

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

## **Police Act**

(493/1995; amendments up to 560/2007 included)

### **Chapter 1 General provisions**

#### Section 1

##### *Police duties*

- (1) The duty of the police is to secure the rule of law, maintain public order and security, prevent and investigate crimes and submit cases to prosecutors for consideration of charges.
- (2) In order to maintain security, the police work in cooperation with other authorities and with local residents and organisations. (21/2001)
- (3) The police shall also perform such other duties as are separately provided for them by law, and provide anyone with assistance if it falls within their area of responsibility. (21/2001)

#### Section 2

##### *General principles of police duties*

- (1) The police shall act in an appropriate and objective manner and promote a conciliatory spirit.
- (2) Police measures shall be taken without causing more damage or inconvenience than is necessary to carry out the duty at hand. The measures taken shall be proportionate to the importance and urgency of the assignment and the factors influencing an overall assessment of the situation.
- (3) The police shall attempt to maintain public order and security primarily through advice, requests and orders. The police shall not interfere in anyone's rights more than is necessary to carry out their duties.

#### Section 3

##### *Performance of duties and their order of importance*

The police shall perform their duties with all due efficiency and expediency. If circumstances so require, the duties shall be placed in order of importance.

#### Section 4

##### *Stating the grounds for measures*

- (1) A police officer shall inform the person subjected to a measure affecting his or her personal liberty, or a representative of the person, of the grounds for the measure, unless this is impossible because of the person's condition or the prevailing circumstances.

- (2) Unless otherwise provided in this or any other Act, persons other than those subjected to measures affecting their personal liberty, or their representatives, also have the right to know the grounds for the measures affecting their rights as soon as it is possible without jeopardising the completion of the measures.

## Section 5

### *Postponing measures and refraining from taking measures (525/2005)*

- (1) When carrying out information-gathering activities referred to in Chapter 3, a police officer may postpone intervention in an offence that is in the process of being committed and does not immediately put other people's lives, health or personal liberty in serious danger or immediately cause the danger of substantial damage to the environment or property and if the postponement of the measure is essential to prevent the disclosure of the information-gathering activities or to ensure the attainment of the objectives of the activities.
- (2) The police have the right to refrain from taking measures if completion of the measure could lead to unreasonable consequences compared with the outcome sought.
- (3) Any person requesting police measures whose immediate rights are affected by the matter has the right to know the grounds for refraining from measures.

## Section 6

### *Police officer*

Police officer means any commanding officer, senior officer or officer specified in the Police Decree (1112/1995).

## Section 6a

### *Uniform (315/2001)*

- (1) Police officers, senior guards and guards shall wear a uniform when performing their official duties unless otherwise required by the nature or type of the duty. (106/2002)
- (2) In addition to official duties, a uniform may be worn during travel connected with an official duty and when representing the police. The head of the unit concerned decides whether or not a uniform can be worn in other situations.
- (3) Only a police officer may wear a police uniform or articles of official police clothing. Similarly, nobody may wear clothes or items of clothing that are deceptively similar to such a uniform or articles of clothing in a manner that may give the impression that the person wearing them is a police officer. What is provided in this subsection above does not, however, apply to the right of a senior guard or a guard referred to in subsection 1, or of a member of the reserve police to wear an official uniform or articles of official clothing. (106/2002)
- (4) Notwithstanding what is provided in subsection 3, the district police chief concerned may give permission to wear a police uniform in theatre performances or in other similar events. (106/2002)

## Section 7

### *Police powers*

- (1) The powers vested in police officers under this or any other Act apply to police duties carried out anywhere in the country.
- (2) Police cadets have the powers of police officers when carrying out duties related to their training under the guidance and supervision of their instructor. Police cadets also have the powers of police officers when, on the orders of the Supreme Police Command, they are carrying out police duties with the purpose of maintaining State security or dealing with exceptional police situations at the national level. (70/2005)
- (3) Constables have the powers of police officers. During the work practice carried out as part of the training for the Diploma in Police Studies, a constable may use the powers of a police officer when under the guidance and necessary supervision of a work practice supervisor. (525/2005)

Section 8  
*Special police powers*

- (1) The Ministry of the Interior may grant in respect of the whole country, and a State Provincial Office in respect of a province, named individuals such police powers under this Act that they need to carry out the duties assigned to them.
- (2) The power to use force under this Act may be granted only to named public servants. In addition, only the Ministry of the Interior may grant public servants powers to carry out pre-trial investigations of offences which relate to their own administrative sectors and are specified in the decision granting the powers.
- (3) The body granting police powers shall supervise the appropriate use of those powers.

Section 9  
*Police officer's geographical area of operation and duty to take measures*

- (1) Police officers have a duty to take measures in matters occurring within the geographical area of operation of the police unit to which they are assigned.
- (2) Police officers may also be ordered to take measures outside the geographical area of operation of the police unit to which they are assigned.
- (3) Without requiring a separate order, police officers are obliged to take urgent measures anywhere in the country, including areas outside their geographical area of operation and even in their leisure time, if this is necessary to prevent a serious offence, to start an investigation of such an offence or to prevent a serious danger threatening public order and security, or for other special reasons.

Section 9a  
*Reporting for duty (525/2005)*

- (1) For the eventuality of exceptional police situations, a police officer shall ensure that his or her contact information is known to the police unit.
- (2) A police officer shall report for duty without delay if this is essential on account of a serious act or event endangering public order and security.
- (3) When ordered, a police officer on annual leave is also obliged to report for duty, when this is necessary to maintain public order and security. The Supreme Police Command may give the order to any police officer, a Provincial Police Command may give the order to a police officer subordinate to it, and the head of a national police unit or the district police chief concerned may give the order to a police officer working in his or her unit.

- (4) When not on leave of absence or annual leave, a police officer is obliged, when ordered, to be on temporary standby and report for duty when this is necessary for a specific reason connected with police operations. The Supreme Police Command may give the order to any police officer, a Provincial Police Command may give the order to a police officer subordinate to it, and the head of a national police unit or the district police chief concerned may give the order to a police officer working in his or her unit.

#### Section 9b

##### *Police officer serving as an assistant or agent (525/2005)*

- (1) A police officer may only serve as an assistant or agent of a person suspected of an offence if the suspect is a close family member of his or hers, under Chapter 15, section 2(3) of the Code of Judicial Procedure and who, under Chapter 2, section 1 of the Criminal Procedure Act (689/1997), is not entitled to a defence counsel.
- (2) A police officer may not act as an assistant or agent of an injured party if there is a possibility that this conflicts with the performance of his or her official duties.

#### Section 9c

##### *Conduct of a police officer (525/2005)*

Police officers shall not, either in their official duties or private life, conduct themselves in such a manner that their behaviour puts at risk the confidence that police duties are being carried out in an appropriate manner. When the conduct of a police officer is assessed, consideration is also given to his or her position and duties in the police administration.

#### Section 9d

##### *Secondary jobs (525/2005)*

- (1) Police officers may not accept or hold secondary jobs referred to in section 18(4) of the Public Servants Act (750/1994) unless permitted to do so by application.
- (2) Police officers may not carry out tasks involving rights and obligations that may be in conflict with the duties carried out under this Act.

#### Section 9e

##### *Professional skills and physical fitness of a police officer (525/2005)*

Police officers shall maintain their professional skills and physical fitness at a level required by their work tasks. Provisions on the level of physical fitness and the organisation of fitness tests may be given by Government decree.

## **Chapter 2**

### **Provisions on police powers**

#### Section 10

##### *Establishing identity*

- (1) To carry out an individual duty, police officers have the right to obtain from anyone information on their name, personal identity code, or, if this does not exist, date of birth and nationality, and the place where they can be reached.

- (2) Police officers have the right to apprehend anyone who refuses to give the information referred to in subsection 1 or gives what is likely to be false information on the matters referred to therein. Persons so apprehended shall be released as soon as the necessary information has been obtained, but no later than 24 hours after being apprehended.

#### Section 10a

##### *Border checks and customs measures (583/2005)*

- (1) Police officers on border-check duty have the right to carry out border checks referred to in the Border Guard Act (578/2005) at border crossing points or other locations specified in section 14 of the Border Guard Act, using the powers laid down in sections 28 and 29 of the said Act.
- (2) Police officers have the right to take customs measures laid down in the Customs Act (1466/1994) aimed at seizing objects or substances illegally produced, imported or possessed, using the powers laid down in section 14 of the said Act. If a customs measure requires an intimate body search or search other than on a person's luggage or outer clothing without conducting a pre-trial investigation, the provisions of section 15 of the Customs Act shall be observed. The decision on the measure required shall, however, be taken by a commanding police officer.

#### Section 11

##### *Apprehension to protect a person*

- (1) Police officers have the right to apprehend a person to protect him or her from an immediate serious danger to life, physical integrity, security or health if the said person is unable to take care of himself or herself and the danger cannot be otherwise eliminated or the person otherwise looked after.
- (2) A person apprehended for a reason laid down in subsection 1 who is under 18 years of age shall be immediately taken to his or her legal guardian or, if this is not possible, to the child welfare authority. Other persons apprehended shall be allowed to leave as soon as the reason for their apprehension has ceased to exist, but no later than 24 hours after being apprehended. A person who has not been released by 20.00 may be held until 08.00 the following day if this is justifiable on the basis of a lack of a home address or a night's lodging or for some other special reason. (21/2001)
- (3) Provisions on keeping an intoxicated person in custody are laid down in the Act on Treating Intoxicated Persons (461/1973). Provisions on delivering an apparently mentally ill person into medical care and on other executive assistance in matters concerning mentally ill persons are laid down in the Mental Health Act (1116/1990).

#### Section 12

##### *Apprehending wanted persons*

- (1) Police officers have the right to apprehend wanted persons who, in accordance with an apprehension warrant issued by a competent authority, are to be detained or taken into custody.
- (2) If requested by a police officer, persons other than those referred to in subsection 1 are obliged to present themselves at a police station or other place where the measures indicated in the apprehension warrant can be taken. If the person does not follow the request, or if it is apparent that he or she is attempting to avoid the measures mentioned in

the apprehension warrant, police officers have the right to apprehend the person in order to take the measures mentioned in the apprehension warrant.

- (3) Unless otherwise provided on the duration of measures required in an apprehension warrant, wanted persons are obliged to remain available for the measures to be taken for a period of up to six hours after being apprehended.

### Section 13

#### *Conducting a search to apprehend a person*

- (1) In addition to the provisions of Chapter 5, section 1 of the Coercive Measures Act, police officers seeking to contact a person to be brought for interview have the right, on the order of a commanding police officer, to search the person's home or some other building, room or vehicle where the person can, for a very good reason, be assumed to be staying.
- (2) The provisions of subsection 1 also apply to other forms of executive assistance provided by law and rendered to other authorities by the police in order to apprehend a person.

### Section 14

#### *Protecting domestic and public premises (21/2001)*

- (1) At the request of the occupant of domestic or public premises or his or her representative, police officers have the right to remove anyone who unlawfully intrudes, enters in secret or by diversion, or conceals himself or herself therein or neglects an order to leave.
- (2) Police officers have the right to remove anyone with permission to be in an area or place referred to in subsection 1 if he or she disturbs the domestic or public peace of other persons or causes considerable disturbance in other ways and there are reasonable grounds for suspecting that disturbance would recur.
- (3) If it is likely that removal would not prevent the disturbance from recurring, police officers have the right to apprehend the person causing the disturbance and keep him or her in custody. The apprehended person may be kept in custody only for as long as the disturbance is likely to recur, but no longer than 12 hours after being apprehended.

### Section 15

#### *Searching for persons in danger and missing persons*

In order to assist someone, to find a missing person or to investigate a death, police officers have the right to enter a residence or other place and conduct a necessary search if there are reasons to suspect that the person's life or health is in danger or that the person has become a victim of a crime or an accident, or that the person can be assumed on other grounds to be in need of immediate help or to be dead.

### Section 16

#### *Preventing a dangerous act or event*

On the order of a commanding police officer, and in urgent cases even without such an order, police officers have the right to enter a building, other domestic premises or a vehicle if there is good reason to assume that an act or event causing a serious threat to life, personal liberty or health, or notable damage to property or the environment is taking place or about to take place. A further precondition is that the measure is essential to prevent danger or to search and take possession of explosives, weapons or other dangerous substances or objects.

Section 17  
*Taking measures (21/2001)*

- (1) In cases referred to in sections 13-16, a room or place of storage may be entered using force. After the measure has been taken, the place shall be closed again in a suitable manner.
- (2) A search under section 13 may not be conducted between 21.00 and 06.00 without a special reason.
- (3) A record shall be drawn up or an entry made in some other document of the measures taken under sections 13-16 of this Act.

Section 18  
*Cordoning off a place or an area*

- (1) Police officers have the right to cordon off, close or clear a place or area in public use, or to prohibit or restrict movement there, if this is necessary to maintain public order and security, to secure an investigation, or to protect measures taken at the scene of an accident, the privacy of persons subjected to measures and any endangered property.
- (2) On the order of a commanding police officer, and in urgent cases even without such an order, police officers have the right to cordon off or clear domestic or public premises if this is necessary to prevent an immediate danger to life or health and the persons in the area cannot be protected in any other way. (21/2001)
- (3) Provisions on the right of the police to issue orders concerning a place of a public meeting are laid down in section 10 of the Assembly Act (530/1999). (531/1999)
- (4) Police officers have the right to prohibit or restrict the moving of any object or to order an object to be moved from a place or area in public use if this is necessary to secure a police investigation. Police officers also have the same right in domestic premises if the measure is necessary to prevent danger to life or health or to protect property.

Section 19  
*Dispersing a crowd*

- (1) Police officers have the right to order a crowd to disperse or move if the gathering threatens public order and security or obstructs traffic. If an order to disperse or move is not obeyed, police officers have the right to use force to disperse the crowd and to apprehend noncompliant persons.
- (2) Apprehended persons shall be released as soon as the purpose of the measure has been served, but no later than 12 hours after being apprehended.
- (3) Provisions on the interruption and dispersal of public meetings are laid down in section 21 of the Assembly Act, and provisions on the prevention, interruption and dispersal of public events are laid down in section 22 of the same Act. (531/1999)

Section 20  
*Preventing an offence or disturbance*

- (1) Police officers have the right to remove a person if, on the basis of the person's threats or general behaviour, it can be concluded that he or she would be likely to commit an offence against life, health, liberty, domestic premises or property.
- (2) A person may also be removed from a place if his or her behaviour is causing or if, on the basis of the threats expressed by him or her or his or her general behaviour and previous

behaviour in similar situations, he or she is likely to cause considerable disturbance or immediate danger to public order and security. (525/2005)

- (3) If it is apparent that the person's removal from a place is an inadequate measure and the disturbance or danger cannot otherwise be eliminated, the person may be apprehended. The apprehended person may be kept in custody for as long as it is likely that he or she would commit an offence referred to in subsection 1 or cause disturbance or danger, but the period may not exceed 24 hours from the time of apprehension.

#### Section 21

##### *Stopping and moving a vehicle (583/2005)*

- (1) Police officers have the right to order a vehicle to be stopped if this is necessary to catch wanted persons or other persons to be apprehended, to control the use of the vehicle, to carry out border checks, to maintain public order and security or to prevent or investigate an offence.
- (2) Police officers have the right to move a vehicle or order it to be moved if this is necessary to control the use of the vehicle, to carry out border checks, to maintain public order and security or to prevent an offence.
- (3) Provisions on road traffic surveillance are laid down in the Road Traffic Act (267/1981). Provisions on the ordering of an aircraft to land are laid down in the Aviation Act (281/1995).

#### Section 22

##### *Security search (21/2001)*

- (1) When apprehending, arresting, placing in detention, taking into custody or carrying out executive assistance affecting personal liberty, police officers have the right to search the persons in question and their personal goods in order to ensure that they are not carrying any objects or substances that could be used to jeopardise their custody arrangements, or to cause danger to themselves or to others.
- (2) In situations referred to in subsection 1, the persons and the personal goods they are carrying can also be searched in order to find documents necessary for their identification.
- (3) To secure the safety of persons present at a court proceeding or public meeting, public event or any similar event requiring special protection, police officers have the right to search persons arriving at such proceedings or events or persons in the immediate vicinity and their personal goods to ensure that they do not have any objects or substances that could endanger the safety of persons present at the proceeding or event.
- (4) *Subsection 4 has been repealed. (525/2005)*
- (5) If necessary, dangerous objects or substances referred to in subsections 1 and 3 shall be removed from the person concerned.

#### Section 22a

##### *Powers of government officials of foreign States (525/2005)*

- (1) A competent government official of a State applying the Schengen acquis referred to in article 40 of the Convention implementing the Schengen Agreement on the gradual abolition of checks at the common borders (*Schengen Convention*) has the right to pursue and apprehend an offender caught in the act of committing an offence in the territory of the official's country or observed escaping from the territory of the official's country, in the territory of Finland and to carry out a security search on the offender in the territory of



Finland, as provided in the Schengen acquis binding on Finland. The provisions of sections 21(1) and 22(1) and (5) also apply to the stopping of vehicles and security searches.

- (2) However, the right to use force to apprehend a person caught in the act of committing an offence or who is in the process of escaping only applies to situations in which the person concerned offers resistance to avoid capture and competent Finnish officials are not immediately available for providing assistance in the apprehending. What is provided elsewhere in this Act and in the Criminal Code (39/1889) also apply to the preconditions for and use of force.
- (3) A person apprehended under subsection 1 of this section shall, without delay, be handed over to the District Police of the municipality in which the apprehending took place, and the District Police shall also be notified of any other measures carried out in the territory of Finland and their consequences.
- (4) The provisions of section 47(2) on the paying of compensation apply to the compensation for damage caused to third parties by the action taken by the competent government official referred to in subsection 1.

#### Section 22b

##### *Security checks (525/2005)*

- (1) Security checks aimed at ensuring security and order and protecting property may be organised at local police departments and in other police premises.
- (2) The head of a police unit shall decide on the carrying out of the security check.
- (3) The security check may involve the inspection of persons entering the police premises, persons already there and their belongings. The head of the police unit shall decide on the extent of the security check.
- (4) The security check may be carried out by a police officer, another member of the police personnel or a police-approved person trained for the task (*security inspector*).
- (5) The security check shall be carried out in such a manner that it does not cause any unnecessary inconvenience to the persons inspected or damage to property.

#### Section 22c

##### *Carrying out security checks (525/2005)*

The security inspector has the right, using a metal detector or other similar technical devices, to inspect persons entering the police premises, persons already there and their belongings in order to ensure that the persons concerned do not carry any objects or substances that can be used for endangering security and order or for damaging property. The security inspector also has the right to inspect the persons' belongings by other means. If there are reasonable grounds for suspecting that the persons are carrying objects or substances referred to above, the persons can be inspected in order to find the objects or substances.

#### Section 22d

##### *Taking possession of objects found in a security check (525/2005)*

The security inspector has the right to take possession of objects or substances found in the security check or otherwise referred to in section 22c or the possession of which is otherwise prohibited under law or a regulation issued under law. The objects and substances taken into possession shall be returned to the inspected persons when they leave the police premises, provided that there is no legal impediment to do so.

## Section 22e

### *Using force in a security check (525/2005)*

- (1) Anybody refusing to undergo a security check in police premises can be removed from the premises by the security inspector. When removing the person from the premises, the security inspector may, when necessary, use force that can, considering the person's behaviour and other circumstances, be deemed justified. However, unless otherwise provided elsewhere in the law, only a police officer or a member of the police personnel with public servant status may use force to remove a person from police premises.
- (2) Provisions on the grounds for exemption from liability and mitigation of penal liability in connection with the excessive use of force are laid down in Chapter 4, sections 6(3) and 7 of the Criminal Code.

## Section 22f

### *Further provisions on security checks (525/2005)*

Further provisions on the technical implementation of security checks, their practical arrangements and on training in security checks may be given by Ministry of the Interior decree.

## Section 23

### *Taking possession of dangerous objects and substances (2/1998)*

- (1) In addition to what is provided in this or any other Act, police officers have the right to take temporary possession of explosives and other dangerous objects or substances from any person whose age, state of intoxication, state of mind or other circumstances may reasonably be thought to pose an immediate danger to public order and security. The police also take possession of explosives held in contravention of the Act on Explosive Substances (263/1953) or provisions or general or special regulations issued under it, which the person in possession of the explosives reports to the police on his or her own initiative and hands over to the police. (806/2003)
- (2) Instead of the whole object, a part belonging or connected to it may be taken into possession if its removal may prevent the danger referred to in subsection 1.
- (3) A record shall be drawn up or an entry made in some other document of the property taken into possession.
- (4) Provisions on taking possession of firearms, firearm components, cartridges and specially dangerous projectiles are laid down in the Firearms Act (1/1998).

## Section 24

### *Handling property taken into possession*

- (1) Objects and substances taken into possession under section 22(5) or 23(1) shall be returned to their holder within 14 days, unless a measure to cancel the licence for possession or a measure referred to in subsection 2 or 3 is taken in the matter prior to this. Property taken into possession under section 23(2) shall always be returned, unless the object in question as a whole is before this taken into the possession of the police under section 23(1). (21/2001)
- (2) An object or substance taken into possession under section 23(1) that cannot be returned to its holder or owner without posing a danger may, with the consent of the owner, be sold or given to a person with a legal right to its possession. If this is not possible, property may be sold at a public auction on the owner's behalf.

- (3) If the object or substance cannot be returned, sold or given as provided under subsections 1 and 2 without posing a danger, or if the property is of little value, a commanding police officer has the right to order the object or substance to be destroyed.
- (4) The owner or holder shall be reserved an opportunity to be heard prior to the sale or destruction, unless the property is of little value.

Section 25  
*Capturing and putting down an animal (21/2001)*

Police officers have the right to capture or put down an animal causing danger to human life or health. Police officers have the same right if an animal is causing significant damage to property or serious danger to traffic. An animal may also be put down when it is in such a condition that keeping it alive would clearly represent cruelty towards it.

Section 26  
*Authority of police officers*

When exercising the powers laid down in this or any other Act, police officers have the right to issue necessary orders and prohibitions applying to all persons in any individual case.

Section 27  
*Use of force*

- (1) When carrying out official duties, police officers have the right to use necessary forms of force that can be considered justifiable to overcome resistance, remove a person from the scene, carry out an apprehension, prevent the escape of a person who has lost his or her liberty, eliminate an obstacle or address an immediate risk of a crime or other dangerous act of being committed, or some other dangerous situation developing.
- (2) When judging the justifiability of force, the importance and urgency of the assignment, the danger posed, the resources available and other factors influencing an overall assessment of the situation shall be taken into consideration.
- (3) In a situation in which it is vital to enlist the help of bystanders in carrying out an extremely important and urgent official police duty requiring the use of force, persons temporarily assisting police officers at their request or with their consent have the right, under a police officer's guidance, to exercise any essential force authorised by a police officer acting within his or her powers.
- (4) The police have the right, with the assistance of the Defence Forces, to use military force to prevent or intervene in the commission of a terrorist offence as laid down in the Act on Executive Assistance to the Police by the Defence Forces (781/1980). (523/2005)
- (5) Provisions on the excessive use of force are laid down in Chapter 4, sections 6(3) and 7 of the Criminal Code. (517/2003)

**Chapter 3**  
**Provisions on gathering information**

Section 28  
*Definitions (525/2005)*

- (1) For the purposes of this Act:

- 1) *technical monitoring* means the continuous or repeated viewing of or listening to members of the public, vehicle drivers, pedestrians or vehicles with the help of technical devices, or the automatic recording of voices or images;
  - 2) *surveillance* means the continuous or repeated gathering of information on certain persons or their activities;
  - 3) *technical surveillance* means the continuous or repeated listening to certain persons with the help of technical devices and the recording of voices (*interception*), viewing and photographing or videotaping (*technical observation*), and the tracking of the movements of vehicles and goods (*technical tracking*);
  - 4) *undercover activities* means continuous or repeated gathering of information on individual persons or groups of persons or their activities with the help of infiltration;
  - 5) *undercover transaction* means a purchase offer made by the police with the aim of preventing, detecting or investigating an offence, or with the aim of recovering the proceeds from an offence, or the purchase of an object, substance or property that can be considered a sample unless the prevention, detection or investigation of an offence, or the recovery of the proceeds from an offence necessitate the purchase of a batch larger than a sample or the purchase of an object, substance or property as an entity of certain size;
  - 6) *telecommunications monitoring* means the obtaining of secret identification data on telemessages that have been sent from a subscription, e-mail address or another telecommunications address or a telecommunications terminal equipment connected to a public communications network or a communications network linked with the public communications network referred to in the Communications Market Act (393/2003), or received at such a subscription, telecommunications address or telecommunications terminal equipment, and the obtaining of location data of mobile stations and the temporary disconnection of such a subscription or telecommunications terminal equipment;
  - 7) *telecommunications interception* means the secret listening to or recording of messages from or to a subscription, telecommunications address or telecommunications terminal equipment sent through the communications network referred to in paragraph 6, so that the content of the message can be determined;
  - 8) *use of human intelligence sources* means the gathering of information using persons outside the police administration as information sources.
- (2) Provisions on telecommunications interception, telecommunications monitoring and technical surveillance for the purpose of investigating an offence are laid down in the Coercive Measures Act.

After giving prior notification, the police have the right to carry out technical monitoring in a public place or on a public road in order to maintain public order and security, prevent offences, identify a person suspected of an offence and guard special targets to be monitored.

### Section 30

#### *Preconditions for surveillance*

- (1) Police officers have the right to keep persons under surveillance in places other than a residence in order to prevent or intervene in the commission of an offence if the person's behaviour or other circumstances give cause to suspect that he or she would commit an offence.
- (2) For a purpose referred to in subsection 1, surveillance can also apply to persons outside domestic premises who may reasonably be suspected of contributing to an offence for which the maximum punishment provided is more severe than six months' imprisonment.

### Section 30a

#### *Surveillance by government officials of foreign States (525/2005)*

- (1) A competent government official of a State applying the Schengen acquis referred to in Article 41 of the Schengen Convention has the right, as provided in the Schengen acquis binding on Finland, to continue the surveillance or technical surveillance of a person in the territory of Finland for the purpose of investigating an offence if the surveillance or technical surveillance started in the territory of his or her own country. An additional requirement is that a Finnish police officer, or within his or her competence, a Finnish border guardsman or a Finnish customs officer, is not able to immediately continue the surveillance or technical surveillance in the territory of Finland.
- (2) The surveillance may be carried out using the technical means that a Finnish police officer has the right to use under the provisions on technical surveillance. A report on the surveillance and technical surveillance shall be submitted to the District Police of the municipality in which most of the activities took place.

### Section 31

#### *Preconditions for technical surveillance (21/2001)*

- (1) Police officers have the right to keep a person, vehicle or goods under technical surveillance in places other than a room or space used for permanent living if there is good reason to assume that the information necessary to prevent an offence can be obtained with such a measure. Under the same preconditions, persons serving a sentence in prison or confined to an institution for preventive detention or held in pre-trial detention can be kept under technical surveillance while they are in their cell or in other premises of an institution used by inmates.

- (2) If technical surveillance so requires, a device used in technical surveillance may be placed in premises where technical surveillance is allowed under subsection 1. On the order of a commanding police officer, a police officer may access the premises in question in order to install and remove the device. If the device consumes energy produced by a vehicle or the premises in which it is placed, compensation shall be given for consumption which is higher than a minimal level.
- (3) Another precondition for interception is that the person's behaviour or other circumstances give reasonable cause to suspect that he or she could commit an offence for which the maximum punishment is at least four years' imprisonment, or a narcotics offence, or become guilty of preparing an offence to be committed with terrorist intent, as referred to in Chapter 34a, section 2 of the Criminal Code. Similarly, a precondition for technical observation and technical tracking is that the person's behaviour or other circumstances give reasonable cause to suspect that he or she could commit an offence for which the maximum punishment is more than six months' imprisonment, or contribute to such an offence. However, a person in the custody of the Finnish Prison Service, referred to in subsection 1, may only be kept under technical observation if the person's behaviour or other circumstances give reasonable cause to suspect that he or she could commit an offence for which the maximum punishment is at least four years' imprisonment or a narcotics offence, or become guilty of preparing an offence to be committed with terrorist intent, as referred to in Chapter 34a, section 2 of the Criminal Code. (525/2005)
- (4) Police officers also have the right to keep persons staying in a place of residence under technical surveillance, if this is essential to carry out police measures safely and to prevent the lives or health of the persons carrying out the measures, the persons to be apprehended or the persons protected from being put in immediate danger. (525/2005)

#### Section 31a

##### *Preconditions for undercover activities (525/2005)*

Police officers have the right to undertake undercover activities if they are necessary to prevent, detect or investigate criminal activities referred to in Chapter 5a, section 2 of the Coercive Measures Act or an offence referred to in Chapter 17, section 18(1)(1) of the Criminal Code, or a punishable attempt of such an offence and the behaviour of the persons on whom information is gathered or other circumstances give reasonable cause to suspect that they could commit the offence in question. Undercover activities in places of residence are permitted if the entry or stay in the place of residence takes place with the active assistance of the occupant. However, provisions in the Coercive Measures Act apply to the search of premises.

#### Section 31b

##### *Preconditions for undercover transactions (525/2005)*

Police officers have the right to make undercover transactions if this is necessary to prevent, detect or investigate a receiving offence or a theft or an offence for which the maximum punishment is at least two years' imprisonment, or to recover an object, substance or property held or sold illegally as a result of such an offence, or to recover the proceeds from such an offence.

#### Section 31c

##### *Preconditions for telecommunications monitoring (525/2005)*

- (1) Police officers have, in order to prevent or detect an offence, the right to subject a subscription, telecommunications address or telecommunications terminal equipment a

person possesses or that he or she is otherwise assumed to be using to telecommunications monitoring or to temporarily disconnect such a subscription or terminal equipment if the person's statements, threats, behaviour or other circumstances give reasonable cause to suspect that he or she could commit an offence for which the maximum punishment is at least four years' imprisonment or an offence targeting an automatic data processing system and committed using telecommunications terminal equipment, or make him or herself guilty of procuring, threatening a person to be heard in the administration of justice, illegal threatening, a narcotics offence, a punishable attempt of the offences referred to above or preparing an offence to be committed with terrorist intent.

- (2) Police officers also have the right to carry out telecommunications monitoring in a situation referred to in section 18(2) or in other situations if this is necessary to prevent life or health from being endangered.

#### Section 31d

##### *Preconditions for telecommunications interception (525/2005)*

- (1) Police officers have, in order to prevent or detect an offence, the right to intercept a subscription, telecommunications address or telecommunications terminal equipment a person possesses or that he or she is otherwise assumed to be using if the person's statements, threats or behaviour give reasonable cause to suspect that he or she could make him or herself guilty of an offence committed with terrorist intent and referred to in Chapter 34a, section 1(1)(2-7) or 1(2) of the Criminal Code, preparation of an offence to be committed with terrorist intent, directing of a terrorist group, promoting of the activities of a terrorist group or financing of terrorism, if the information to be gathered can be assumed to be of prime importance in preventing or detecting the offence.
- (2) Police officers also have the right to carry out telecommunications interception in a situation referred to in section 18(2) or in other situations if this is necessary to prevent an immediate and serious danger to life or health.

#### Section 31e

##### *Prohibitions of interception (525/2005)*

The provisions on the prohibitions of directing interception at the suspect laid down in Chapter 5a, section 10 of the Coercive Measures Act also apply to other interception and telecommunications interception carried out under this Act that is not directed at the suspect.

#### Section 31f

##### *Gathering information on the location of mobile stations (525/2005)*

The police may be granted permission to obtain information on mobile stations from which data is entered in the telecommunications system during a specific period through a base station located in the vicinity of a specific place if obtaining the information can be assumed to be of prime importance in preventing an offence referred to in section 31c(1) or averting a danger referred to in subsection 2 of the said section.

#### Section 32

##### *Deciding on technical surveillance*

- (1) An order to carry out a measure referred to in section 31(1) shall be given by a commanding police officer or a police officer appointed as investigator in charge, or, in the case of interception lasting more than three days, by a police officer with the rank of chief of a police district, chief of a national police unit or deputy chief of such a unit.
- (2) A commanding police officer shall be informed without delay of any measure taken under section 31(4). (21/2001)

#### Section 32a

##### *Deciding on undercover activities and transactions and supervising undercover activities and transactions (525/2005)*

- (1) The decision on undercover activities shall be made by the head of a police unit that is laid down by Ministry of the Interior decree.
- (2) The decision on undercover transactions shall be made by a district police chief, the head of the National Bureau of Investigation or the head of the Security Police, or a commanding police officer to whom he or she has given responsibility for such decisions.
- (3) The police unit which has decided on undercover activities and transactions shall prepare a report on the activities for the Ministry of the Interior, which submits an annual report on the use of undercover activities and transactions to the Parliamentary Ombudsman.

#### Section 32b

##### *Court decisions on telecommunications interception, telecommunications monitoring, gathering information on the location of mobile stations, and technical surveillance, and other consideration of the matter (525/2005)*

- (1) The court referred to in Chapter 1, section 9 of the Coercive Measures Act, or any other court where the matter can be dealt with suitably shall decide on telecommunications interception, telecommunications monitoring, gathering information on the location of mobile stations and technical surveillance in cases referred to in section 31(2) in which the interception or technical observation requires the placing of the device used for surveillance in a room or premises in which the person to be put under surveillance is staying, or inside a vehicle used by the person to be put under surveillance or in which a person in the custody of the Finnish Prison Service is subjected to interception or technical observation.
- (2) The matter referred to in subsection 1 shall be decided without consulting the person to be put under surveillance or the occupant of the premises to be intercepted or observed. However, when a court is considering a matter concerning the interception or technical observation directed at a person in the custody of the Finnish Prison Service, the director of the prison shall be given an opportunity to be heard.
- (3) The provisions of Chapter 5a, sections 6, 7 and 9, section 11(1) and sections 12 and 14 of the Coercive Measures Act apply, as appropriate, to the consideration of the matter referred to in subsection 1.

#### Section 32c

##### *Right of police officers to decide on telecommunications monitoring, gathering information on the location of mobile stations, and technical surveillance in urgent situations (525/2005)*

- (1) A commanding police officer shall decide on telecommunications monitoring, gathering information on the location of mobile stations, or technical surveillance referred to in section 32b(1) if the measure shall be carried out without delay. A commanding police officer shall decide on the measure until a court has reached a decision on the request



concerning the granting of permission. The request may also be submitted by telephone, in which case its contents shall be confirmed afterwards in writing. The request shall be submitted without delay and no later than 24 hours after the measure has been launched. The court shall be notified of a measure that has been terminated.

- (2) The right referred to in subsection 1 does not apply to interception or technical observation directed at a person in the custody of the Finnish Prison Service.

#### Section 32d

*Continuing telecommunications monitoring, gathering information on the location of mobile stations, and technical surveillance when the decision on the measure was made by a police officer (525/2005)*

- (1) After receiving the request or notification referred to in section 32c(1) the court may prohibit the continuation of telecommunications monitoring, gathering information on the location of mobile stations, or technical surveillance, or impose restrictions on the use of the measure or conditions that it considers necessary for the use of information.
- (2) Provisions in Chapter 5a, sections 6, 7 and 9, section 11(1) and sections 12 and 14 of the Coercive Measures Act apply, as appropriate, to the consideration of the matter in court.

#### Section 33

*Notification of surveillance, technical surveillance, telecommunications monitoring and telecommunications interception (525/2005)*

- (1) The police officer who decided on technical surveillance referred to in section 31(1) or the placing of a technical surveillance device referred to in section 31(2), or the police officer who decided or who submitted a request to a court on telecommunications interception, telecommunications monitoring or technical surveillance under section 32b, or the police officer who decided on telecommunications monitoring or technical surveillance under section 32c shall, after the termination of technical surveillance, telecommunications monitoring or telecommunications interception, notify the person at whom the measure had been directed of the measure unless the notification endangers the purpose of the information gathering or the pre-trial investigation.
- (2) No notification is required of surveillance or technical surveillance referred to in section 31(4) or of the grounds for these measures.
- (3) The police officer who carried out the interception referred to in section 31, and the telecommunications interception, telecommunications monitoring, gathering of information on the location of mobile stations, and technical surveillance referred to in section 32b, and the telecommunications monitoring, gathering of information on the location of mobile stations, and technical surveillance referred to in section 32c shall, without delay, prepare a record of the measures, further provisions on which are given by Ministry of the Interior decree. The record shall be submitted to the Ministry of the Interior, which provides the Parliamentary Ombudsman with an annual report on the use of interception, telecommunications monitoring and telecommunications interception referred to in this subsection. At the same time, an account shall also be given of the use of technical surveillance in prisons.

#### Section 33a

*Preventing the disclosure of information gathering (525/2005)*

- (1) The police may, when it is essential to prevent the disclosure of surveillance, technical surveillance, undercover transactions, undercover activities and the use of human intelligence sources, use misleading or false information, make and use misleading or false register entries and produce and use false documents.
- (2) The head of a police unit that is laid down by Ministry of the Interior decree shall decide on the making of the register entries referred to in subsection 1 and on the production of the documents.
- (3) The police unit deciding on the making of the register entries and the production of the documents shall keep records of the entries and documents, supervise their use and see to the correction of the entries.
- (4) A commanding police officer shall decide on the use of the register entries and documents.
- (5) The police unit deciding on the making of the register entries or the production of the documents, and the police unit deciding on the use of the register entries or the documents shall draw up a report of the making of the entries, production of the documents and the use of the entries and the documents for the Ministry of the Interior, which submits an annual report to the Parliamentary Ombudsman on the matter.

#### Section 33b

##### *Correcting register entries (525/2005)*

The register entry referred to in section 33a shall be corrected when the correction no longer endangers the purpose of the information gathering or the pre-trial investigation of an offence or when it is no longer necessary to prevent the information gathering from being disclosed.

#### Section 34

##### *Processing material*

- (1) A commanding police officer shall, without delay, examine the information gathered in connection with the carrying out of the measures referred to in sections 30, 31 and 31f and the recordings obtained using the technical surveillance referred to in section 31. The information that only concerns third parties shall be destroyed without delay after the examination unless it is needed to investigate an offence. (525/2005)
- (2) Separate provisions shall be issued regarding entry of the information referred to in subsection 1 in police personal data files. Information and recordings obtained that are not added to a data file or the pre-trial investigation material shall be destroyed no later than one year after being declared almost certainly unnecessary for the purpose for which it was obtained.

#### Section 35

##### *Obtaining information from public authorities*

- (1) The police have the right, notwithstanding the secrecy obligation, to obtain free of charge from an authority or a body assigned to perform a public function any information and documents necessary to carry out an official duty unless disclosing such information or documents to the police or using information as evidence is prohibited or restricted by law.
- (2) When assessing the continued validity of a driving licence, firearm permit or other such licence, the police have the right, on making a justified request, to obtain information on the licence holder's state of health, use of intoxicants or violent behaviour, notwithstanding the secrecy obligation, if there are reasons to suspect that the licence holder no longer meets the conditions set for obtaining a licence.

- (3) The decision on obtaining secret information in cases referred to in subsections 1 and 2 shall be taken by a commanding police officer.
- (4) The police may only use secret information received on the basis of subsection 2 to assess the credibility and suitability of a licence holder or some other condition for validity of the licence or fulfilment of a condition included in the licence.

#### Section 36

##### *Obtaining information from a private organisation or person*

- (1) At the request of a commanding police officer, the police have the right to obtain any information necessary to prevent or investigate an offence, notwithstanding business, banking or insurance secrecy binding on members, auditors, managing directors, board members or employees of an organisation. The police have the same right to obtain information needed in a police investigation under section 37 if an important public or private interest so requires. (21/2001)
- (2) The police have the right to obtain from a telecommunications operator and a corporate or association subscriber, or by using a technical device, the contact information about a subscription that is not listed in a public directory or the data specifying a telecommunications subscriber connection, an e-mail address or other telecommunications address, or telecommunications terminal equipment if, in individual cases, the information is needed to carry out police duties. Similarly, the police have the right to obtain postal address information from organisations engaged in postal services. In order to obtain the information, the police may only use technical devices that can be used solely for specifying subscriptions and telecommunications terminal equipment. The Finnish Communications Regulatory Authority shall inspect the technical device's compatibility referred to in this subsection and ensure that the technical device does not, on account of its properties, cause any harmful interference with the equipment or services of the public communications network. (525/2005)
- (3) For licence administration purposes, the police have the right to obtain information from private organisations and persons as provided in section 35(2-4).
- (4) Separate provisions apply to telecommunications interception, telecommunications monitoring and gathering information on the location of mobile stations. (525/2005)

#### Section 36a

##### *Use of human intelligence sources (525/2005)*

- (1) The police may, for carrying out its duties laid down in section 1, use persons outside the police administration as human intelligence sources.
- (2) The information on the human intelligence source may be entered in a personal data file. The provisions of the Act on the Processing of Personal Data by the Police (761/2003) apply to the processing of the information.
- (3) The person used as a human intelligence source may be paid a fee. The precondition for paying the fee is that the information source is registered. The fee may, on reasonable grounds, also be paid to a person used as a human intelligence source who has not been registered. Separate provisions shall be issued on the taxability of the fee.

## **Chapter 4 Provisions on police investigation**

#### Section 37

### *Police investigation*

- (1) A police investigation means an investigation which is by law to be performed by the police, but does not include a pre-trial investigation of an offence.
- (2) In conducting a police investigation, the procedure laid down for conducting pre-trial investigations shall be followed, as appropriate.

### Section 38

#### *Status of a person in a police investigation*

- (1) If the investigation is conducted to clarify a matter affecting someone's rights or obligations, the provisions on parties to a pre-trial investigation apply to the status of that person. Persons other than the party referred to in subsection 2 and their legal representatives and agents shall speak truthfully when clarifying the matter under investigation and replying to questions.
- (2) If the investigation is conducted to establish whether a person should be subject to a punitive sanction either by sentence or order, the provisions on suspects apply to the status of that person.
- (3) Provisions concerning witnesses or experts apply to the status of persons other than those referred to in subsection 1 or 2. Witnesses or experts shall speak truthfully and without concealing anything about the matter under investigation. However, in an investigation under subsection 2, witnesses and experts have the right or duty to refuse to give a statement, reveal a circumstance or answer a question if they have such a right or duty in court proceedings.

### Section 39

#### *Duty to appear, and securing an investigation*

- (1) Persons who may have information required in a police investigation under section 37 are obliged, when summoned, to attend the police investigation within the geographical area of their local police unit, or within the area of another unit, if the office of the police unit is located in another police unit's area or the police activities are carried out in cooperation with another unit.
- (2) If a person summoned to a police investigation does not comply with the summons without a valid reason, he or she may be brought there on the order of a commanding police officer, in compliance with the provisions of section 18 of the Pre-Trial Investigation Act on bringing a person to a pre-trial investigation.
- (3) To conduct a police investigation, police officers have the right to gain access to the place or area in which the incident under investigation took place, to examine objects or documents which may be important for conduct of the investigation, to make tests necessary to carry out the investigation, and to detach and take samples necessary for examination. A further precondition is that there is good reason to assume the measures are important in clarifying the matter.

## **Chapter 5**

### **Miscellaneous provisions**

### Section 40

#### *Executive assistance by the police*

- (1) On request, the police shall give executive assistance to other authorities if the provisions to this effect are separately laid down by law. The police shall also give executive assistance to other authorities in order to fulfil a statutory supervisory duty. The police may also give executive assistance to private persons if this is necessary for the persons to have access to their legal rights and it is apparent that their rights have been violated. (21/2001)
- (2) A precondition for providing executive assistance under subsection 1 is that the authority requesting such assistance is prevented from performing its official duties or the private person is prevented access to his or her rights and access requires the use of police powers. (21/2001)
- (3) Decisions on giving executive assistance shall be made by a commanding police officer unless otherwise provided or ordered.

#### Section 41

##### *Executive assistance to the police*

- (1) Public authorities shall provide any executive assistance within their powers that is necessary for performance of a police duty. Decisions on requesting executive assistance shall be made by a commanding police officer unless otherwise provided or otherwise required by the urgency of the matter.
- (2) Separate provisions apply to executive assistance given to the police by the Defence Forces.

#### Section 42

##### *Reinforcing the police personnel*

- (1) If the security of the State or exceptional circumstances so require, the Government may order police personnel to be reinforced with special reserve police personnel.
- (2) Persons suitable for the duties and with suitable personal traits, who, in accordance with an agreement they have made with the chief of the police district, commit themselves to the duties, may be recruited to the reserve police personnel.
- (3) In active service, members of the reserve police personnel have the same powers and obligations as police officers under this Act in maintaining public order and security. However, the provisions of section 27(3) of this Act apply to the right to use force.
- (4) A member of the reserve police may be assigned as a person maintaining order (security steward) referred to in section 18 of the Assembly Act in an event connected with the training of the reserve police personnel, and he or she may be ordered to direct traffic in such an event, as referred to in section 49 of the Road Traffic Act. Provisions on security steward certification and the qualification requirements, powers and obligations of security stewards are laid down in the Security Stewards Act (533/1999), and provisions on the ordering of persons to direct traffic and on the powers of persons directing traffic in the Road Traffic Decree (182/1982). (525/2005)
- (5) Provisions on the duties, equipment, training, call-up and contract terms of the reserve police personnel shall be issued by decree.

#### Section 43

##### *Non-disclosure*

- (1) The provisions of section 17 of the Public Servants Act (750/1994) apply to the non-disclosure obligation on members of the police personnel. Anyone who has a contractual employment relationship with the police and persons who by virtue of police powers granted to them or on other grounds carry out a police duty have the same non-disclosure

obligation.

- (2) No member of the police personnel or other persons referred to in subsection 1 may, in a manner incompatible with their duties, use to their advantage or disclose without authorisation such factors relating to the privacy of a person that have been learnt in the course of this duty and the disclosure of which may cause damage or detriment to the said person.
- (3) However, the non-disclosure obligation does not prevent the disclosure of the matter to an authority or an organisation performing a public function that due to its duty under the law needs to obtain information on a matter otherwise secret or related to the credibility or suitability of a person. Information on persons applying for security-sensitive duties or needed to ensure the reliability of a person already performing such duties may also be surrendered to a private organisation or person to the extent necessary.
- (4) The non-disclosure obligation does not prevent the disclosure of information the disclosure of which is, in individual cases, necessary to prevent an event that would endanger lives or health, an offence against liberty, substantial environmental damage or damage to property or to ensure State security. (525/2005)
- (5) The provisions of subsections 1, 2 and 4 also apply when an employment relationship with the police has terminated.
- (6) Provisions on the handing over of information entered in the police personal data file to another police unit or to other authorities with the aid of a technical interface or in machine language and to foreign countries are laid down in the Act on the Processing of Personal Data by the Police, and on the use of personal data files in the issuing of security clearances in the Security Clearance Act (177/2002). (525/2005)

#### Section 44

##### *Right to remain silent*

- (1) Members of the police personnel are not obliged to reveal the identity of the person who has provided them with confidential information during their employment relationship or to reveal any secret tactical or technical methods. (525/2005)
- (2) Members of the police personnel are not obliged to disclose information on the identity of a person making undercover transactions or involved in undercover activities, if the disclosure could endanger the safety of the person making undercover transactions or involved in undercover activities or their close family members, similar future activities of the person making undercover transactions or involved in undercover activities, or the success of the information gathering. (525/2005)
- (3) However, if an extremely weighty cause exists, a court may order the information referred to in subsection 1 or 2 to be revealed if a public prosecutor is prosecuting for an offence carrying a possible sentence of six or more years in prison. Even then the court cannot order the identity of persons who provided information or of a person who made an undercover transaction or was involved in undercover activities to be revealed if this would manifestly pose a serious threat to their safety or that of their family. (21/2001)

#### Section 45

##### *Obligation to assist*

- (1) On the order of a commanding police officer, any person of at least 18 and at most 54 years of age in the area of a local police unit is obliged to assist the police in searching for a missing person whose life is in danger, saving a human life, aiding an injured person or preventing significant damage to property or to the environment unless this is unreasonable

- in view of the person's state of health, personal circumstances or another special reason.
- (2) In the cases referred to in subsection 1 and in the search for a person who has drowned, private persons and organisations shall, on the order of a commanding police officer, provide the police with a reasonable amount of food, means of communication, transport equipment and tools and any other necessary devices and substances, against full compensation.

Section 45a  
*Voluntary activities (525/2005)*

- (1) The police can use members of voluntary organisations and the National Defence Training Association of Finland referred to in Chapter 3 of the Voluntary National Defence Act (556/2007), as well as persons participating in the service referred to in the said Act, in carrying out search operations and other assistance tasks that do not involve the substantial exercise of official authority. (560/2007)
- (2) The decision concerning the use of members of voluntary organisations in search operations shall be made by the police officer in charge of the search operation. The decision on the use of members of voluntary organisations in other assistance tasks shall be made by a commanding police officer.

Section 46  
*Powers of a person assisting a police officer*

A person assisting a police officer in the performance of an official duty, at the officer's request, has the right to exercise police powers that fall within the authority of the police officer as indicated by the officer. However, the provisions of section 27(3) apply to the right to use force.

Section 47  
*Paying compensation*

- (1) Compensation for direct expenses incurred in the assistance referred to in sections 45 and 45a is made from State funds. The persons who have participated in the assistance tasks have the right to receive a reasonable fee from State funds, calculated on the basis of the time spent on the work. (525/2005)
- (2) Direct expenses incurred by a third party as a result of coercive measures taken by the police are compensated from State funds. Compensation can be adjusted or denied if the party that suffered the loss significantly contributed to causing the damage through its own actions or by negligence.
- (3) A person receiving injuries when providing the police with assistance in accordance with sections 45 and 45a has the right to receive compensation from State funds on the same basis as statutory compensation is paid for occupational accidents, unless the injured party is otherwise entitled to compensation under the Employment Accidents Insurance Act (608/1948) or the Military Injuries Act (404/1948). The compensation matter referred to in this subsection is processed in the first instance by the State Treasury. (525/2005)
- (4) If an injured person's employer or municipality has paid wages or an advance or made other payments in the matter of an injury to be compensated under this Act, the provisions of section 26 of the Employment Accidents Insurance Act apply to the right of the employer and municipality.

- (5) Damage incurred by those taking part in the assistance work is compensated from State funds as provided in the Act on Compensating Certain Damages Resulting from Government Duties and Work Tasks (794/1980). (525/2005)

#### Section 48

##### *Commissioning right*

- (1) If a person, despite being requested by the police, neglects to carry out a duty which he or she under an act, decree or a properly given order is obliged to carry out, and if the negligence may cause significant harm to traffic or public order, safety or health, the police have the right to get the duty carried out at the expense of the person concerned. Decisions on taking such measures shall be made by a commanding police officer.
- (2) When protecting property from further damage after an accident or offence so requires, the police may take or commission urgent, necessary measures to be taken at the expense of the owner if the owner or occupant cannot immediately be reached.
- (3) The costs of measures referred to in subsections 1 and 2 may be paid in advance from State funds. They may be claimed from the party that neglected to carry out the duty or the owner of the property without a judgement or order, as laid down in the provisions on claiming taxes and other payments through debt recovery measures.

#### Section 49

##### *Personal injury and damage to property*

- (1) Police officers shall notify their superiors without delay of any personal injury or damage to property caused in the performance of a duty, unless the injury or damage is minor. When necessary or requested by the party suffering the injury or damage or the person performing the official duty, an investigation of the incident shall be undertaken.
- (2) In connection with the measures referred to in subsection 1, a party receiving injuries shall be given treatment without delay and assistance from a physician arranged if necessary. If someone states that they received injuries as a result of police measures, they shall be given the opportunity to have a medical examination as soon as possible or, if this is not immediately possible, shall be examined by an impartial person.
- (3) The costs of measures referred to in subsection 2 shall be paid in advance from State funds.

#### Section 50

##### *Measures by other authorities in police duties*

Provisions can be laid down by law requiring the Defence Forces, the Border Guard, Customs or other authorities to carry out police duties.

#### Section 51

##### *Penal provisions (106/2002)*

- (1) Provisions on penalties for recalcitrance towards the police are laid down in Chapter 16, section 4 of the Criminal Code.
- (2) Anyone who deliberately or through gross negligence unlawfully uses police insignia as such or incorporates them into a sign or a visual presentation or uses a sign that is misleadingly similar to police insignia shall be sentenced to a fine for unlawful use of police insignia.



- (3) Anybody who deliberately or through gross negligence violates the prohibition laid down in section 6a(3) shall be sentenced, unless a more severe punishment for the act is provided elsewhere in the law, to a fine for unlawful use of a police uniform.

#### Section 52

##### *Restrictions on movement and sojourn (315/2001)*

In order to secure a very important activity or property or to protect people, movement or sojourn in a secured or protected location or its surroundings may be restricted due to a danger posed by or to the location, or the bringing of objects or substances that would endanger the safety of the location may be prohibited by Ministry of the Interior decree. A fine may be imposed for violating the order or restriction, unless a punishment for the act is provided elsewhere in the law.

#### Section 53

##### *International cooperation*

- (1) What is separately laid down by law or agreed on by an international agreement binding on Finland applies to assistance given by the police to police officers of a foreign State.
- (2) In matters not covered by legislation or not otherwise requiring the consent of Parliament, the Ministry of the Interior can make cooperation agreements of a conventional kind that fall within the scope of the police with the neighbouring States, coastal States around the Baltic Sea and the States belonging to the European Economic Area. (279/2007)

#### Section 54

##### *Further provisions (21/2001)*

- (1) Provisions on the Cross of Merit and Medal of Merit of the Police are laid down by decree of the President of the Republic.
- (2) Provisions on the following are laid down by Government decree:
  - 1) the operational chain of command of the police, special duties related to police investigations in certain cases, procedure to be followed in the application for and payment of the compensation referred to in section 47, and the insignia, badge and weaponry of the police; (525/2005)
  - 2) notifications and reports made on the use of powers based on international agreements; and
  - 3) the integration of the duties of the Police, Customs and the Border Guard, and their mutual cooperation and procedures relating to executive assistance. (315/2001)
- (3) The Ministry of the Interior may, by decree, give further provisions on the granting of police powers, dealing with apprehended persons, keeping of property taken into possession, carrying out of police investigations, stopping of vehicles, automatic road traffic surveillance, the use of force, capturing, keeping and putting down of animals, giving of executive assistance in cases other than those under subsection 2(3), the organisation and supervision of technical monitoring, surveillance, technical surveillance, undercover activities, undercover transactions, telecommunications monitoring, telecommunications interception, the use of human intelligence sources, the recording of the measures taken by the police, and on the model of the uniform and the insignia used in connection with it. (525/2005)

## **Entry into force**

### Section 55

#### *Entry into force*

- (1) This Act comes into force on 1 October 1995.
- (2) This Act repeals the Police Act of 18 February 1966 (84/66), as amended.

#### Entry into force and application of amendments:

- (2/1998) This Act comes into force on 1 March 1998.
- (569/1998) This Act comes into force on 1 January 1999.
- (531/1999) This Act comes into force on 1 September 1999.
- (21/2001) This Act comes into force on 1 March 2001. However, section 54(2)(2) comes into force on a date to be defined by decree.
- (315/2001) This Act comes into force on 15 April 2001.
- (106/2002) This Act comes into force on 1 March 2002.
- (517/2003) This Act comes into force on 1 January 2004.
- (806/2003) This Act comes into force on 1 January 2004.
- (522/2004) This Act comes into force on 1 September 2004.
- (70/2005) This Act comes into force on 15 May 2005.
- (523/2005) This Act comes into force on 20 July 2005.
- (525/2005) This Act comes into force on 20 July 2005.
- (583/2005) This Act comes into force on 1 September 2005.
- (279/2007) This Act comes into force on a date to be defined by Government decree. (The Act came into force on 17 June 2007 in accordance with the Decree 666/2007.)
- (560/2007) This Act comes into force on 1 January 2008.