

Translation from the Finnish
Unofficial translation, legally binding only in Finnish and Swedish.

Act on the Right of Redemption of Immovable Property and Special Rights in Order to Protect National Security

By decision of Parliament, the following is enacted:

Section 1

Scope of application

This Act applies to the right of redemption of immovable property and special rights for the purpose of safeguarding national defence, territorial integrity, internal security, government administration, border security, border control, maintenance of emergency stocks of critical supplies, the continued operation of the infrastructure necessary for the vital functions of society or other equivalent public interest.

Redemption is governed by the Act on the Redemption of Immovable Property and Special Rights (603/1977), hereinafter *Redemption Act*, unless otherwise stipulated herein.

Section 2

Redemption permission

A ministry responsible for safeguarding the interest referred to in the foregoing section 1(1) may grant a public authority or entity permission to redeem immovable property or special rights if so required by public interest within the meaning of section 1.

Section 3

Interim prohibition on transactions

Once a ministry referred to in section 2 has commenced preparations for redemption within the meaning of this Act, it may provisionally prohibit, for a maximum of one year, such use of property or such exercise of special rights as may endanger the purpose of the contemplated redemption. If the redemption subsequently lapses, the owner or holder is entitled to compensation for any loss and damage incurred as a result of such a prohibition.

The redemption permission may stipulate that the asset may not be used in a way that endangers the very purpose of redemption. The prohibition shall apply as of the date of service of the decision on the redemption permission on the owner or holder up until the redemption process is completed or lapses. If the redemption process lapses, any loss and damage incurred as a result of the prohibition shall be compensated as provided in subsection 1.

If the parties fail to agree on the amount of the compensation referred to in this section, the amount shall be determined in redemption proceedings in accordance with the provisions of the Redemption Act unless proceedings have already been instigated.

Section 4

Compensation for redemption

The full compensation payable for the asset subject to redemption shall be equivalent to the highest fair market price. Otherwise, the determination of the amount of compensation shall be governed by the reimbursement rates set out in the Redemption Act.

If the redemption permission specifies a prohibition of measures referred to in section 3(2), the compensation for redemption shall include legal interest in accordance with section 95 of the Redemption Act payable as of the date of service of the redemption permission.

If the prohibition referred to in section 3(1) is imposed before the issuance of the redemption permission, the interest shall accrue as of the date of service of the decision on the prohibition.

Section 5

Experts

When contemplating consultations with the experts referred to in section 12(2) of the Redemption Act, special consideration shall be given for the purpose of the redemption.

Section 6

Access to information

The authority preparing redemption within the meaning of this Act shall have the right to obtain the information necessary for processing the redemption case from Land Survey of Finland free of charge notwithstanding any secrecy provisions.

Section 7

Appeal

A decision on the imposition of an interim prohibition of measures may be appealed to an administrative court as provided in the Administrative Judicial Procedure Act (586/1996). A decision of the administrative court may only be challenged if the Supreme Administrative Court grants leave to appeal.

In its decision on the interim prohibition, the ministry referred to in section 2 above may specify in its decision that the decision shall be complied notwithstanding any appeal, unless otherwise ordered by the appellate court.

Section 8

Entry into force

This Act enters into force on 1 January 2020.

This Act repeals the Act on the Redemption of Assets for Defence Purposes (1301/1996).