person managed his or her task before the entry into force of this Act within three years after the entry into force of this Act. Any tasks opened or new posts or tasks established at the Finnish Wildlife Agency, except for the tasks of the Director-General and Director for Public Administration Functions of the Finnish Wildlife Agency, may be filled by the transferred staff without being opened for application, if the person gives his or her consent to filling the post.
- (4) Any changes to the places of activity caused by the reorganisation shall be implemented after the transitional period of three years unless the employee gives a written consent to the changes before this. The place of activity may, however, be changed within the commuting area by a decision of the employer.

*Section 40 – Transitional provisions concerning the establishment of the Finnish Wildlife Agency*

- (1) The Board of the Hunters' Central Organization acts as the Board of the Finnish Wildlife Agency until a Board under this Act has been appointed. The Executive Director of Hunters' Central Organization acts as the Director-General of the Finnish Wildlife Agency and the Deputy Executive Director as the Director for Public Administration Functions until the

Director-General and Director for Public Administration Functions have been appointed by virtue of this Act. The Director-General and Director for Public Administration Functions of the Finnish Wildlife Agency shall be appointed no later than 30 September 2011.

- (2) The offices of the game management districts and operating areas of the game management districts constitute the regional offices and operating areas of the Finnish Wildlife Agency until the Rules of Procedure of the Finnish Wildlife Agency have been adopted by virtue of this Act. The Rules of Procedure shall be adopted no later than 31 December 2011
- (3) Meetings of the game management districts under Chapter 9 of the Hunting Act function as the regional meetings of the Finnish Wildlife Agency until 31 March 2011. In these meetings proposals are given on the members who have paid the game management fee to be appointed both to the Regional Wildlife Councils and the National Wildlife Council. The Ministry of Agriculture and Forestry appoints both the Regional Wildlife Councils and the National Wildlife Council no later than 30 April 2011. The Board of the Finnish Wildlife Agency is appointed no later than 31 May 2011.
- (4) The member to the Board of a game management association of a significant landowner organisations in the operating area of the game management association referred to in section 17(2) above is elected by the Finnish Wildlife Agency no later than 15 April 2011 after having heard the game management associations and the significant landowner organisations in their operating areas. The representative thus elected acts in the Board until the annual meeting of the game management association of 2012.

*Section 41 – Transitional provisions concerning hunting wardens and examiners of a shooting test and hunter's examination*

- (1) A person who has completed earlier training corresponding to the basic training of a hunting warden may, section 21(1)(2) notwithstanding, be reappointed as a hunting warden if he or she applies for the appointment as a hunting warden within six months from the termination of the earlier appointment as a hunting warden. Similarly, those who act as examiners of the hunter's examination and shooting test upon the entry into force of this Act may apply for reappointment. In these cases, too, the appointment is subject to the condition that the applicant has successfully completed the prescribed refresher training.
- (2) The approval as a hunting warden in force earlier lapses due to the appointment as a hunting warden.