

NB: Unofficial Translation

Legally binding texts are those in Finnish and Swedish

**Government Decree on Derogations Laid down in the Hunting Act
(452/2013)**

Section 1 – Application for a derogation

- (1) An application for a derogation referred to in section 41 of the Hunting Act (615/1993) shall state the animal species concerned by the derogation as well as the number of specimens to be captured if it is a question of the capturing or killing of a specific specimen or specimens.
- (2) If the application concerns a derogation to use prohibited hunting devices or hunting methods, the applicant shall state in the application the reason why the prohibited hunting device is needed in the hunt. An application to use a prohibited hunting device or hunting method may be processed together with a derogation concerning the capturing or killing of an animal.
- (3) The Finnish Wildlife Agency may require that the applicant shall attach an account of the hunting right in the area for which the derogation is applied for to the application for the derogation.

Section 2 – Assessment of the preconditions for a derogation

- (1) When assessing the preconditions for a derogation laid down in paragraphs 1–3 of section 41 a(1), 1–4 of section 41 b(1), 1–3 of section 41 c and section 41 d of the Hunting Act the Finnish Wildlife Agency shall examine:
 - 1) the population or population status of the game animal species concerned by the derogation in the area or region covered by the derogation or in the whole country;
 - 2) behaviour of a specimen of the game animal species concerned by the derogation in the area for which the derogation is applied for;
 - 3) where necessary, information from public authorities, organisations managing public administration tasks and research institutes relating to the grounds for applying for the derogation;
 - 4) measures which could be implemented instead of the derogation.
- (2) When assessing the purpose of research, education, repopulating and reintroducing referred to in paragraph 4 of section 41 a(1), paragraph 5 of section 41 b and paragraph 4 of section 41 c of the Hunting Act the Finnish Wildlife Agency shall examine:
 - 1) the impacts of the derogation on the development of the population of the game animal species concerned in the area covered by the derogation and nationally;
 - 2) the impacts of the derogation on the population of the wild animal species in the area covered by the derogation;
 - 3) measures which could be implemented instead of the derogation.
- (3) The Finnish Wildlife Agency shall enter the main results of the examination referred to in subsection 1 or 2 in the decision on the derogation.

Section 3 – A derogation for capturing or killing specific specimens of certain animal species

- (1) A derogation referred to in section 41 a(3) may be granted for:
 - 1) the capturing or killing of wolf in the reindeer husbandry area from 1 October to 31 March and in the other parts of the country from 1 November to 31 March;
 - 2) the capturing or killing of bear, except for a cub less than one year old and a female followed by such a cub, from 20 August to 31 October;
 - 3) the capturing or killing of lynx, except for a female followed by a cub less than one year old, in the reindeer husbandry area from 1 October to 28 February, for leap years to 29 February,

and in the other parts of the country from 1 December to 28 February, for leap years 29 February; and

- 4) the capturing or killing of otter from 1 November to 30 April.
- (2) Provisions on the hunting of bear in the reindeer husbandry area by virtue of a regional quota are laid down in section 8.

Section 4 – *Granting a derogation concerning a game animal and derogation regulations*

- (1) A derogation may only be granted to a restricted area in which the preconditions for granting a derogation laid down in sections 41 a–41 d of the Hunting Act are fulfilled.
- (2) A derogation concerning wolverine, lynx, bear, otter and wolf granted under section 41 a (1) of the Hunting Act shall state that the names of those participating in the hunt shall be given to the local police department of the area before undertaking the hunt and the police department shall be notified in advance of each start of the hunt and of the hunting area. If the hunt takes place in a municipality which includes border zone area, the information mentioned above shall also be given to the Finnish Border Guard.
- (3) Derogations under section 41 a(3) shall only be granted for hunting in an area with a strong population of the species.

Section 5 – *Period of validity of a derogation*

- (1) A derogation concerning the killing of wolverine, lynx, bear, otter or wolf granted under section 41 a(1) of the Hunting Act is valid for the maximum period of 21 days.
- (2) Derogations other than those referred to in subsection 1 are valid for a specified time period which shall be in line with the purpose of the derogation and which may be no more than five years. A derogation may only be granted for a period longer than one year:
 - 1) for a site established on a permanent basis;
 - 2) on the grounds of protecting the fauna;
 - 3) on the grounds of research; or
 - 4) in connection with a nature management project.
- (3) One to whom a derogation has been granted shall notify the Finnish Wildlife Agency if the precondition for granting the derogation for a period longer than one year is no longer valid. As a result of the notification the period of validity of the derogation expires. A report of the quarry bagged referred to in section 7 shall be attached to the notification for the part of the calendar year for which notification has not yet been made.

Section 6 – *Granting a derogation to a person with impaired mobility*

- (1) A derogation referred to in section 41(3) of the Hunting Act for using a motor vehicle prohibited in section 32(2) of the Hunting Act and off-road transportation of a hunting weapon in a motor vehicle prohibited in section 35(3) may be granted to a person who presents a reliable medical account of impaired mobility and that he or she is capable of hunting in a way laid down in section 20(3) of the Hunting Act.
- (2) The derogation shall state the type of the motor vehicle concerned by the derogation. The derogation shall regulate that:
 - 1) the motor of the motor vehicle shall be switched off and the vehicle shall be at a standstill before the hunting weapon is removed from the case or protected space referred to in section 35(2) of the Hunting Act;
 - 2) the derogation only entitles to transport the weapons needed for hunting by the person to whom the derogation was granted;
 - 3) in addition, the person to whom the derogation is granted shall have the right to off-road use of a motor vehicle under other law;

- 4) the motor vehicle may only be used to get to the stand and to track an injured or wounded animal.
- (3) The derogation is valid for the maximum period of five years.

Section 7 – *Obligation to report a quarry bagged relating to a derogation*

- (1) One to whom a derogation has been granted shall report the outcome of the hunting of wolverine, lynx, bear, otter and wolf to the Finnish Wildlife Agency and the police on the first weekday from the day when the game animal referred to in the derogation was captured or killed or, if the game animal has not been captured or killed, notify of the expiry of the period of validity of the derogation.
- (2) The outcome of hunting other than that referred to in subsection 1 shall be reported within seven days from the expiry of the period of validity of the derogation. If the derogation has been granted for a period longer than one year, the outcome shall be reported within seven days from the end of each calendar year.
- (3) The report shall state the number of the animals captured or killed and coordinates of the hunting locality. For mammals the time of hunting and sex of the animal shall also be reported.
- (4) For species referred to in subsection 1 the Finnish Wildlife Agency shall deliver the information on the bagged quarry to the Ministry of Agriculture and Forestry on a monthly basis. For other species the information shall be delivered by calendar years.

Section 8 – *Hunting of bear by virtue of a quota*

- (1) Bear, except for a cub less than one year old and a female followed by such a cub, may be hunted in the reindeer husbandry area by virtue of a quota from 20 August to 31 October.
- (2) For the hunting of bear in the reindeer husbandry area the Ministry of Agriculture and Forestry issues separate quotas for the eastern and western reindeer husbandry area. The eastern reindeer husbandry area comprises Utsjoki, Inari, Sodankylä, Pelkosenniemi, Savukoski, Salla, Kuusamo and Suomussalmi and the western reindeer husbandry area comprises the other municipalities in the reindeer husbandry area.
- (3) A bear killed in a hunt shall be reported to the Finnish Wildlife Agency immediately. The report shall state the number and sex of bears killed, time of hunting and coordinates of the hunting locality.
- (4) When the quota has been fulfilled the Finnish Wildlife Agency shall order bear hunting in the area to be terminated. The order of the Finnish Wildlife Agency shall be communicated with sufficient efficiency. The termination of hunting is considered to have come to the knowledge of hunters after three days from the issue of the order.
- (5) The Finnish Wildlife Agency shall deliver information on the hunting of bear by virtue of a quota to the Ministry of Agriculture and Forestry within seven days from the end of the hunting by virtue of a quota.

Section 9 – *Entry into force*

- (1) This Decree enters into force on 24 June 2013.
- (2) This Decree repeals the Government Decree on Derogations Laid down in the Hunting Act No 169/2011.
- (3) Derogations granted before the entry into force of this Decree remain in force subject to the conditions stated in them.