

**NB: Unofficial translation,
legally binding only in Finnish and Swedish
Ministry of the Interior, Finland**

Rescue Act
(379/2011)

Chapter 1
General provisions

Section 1
Purpose of the Act

The purpose of this Act is to improve the safety of people and to reduce the number of accidents. The purpose of the Act is also to ensure that when there is the threat of an accident or when an accident has occurred, people are rescued, important functions are secured and the consequences of the accident are successfully limited.

Section 2
Scope of application

- (1) This Act lays down provisions on the duty of individuals, enterprises and other organisations and legal persons:
 - 1) to prevent fires and other accidents;
 - 2) to prepare for accidents and operations when there is the threat of an accident or when an accident occurs;
 - 3) to limit the consequences of accidents;
 - 4) to construct and maintain civil defence shelters;
 - 5) to participate in the tasks carried out as part of rescue operations and in civil defence training.

- (2) This Act also lays down provisions on:
 - 1) the duty of rescue service authorities to instruct, advise, educate and supervise the parties referred to in subsection 1 so that they are able to fulfil the duties laid down in the subsection;
 - 2) the urgent tasks of rescue service authorities aimed at rescuing and protecting people, property and the environment when there is the threat of an accident or when an accident occurs and to limit the damage caused by the accident and to mitigate the consequences of the accident (*rescue operations*);
 - 3) the organisation, administration and powers of rescue service authorities.

- (3) Rescue service authorities are responsible for the civil defence duties defined in the Geneva Conventions for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at

Sea, relative to the Treatment of Prisoners of War and relative to the Protection of Civilian Persons in Time of War (Treaty Series of the Statute Book of Finland 8/1955), hereinafter *the Geneva Conventions*, and the Protocols Additional to the Geneva Conventions relating to the Protection of Victims of International Armed Conflicts and relating to the Protection of Victims of Non-International Armed Conflicts (Treaty Series of the Statute Book of Finland 82/1980) coming within their purview.

- (4) This Act also lays down provisions on cooperation in carrying out the duties mentioned in subsections 2 and 3 and in preparing for them.
- (5) Rescue service authorities may also be responsible for duties laid down in another Act.
- (6) Operations under this Act shall be planned and organised so that they may also be carried out in the emergency conditions under the Emergency Powers Act (1080/1991). Provisions on the special powers of rescue services in emergency conditions are laid down in the Emergency Powers Act.

Chapter 2 **General duties**

Section 3 *General duty to act*

Anyone who observes or receives information about a fire or other accident that is either occurring or about to occur and cannot immediately extinguish the fire or combat the danger is obliged to notify those endangered, make an emergency call and take rescue action without delay to the best of their abilities.

Section 4 *Duty of care*

- (1) Everyone shall be careful to avoid the risk of a fire or other accident and the damage it causes.
- (2) Everyone shall ensure, to the best of their abilities, that within their sphere of authority, provisions issued to prevent fires and other accidents and to ensure the safety of persons are observed.

Section 5 *Care when handling fire*

- (1) Fire and flammable or explosive or other hazardous substances shall be handled with care and sufficient precautions shall be taken.
- (2) Sufficient precautions shall be taken when engaging in hot work or repairs or other work that substantially increases the risk of a fire or other accident.

Section 6
Open fire

- (1) Campfires or other open fires may not be lit if, because of drought, wind or other reasons, the conditions are such that there is a manifest risk of a forest fire, grass fire or other fire.
- (2) Open fires may not be made on someone else's land without the landowner's permission.
- (3) Regional rescue authorities may, on reasonable grounds, prohibit the making of open fires in their rescue service regions or parts of them for a specific period of time. Information on the decision shall be provided to the extent necessary.

Section 7
Prescribed burning

- (1) Notwithstanding the provisions of section 6, prescribed burning is also allowed during dry spells provided that it is carried out with particular care, unless otherwise provided in section 6(3).
- (2) The prescribed burning of forest land shall always be carried out under the supervision of forestry professionals who are familiar with the practices of prescribed burning.

Section 8
Duty to notify

The party carrying out prescribed burning shall notify the rescue department of the prescribed burning in advance. The duty to notify also applies to other use of fire that generates a substantial amount of smoke.

Chapter 3
Duties of business and industrial operators and owners and occupants of buildings

Section 9
Fire safety and evacuation safety in buildings

- (1) The owner and occupants of a building and business and industrial operators shall, for their part, ensure that the building and structure and their surroundings are kept in such a condition that:
 - 1) the risk of a fire, the risk of a fire being started deliberately and the risk of a fire spreading is low;
 - 2) in the event of a fire or other dangerous situation arising suddenly, all persons in the building are able to leave the building or they can be rescued using other means;

- 3) rescue operations can be carried out in the event of a fire or other accident;
 - 4) consideration has been given to the safety of the rescue personnel.
- (2) Highly flammable material or other goods may not be stored in attics, basements, under buildings or in the immediate vicinity of buildings so that they pose a risk of a fire or fire spreading or obstruct the extinguishing of a fire.

Section 10
Emergency exits from buildings

- (1) The owner and occupants of a building and business and industrial operators shall, for their part, ensure that emergency exits and passageways are kept serviceable and free of obstructions and that they are also otherwise in such a condition that they can be used in a safe and efficient manner.
- (2) No goods may be stored in emergency exits or passageways in attics, basements or storage spaces.
- (3) When necessary, emergency exits and passageways shall be appropriately indicated and lit. Further provisions on indicating and lighting may be given by Ministry of the Interior decree.

Section 11
Emergency access roads

- (1) Property owners and occupants and business and industrial operators shall, for their part, ensure that roadways and other accessways for emergency vehicles (*emergency access roads*) are kept serviceable and free of obstructions and that they are appropriately indicated.
- (2) Vehicles may not be parked on emergency access roads, nor may other obstacles be placed on them.
- (3) Further provisions on indicating emergency access roads are given by Ministry of the Interior decree.

Section 12
Maintenance of equipment

- (1) The following supplies and equipment required under this Act or other statutes, or required by the authorities, shall be kept operational and appropriately serviced and inspected:
 - 1) fire fighting equipment, fire and rescue equipment and response equipment;
 - 2) equipment facilitating fire extinguishing and rescue work;
 - 3) fire detectors, alarm devices and other devices indicating accident risk;
 - 4) signs indicating escape routes and lighting;
 - 5) supplies and equipment in civil defence shelters.

- (2) The owner and occupants of a building and business and industrial operators are responsible for the duties referred to in subsection 1 in respect of the communal areas in the building and arrangements serving the building as a whole, and in respect of the spaces in the possession of occupants of the premises, this duty falls on the occupants.
- (3) Further provisions on the following may be given by Ministry of the Interior decree:
 - 1) technical details and procedures concerning the maintenance of the equipment and the maintenance programme;
 - 2) equipment upon which a commissioning inspection or a periodic inspection shall be carried out or which shall be regularly serviced;
 - 3) timing and intervals of servicing and inspection;
 - 4) recording of the measures.

Section 13

Chimney sweeping and servicing of ventilation equipment

- (1) The owner and occupants of a building and business and industrial operators shall, for the communal areas in the building and arrangements serving the building as a whole, and the occupants of the premises shall, for the spaces in their possession, ensure that:
 - 1) fireplaces and flues have been swept in a manner laid down in section 59;
 - 2) ventilation ducts and equipment have been serviced and cleaned so that they do not cause any risk of a fire;
 - 3) ladders, parts of roof walkways and roof safety equipment are kept in such a condition that chimney sweeping can be carried out safely.
- (2) Further provisions on the following may be given by Ministry of the Interior decree:
 - 1) fireplaces and flues that shall be swept at regular intervals and the timing and intervals of such sweeping;
 - 2) ventilation ducts and equipment that, for reasons of fire safety, shall be cleaned at regular intervals, and the timing, intervals and content of the cleaning.

Section 14

Self-preparedness

- (1) The owner and occupants of a building and the business and industrial operators shall for their part:
 - 1) prevent fires and other dangerous situations;
 - 2) prepare for the protection of persons, property and the environment in dangerous situations;
 - 3) prepare for extinguishing fires and taking other such rescue action which they are capable of performing independently;
 - 4) take measures to ensure safe exit during fires and in other dangerous situations and to facilitate rescue operations.

- (2) The provisions of subsection 1 also apply to activities carried out outside buildings and to public events.

Section 15 *Emergency plan*

- (1) An emergency plan covering the measures referred to in section 14 shall be drawn up for a building or other site which, with regard to evacuation safety or rescue operations, is exceptionally demanding or where the risk to the safety of persons or to fire safety or the risk to the environment or cultural property, or the damage caused by any accident, may be considered serious. The drawing up of the emergency plan is the responsibility of the occupant of the building or the site. If more than one business and industrial operator operates in the building, the occupant of the building shall draw up the emergency plan in cooperation with the business and industrial operators. The occupant of the building shall, however, always draw up the emergency plan for the building in cooperation with the operator of a care institution or service and supported housing referred to in section 18.
- (2) The emergency plan shall contain the details of:
 - 1) the conclusions on the assessments of the dangers and risks;
 - 2) the safety arrangements of the building and the facilities used for the operations carried out in the building or at the site;
 - 3) the instructions for building residents and other persons on how to prevent accidents and what action to take in accidents and dangerous situations;
 - 4) any other measures related to self-preparedness at the site.
- (3) Further provisions on sites for which an emergency plan shall be drawn up are given by government decree. Further provisions on the content of the emergency plan may be given by government decree.

Section 16 *Emergency plan for public events*

- (1) The organiser of a public event or other event that, on account of the large number of participants or some other special reason, involves a substantial risk to the safety of persons or fire safety shall draw up an emergency plan for the event.
- (2) The dangers and risks concerning the event shall be detailed and assessed in the emergency plan for a public event. The safety arrangements for the event and the instructions issued to the personnel responsible for the carrying out of the event and the public taking part in the event on how to prevent accidents and what action to take in accidents or dangerous situations shall be defined on the basis of them.
- (3) The emergency plan for a public event shall be submitted to regional rescue authorities for information no later than 14 days before the start of the event. The regional rescue authorities may, for a special reason, accept the submission of the emergency plan for the public event after the time limit

mentioned above. If the regional rescue authorities consider that the details and the assessment of the dangers and risks of the event referred to in subsection 2 or the safety arrangements and instructions defined on the basis of them are inadequate, they may return the plan for revision. The regional rescue authorities shall also, when necessary, carry out the fire inspection under section 80 at the site and take the measures under sections 81 and 82. The regional rescue authorities shall, when necessary, notify the police and the health authorities responsible for emergency medical care of the submitted plan. The regional rescue authorities shall be notified in advance of the use of explosives or highly flammable or explosive chemicals as special effects as provided in section 81 of the Act on the Safe Handling and Storage of Dangerous Chemicals and Explosives (390/2005).

- (4) Further provisions on public events and events for which an emergency plan for a public event shall be drawn up are given by government decree. Further provisions on the content of an emergency plan for a public event may be given by government decree.

Section 17 *Smoke alarms*

- (1) It is the duty of the occupants of premises to ensure that the flat is equipped with an adequate number of smoke alarms or other devices that detect a fire at the earliest possible stage and alert those in the flat.
- (2) In accommodation facilities and care institutions and service and supported housing referred to in section 18, the operators have the duty equivalent to that laid down in subsection 1.
- (3) Further provisions on the number, location and functioning of the devices referred to in subsections 1 and 2 may be given by Ministry of the Interior decree.

Section 18 *Evacuation safety in care institutions and service and supported housing*

- (1) The operators of hospitals, care homes for the elderly and other institutional care facilities, closed penal institutions and other comparable sites (*care institutions*), and service and supported housing organised in the form of housing units and other comparable residential buildings and facilities housing residents whose functional capacity is lower than normal (*service and supported housing*) shall, by using reports and plans drawn up in advance and by taking measures based on them, ensure that the residents and the persons being treated are, in the event of a fire or other dangerous situation, able to leave the building safely, either on their own or with assistance.
- (2) The operator under subsection 1 above means the municipality or other body governed by public law that is responsible for the maintenance of a care institution and for the organisation of service and supported housing. The

operator also means a company or other organisation that, on the basis of an agreement with a municipality or other body governed by public law or otherwise, is responsible for the maintenance of a care institution or the organisation of service and supported housing.

Section 19

Evacuation safety report

- (1) The operator referred to in section 18 shall draw up a report on the manner in which the building or spaces are used or how the limited, weakened or varying functional capacity of persons and other factors affecting evacuation safety are taken into account when preparations are made for fires and other dangerous situations and in evacuation arrangements (*evacuation safety report*). The safety report drawn up for the site in connection with the building permit corresponds to the evacuation safety report.
- (2) The evacuation safety report shall be drawn up before the start of the operations and updated at least every three years or when there are substantial changes to the operations.
- (3) The evacuation safety report and the changes to it shall be submitted to regional rescue authorities so that the assessment referred to in section 20(1) can be made. The evacuation safety report shall also be submitted to building supervision authorities for information.
- (4) Further provisions on the drawing up and updating of the evacuation safety report and the content of the report may be given by government decree.

Section 20

Evacuation safety assessment and the evacuation safety implementation plan

- (1) Regional rescue authorities shall, on the basis of the evacuation safety report, assess whether the evacuation safety measures meet the requirements laid down in section 18.
- (2) Before a decision on the matter referred to in subsection 1 is made, the regional rescue authorities may oblige the operator to revise the evacuation safety report referred to in section 19 by a specific date and to carry out an evacuation drill at the site in cooperation with the rescue department.
- (3) If the evacuation safety measures fall short of the requirements laid down in section 18, the operator shall, by the time limit set by the regional rescue authorities, draw up a plan for ensuring that the evacuation safety measures are in accordance with the requirements laid down in this Act.

Section 21

Order for ensuring evacuation safety

If the measures planned by the operator in accordance with section 20(3) are inadequate for ensuring that the evacuation safety measures for the site are in

accordance with the requirements, regional rescue authorities shall issue an order to rectify deficiencies under section 81, in connection with which specific safety requirements under section 82 may also be imposed.

Section 22

Fire safety in peat production areas

Because of the risk of a fire, particular attention shall be paid to the prevention of fires in peat production. Peat production shall be suspended if, because of wind or other conditions, there is a manifest risk of a fire.

Chapter 4

Organisation of rescue services and responsibility for the duties of rescue services

Section 23

Duties of the Ministry of the Interior and regional state administrative agencies

- (1) The Ministry of the Interior directs and steers rescue services and maintains oversight of their coverage and quality, is in charge of the preparedness and organisation of rescue services at national level, coordinates the activities of various ministries and sectors in the field of rescue services and their development and carries out other duties provided for the Ministry of the Interior in this Act.
- (2) Regional state administrative agencies maintain oversight of rescue services and their coverage and quality within their area of operation. Regional state administrative agencies also support the Ministry of the Interior in duties laid down in subsection 1 and carry out other duties provided for regional state administrative agencies in this Act.
- (3) Further provisions on the duties of the Ministry of the Interior and regional state administrative agencies regarding rescue services may be given by government decree.

Section 24

Responsibility of municipalities for rescue services

- (1) Municipalities are jointly responsible for rescue services in rescue service regions (*regional rescue services*), as further provided below in this Act.
- (2) The Government decides on the division of the country into rescue service regions and on changing the approved division. The Government makes the decision to change the regional division on its own initiative or on the initiative of the majority of the municipalities of the rescue service region, as laid down in section 79(1) of the Local Government Act (365/1995). In connection with the changing of the regional division, the Government sets a time limit for amending the agreements in force referred to in subsection 3. When a decision on a regional division or on changing it is made, the

municipalities which the regional division or the relevant changes concern shall be heard.

- (3) The municipalities of the rescue service region shall have an agreement regarding the organisation of rescue services. The provisions on amending the charter of a joint municipal board in section 79(1) of the Local Government Act apply to the approval and amending of the agreement. Otherwise, the provisions of the Local Government Act on cooperation between municipalities apply to the agreement.
- (4) If, in connection with the changing of the regional division referred to in subsection 2, the municipalities fail to agree on organising cooperation in rescue services in the manner referred to in subsection 3 within the time limit imposed by the Government, the Government will decide on the division of costs, the administrative model, the grounds for organising the public offices and duties and other matters essential for organising the cooperation referred to in subsection 1 which the municipalities have failed to agree upon. The government decision will remain in force until the municipalities concerned have concluded an agreement on the organisation of rescue services.

Section 25

Rescue departments, contract fire brigades and other similar organisations

Regional rescue services shall have a rescue department for carrying out the duties of rescue services. In the rescue operations under section 32, the regional rescue services may be assisted by voluntary fire brigades, institutional fire brigades, industrial fire brigades, military fire brigades (*contract fire brigades*) or other organisations operating in the field of rescue services, as agreed upon with them.

Section 26

Rescue authorities

- (1) The Director-General of the Department for Rescue Services of the Ministry of the Interior and the public servants of the Ministry of the Interior and regional state administrative agencies appointed by him or her are the state rescue authorities.
- (2) The highest-ranking public servant of the rescue department and the public servants of the rescue department appointed by him or her and the relevant multi-member body of the regional rescue services are the rescue authorities of the regional rescue services.

Section 27

Duties of regional rescue services and rescue departments

- (1) Regional rescue services are responsible for the standard of service of the rescue services, appropriate organisation of the operations of the rescue departments and chimney sweeping services and other duties provided for them in this Act.

- (2) Rescue departments shall be responsible for the following in their regions:
 - 1) guidance, education and provision of advice that rescue services are responsible for and that are aimed at preventing fires and other accidents, preparing for the combating of accidents and taking appropriate action in accidents and dangerous situations and in the limiting of the consequences of accidents;
 - 2) supervisory duties of rescue services;
 - 3) warning of the population in accidents and dangerous situations and the alarm system required for the purpose;
 - 4) tasks carried out as part of rescue operations.
- (3) In addition to what is laid down in subsection 2, rescue departments:
 - 1) may carry out tasks belonging to emergency medical care if the regional rescue services and the joint municipal board of the hospital district have agreed on the organisation of joint emergency medical care under section 39(2) of the Health Care Act (1326/2010);
 - 2) support the preparedness planning of a municipality belonging to the rescue service region if an agreement on this has been concluded with the municipality in question;
 - 3) take care of oil spill response and other tasks provided for regional rescue services in any other Act.
- (4) Further provisions on the duties of regional rescue services and rescue departments may be given by government decree.

Section 28

Standard of service of regional rescue services

- (1) The standard of service of the rescue services shall conform to local requirements and threats of accidents. When the standard of service is determined, consideration shall also be given to operations in emergency conditions.
- (2) The duties provided for rescue departments in section 27(2) shall be planned and carried out so that they can be performed in the most effective and appropriate way and so that the measures required in accidents and dangerous situations can be carried out effectively and without delay. If circumstances so require, the duties shall be prioritised.

Section 29

Decision on the standard of service of regional rescue services

- (1) Regional rescue services decide on the standard of service after hearing the opinions of the municipalities. The decision shall specify the threats in the region and assess the risks arising from them, and also determine the objectives of the operations, the available resources and services and the standard of service. The decision on the standard of service shall also contain a plan on the further development of the standard of service.

- (2) The decision shall remain in force for a specific period of time.
- (3) The decision on the standard of service shall be submitted to the regional state administrative agency. If the decision on the standard of service is inadequate, the regional state administrative agency may return the document for revision.
- (4) Further provisions on the content and structure of the decision on the standard of service may be given by Ministry of the Interior decree.

Section 30
Fire fighting water

- (1) Rescue departments shall draw up plans for the purchase and supply of fire fighting water (*plan for fire fighting water*) in cooperation with the municipalities of the rescue service region and the water supply plants operating in the rescue service region and referred to in the Water Services Act (119/2001) and with the waterworks supplying them with water. The plan for fire fighting water shall be drawn up so that the purchase and supply of the fire fighting water conform to the accident threats defined in the decision on the standard of service referred to in section 29. The plan for fire fighting water is approved by the regional rescue services.
- (2) Municipalities shall see to the purchase of fire fighting water in their areas for the needs of the rescue departments as defined in the plan for fire fighting water. Municipalities shall give consideration to the purchase of fire fighting water in the development plans on water services under the Water Services Act and when approving the areas of operation for the water supply plants referred to in the Water Services Act. The responsibility of the municipalities for purchasing fire fighting water also covers the duty to arrange supply points for fire fighting water at sources of natural water defined in the plan for fire fighting water. By way of derogation from this subsection above, the municipalities of the rescue service region may agree that the purchase of the fire fighting water is the responsibility of the regional rescue services. The provisions on amending the charter of a joint municipal board in section 79(1) of the Local Government Act apply to the approval and amending of the agreement. Otherwise, the provisions of the Local Government Act on cooperation between municipalities apply to the agreement.
- (3) The water supply plants referred to in the Water Services Act and the waterworks supplying them with water shall deliver fire fighting water from the water main network for the needs of the rescue department as defined in the plan for fire fighting water. The supply of fire fighting water covers the purchase of water and the directing of it to fire hydrants and pumping stations belonging to the network of the water supply plants. The supply of fire fighting water also includes the maintenance and servicing of the fire hydrants and pumping stations. The grounds for sharing the costs arising from the supplying of fire fighting water are agreed upon in the plan for fire fighting water between the municipality responsible for purchasing the fire

fighting water under subsection 2 or the regional rescue services and the water supply plant providing the fire fighting water.

Section 31

Responsibility for forest fire watching and the issuing of forest fire warnings

- (1) Regional state administrative agencies shall organise an effective forest fire watching in sparsely populated areas if there is a manifest risk of forest fires.
- (2) The Finnish Meteorological Institute shall issue a forest fire warning for areas where, on account of dry soil and weather conditions, the risk of forest fires is deemed to be manifest. The Finnish Meteorological Institute shall see to it that forest fire warnings are communicated as extensively as is appropriate.

Chapter 5

Rescue operations and certain duties connected with them

Section 32

Content of rescue operations

- (1) Rescue operations cover the following:
 - 1) receiving of emergency calls;
 - 2) warning of the population;
 - 3) combating of impending accidents;
 - 4) protecting and rescuing accident victims, people in danger, the environment and property;
 - 5) extinguishing of fires and limiting of damage;
 - 6) command, communications, servicing and other support functions relating to the tasks mentioned in paragraphs 1–5.
- (2) Rescue departments are responsible for performing tasks carried out as part of rescue operations when a fire, other accident or the threat of them requires urgent measures aimed at protecting or saving human lives or health, property or the environment and the measures cannot be carried out alone by the party affected by the accident or the threat of it or are not within the purview of other authorities or organisations.

Section 33

Alarm procedure

- (1) Rescue departments shall, in cooperation with the parties taking part in rescue operations, the authorities providing executive assistance and the Emergency Response Centre Administration draw up an alarm procedure for the purpose of alerting the resources required in rescue operations. Cooperation between the rescue departments under section 44 and the mutual assistance under section 45 shall be taken into account when drawing up the alarm procedure.

- (2) Alarm procedures shall be drawn up so that emergency response centres may alert the nearest appropriate rescue units regardless of which region they belong to.
- (3) Rescue departments shall ensure the coordination of alarm procedures with one another and the Emergency Response Centre Administration at national level.

Section 34 *Command of rescue operations*

- (1) Unless otherwise agreed, the officer in charge of rescue operations comes from the rescue service region where the accident or dangerous situation began. The command of rescue operations rests with rescue authorities. Rescue operations may, however, be temporarily under the command of other employees of the rescue department or a member of a contract fire brigade until competent rescue authorities assume command of the operations. The officer in charge of the rescue operations is legally liable for his or her official acts.
- (2) By way of derogation from subsection 1, the rescue authorities of the Ministry of the Interior have the right to issue orders concerning rescue operations and decide on the officer in charge of rescue operations and his or her area of operation.
- (3) If clarifying the responsibilities and powers of different parties and authorities so requires, the officer in charge of the rescue operations shall make an explicit decision on the start or end of the rescue operations. The authorities and the parties concerned shall be notified of the decision as soon as possible. When requested, the decision shall be confirmed in writing. Provisions on the decision of the officer in charge of the rescue operations to end the damping down, clearing and security connected with the rescue operations are laid down in section 40.

Section 35 *Command of rescue operations in situations involving cooperation*

- (1) If authorities from more than one sector take part in rescue operations, the officer in charge of the rescue operations is in overall charge of the situation. The officer in overall charge of the situation is responsible for maintaining the situation picture and for coordinating the operations. Units from different sectors work under the direction of their own command so that, in overall terms, the measures they take help to combat the consequences of the accident or the situation in an effective manner.
- (2) The officer in overall charge of the situation may appoint a management group with representatives of the authorities, agencies and voluntary units taking part in the operations as its members and invite experts to provide assistance.

Section 36

Powers of the officer in charge of rescue operations

- (1) In order to extinguish fires and prevent them from spreading and to prevent other accidents, limit damage and prevent dangerous situations from arising, regional rescue authorities and the rescue authorities of the Ministry of the Interior have the right, when the situation cannot otherwise be controlled, to:
 - 1) order people to protect themselves and evacuate people and property;
 - 2) take any such necessary action that may cause damage to immovable or movable property;
 - 3) order that buildings, communications links and equipment, as well as equipment, supplies, foodstuffs, fuel and lubricants and extinguishing agents required in rescue operations shall be made available;
 - 4) take any other action as required by rescue operations.
- (2) The person referred to in section 34(1) who is in temporary charge of rescue operations may, when the situation so requires, use the powers of the rescue authorities referred to in subsection 1(1–2) of this section to the extent that they are necessary to save and protect human lives, property and the environment, limit the damage caused by the accident and mitigate the consequences of the accident.
- (3) Property referred to in subsection 1(3) which its owner or occupant needs at the same time for the purpose of combating a fire or other accident may not be ordered to be handed over, unless it is necessary to save human lives. The rescue department will pay full compensation for any property used and for any damage caused to the used property.

Section 37

Duty to participate in rescue operations

- (1) When necessary to save human lives or combat accidents, the officer in charge of rescue operations has the right to order any person able to work who is at the site of a fire or accident or in its vicinity and who has no valid reason to refuse to assist in the rescue operations. In similar circumstances, rescue authorities have the right to order all persons in the municipality who are able to work to immediately come to the site of the fire or accident to assist in rescue operations if the situation cannot otherwise be controlled. This duty may be refused only for a valid reason.
- (2) In accidents and dangerous situations, the officer in charge of rescue operations also exercises overall authority over all fire brigades not only the contract fire brigades referred to in section 25 although his or her overall authority only extends to industrial or institutional fire brigades on the condition that the safety of their facilities is not put at risk.
- (3) The order referred to in subsection 1 may be ordered to remain in force until there is enough organised assistance at the site of the fire or accident. The order may, however, only be issued for one day at a time and may only be

extended once. The person ordered to assist in the rescue operations has the right to receive a certificate for participating in the rescue work.

- (4) The person ordered to take part in the rescue operations may not leave the site of the fire or accident without the permission of the officer in charge of the rescue operations.

Section 38

International rescue operations

In addition to the agreements made between states, the Ministry of the Interior may, at the request of the European Union, other states or international organisations, decide to send rescue assistance abroad when providing assistance is justified to protect people, the environment or property. The Ministry of the Interior may also request international assistance in the field of rescue services from the European Union, other states or international organisations.

Section 39

Functional capacity of those participating in rescue operations

Persons employed by rescue departments and contract fire brigades who take part in rescue operations shall maintain the basic skills and physical fitness required for their tasks. Further provisions on the level of basic skills and physical fitness required for different tasks carried out as part of rescue operations and the organisation of fitness tests may be given by Ministry of the Interior decree.

Section 40

Damping down, clearing and security

- (1) The owner of the site is responsible for damping down, clearing and security at the site after a fire when the situation no longer requires action by the rescue department. The officer in charge of the rescue operations determines when the rescue department is no longer required. The officer in charge of the rescue operations shall make the decision on ending the rescue operations referred to in section 34(3) and notify the owner of the site of the decision. When requested, the decision shall be confirmed in writing.
- (2) If the owner of the site cannot be reached, or if he or she does not take care of damping down, clearing and security at the site, the regional rescue authorities have the right to have any necessary measures taken at the expense of the owner.

Section 41

Fire investigation

- (1) The rescue department shall carry out a fire investigation. The aim of the fire investigation is to prevent similar accidents, to limit damage and to further develop rescue operations and operational preparedness.

- (2) The fire investigation involves determining the cause of the fire and examining, to the extent necessary, the factors affecting the start and spread of the fire, the damage caused by the fire, the factors affecting the extent of the damage and the progress of the rescue operations. The extent of the investigation is primarily determined by the seriousness of the consequences of the fire.
- (3) The details of the fire investigation are entered into the register of measures referred to in section 91.
- (4) If there are reasons to suspect that the fire or other accident has been caused deliberately or is a result of negligence, the rescue authorities shall report the matter to the police. Violations of safety of persons and fire safety observed in connection with the fire investigation shall also be reported to the police.
- (5) The police shall conduct a police investigation under section 37 of the Police Act (493/1995) to determine the cause of the fire if the fire has resulted in deaths, serious bodily injuries or substantial property damage.

Chapter 6 **Cooperation in the duties of rescue services**

Section 42

Cooperation in the prevention of accidents

- (1) In order to prevent accidents and maintain safety, rescue departments shall cooperate with other authorities and the organisations and residents in the region and participate in local and regional safety planning work.
- (2) If the authorities, as part of their official duties, notice or otherwise find out about a manifest risk of a fire or other accident in a building, flat or other site, they shall, notwithstanding any secrecy provisions, notify regional rescue authorities of the matter. The duty to notify also applies to municipalities, other bodies governed by public law and their employees, and the operators referred to in section 18(2) responsible for maintaining care institutions and organising service and supported housing and their employees.

Section 43

Monitoring accident trends

Rescue departments shall monitor trends concerning the threats of accidents and the number and causes of accidents and, based on the conclusions reached from them, take measures to prevent and prepare for accidents and, when necessary, submit proposals to other authorities and parties.

Section 44

Cooperation between rescue departments

Regional rescue services may also agree on the carrying out of the duties laid down in this Act in other rescue service regions.

Section 45

Assistance between rescue departments

Rescue departments shall, when necessary, provide other rescue departments with assistance in rescue operations and, in cooperation with them, draw up the necessary cooperation plans for rescue departments on preparedness for assistance and on requesting and giving assistance. These cooperation plans shall be taken into account when the alarm procedures under section 33 are drawn up.

Section 46

Cooperation in rescue operations

- (1) State and municipal authorities, agencies and enterprises are obliged to take part in the planning of rescue operations under the direction of rescue departments, as provided in section 47, and to take action in accidents and dangerous situations so that rescue operations can be carried out in an effective manner.
- (2) For the purpose laid down in subsection 1:
 - 1) emergency response centres receive emergency calls and relay the requests for help to appropriate units and act as communications centres for rescue services, as provided in the Act on Emergency Response Centre Operations (692/2010);
 - 2) the Defence Forces take part in rescue operations by providing equipment, personnel and expert services required in rescue operations, as provided in the Act on the Defence Forces (551/2007);
 - 3) the Border Guard takes part in rescue operations by providing equipment, personnel and expert services, as provided in the Border Guard Act (578/2005);
 - 4) the police are responsible for searching for missing persons in land areas and inland waterways, cordoning off dangerous areas and performing other duties concerning the maintenance of order and safety at accident sites;
 - 5) social welfare and health authorities and the agencies in the relevant administrative sector are, in accordance with the division of labour laid down in the statutes on them, responsible for organising emergency medical care, services concerning psychosocial support as well as the services and accommodation of those in distress as a result of accidents;
 - 6) the authorities responsible for organising environmental health care and the agencies in the relevant administrative sector are, in accordance with the division of labour laid down in the statutes on them, responsible for the duties concerning the protection of the health of individuals and their living environment;
 - 7) environmental authorities and agricultural and forestry authorities and the agencies in the relevant administrative sectors are, in accordance with the division of labour laid down in the statutes on them, responsible for the

combating of oil and chemical spills, environmental protection, flood control, the prevention of floods, and dam safety;

8) the authorities responsible for transport and communications matters and the agencies in the relevant administrative sector are responsible for:

a) relaying emergency announcements and other public announcements to the public using electronic mass media;

b) clearing traffic routes;

c) handling matters concerning cooperation in the use of traffic routes during evacuations;

d) organising transport during evacuations;

e) organising search and rescue services in the aviation sector;

9) the Radiation and Nuclear Safety Authority supervises the safety and the safety and preparedness arrangements for the use of nuclear energy and radiation and the radiation situation, maintains readiness for abnormal radiation situations, as required by its duties, gives information and issues alerts and reports on abnormal radiation situations, assesses the safety significance of radiation situations and issues recommendations on protective measures;

10) the Finnish Meteorological Institute provides the relevant authorities with weather information, warnings, observations and forecasts, drifting calculations for sea areas and estimates on the transport of radioactive and other hazardous substances in the atmosphere required in rescue operations and in the planning of rescue operations;

11) the Centre for Non-Military Service takes part in rescue operations and civil defence, as separately provided on its participation;

12) the offices, agencies and state enterprises responsible for different central government sectors, and the offices, agencies and municipal enterprises responsible for the different sectors of municipalities and joint municipal boards prepare for and participate in rescue operations in accordance with their sectoral responsibilities, the division of labour between them and legislation on them.

- (3) Further provisions on cooperation between the authorities, agencies and state and municipal enterprises in rescue operations may be given by government decree.

Section 47

Rescue service plans

The authorities, agencies and state and municipal enterprises that are obliged to provide rescue authorities with executive and expert assistance or whose expertise is otherwise required in rescue operations and in the preparation for rescue operations shall, under the direction of rescue departments and in cooperation with each other, prepare the necessary plans for the carrying out of their duties in connection with rescue operations and for participation in rescue operations. Rescue departments shall be provided with details about the resources available for rescue operations.

Section 48

External emergency plans for sites posing a particular hazard

- (1) Rescue departments shall draw up external emergency plans for accidents in cooperation with the relevant business and industrial operators for areas where:
 - 1) there are nuclear facilities referred to in section 3(1)(5) of the Nuclear Energy Act (990/1987);
 - 2) there are production plants referred to in section 30(1) and section 62(1) of the Act on the Safe Handling and Storage of Dangerous Chemicals and Explosives (390/2005), for which the business or industrial operator shall draw up a safety report;
 - 3) there are waste sites for extractive waste referred to in section 45a(2) of the Environmental Protection Act (86/2000);
 - 4) there are railway marshalling yards referred to in section 32 of the Government Decree on the Transport of Dangerous Goods by Rail (195/2002); or where
 - 5) there are port areas referred to in section 8 of the Government Decree on the Transport and Temporary Storage of Dangerous Goods in a Port Area (251/2005).
- (2) The external emergency plan defines the measures which allow for the accidents and their consequences to be limited and managed with maximum efficiency. When the plan is drawn up, the rescue department shall hear the people exposed to any danger and cooperate with the authorities in its own region and in the neighbouring regions to the extent required. The rescue department and the business or industrial operator shall jointly provide information on the plan and organise exercises to ensure the workability of the plan.
- (3) The implementation of the external emergency plan and the organisation of exercises are supervised by the regional state administrative agency. If an accident occurs, an entry for it shall be made in the register of measures referred to in section 91.
- (4) Further provisions on the drawing up, renewal and content of the external emergency plan, hearing of the population in connection with the drawing up of the plan, the provision of information on the plan, the exercises provided in accordance with the plan, the supervision of the implementation of the plan and the organisation of exercises and entry of the information on accidents occurring at the sites concerned in the register of measures of rescue services are given by Ministry of the Interior decree.

Section 49

Duty to provide rescue authorities with executive assistance and expert assistance

- (1) In addition to what is provided in section 46 on cooperation between the authorities in rescue operations, state and municipal authorities and agencies and the forestry centres referred to in the Act on the Forestry Centres and Forestry Development Centre Tapio (1474/1995) are obliged, on request, to provide rescue authorities with executive assistance that falls within or is otherwise applicable to their sector.

- (2) The police are also obliged to provide executive assistance that is necessary to carry out fire inspections and other supervisory duties under section 80, to prevent the risk of an accident referred to in section 81(3) and to ensure the right of access to information under section 88.
- (3) Metsähallitus, a state enterprise administering state-owned land and water areas, is obliged to provide rescue authorities with expert assistance in the combating of forest fires and prepare, on its own initiative, for the prevention and combating of forest fires in state-owned land under its management in cooperation with rescue authorities.
- (4) Decisions on the request for executive assistance referred to in subsections 1 and 2 and for expert assistance referred to in subsection 3 are made by the relevant rescue authorities.
- (5) Further provisions on executive and expert assistance may be given by government decree.

Section 50

Executive assistance provided by rescue authorities to other authorities

- (1) Rescue authorities may provide executive assistance that is applicable to their sector so that statutory duties of state or municipal authorities and agencies can be carried out.
- (2) Further provisions on the provision of executive assistance may be given by government decree.

Chapter 7

Voluntary activities in rescue operations

Section 51

Voluntary activities

- (1) Voluntary organisations and persons may be used to assist in the training, advisory and educational duties of rescue services and in rescue operations; they may not, however, be used in duties that involve a substantial use of public authority, such as the use of official powers or inspection or supervisory activities.
- (2) Further provisions on the participation of voluntary persons and organisations in the duties of rescue services may be given by government decree.

Section 52

Promoting voluntary activities

Rescue service authorities shall, to the best of their abilities, promote the operating conditions of the voluntary organisations used in carrying out the duties of rescue services.

Section 53

Medical examinations on members of contract fire brigades and other similar organisations

- (1) Smoke divers and persons doing other physically demanding work of a similar nature who are members of those contract fire brigades and other organisations with an agreement that are referred to in section 25 of this Act shall be provided with medical examinations corresponding to the examinations on which provisions are laid down in section 12 of the Occupational Health Care Act (1383/2001), which are required for performing their duties and which are required for preventing and controlling health risks and problems related to rescue work and working conditions and for protecting and promoting their safety, ability to work and health, and with other preventive services if they are not entitled to the occupational health care referred to in the Occupational Health Care Act on the basis of their employment relationship.
- (2) Arrangements concerning the provision of the services referred to in subsection 1 shall be contained within the agreement referred to in section 25.

Section 54

Occupational safety and health of members of contract fire brigades and voluntary personnel

- (1) The Occupational Safety and Health Act (738/2002) applies to the occupational safety and health of members of contract fire brigades under section 25 of this Act who take part in rescue operations.
- (2) Section 55 of the Occupational Safety and Health Act applies to those taking part in rescue operations on a voluntary basis and in a manner other than that referred to in subsection 1.

Chapter 8

Rescue service training and required qualifications

Section 55

State responsibility for training

- (1) The State is responsible for vocational rescue service training and other rescue service training, as provided in the Act on the Emergency Services College (607/2006).

- (2) The Ministry of the Interior may also authorise training institutions other than the Emergency Services College that are maintained by bodies governed by public law to provide basic vocational training in rescue services.
- (3) The provisions of the Act on the Emergency Services College apply to the required qualifications for personnel of the training institutions, the training and education provided and diplomas issued by such institutions, and the rights and obligations of students. The curricula of the Emergency Services College are observed in the training provided by the training institutions.
- (4) The training institution appoints a rectification and disciplinary board. The provisions on the rectification and disciplinary board of the Emergency Services College apply to the board. Further provisions on the board may be given by government decree.

Section 56

Responsibility of rescue departments for training

Rescue departments shall ensure that their part-time personnel and the personnel of those contract fire brigades and other organisations with an agreement that are referred to in section 25 are adequately trained for rescue operations.

Section 57

Required qualifications for rescue service personnel

- (1) Full-time fire fighters, fire sub-officers and fire officers of rescue departments taking part in rescue operations are required to have a rescue service diploma appropriate to their public office or duties.
- (2) Part-time personnel, and members of those contract fire brigades and other organisations with an agreement that are referred to in section 25, are required to have adequate training. The curricula of the courses included in the training requirements are approved by the Emergency Services College.
- (3) Further provisions on the diplomas and training referred to in subsections 1 and 2 may be given by government decree.

Section 58

Dispensations

The Ministry of the Interior may, for a special reason, grant a dispensation from the required qualifications laid down in this Act regarding public offices or duties in rescue departments.

Chapter 9 Chimney sweeping

Section 59

Arranging for chimney sweeping

- (1) Regional rescue services decide on the arranging of chimney sweeping services in their regions.
- (2) Regional rescue services may within their regions or in parts thereof:
 - 1) provide chimney sweeping services as work carried out by the rescue departments;
 - 2) procure chimney sweeping services from other service providers; or
 - 3) allow building owners and occupants to contract chimney sweeping services from a service provider.
- (3) When regional rescue services arrange for chimney sweeping services in a manner referred to in subsection 2(1 or 2), they also determine the fee charged for the service.
- (4) The duty laid down in section 13 of building owners and occupants and occupants of the premises to ensure that fireplaces and smoke flues are serviced and cleaned may only be implemented by the service providers authorised by regional rescue services in accordance with subsection 1. In individual cases, rescue departments may, however, permit chimney sweeping to be carried out by persons other than chimney sweeps.

Section 60

Content of chimney sweeping

- (1) In chimney sweeping, the fireplace, smoke flue and their parts are cleaned and the condition of the fireplace and smoke flue inspected. The chimney sweep shall give the customer a certificate stating the chimney was swept.
- (2) Further provisions on the contents of chimney sweeping work and the certificate given for chimney sweeping work may be given by Ministry of the Interior decree.

Section 61

Notifying of faults

If the chimney sweep detects faults or defects in fireplaces or smoke flues that may cause a fire risk, he or she shall notify the representative of the relevant site and the rescue department of the faults or defects in writing. If the chimney sweep determines that the ladders, parts of roof walkways and roof safety equipment are in such a condition that chimney sweeping cannot be carried out safely, he or she shall also notify the representative of the relevant site and the rescue department of the problems in writing.

Section 62

Chimney sweeping list

A party engaged in chimney sweeping shall keep a list of the swept premises and provide the rescue department with information from the list on request

and free of charge. The information shall be kept for ten years after the carrying out of the measure.

Section 63

Required qualifications for chimney sweeps

- (1) Chimney sweeping entrepreneurs, persons doing independent chimney sweeping work in their employ and chimney sweeps employed by rescue departments shall have passed the chimney sweep examination.
- (2) By way of derogation from subsection 1, persons studying for the chimney sweep examination are qualified to work as independent chimney sweeps for three years during the training if they have completed the courses on the sweeping of fireplaces and smoke flues and the monitoring of safety in property included in the chimney sweep examination. A provider of chimney sweeping services shall, in an adequate manner, guide and supervise the independent chimney sweeping work of persons studying for the examination.

Chapter 10

Civil defence preparedness and civil defence training

Section 64

Civil defence preparedness of rescue services

- (1) Rescue service authorities shall prepare for carrying out their operations in emergency conditions by drawing up adequate plans and by making advance preparations, as part of which they shall train and reserve personnel, civil defence managers and special civil defence personnel for duties carried out in emergency conditions, ensure that command, supervision and alarm systems are established and maintained, make preparations for evacuations and take other corresponding measures.
- (2) In addition to what is provided in subsection 1, provisions on the preparations of the authorities for emergency conditions are also laid down in the Emergency Powers Act.
- (3) Each authority is responsible for reserving and training the personnel it requires for civil defence duties in emergency conditions.
- (4) Rescue service authorities are responsible for the coordination of operations and plans for emergency conditions connected with rescue operations.

Section 65

Civil defence duties based on employment relationships

The civil defence duties of state and municipal authorities, agencies, enterprises and other bodies governed by public law and the preparedness for them are part of the official duties of the public servants and other officials

employed by them and the duties of the employees in contractual relationship employed by them. The same also applies to participation in the training that is necessary to carry out these duties.

Section 66

Protection under the Geneva Conventions

- (1) Personnel in civil defence duties shall be respected and protected when carrying out humanitarian tasks in armed conflicts, as agreed in the Geneva Conventions and Article 61 of the Protocol I Additional to the Geneva Conventions relating to the Protection of Victims of International Armed Conflicts and relating to the Protection of Victims of Non-International Armed Conflicts. The same applies to the material used in the duties defined in the Article.
- (2) When the situation so requires, the Ministry of the Interior will decide which persons and material are covered by the protection referred to in subsection 1.

Section 67

Duty to participate in civil defence training

The Ministry of the Interior and regional state administrative agencies may order civil defence managers and other special civil defence personnel to participate in civil defence training organised by the Emergency Services College for a maximum of ten days per year.

Section 68

Exemption from civil defence training

On application by a person ordered to take civil defence training, the Emergency Services College may grant a deferral or exemption from training on the grounds of an injury or illness or on other reasonable grounds.

Section 69

Healthcare for those participating in civil defence training

Those ordered to participate in civil defence training are entitled to free healthcare, medical treatment and medication if they contract an illness requiring treatment during the training. Students who, on arrival at training, announce that they are ill or unable to take part in training because of their health are also entitled to a free initial examination by a physician if the Emergency Services College considers that no grounds exist to exempt the student.

Section 70

Financial benefits of those participating in civil defence training

- (1) Those ordered to participate in civil defence training are provided with accommodation by the Emergency Services College free of charge and are

entitled to reimbursement of travel expenses under the provisions of the collective agreement for public servants on the reimbursement of travel expenses to public servants.

- (2) Trainees who are not employed by a body governed by public law may be paid, when necessary, compensation and a per diem allowance corresponding to the reservist pay of a person liable for military service who has been called up for reservist training for the duration of the training instead of a per diem allowance based on the collective agreement for public servants.

Chapter 11 **Civil defence shelters**

Section 71

Duty to build civil defence shelters in new buildings

- (1) In connection with the construction of a new building, the owner of the building shall build in the building or in its vicinity a civil defence shelter, the size of which is considered to be sufficient for the number of persons who will reside in the building, work in the building on a permanent basis or otherwise occupy the building. The duty to build a civil defence shelter does not, however, apply to temporary buildings used for no more than five years.
- (2) A civil defence shelter shall be built for a building or a group of buildings on the same plot or construction site if it has a floor area of at least 1,200 square metres and is used as a permanent dwelling or workplace or is otherwise permanently occupied. By way of derogation from this subsection above, a civil defence shelter shall be built for an industrial, production and storage building and a building used as a place of assembly if the floor area of the building or the group of buildings is at least 1,500 square metres. There is, however, no duty to build a civil defence shelter if the plot or the construction site or the joint civil defence shelter already has the number of shelter places meeting the requirements laid down in this Act and the Decrees issued under it.
- (3) Existing buildings on the same plot or construction site for which there is a civil defence shelter or buildings where a partial final inspection was carried out more than five years before the building permit application was lodged are not taken into account when determining the duty to build a civil defence shelter for a new building.
- (4) After hearing regional rescue authorities, the authority granting the building permit may allow a joint civil defence shelter to be built for two or more buildings on condition that the shelter will be built within five years of the partial final inspection of the first building.

Section 72

Duty to renovate a civil defence shelter in conjunction with alteration and repair work

If alteration or repair work or a change in the intended use of the building under section 125 of the Land Use and Building Act (132/1999) which is comparable to building construction is carried out in a building with a civil defence shelter, the civil defence shelter shall also be renovated so that it meets, as appropriate, the requirements for the technical details of a civil defence shelter laid down in section 74 and under it.

Section 73

Exemption from the duty to build a civil defence shelter

The provisions of this Act concerning the duty to build a civil defence shelter do not apply to the production facilities of a farm or to repair or alteration work carried out in an existing building that is comparable to building construction and requires a building permit and that also extends the floor area of the building in the basement or in the attic.

Section 74

Structural and other requirements for civil defence shelters

- (1) A civil defence shelter shall provide those occupying the shelter with protection from the effects of weapons, collapsing buildings, ionising radiation and toxic substances. The temperature, air quality and hygienic equipment standards of the civil defence shelter shall be adequate for the purpose of the facility. Further provisions on the size, structure and location of civil defence shelters are given by government decree. Further provisions on the technical details of civil defence shelters are given by Ministry of the Interior decree.
- (2) Provisions on the requirements for the equipment and products used in the construction and equipment of civil defence shelters, markings on the equipment and the information and instructions provided with the equipment are laid down in the Rescue Service Equipment Act (10/2007).

Section 75

Granting of exemptions

- (1) Regional state administrative agencies may in individual cases, after hearing the relevant rescue department and local building supervision authorities, grant an exemption from the statutory duty to build a civil defence shelter, permanently or for a specific period, if the costs resulting from the construction of the civil defence shelter would be substantially higher than normal in relation to the construction costs of the building in question or if the construction of the civil defence shelter would involve substantial technical difficulties.
- (2) After hearing the relevant rescue department, the authority granting the building permit may grant an exemption from the technical requirements for civil defence shelters laid down by Ministry of the Interior decree or from the size and location requirements laid down by government decree if there are

reasonable grounds for the exemption and the exemption will not substantially reduce the availability of protection.

- (3) The Ministry of the Interior may, on the application of the municipality, grant an exemption from the construction of civil defence shelters in specific areas if it is estimated that there is already a sufficient number of shelter places in the area or if the protection of the population is otherwise ensured.

Section 76

Use of civil defence shelters in normal conditions and the readiness for them to be taken into use

Civil defence shelters, equipment and devices shall be kept in such a condition that the civil defence shelters can be taken into use within 72 hours.

Section 77

Ensuring prerequisites for taking command of operations under emergency conditions

Rescue departments shall organise the facilities for the command of rescue operations and the other prerequisites of rescue operations so that the operations can also be run under emergency conditions.

Chapter 12

Supervisory duties of rescue services

Section 78

Supervisory duty of rescue departments

- (1) Rescue departments shall supervise compliance with the provisions of Chapters 2 and 3 in their regions.
- (2) To carry out supervision, rescue departments shall conduct fire inspections and take other measures required as part of the supervisory duty.

Section 79

Supervision plan

- (1) Rescue departments shall draw up a supervision plan covering the carrying out of the supervisory duty. The supervision shall be based on risk assessment and be of a high quality, effective and done on a regular basis.
- (2) The supervision plan shall specify the fire inspections to be conducted and other supervisory measures and describe how the carrying out of the supervision plan is assessed.
- (3) The supervision plan shall be based on the decision on the standard of service of regional rescue services. The supervision plan shall be reviewed each year and also at other times if there is a special reason for the review.

The supervision plan shall be submitted to the regional state administrative agency for information.

- (4) Further provisions on the risk assessment criteria used in the supervision, definition of fire inspections and other supervisory measures and the assessment of the carrying out of the supervision plan may be given by government decree.

Section 80

Carrying out fire inspections and other supervisory measures

- (1) Fire inspections and other measures required under the supervisory duty under section 78 may be carried out by regional rescue authorities.
- (2) Fire inspections may be carried out in buildings and structures and in premises and flats belonging to them and at other sites. The party carrying out the fire inspection shall be given access to all spaces and sites to be inspected. The representative of the site to be inspected shall present the plans, other documents and arrangements as required by statutes.
- (3) The owner and occupants of the property and business and industrial operators shall, on request and free of charge, provide regional rescue authorities with the emergency plan referred to in section 15 and any other such documents on the fire and evacuation safety of the site that regional rescue authorities require for carrying out their supervisory duty under section 78.
- (4) Minutes shall be kept of fire inspections, itemising in sufficient detail the site being inspected, the course of the inspection, the principal observations made by the inspector, the details provided by the representative of the site being inspected and the conclusions and grounds for them. Minutes shall also be prepared if regional rescue authorities otherwise in connection with the inspection issue an order referred to in section 81 to rectify any defects or suspends an operation posing an immediate risk of a fire or other accident. For information purposes, all parties concerned shall be provided with the minutes without delay.

Section 81

Order to rectify deficiencies and suspension of operations

- (1) If, when carrying out their supervisory duty, regional rescue authorities observe deficiencies in the implementation of the duties laid down in this Act, they shall order them to be rectified. If the deficiencies cannot be rectified immediately, a time limit shall be imposed by which the repairs shall be carried out.
- (2) If, when carrying out the supervisory duty under this Act, regional rescue authorities observe deficiencies in the implementation of the duties laid down in another Act and are of the view that the deficiencies pose a serious danger to the safety of persons, they may order that the deficiencies be rectified. If

the deficiencies cannot be rectified immediately, the appropriate supervision authorities shall be notified of the matter.

- (3) If a deficiency or a faulty procedure detected during the carrying out of the supervisory duty or otherwise poses an immediate risk of a fire or other accident, rescue authorities have the right, when necessary, to immediately suspend the operations and issue an order on measures that are necessary to prevent an accident. The order shall be carried out immediately.

Section 82

Specific safety requirements

- (1) At sites where the operations conducted or the prevailing conditions pose an unusually high risk to the safety of persons, fire safety or the environment, regional rescue authorities may, when necessary, order the business or industrial operator to obtain appropriate fire fighting equipment and other equipment facilitating rescue work, install an automatic fire extinguishing system or take other necessary measures at the site to prevent accidents and ensure the safety of persons and property in the event of an accident.
- (2) Regional rescue authorities shall hear the local building supervision authorities referred to in section 124 of the Land Use and Building Act when the order concerning the safety requirements for the site referred to in subsection 1 is being prepared if the implementation of the safety requirements requires a building permit or an action permit.

Section 83

Secret sites of the Defence Forces

The provisions of section 78 do not apply to sites administered by the Defence Forces that shall be kept secret because of national security and where the Defence Forces have notified regional rescue authorities that they will perform the supervisory duty. The Defence Forces are responsible for fire inspections at these sites. Further provisions on the inspections may be given by Ministry of Defence decree.

Section 84

Preparedness check

Rescue authorities may carry out checks to control that preparedness arrangements for major accidents and emergency conditions have been made as laid down in this Act. The party carrying out the check has the right to enter the spaces to be checked and to receive details about the plans and other arrangements concerning the preparedness required under this Act. The checks may not, however, be carried out in spaces used as a permanent residence or at sites referred to in section 83.

Section 85

Supervising the standard of service of regional rescue services

- (1) It is the duty of regional state administrative agencies to supervise that the standard of service of regional rescue services is adequate. For this purpose, regional state administrative agencies have, notwithstanding any secrecy provisions, the right to obtain the necessary information and reports from regional rescue services free of charge.
- (2) If there are substantial deficiencies in the standard of service and they are not rectified within the time limit set by the regional state administrative agency, the regional state administrative agency may, as provided in section 105(2), oblige regional rescue services to ensure that the standard of service required under this Act is achieved.

Chapter 13

Secrecy obligation, right of access to information and personal data registers

Section 86

Non-disclosure obligation

- (1) Persons employed by rescue services, persons taking part in rescue operations, or members and experts of the commission of inquiry referred to in section 107 of this Act, may not in any manner that is not relevant to rescue services make use of or without permission disclose to others information that they have obtained as part of these duties that is subject to a secrecy obligation laid down by law or which concerns a private trade or professional secret, financial status, personal circumstances or health.
- (2) Provisions on disclosing secret information to authorities or bodies in charge of a public duty are laid down by law. The non-disclosure obligation does not prevent the disclosure of information the disclosure of which in individual cases is necessary to protect lives or health or to prevent substantial environmental or property damage.
- (3) The punishment for violating the secrecy obligation laid down in this section is imposed under Chapter 38, section 1 or 2, of the Criminal Code (39/1889), unless the act is punishable under Chapter 40, section 5, of the Criminal Code.

Section 87

Duty to submit statistical information

- (1) Regional rescue authorities shall submit information on the performance, resources, arrangements and other preparedness of rescue services and information from the register of measures to the Ministry of the Interior, regional state administrative agencies and the Emergency Services College for the purpose of compiling statistics. The information may be submitted through a technical interface, if necessary, and it may also contain secret information.

- (2) Further provisions on submitting statistical information may be given by government decree.

Section 88

Right of access to information in fire and accident investigations

Regional rescue authorities conducting a fire investigation under section 41 of this Act, and the members and experts of the commission of inquiry ordered to conduct an accident investigation under section 107 have the right to enter the accident site and take samples and, notwithstanding any secrecy provisions, obtain information and documents that are necessary for the investigation from the representatives of the accident site and the authorities free of charge.

Section 89

Right of access to information for rescue operations and supervisory duties

- (1) Notwithstanding any secrecy provisions, rescue authorities have, for the purpose of carrying out the duties laid down for them in this Act, the right to access, free of charge, information necessary for the planning and implementation of rescue operations and for the carrying out of supervisory duties laid down for rescue services. For this purpose, the rescue authorities have the right of access to:
- 1) information on the spatial data sets referred to in the Act on Spatial Data Infrastructure (421/2009) and in the statutes issued under it;
 - 2) information laid down in the Act on the Population Information System and the Certification Services of the Population Register Centre (661/2009) on the following:
 - a) the marital status referred to in section 13(1)(5);
 - b) information referred to in section 13(1)(8) of the Act on the status of children and parents under family law;
 - c) the nationality referred to in section 13(1)(14);
 - d) the native language and the language of business given by the person that are referred to in section 13(1)(20);
 - e) the profession given by the person that is referred to in section 13(1)(22);
 - f) the property identifier or other data referred to in section 14(1)(1) identifying a property or a register unit;
 - g) the building identifier or other data referred to in section 15(1)(1) identifying a building project or a building;
 - h) the coordinates, purpose, year of completion, number of floors, net floor area and the volume referred to in section 15(1)(3);
 - i) the building projects and other information referred to in section 15(1)(4) describing a building and its structures and features ;
 - j) information referred to in section 16(1)(2) describing a flat and its features;
 - k) information referred to in section 16(1)(3) on the tenure status and use of a residential flat;
 - 3) information on the surveillance objects entered into a surveillance objects register of the Finnish Safety and Chemicals Agency;
 - (4) information on Statistics Finland's employment statistics;

- (5) information on the coordinates and task codes of first response, emergency medical care and ambulance service from hospital districts, itemised in such a manner that individual natural persons cannot be identified on the basis of the information;
 - (6) for the reason laid down in section 42(1) of this Act, information from other authorities on high-risk areas that are of particular concern for preventing accidents, the information being itemised in such a manner that individual natural persons cannot be identified on the basis of the information;
 - (7) information from the police on notifications under section 14 of the Assembly Act (530/1999) that are connected with public events;
 - 8) information from local building supervision authorities on building permits under section 125 and action permits under section 126 of the Land Use and Building Act and on the related applications under section 131, in a manner jointly agreed upon with building supervision authorities.
- (2) Notwithstanding any secrecy provisions, and for the purpose laid down in subsection 1, rescue authorities also have the right to receive, free of charge, the information referred to in section 90(3).
 - (3) The information referred to in this section above may also be obtained using a technical interface or otherwise in electronic form.
 - (4) The provisions of subsection 1–3 do not apply to secret sites referred to in section 83. The Defence Forces shall, however, provide regional rescue authorities and emergency response centres with the information on the site that is required for carrying out rescue tasks in a safe and appropriate manner.

Section 90

Right of access to information for civil defence duties

- (1) Notwithstanding any secrecy provisions, rescue authorities have, free of charge and for the purpose of reserving personnel for civil defence duties, the right of access to:
 - 1) necessary population information from the authorities referred to in the Register Management Act (166/1996);
 - 2) information from the Defence Forces on whether a person liable for military service is exempt from war-time duty;
 - 3) information from other authorities and organisations on persons in their employment, including the age, training, profession and ability to work of the persons to be reserved, and the reservation of such persons for authorities or organisations to secure their own operations in emergency conditions;
 - 4) information from non-military service authorities on whether a person liable for non-military service is exempt from service during mobilisation, and information on specialised training received during the service by persons who have completed non-military service.
- (2) Notwithstanding any secrecy provisions, rescue authorities have, for the purpose of civil defence, the right of access to information from a register in

the possession of an authority on buildings, properties and rooms, their owners and occupants and their use, itemised and organised in a manner required by civil defence and its planning.

- (3) Notwithstanding any secrecy provisions, rescue authorities and the Ministry of Transport and Communications have, free of charge and for the purpose of evacuation and other civil defence duties, the right of access to the following information contained in the Vehicular and Driver Data Register Act (541/2003):
- 1) information on the owners or holders of vehicles referred to in section 3(1)(1);
 - 2) information on the natural persons referred to in section 3(2)(1) who have applied for a driving licence permit or who are holders of a driving licence permit, driving licence or right to drive;
 - 3) information on the address and other contact details of natural persons entered in the register who are referred to in section 4;
 - 4) the granting, type and class of a driving licence permit, driving licence and the right to drive and other similar information referred to in section 5(1)(1); and
 - 5) technical, identification and commercial information referred to in section 7(1)(1) on a vehicle.
- (4) Notwithstanding any secrecy provisions, rescue authorities and the Ministry of Transport and Communications also have, free of charge, the right of access to information from the national road transport control information system based on reservation information for emergency conditions compiled by the authorities.
- (5) The information referred to above in this section may also be obtained using a technical interface or otherwise in electronic form.

Section 91

Register of measures

- (1) For the purpose of monitoring and developing rescue services, rescue departments have the right to keep a personal data register. In the register they may store data that is entered into the emergency response centre data system referred to in section 16 of the Act on Emergency Response Centre Operations and that an emergency response centre has submitted to the rescue authorities' registrar in charge under section 20 of the Act on Emergency Response Centre Operations. The responsibility for the technical maintenance of the register rests with the Emergency Services College.
- (2) In addition to the data referred to in subsection 1, data on the following details of the tasks that rescue departments have carried out under the Rescue Act or any other Act may be entered into the register of measures:
- 1) target of measures;
 - 2) type of accident or task;
 - 3) technical details of the accident and course of the accident;
 - 4) rescue and prevention methods used in the operations;

- 5) personnel reserves used in the operations;
 - 6) vehicles and other equipment used in the operations;
 - 7) success of the rescue operations;
 - 8) damage caused by accidents and factors affecting the extent of the damage;
 - 9) causes of accidents.
- (3) The data referred to in subsection 2(1, 2, 5 and 6) concerning the first response, emergency medical care and ambulance service tasks that are performed by rescue departments, contract fire brigades and other organisations referred to in section 25 on a contractual basis may be entered into the register.
- (4) Data in the register of measures may be entered and processed by rescue authorities and the other officer in charge of rescue operations referred to in section 34 when the data concerns the tasks which the officer in question has been in charge of during the rescue operations.
- (5) Notwithstanding any secrecy provisions, data in the register may be submitted:
- 1) for the purpose of rescue operations or supervision, to the Emergency Response Centre Administration, rescue authorities, the Finnish Safety and Chemicals Agency and the members and experts of the commission of inquiry referred to in section 107;
 - 2) for the purpose of the combating of and preparedness for oil spills and chemical spills from vessels, to the Finnish Environment Institute and centres for economic development, transport and the environment;
 - 3) for the purpose of accident investigation, to the commission of inquiry and authorities conducting the investigation;
 - 4) for the purpose of scientific research, to other authorities, research institutes and researchers.
- (6) The data may also be submitted using a technical interface or otherwise in electronic form. The Emergency Services College and a training institution referred to in section 55(2) may use the data contained in the register in their training. The Emergency Services College may also use the data in the register for compiling statistics. Only statistics on the basis of which individuals cannot be identified may be derived from the register of measures. Other provisions on the submission of data are laid down in the Act on the Openness of Government Activities (621/1999).
- (7) Personal data shall be removed from the register of measures when keeping it can no longer be deemed justified for the purposes mentioned above, but no later than five years from entering the data. Sensitive data referred to in section 11(1)(3 and 4) of the Personal Data Act (523/1999) shall, however, be removed no later than two years after it has been entered into the register.

- (1) Rescue departments and organisations that, under section 46, are obliged to take part in the planning of rescue operations under the direction of rescue departments, carry out their statutory duties in connection with rescue operations and prepare for carrying out these duties in normal and emergency conditions, may keep personal data registers on the persons and resources reserved for their duties for the purpose of carrying out and preparing for these duties.
- (2) The name, date of birth, personal identity code, marital status, profession, education and training, address, other contact information and driving licence data of the persons referred to in subsection 1 and information on the number of children under their guardianship may be entered into the register.
- (3) The register may also contain information on the equipment, material, supplies and civil defence shelters required for the preparedness duties and the properties, buildings and rooms that can be used as locations for evacuated people and relocated property. The register may contain information on the ownership and possession, condition, current use and number of residents of the spaces. Similarly, information on buildings that can be used as temporary locations of production plants or as temporary offices of authorities and agencies or as locations for command centres and units in emergency conditions may be entered into the register. The register may be compiled using information obtained under section 90 and other information in the possession of authorities, agencies or organisations that the party in question maintains or that it has received from an authority responsible for the registration of properties, buildings and rooms.
- (4) Notwithstanding any secrecy provisions, information in the register may be submitted to rescue departments, rescue authorities and the Emergency Response Centre Administration and the authorities maintaining the register of preparedness duties for the purpose of rescue operations and the planning of rescue operations. The information may also be submitted using a technical interface or otherwise in electronic form.
- (5) The information contained in the personal data register of preparedness duties shall be reviewed no later than five years from the entry of the information or the review or deleted.

Section 93
Supervision register

- (1) Rescue departments may keep personal data registers for the purposes of performing the duty under section 78 of this Act to supervise buildings and other sites and checking the preparedness under section 84. The information obtained for supervision under sections 15, 16, 19, 21, 61, 62 and 90 of this Act may be entered into the register. The information referred to in section 89 of this Act may also be entered into the register, except for the information referred to in subsection 1(2)(a–e) of that section. Information referred to in section 80(4) of this Act that is recorded in the minutes kept during a fire inspection, and the information on preparedness arrangements

obtained during the preparedness check carried out under section 84 may also be entered into the register.

- (2) The information contained in the supervision register shall be reviewed and unnecessary data deleted at regular intervals in conjunction with the review, but no later than ten years after making the last entry.

Section 94

Personal data register of those taking part in rescue operations on a contractual basis

- (1) For the purposes of ensuring operational preparedness for rescue operations and planning the resources of rescue services, rescue departments may keep a personal data register of the persons taking part in rescue operations who are members of the contract fire brigades and other organisations with an agreement that are referred to in section 25. The name, date of birth, personal identity code, rescue training, address and other contact information of the persons concerned may be entered into the register.
- (2) The information in the personal data register shall be reviewed or deleted at least every five years.

Chapter 14

Funding of rescue services, and fees, remunerations and compensations

Section 95

Liability for the costs of rescue services

Unless otherwise provided in this Act, the costs of rescue services are the liability of the party that is obliged to carry out a measure or a task or to attend to it.

Section 96

Fees for certain services

- (1) Rescue departments may charge fees for:
 - 1) carrying out fire inspections or other supervisory measures that are in accordance with the supervision plan referred to in section 79 of this Act;
 - 2) performing tasks that have resulted from the repeated malfunctioning of a fire alarm system connected with an emergency response centre;
 - 3) performing tasks that have been specifically made chargeable in another Act.
- (2) Regional rescue services decide on the size of the fees in the rates they adopt. Regional rescue services shall determine the fees they charge for their services so that they are no higher than the overall costs incurred by regional rescue services in providing their services.
- (3) A prerequisite for charging the fee referred to in subsection 1(2) is that the fire alarm system has already caused a false alarm and regional rescue

authorities have, in writing, requested the owner or occupant of the site or the business or industrial operator to repair it. The fees referred to in subsection 1(1 and 2) may be charged from the owner or occupant of the site or the business or industrial operator.

- (4) The fees may be collected without a judgement or a decision in the order laid down in the Act on the Enforcement of Taxes and Public Payments (706/2007). If the fee charged for the measure has not been paid by the due date, an annual interest for late payment that may not exceed the rate referred to in section 4(1) of the Interest Act (633/1982) may be charged on the delayed amount. The due date may be no earlier than two weeks from the receipt of the service used as the basis of the fee. Instead of an interest for late payment, the authority may charge a fee for late payment amounting to five euros if the interest for late payment is lower than that.

Section 97

State participation in maintaining preparedness

The State may participate in maintaining the preparedness required in rescue services by procuring such special equipment or by funding such activities that are considered appropriate to be procured or funded from state funds for a special reason.

Section 98

Compensation for assistance given to rescue services

- (1) A rescue department which has received equipment, personnel or other assistance from another rescue department is liable to provide compensation for the assistance in full, unless otherwise agreed.
- (2) The party providing the executive assistance referred to in section 49(1) will agree on the compensation to be made for the executive assistance, if any, with rescue authorities.

Section 99

Costs of extinguishing forest fires and wildfires

If the area of a forest fire or wildfire covers more than one rescue service region, the costs incurred from extinguishing the fire are paid by the rescue department within whose area of operation the fire started, unless otherwise agreed. The other rescue departments shall provide compensation for their share of the costs, calculated on the basis of the burned area or on other reasonable grounds.

Section 100

Discretionary government transfers

- (1) If regional rescue services have incurred exceptionally large costs from rescue tasks, they may be granted discretionary government transfers within the limits of the Budget.

- (2) Discretionary government transfers may be granted to municipalities and regional rescue services within the limits established in the Budget for costs incurred from civil defence measures if the costs have become particularly burdensome to them.
- (3) The provisions of the Act on Discretionary Government Transfers (688/2001) apply to the discretionary government transfers referred to in this Act.

Section 101
Compensation for damage

Otherwise, what is provided in the Tort Liability Act (412/1974) applies to compensation for damage.

Section 102
Compensations and remunerations paid for rescue tasks

- (1) Rescue departments pay compensation for damaged or lost personal clothing, equipment and tools to those who:
 - 1) have taken rescue action on their own initiative under the duty to act laid down in section 3;
 - 2) have taken part in rescue operations as members of the contract fire brigades or other organisations with an agreement that are referred to in section 25;
 - 3) have been ordered to assist in rescue operations in accordance with section 37(1); or
 - 4) have taken part in rescue operations on a voluntary basis in a manner referred to in section 51.
- (2) A prerequisite for paying the compensation referred to in subsection 1 is that the officer in charge of rescue operations or the rescue department has been notified of the damage without delay. The application for compensation shall be submitted to the rescue department in writing within three months of the occurrence of the damage.
- (3) Rescue departments pay a reasonable remuneration to persons ordered to assist in rescue operations in accordance with section 37(1).

Section 103
Compensation for accidents occurring during rescue operations

- (1) Compensation for accidents that occurred or occupational diseases that were contracted in the course of rescue operations or civil defence duties is paid from state funds subject to the same grounds that apply to occupational accidents or diseases, provided that the injured party is not entitled to compensation of at least the same amount under any other Act. Compensation is paid to those who:

- 1) have taken rescue action on their own initiative under the duty to act laid down in section 3;
 - 2) are members of the contract fire brigades or other organisations with an agreement referred to in section 25 but who are not entitled to compensation under section 1 of the Employment Accidents Insurance Act (608/1948);
 - 3) have been ordered to assist in rescue operations in accordance with section 37(1);
 - 4) have taken part in rescue operations on a voluntary basis in a manner referred to in section 51; or
 - 5) have been ordered to participate in civil defence training under section 67.
- (2) The compensation referred to in subsection 1 is, however, always paid if the accident occurred or the occupational disease was contracted when an industrial or institutional fire brigade was used for rescue operations outside the institution.
- (3) The provisions of subsection 1 also apply to training activities carried out in accordance with this Act by contract fire brigades or other organisations that have concluded an agreement in accordance with section 25 and property and equipment maintenance and first response activities connected with the tasks carried out under the agreement.
- (4) Matters concerning compensation paid from state funds under this section are handled by the State Treasury. The corresponding provisions of the Employment Accidents Insurance Act, the Occupational Diseases Act (1343/1988) and the Act on Rehabilitation Compensable under the Employment Accidents Insurance Act (625/1991) apply to the processing of claims concerning accidents and the decisions on appeals concerning the claims.

Chapter 15

Appeal, coercive measures and penalties

Section 104

Appeal

- (1) Administrative decisions made under this Act may be appealed as provided in the Administrative Judicial Procedure Act (586/1996).
- (2) Administrative decisions shall be complied with immediately irrespective of appeal, unless otherwise ordered by the appeal authority.
- (3) Requests for rectification of and appeals against decisions made by an authority granting a building permit under this Act are made as provided in the Land Use and Building Act.

Section 105

Conditional fine and notice of action

- (1) Anyone who
- 1) neglects the duty laid down in section 11(1) to indicate the emergency access roads in an appropriate manner;
 - 2) neglects the duty laid down in section 12(1) to keep the fire fighting equipment and fire and rescue equipment, response equipment, equipment facilitating fire extinguishing and rescue work, fire detectors, other alarm devices and devices indicating accident risk, signs indicating escape routes, lighting and supplies and equipment in civil defence shelters operational and appropriately serviced and inspected;
 - 3) neglects the duty laid down in section 13 to take care of chimney sweeping and the servicing and cleaning of ventilation ducts and equipment or the keeping of ladders, roof walkways and safety equipment serviceable;
 - 4) neglects the duty laid down in section 15 to draw up an emergency plan;
 - 5) neglects the duty laid down in section 17 to equip a flat, accommodation facilities, a care institution or premises belonging to service and supported housing with smoke alarms or other devices that detect a fire at the earliest possible stage and warn about it;
 - 6) neglects the duty laid down in section 19 to draw up an evacuation safety report and to submit it to regional rescue authorities and building supervision authorities;
 - 7) neglects the duty laid down in section 20 to draw up an evacuation safety implementation plan within the time limit imposed;
 - 8) neglects the duty laid down in section 48 to draw up an external emergency plan for sites posing a particular hazard, to provide information on the plan or to organise exercises to ensure the workability of the plan;
 - 9) neglects the duty to build civil defence shelters laid down in section 71;
 - 10) neglects the duty laid down in section 72 to renovate civil defence shelters in conjunction with alteration and repair work;
 - 11) neglects the duty to observe the order to rectify deficiencies laid down in section 81;
 - 12) fails to observe or implement the specific safety requirements laid down in section 82;
 - 13) objects to locating the equipment needed by rescue services referred to in section 108 in the building or structure; or
 - 14) neglects the duty to acquire and maintain in operational condition equipment ordered by the regional rescue authorities under section 109 which ensures the operability of the public authority network; may under a decision by regional rescue authorities be ordered to rectify, within a specific time, what has been done or neglected; in the matters referred to in paragraph 8, the decision is, however, made by a regional state administrative agency.
- (2) The prohibition or order issued by an authority may be enforced with a conditional fine or a notice of action.
- (3) Provisions on conditional fines, the notice of action and the notice of suspension are laid down in the Act on Conditional Fines (1113/1990).

- (1) Anyone who deliberately or carelessly
 - 1) neglects the duty to act laid down in section 3;
 - 2) fundamentally neglects the duty to show care laid down in section 4(1) to avoid the risk of a fire or other accident and the damage it causes;
 - 3) violates the prohibition on making open fire laid down in section 6;
 - 4) carries out the prescribed burning of forest land without the supervision of forestry professionals referred to in section 7(2);
 - 5) neglects the duty laid down in section 8 to notify the rescue department of prescribed burning;
 - 6) fails to observe the fire safety and evacuation safety requirements laid down in section 9 or stores highly flammable material or other goods in violation of the provisions in the section;
 - 7) neglects the duty laid down in section 10 to ensure that building exits and passageways are kept serviceable, violates the prohibition on storing goods in exits and passageways or neglects the duty to appropriately indicate exits and passageways and provide them with appropriate lighting, when necessary;
 - 8) neglects the duty laid down in section 11 to keep emergency access roads serviceable and free of obstructions or violates the prohibition on parking on emergency access roads or on the placing of other obstacles on them;
 - 9) neglects the duty laid down in section 16 to submit an emergency plan for a public event to the regional rescue authorities within the time limit imposed;
 - 10) neglects the duty laid down in section 22 to suspend peat production;
 - 11) neglects the duty referred to in section 37(1) to participate in rescue operations;
 - 12) violates the prohibition laid down in section 37(4) on leaving the site of a fire or accident;
 - 13) neglects the duty laid down in section 61 to notify authorities of faults or defects in fireplaces and smoke flues;
 - 14) neglects the duty laid down in 62 to keep a list of swept premises or keep information on the carrying out of chimney sweeping; or
 - 15) neglects the duty laid down in section 80(2) to present the documents referred to in itshall be sentenced, unless the act shall be considered of minor significance or a more severe penalty for the act is provided elsewhere in the law, for a *rescue violation* to a fine.
- (2) Anyone who deliberately or carelessly neglects the duty to participate in training laid down in section 67 shall be sentenced, unless a more severe penalty for the act is provided elsewhere in the law, for a *civil defence violation* to a fine.
- (3) Provisions on punishment for neglect of rescue are laid down in Chapter 21, section 15 and provisions on the careless handling of fire in Chapter 44, section 12 of the Criminal Code.
- (4) Separate provisions shall be given on the issuing of parking tickets as a penalty for parking on emergency access roads.

Chapter 16 **Miscellaneous provisions**

Section 107 *Accident investigation*

- (1) A special investigation for the purpose of establishing the cause of the fire or other accident may be carried out on the orders of the Ministry of the Interior. The Ministry of the Interior may appoint a commission of inquiry for carrying out the investigation.
- (2) The commission of inquiry has a chair and, when required, a vice chair and the required number of members. The Ministry of the Interior may, on the proposal of the commission of inquiry, invite one or more permanent experts to take part in the investigation.
- (3) Provisions on criminal liability for official acts apply to the members of and experts of the commission of inquiry. Provisions on the liability for damage are laid down in the Tort Liability Act.
- (4) Provisions on the right of access to information in an accident investigation are laid down in section 88, and provisions on the executive assistance provided by the police to ensure the right of access to information are laid down in section 49(2).

Section 108 *Locating rescue service equipment in the building*

Regional rescue authorities have the right to locate the equipment needed by the rescue services in a building or structure. The owner or occupant of the building or structure shall be heard before locating the equipment there. Provisions on the location of community infrastructure equipment laid down in sections 161–163 of the Land Use and Building Act apply to the location of the equipment.

Section 109 *Special requirements concerning the operability of the public authority network*

If the operability of the public authority network referred to in section 2(1)(9) of the Communications Market Act (393/2003) in a building or structure with an unusually high risk to the safety of persons is obstructed as a result of a structural reason arising from the building or the structure, and if the operability of the public authority network is not sufficient for carrying out the rescue operations in an appropriate manner, regional rescue authorities may order the owner of the building or structure to purchase the necessary equipment for ensuring the operability of the public authority network and to keep the equipment in working order.

Section 110

Identity card of rescue authorities

- (1) Rescue authorities shall carry an identity card approved by the Ministry of the Interior and intended as proof of their official status when carrying out official duties.
- (2) Further provisions on the information content and production of the identity cards of the rescue authorities and on the ordering and returning of the identity cards are given by Ministry of the Interior decree.

Section 111

Rescue service uniform and the insignia on rescue service safety clothing

- (1) Rescue authorities shall wear a rescue service uniform when carrying out official duties unless the type or nature of the official duties requires otherwise. The rescue department decides on whether the other personnel of the rescue department are obligated to wear a rescue service uniform.
- (2) The rescue service uniform may be worn as the uniform of the personnel of the Emergency Services College referred to in section 10 of the Act on the Emergency Services College and as the student uniform referred to in section 34(1) of the same Act.
- (3) Members of the personnel of contract fire brigades, other voluntary fire brigades, institutional fire brigades, industrial fire brigades and military fire brigades have the right to wear the rescue service uniform referred to in subsection 1 as the fireman's uniform. The personnel of associations involved in the training, advisory and educational tasks of the rescue sector have the right to wear the rescue service uniform as the fireman's uniform should the Ministry of the Interior so decide.
- (4) Public servants of the Defence Forces responsible for fire inspections of the Defence Forces have the right to wear the rescue service uniform referred to in subsection 1 as the uniform of the Defence Forces rescue personnel. The Ministry of the Interior and the Defence Command agree on the insignia showing official position and other insignia used on the uniforms of the rescue personnel of the Defence Forces.
- (5) Provisions on the rescue service uniform, insignia showing the official position connected with it and other insignia and further provisions on the wearing of the uniform are given by Ministry of the Interior decree. No insignia showing official position or other insignia showing official status may be used on the student uniform referred to in subsection 2 or on the fireman's uniform referred to in subsection 3. The fireman's uniform and the student uniform shall be distinguishable from the rescue service uniform. Provisions on the insignia on the fireman's uniform and the student uniform and the use of the insignia are given by Ministry of the Interior decree. Provisions on the right of persons retired from rescue services to wear the rescue service uniform in the events of rescue service organisations may be

given by Ministry of the Interior decree. Further provisions on the insignia used on the safety clothing worn by the officer in charge of rescue operations and on other insignia used on safety clothing worn in rescue operations may be given by Ministry of the Interior decree.

Section 112

Provision on entry into force

- (1) This Act comes into force on 1 July 2011.
- (2) This Act repeals the Rescue Act (468/2003), the Act on the Formation of Rescue Service Regions (1214/2001) and the Act on Paying Compensation for Accidents Occurring in the Course of Rescuing Human Lives (158/1935).
- (3) The following is also observed when this Act comes into force:
 - 1) any reference to the repealed Rescue Act in other Acts or provisions issued under them is considered to mean a reference to the corresponding provisions of this Act;
 - 2) the government decision on the regional division of rescue services made under section 3 of the repealed Act on the Formation of Rescue Service Regions will remain in force until the Government decides to change the approved regional division in accordance with what is laid down in section 24 of this Act;
 - 3) the agreements between municipalities on organising cooperation in rescue services made under section 4(1) of the repealed Act on the Formation of Rescue Service Regions and the government regulations on organising cooperation between municipalities issued under section 4(2) of the same Act will remain in force until the municipalities of the region amend the agreements in accordance with section 24(2) of this Act in connection with changing the regional division or otherwise in accordance with section 24(3) of this Act;
 - 4) the emergency plan under section 15 of this Act shall be drawn up within one year of the entry into force of this Act, unless otherwise provided in paragraph 5 of this subsection;
 - 5) by way of derogation from paragraph 4, the emergency plan of a building or site for which an emergency plan under section 8(3) of the repealed Rescue Act has been drawn up shall be updated to conform to an emergency plan under this Act and the provisions issued under it within two years of the entry into force of this Act;
 - 6) as regards care institutions and buildings and spaces belonging to service and supported housing which are operational at the entry into force of this Act, the evacuation safety report referred to in section 19 of this Act shall be drawn up and submitted to regional rescue authorities within one year of the entry into force of the Act;
 - 7) as regards care institutions and buildings and spaces belonging to service and supported housing which are operational at the entry into force of this Act and for which an emergency plan that is in accordance with the repealed Rescue Act and, as part of it, a report referred to in section 10(2) of the repealed Government Decree on Rescue Services (787/2003) concerning how the weakened functional capacity of those occupying the building or

spaces will be taken into account in the preparedness for dangerous situations, have been drawn up and submitted to rescue authorities before the entry into force of this Act, the evacuation safety report referred to in section 19 of this Act shall, by way of derogation from subsection 6, be drawn up for the first time only when the business or industrial operator changes or when there are significant changes in operations; the report shall, however, be drawn up within three years of the entry into force of this Act, unless the regional rescue authorities order, for special reasons, that the evacuation safety report be drawn up earlier;

8) an agreement with a voluntary fire brigade, an institutional fire brigade, a military fire brigade or an industrial fire brigade, concluded under section 5 of the repealed Rescue Act, will remain in force in a manner determined in the agreement in question and correspond to the agreement referred to in section 25 of this Act;

9) the agreement referred to in section 53(2) of this Act on the provision of services referred to in subsection 1 of that section shall be concluded within one year of the entry into force of this Act, and it can be made part of the agreement concluded under section 5 of the repealed Rescue Act and referred to in paragraph 8 of this subsection;

10) the decision on the standard of service under section 13 of the repealed Rescue Act will remain in force until regional rescue services decide on the standard of service in accordance with what is provided in section 29 of this Act;

11) the plan for fire fighting water referred to in section 30 of this Act shall be approved within two years of the entry into force of the Act;

12) the provisions on fire fighting water laid down in section 47 of the repealed Rescue Act shall be observed before the plan for fire fighting water referred to in paragraph 11 is approved and implemented;

13) the rescue service plans referred to in section 9(1) of the repealed Rescue Act shall be updated and revised to conform to those referred to in section 47 of this Act within one year of the entry into force of the Act;

14) the rescue plans referred to in section 9(2) of the repealed Rescue Act for nuclear facilities, production facilities engaged in the industrial handling and storage of hazardous chemicals and waste facilities for extractive waste drawn up in case of accidents occurring in the facilities will remain in force, and they shall be updated and revised to conform to the external emergency plans for sites posing a particular hazard under section 48 of this Act within two years of the entry into force of the Act;

15) the external emergency plans for production facilities of the Defence Forces referred to in section 48(1)(2), the external emergency plans for railway marshalling yards referred to in section 48(1)(4) and the external emergency plans for port areas referred to in section 48(1)(5) of this Act, shall be drawn up within two years of the entry into force of the Act;

16) the alarm procedure under section 11 of the repealed Rescue Act will remain in force until it has been updated as the alarm procedure under section 33 of this Act;

17) the agreement on the arrangement of chimney sweeping concluded under section 39 of the repealed Rescue Act will remain in force as determined in the agreement in question;

- 18) the provision on the duty to build civil defence shelters in new buildings laid down in section 71 of this Act also applies, instead of the repealed Act, to building projects for which a building permit application has already been submitted before the entry into force of this Act and after the Act has been approved if applying this Act leads to less stringent requirements concerning the construction of civil defence shelters for the building owner;
- 19) the civil defence shelters of buildings constructed under sections 60 and 61 of the repealed Rescue Act and the civil defence shelters of buildings constructed under the provisions repealed before the entry into force of this Act shall be maintained in accordance with the provisions of the Land Use and Building Act and section 12 of this Act, and it must be possible to take them into use in the time laid down in section 76 of this Act;
- 20) the public civil defence shelters built under section 63 of the repealed Rescue Act and the public civil defence shelters constructed under the provisions repealed before the entry into force of this Act shall be maintained in accordance with the provisions of the Land Use and Building Act and section 12 of this Act, and it must be possible to take them into use in the time laid down in section 76 of this Act;
- 21) the supervision plan under section 79 of this Act shall for the first time be drawn up and submitted to the regional state administrative agency for information within one year of the entry into force of the Act, and, until the supervision plan is approved by the rescue department, the provisions on fire inspections laid down in Chapter 7 of the repealed Rescue Act shall be observed in supervisory activities;
- 22) the register of civil defence personnel under section 70 of the repealed Rescue Act shall be abolished or updated as the register of preparedness duties under section 92 of this Act within one year of the entry into force of the Act;
- 23) the appointments of the regional rescue services as regional rescue authorities under section 4(2) of the repealed Rescue Act will remain in force, unless otherwise ordered by the highest-ranking public servant of the rescue department under section 26(2) of this Act, and the identity card of the rescue authorities under section 89 of the repealed Rescue Act will remain in force and correspond to the identity card of the rescue authorities under section 110 of this Act;
- 24) the rescue authorities' uniform referred to in section 89 of the repealed Rescue Act corresponds to the rescue service uniform under section 111 of this Act;
- 25) a person who has been appointed to a public office or job in rescue services or chimney sweeping operations under the provisions in force at the entry into force of this Act, or under the provisions repealed before the entry into force of this Act or under dispensation from the required qualifications is qualified to hold a public office or job belonging to the corresponding set of duties in rescue services or chimney sweeping operations;
- 26) notwithstanding the provisions of subsection 2, the following decrees will remain in force:
- a) Ministry of the Interior Decree on the Location and Maintenance of Smoke Alarms (239/2009);
 - b) Ministry of the Interior Decree on the Combating of Major Accidents Resulting from Hazardous Substances (541/2008);

- c) Ministry of the Interior Decree on the Uniforms of Rescue Authorities and the Personnel of the Emergency Services College, Insignia Showing Official Position and the Identity Card of Rescue Authorities (687/2007);
- d) Ministry of the Interior Decree on the Rescue Service Plans for Radiological Emergencies and Provision of Information on Radiological Risks (520/2007);
- e) Ministry of the Interior Decree on the Inspections and Servicing of Portable Fire Extinguishers (917/2005);
- f) Ministry of the Interior Decree on the Indication and Lighting of Escape Routes in Buildings (805/2005);
- g) Ministry of the Interior Decree on Chimney Sweeping (539/2005);
- h) Ministry of the Interior Decree on the Indication of Emergency Access Roads (1384/2003); and
- i) Ministry of Defence Decree on fire inspections carried out by the Defence Forces at sites to be kept secret on account of national security (363/2008).

- (4) Measures necessary for the implementation of this Act may be undertaken before the Act's entry into force.