

Act on the Knowledge of Languages Required
of Personnel in Public Bodies
(424/2003)

The following is enacted in accordance with the decision of Parliament:

Chapter 1 — **General provisions**

Section 1 — *The scope of application of the Act*

- (1) This Act applies to the knowledge of languages required, and to the demonstration of knowledge of languages, of personnel in the service of State authorities, the authorities of one or several municipalities and of independent institutions under public law, as well as Parliamentary offices and the Office of the President of the Republic (an *authority*).
- (2) The provisions of Sections 2 through 4 and Section 8 apply to universities, polytechnics and other educational establishments. Separate provisions otherwise apply to the knowledge of languages required of their personnel.
- (3) The Church Act (1054/1993) contains provisions on the knowledge of languages required of personnel of the Evangelical Lutheran Church.

Section 2 — *Ensuring the personnel's knowledge of language*

An authority shall ensure, by organising lessons and through other personnel policy measures, that its personnel has a sufficient knowledge of languages in order to attend to the tasks of the authority in accordance with the requirements of the Language Act (423/2003) and of other legislation.

Chapter 2 – **Qualifications related to the knowledge of languages and consideration of the knowledge of languages when recruiting personnel**

Section 3 — *Ensuring knowledge of languages on recruitment*

When a person is being recruited for an official position or otherwise for service, it shall be verified that his or her knowledge of languages meets the linguistic requirements for the work assignments.

Section 4 — *Announcement of the required knowledge of languages*

An announcement of an official position or other service position that is subject to application or vacant shall include a reference to possible language requirements and to the knowledge of languages required for the work assignments or considered a merit on recruitment.

Section 5 — *Establishing requirements relating to the knowledge of languages*

- (1) Knowledge of languages may be required of personnel in State authorities only on the basis of an Act or, subject to an Act, on the basis of a Government Decree or a Decree of the appropriate Ministry. Provisions on requirements related to knowledge of Finnish and Swedish shall always be issued if the assignments of the personnel encompass exercise of public power that is significant from the point of view of the rights and obligations of the individual person.
- (2) Knowledge of languages may be required of municipal personnel in accordance with the order provided in the Local Government Act (365/1995) unless otherwise provided in an Act or subject to an Act.
- (3) Independent institutions under public law may set requirements on their personnel related to the knowledge of languages, unless provided otherwise separately.

Section 6 — *Requirements for State personnel regarding the knowledge of Finnish and Swedish*

- (1) State personnel who are statutorily required to have an academic degree are required, in bilingual authorities, to have an excellent ability to speak and write the language of the majority in the authority's district and a satisfactory ability to speak and write the other language. The requirement in a unilingual authority is an excellent ability to speak and write the language of the authority and a satisfactory ability to understand the other language.
- (2) The Act on Judicial Appointments (205/2000) contains provisions on the knowledge of languages required for the office of a judge. A Government Decree contains provisions on the knowledge of Finnish and Swedish required for the office of military officer.
- (3) A Government Decree may provide for exceptions from the language requirements related to Finnish and Swedish provided in subsection 1, if this is required by the work assignments, if this permitted by the allocation in an authority of assignments calling for the use of different languages, or if there are otherwise particularly weighty reasons for deviating from the requirements.
- (4) A Government Decree contains provisions on the knowledge of Finnish and Swedish required of personnel other than that mentioned in subsection 1. A Government Decree may also delegate the issuing of provisions on the required knowledge of Finnish and Swedish to a Ministry Decree in those cases where no requirements other than language requirements are established for the personnel.
- (5) Separate provisions apply to the knowledge of Finnish and Swedish required of the personnel of Parliamentary offices and of the Office of the President of the Republic.

Section 7 — *Requirements for State personnel regarding knowledge of other languages*

When this is required by the nature of the work, requirements for the personnel of State authorities regarding knowledge of other languages may

be established by Ministerial Decree, unless these are established by Government Decree on the basis of an Act.

Section 8 — *Demonstration of knowledge of languages after the close of the application period*

When filling an official position or otherwise recruiting for a position, consideration may also be taken of an applicant who has demonstrated his or her knowledge of languages after the close of the application period, if this does not delay the consideration of the matter.

Section 9 — *Dispensation*

On special grounds, the Government may grant a dispensation from a requirement provided in an Act, Government Decree or Ministerial Decree regarding knowledge of languages, unless otherwise provided in an Act or on the basis of an Act.

Chapter 3 – **State administration examinations in Finnish and Swedish**

Section 10 — *State administration language examinations*

- (1) State administration language examinations exist for Finnish and Swedish separately for the demonstration of knowledge of these languages. Excellent, good or satisfactory knowledge of Finnish or Swedish may be demonstrated in the examinations.
- (2) A Government Decree contains further provisions on the examinations and on the issuing of examination certificates.
- (3) The National Board of Education issues orders on the basis for the examinations and approves the model for the examination certificate after the examination boards referred to in Section 11 have issued a statement on the matter.

Section 11 — *Administration and implementation of State administration language examinations*

- (1) The National Board of Education is responsible for the maintenance and development of State administration language examinations and for the supervision of their organisation.
- (2) A Finnish language examination board and a Swedish language examination board (*language examination boards*) operate in connection with the National Board of Education for the organisation of language examinations. In addition, the National Board of Education appoints the necessary number of language examiners who are proficient in the assessment of the knowledge of languages.
- (3) Members of language examination boards and language examiners serve with the responsibility of an official for the legality of their acts. The provisions of Sections 27 through 29 of the Administrative Procedure Act (434/2003) apply to their disqualification.
- (4) More detailed provisions may be provided in a Government Decree on the composition, appointment and tasks of the language examination boards, the consideration of matters in the boards, the appointment of language examiners and the organisation of examinations as well as on the supervision of the organisation of language examinations.
- (5) The National Board of Education issues the language examiners as necessary instructions on the organisation of language examinations, after the language examination boards have issued a statement in the matter.

Section 12 — *Fees*

A fee shall be charged as a payment under public law for participation in a language examination organised by a language examination board, for a decision by a Board and for participation in an examination organised by language examiners in accordance with the Act on the Basis of State Fees (150/1992). A Decree of the Ministry of Education provides further provisions on the size of the fee.

Section 13 — *Demonstration of knowledge of languages through general language examinations or in connection with studies*

A Government Decree contains provisions on how knowledge of Finnish or Swedish may be demonstrated, other than through a State administration language examination, through a language examination referred to in the Act on General Language Examinations (668/1994) or through language examinations or courses passed in connection with studies.

Section 14 — *Certificate of corresponding knowledge of languages*

On application and without organising a State administration language examination, the Language Examination Board may

- 1) issue a certificate on excellent knowledge of Finnish or Swedish to a person who, in accordance with an acceptable clarification, has with his or her previous activity demonstrated the required knowledge of the language; and
- 2) decide to deem language studies carried out abroad as the equivalent of State administration language examinations.

Section 15 — *Legal safeguards for a person participating in the examination*

- (1) A person participating in the examination is to be informed of the application of the assessment criteria to his or her performance in the examination.
- (2) The decision of a language examiner is not subject to appeal.
- (3) However, a person who is dissatisfied with the assessment of the examination results by a language examiner may nonetheless within seven days of being informed of the decision notify to the Language Examination Board of his or her intention to take its examination. In such a case the taking of the examination before the Board is free of charge.
- (4) The decision of the Language Examination Board is subject to appeal as provided in the Administrative Judicial Procedure Act (586/1996).

Chapter 4 – **Provisions on entry into force and transitional provisions**

Section 16 — *Entry into force*

- (1) This Act shall enter into force on 1 January 2004.
- (2) This Act repeals the Act on the Knowledge of Languages Required of State Civil Servants of 1 June 1922 (149/1922) as subsequently amended.
- (3) Measures required for the implementation of this Act may be undertaken before the Act enters into force. Should such measures call, in accordance with Section 10(3) or Section 11(5), for the hearing of the boards referred to in Section 11, the National Board of Education may hear, instead of these boards, the corresponding boards that operate before this Act enters into force.

Section 17 — *Transitional provisions*

- (1) A Government Decree contains provisions on the equivalence of examinations passed before this Act enters into force with examinations passed on the basis of this Act.
- (2) A requirement elsewhere in an Act or Decree of complete mastery of Finnish or Swedish corresponds to an excellent ability to speak and write the language in question.
- (3) After this Act enters into force, a reference elsewhere in an Act or Decree to the Act on the Knowledge of Languages Required of State Civil Servants refers to the present Act.

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