

Translation from Finnish

Legally binding only in Finnish and Swedish

Ministry of the Interior, Finland

Money Collection Act

(863/2019; amendments up to 62/2020 included)

By decision of Parliament, the following is enacted:

Chapter 1

General provisions

Section 1

Scope of application

This Act lays down provisions on organising money collections and supervising their appropriateness.

This Act also applies to money collections whose purpose is to raise funds in the form of virtual currencies referred to in section 2, paragraph 9.

This Act does not apply to:

- 1) help given to neighbours;
- 2) appeals to the public to acquire property through last wills and testaments;
- 3) requests for donations presented in connection with invitations and interviews related to private individuals' special occasions as well as death notices and obituaries;
- 4) money collection organised by early childhood education and care groups, teaching groups or established study or hobby groups, provided the funds raised are used to promote the studies or hobby activities, and provided the duties related to money collection are the responsibility of a person with legal capacity, and provided the money collection is organised at an event arranged by

the early childhood education and care group, teaching group, study or hobby group, day-care centre, school or other party;

5) collections or other corresponding monetary donations gathered from among those participating in public religious worship organised by a religious community referred to in the Act on Freedom of Religion (453/2003);

6) collections of monetary donations organised by an association or foundation registered in Finland, or by the Finnish Red Cross or its local or regional chapter referred to in the Act on the Finnish Red Cross (238/2000), provided the collection is arranged for purposes other than to support the business activities of the association, foundation or organisation, and provided the raising of funds is arranged among those participating in an event of the association, foundation or organisation, which event is open to the public, is free-of-charge and is held in a restricted area;

7) loan-based or investment-based crowdfunding as referred to in the Crowdfunding Act (734/2016) as well as crowdfunding intermediary operations.

Section 2

Definitions

In this Act:

1) *money collection* means activities in which funds are collected without compensation by appealing to the public;

2) *the public* means a group of persons that is not limited and defined in advance;

3) *appealing to the public* means a request or exhortation to donate money for money collection, expressed orally, in writing or in some other way;

4) *non-profit activities* mean activities undertaken for general social, cultural or ideological purposes, or other general civic activities;

5) *money collection licence* means the right granted to money collection organisers by the National Police Board permitting them to arrange money collection for an indefinite period of time;

6) *small-scale money collection* means money collection that is subject to notification and is limited in terms of its duration and the maximum amount to be collected;

7) *electoral money collection* means money collection that is organised to cover the expenses of the electoral campaign of a candidate in general elections;

8) *money collection account* means the bank account in which the money obtained through money collection is deposited;

9) *virtual currency* means a digital representation of value that is not issued or guaranteed by a central bank or a public authority, is not necessarily attached to a legally established currency and does not possess a legal status of currency or money, but is accepted by natural or legal persons as a means of exchange and which can be transferred, stored and traded electronically;

10) *virtual currency exchange service* means a party engaged in business or professional operations to exchange virtual currency into another currency;

11) *other management* means the board of directors, supervisory board, executive director, managing director, executive salaried employee and authorised signatory of the money collection organiser.

Section 3

Competent authorities

The National Police Board and the local police departments are responsible for the duties of the authorities referred to in this Act. The National Police Board is responsible for supervising compliance with this Act and for issuing guidance related to the organisation of money collections. Moreover, the National Police Board is responsible for taking action under this Act with respect to money collection that requires a money collection licence or a small-scale money collection notification, but which has been organised without such a licence or notification.

The National Police Board is responsible for publishing information about granting and cancelling money collection licences, and information about small-scale money collections and prohibited money collection, as well as for publishing information about annual reports and settlement of

accounts. Moreover, the National Police Board is responsible for compiling and publishing money collection statistics.

Chapter 2

Prerequisites for organising money collection

Section 4

Necessity of licences and notifications with respect to money collection

Money collection may be organised only if the National Police Board has granted a money collection licence. Small-scale money collections do not require a money collection licence, but they must be notified to the local police department.

Electoral money collections do not require a money collection licence, nor is notification necessary.

Section 5

Money collection organisers

A money collection licence can be granted to:

- 1) associations registered in Finland and with a non-profit purpose;
- 2) foundations registered in Finland and with a non-profit purpose;
- 3) political parties registered in the Party Register and with a non-profit purpose;
- 4) religious communities registered in Finland and with a non-profit purpose;
- 5) non-registered organisations operating in Finland and with a non-profit purpose, provided non-registration is due to their corporate status laid down in Finnish legislation;
- 6) universities referred to in section 1, subsection 2 of the Universities Act (558/2009);
- 7) universities of applied sciences referred to in the Universities of Applied Sciences Act (932/2014);

8) the Finnish National Gallery;

9) the Central Fund of the Evangelical Lutheran Church of Finland on behalf of the Fund for Church Social Work, parish unions of the Evangelical Lutheran Church of Finland or parishes not included in a parish union, and parishes of the Orthodox Church of Finland.

Small-scale money collections may be organised by:

1) associations registered in Finland;

2) foundations registered in Finland;

3) political parties registered in the Party Register;

4) religious communities registered in Finland;

5) the Finnish Red Cross and its local or regional chapters;

6) student unions referred to in section 46 and student nations referred to in section 47 of the Universities Act;

7) student bodies referred to in section 41 of the Universities of Applied Sciences Act;

8) parish unions of the Evangelical Lutheran Church of Finland or parishes not included in a parish union, and parishes of the Orthodox Church of Finland;

9) non-registered groups formed by at least three natural persons, at least one of whose members is a person with legal capacity and all of whose other members have reached the age of 15 years, and all of whose municipality of residence as referred to in the Municipality of Residence Act (201/1994) is in Finland.

Electoral money collections may be organised by associations acting exclusively in support of candidates in general elections or by the party associations referred to in section 8, subsection 1 of the Act on Political Parties (10/1969).

Money collection licences are not granted to the State, municipalities or joint municipal authorities, nor may these bodies organise small-scale money collections. The bodies referred to in subsections 1 and 2 may organise money collection for the operations of the State, municipalities or joint municipal authorities.

Section 6

Purpose of money collection

Money collection may be arranged in order to raise funds exclusively for non-profit activities.

Money collection shall not be arranged to fund activities that clearly endanger public order or security, or that are illegal.

Notwithstanding the provisions of subsection 1:

- 1) money collection in the form of a small-scale money collection may also be organised for purposes other than non-profit activities, but not, however, for supporting a business activity or for accumulating wealth for a legal person;
- 2) universities have the right to organise money collection to raise funds for the duties referred to in section 2 of the Universities Act;
- 3) universities of applied sciences have the right to organise money collection to raise funds for the duties referred to in section 4 of the Universities of Applied Sciences Act;
- 4) the Finnish National Gallery has the right to organise money collection to raise funds for the duties referred to in section 2 of the Finnish National Gallery Act (889/2013);
- 5) the Central Fund of the Evangelical Lutheran Church of Finland on behalf of the Fund for Church Social Work, parish unions of the Evangelical Lutheran Church of Finland or parishes not included in a parish union, and parishes of the Orthodox Church of Finland, have the right to organise money collection in order to finance church social work.
- 6) money collection may be organised to raise funds to help individuals or families facing financial difficulties;

7) money collection may be organised to raise funds to promote the study or hobby activities of early childhood education and care groups, teaching groups or established study or hobby groups.

The Central Fund of the Evangelical Lutheran Church of Finland, when acting on behalf of the Fund for Church Social Work, parish unions of the Evangelical Lutheran Church of Finland or parishes not included in a parish union, and parishes of the Orthodox Church of Finland, shall not organise money collection for the maintenance of the buildings and movables of parishes or parish unions, or to cover staff expenses, burial services or population registration.

Section 7

Prohibited arrangements

It is prohibited:

- 1) to organise money collection together with the organisation of lotteries or other activities in which participants are promised wins based in whole or in part on chance;
- 2) to organise money collection in such a way that it is in obvious danger of being confused with trading or the acquiring of members for an association;
- 3) to organise money collection in such a way that donors in the money collection are rewarded with other than the collection emblem of the money collection or money collection organiser that is of little value;
- 4) when organising money collection, to provide the public with substantially false or misleading information on the purpose of the money collection, or on its organiser, or on the purpose of its organiser's activities;
- 5) to harass, force or otherwise pressure donors in a way that is likely to lead to them making a decision to donate, which would not have been made without such pressure.

Moreover, it is also prohibited to collect money or virtual currency:

- 1) by using chain mail in such a way that participants are promised financial benefits for sending chain letters forward, or in a manner comparable to chain mail whereby messages sent in electronic

or other form urge the recipient to send money or virtual currency to those that have joined the activity earlier;

2) in the form of a pyramid scheme, whereby the earning or winning chances of persons joining the scheme consist partly or fully, and without compensation, of the participation payments or other non-recurring or recurring payments made by those joining the activity later.

Chapter 3

Money collection licence

Section 8

Applying for a money collection licence

Money collection licence applications are submitted to the National Police Board. Licence applications can be made electronically.

Applications shall contain the following information:

- 1) the name and other identifying data of the applicant, including contact details;
- 2) the persons belonging to the applicant's statutory governing body or other management, or those exercising its actual decision-making powers, who, in that position, make decisions on issues related to money collection arrangements, and their personal identity codes;
- 3) the purpose of the applicant's activities;
- 4) the latest adopted financial statements of the organisation or foundation, or a corresponding account of the applicant's financial status;
- 5) the non-profit purpose of the funds to be raised or their purpose specified in section 6, subsection 3, paragraphs 2–7;
- 6) the bank accounts to be used in the money collection, and the details concerning their user rights.

Further provisions on the content, form and appendices of the application may be given by decree of the Ministry of the Interior.

Section 9

Obstacles to the granting of a money collection licence

Applications for a money collection licence shall be rejected if:

- 1) the requirements related to the money collection organiser or purpose, laid down in section 5, subsection 1, or in section 6, are not met;
- 2) a person belonging to the applicant's statutory governing body or other management, or exercising actual decision-making powers, and who, in that position, makes decisions on issues related to money collection arrangements, has been sentenced to imprisonment by a final judgment issued during the five years preceding the date of arrival of the application, or, during the three years preceding the date of arrival of the application, has been sentenced to a fine for an offence that is likely to jeopardise the integrity of the money collection or is likely to undermine confidence in the fulfilment of the money collection purpose;
- 3) the applicant has, during its previous money collection, repeatedly or seriously violated the present Act or the provisions issued under it, any provisions of law in force at the time of the entry into force of this Act, or any licence conditions attached to a money collection licence granted under the act that was in force at the time of the entry into force of this Act.

The application can be rejected if:

- 1) the applicant is insolvent;
- 2) there are reasonable grounds to believe, in view of the information given in the application and other data obtained from the information systems of the authorities, that the applicant will not comply with the provisions issued on money collection.

Section 10

Licence decision and licence number

The money collection licence is granted by the National Police Board.

The money collection licence shall be accompanied by a unique licence number for the licence holder.

Section 11

Notifications of changes in circumstances

Holders of money collection licences shall notify the National Police Board in writing of:

- 1) any changes occurring in the management of the organisation or foundation after the money collection licence was granted;
- 2) any changes related to the licence holder and the purpose of money collection and materially affecting the fulfilment of the conditions for the organisation of the money collection.

The notification shall be made within one month of the change.

Section 12

Filing of annual reports

Within six months of the end of each financial year, the holder of the money collection licence shall file an annual report with the National Police Board for the purpose of supervising the money collection and publishing the money collection data. The National Police Board will review and approve the annual report.

The annual report shall contain the following information:

- 1) the licence holder;
- 2) an account of the money collections organised during the financial year;
- 3) the income from money collection during the financial year;
- 4) the itemised expenses incurred in arranging money collection during the financial year;

5) an account of the use of the raised funds;

6) the financial statements and balance sheet, including notes, for the financial year.

If the licence holder is a legal person with an auditor, the auditor's report shall be appended to the annual report. The auditor's statement shall clarify the reconciliation of the money collection income and expenses, as reported in the annual report, with the licence holder's accounts.

Further provisions may be given by decree of the Ministry of the Interior on the content and format of the annual report, the content of the auditor's report, public access to the annual report information, the related time limits for accessing the information and the storage of the annual reports.

Section 13

Provision of annual plans

The licence holder shall provide the National Police Board with an annual plan for money collections to be organised in the financial year following each annual report. The annual plan can be submitted together with the annual report, or no later than two months prior to the beginning of the following financial year.

Based on the information given in the annual plan, the National Police Board may impose an obligation on the licence holder to inform the National Police Board regarding the secondary use of the raised funds pursuant to section 6, if it is justified to ensure the appropriate use of the funds to be raised.

Further provisions may be given by decree of the Ministry of the Interior on the content and format of the annual plan, public access to the annual plan information, the related time limits for accessing the information and the storage of the annual plans.

Section 14

Prohibiting money collection and the use of raised funds, and the imposition of conditional fines

The National Police Board may prohibit the organisation of money collection and the use of raised funds, and may forbid the deposit bank from releasing the raised funds from the money collection account if:

- 1) the licence holder has failed to submit an annual report laid down in section 12, subsection 1 or a new annual report laid down in section 29;
- 2) the licence holder has failed to notify changes in circumstances in accordance with section 11;
- 3) the National Police Board has reasonable grounds to suspect that the organisation of money collection or the use of raised funds is being, or has been, conducted in a manner that is materially in violation of this Act or any provisions issued under it.

The National Police Board may also prohibit the organisation of money collection and the use of raised funds, if the licence holder is insolvent. The National Police Commissioner or a public official of the National Police Board, appointed by him or her, shall decide on any order to prohibit the deposit bank from releasing raised funds from the money collection account.

Decisions of the National Police Board prohibiting the organisation of money collection or the use of raised funds or the release of funds from the money collection account shall be in force for a maximum of 60 days. The National Police Board may extend the period of validity of the decision by a maximum of 60 days, if a wrongful act, omission or changed circumstance in the organisation of money collection or in the use of raised funds has not been corrected. The National Police Board shall grant permission to continue the money collection once the grounds for the prohibition decision have ceased to exist.

The National Police Board may impose a conditional fine in order to reinforce the prohibition.

Section 15

Cancellation of money collection licences and written warnings

The National Police Board shall cancel a money collection licence if:

- 1) the licence holder so requests; or

2) the conditions laid down in section 5, subsection 1 or section 6 regarding the money collection organiser or purpose are no longer met, and the licence holder has not corrected any remediable shortcomings within a reasonable time period.

The National Police Board may cancel a money collection licence if:

1) the licence holder, or a person belonging to the licence holder's statutory governing body or other management, or exercising actual decision-making powers in these bodies, and who, in that position, decides on issues related to money collection arrangements, has, after the granting of the licence and during five years preceding the date when the National Police Board was informed of the matter, been sentenced to imprisonment by a final judgment, or has, during three years preceding the date when the National Police Board was informed of the matter, been sentenced to a fine for an offence that is likely to jeopardise the integrity of the money collection or is likely to undermine confidence in the fulfilment of the money collection purpose;

2) the licence holder has repeatedly or seriously violated the present Act or the provisions issued under it;

3) the licence holder has provided the National Police Board with false or misleading information on circumstances that would have been likely to substantially influence the granting of a money collection licence, or has concealed such a circumstance;

4) the licence holder is insolvent.

The National Police Board shall issue a written warning to the licence holder in the situations referred to in subsection 2 rather than cancelling the money collection licence, if cancellation of the licence would be disproportionate in the circumstances.

The National Police Board may issue a written warning to the licence holder, if it, in a manner other than that referred to in section 2, subsection 2, violates this Act or the provisions issued under it, or if it provides the National Police Board with false or misleading information, other than that referred to in section 2, subsection 3, about a circumstance which is likely to influence the granting of a money collection licence, or if it conceals such a circumstance.

Section 16

Issuing final settlement of accounts

If the National Police Board has cancelled the money collection licence, the licence holder shall, within one month from the receipt of the decision concerning the cancellation, provide the National Police Board with a final settlement of accounts. The National Police Board will review and approve the final settlement of accounts.

The final settlement of accounts shall contain the information specified in section 12, subsection 2.

Chapter 4

Small-scale money collections

Section 17

Prerequisites for organising small-scale money collections

A written notification of a small-scale money collection shall be made to the local police department at least five working days before the start of the money collection. The notification can be made electronically.

A maximum of EUR 10,000 may be collected by means of small-scale money collections. The duration of the small-scale money collection shall not exceed three months.

The party referred to in section 5, subsection 2 may organise a small-scale money collection no more than two times per calendar year. A natural person who is a member of the group referred to in paragraph 9 of the said subsection 2 may participate in arranging no more than two small-scale money collections per calendar year.

Section 18

Notification of small-scale money collections

The notification of small-scale money collections shall contain the following information:

- 1) the organiser of a small-scale money collection and the organiser's identification data and contact information;

- 2) the persons belonging to the statutory governing body or other management of the organiser of a small-scale money collection, or those exercising actual decision-making power, who, in their position, decide on the issues related to the small-scale money collection arrangements, and their personal identity codes if the organising party is an organisation or a foundation;
- 3) the estimated income from the money collection;
- 4) the specified primary and secondary use of the raised funds;
- 5) the estimated expenses incurred by the money collection;
- 6) the period in which the small-scale money collection will take place;
- 7) the bank accounts to be used in the small-scale money collection, as well as the details concerning their user rights.

Further provisions on the content, form and appendices of a notification of a small-scale money collection may be given by decree of the Ministry of the Interior.

Section 19

Small-scale money collection number

The local police department shall provide the organiser of a small-scale money collection with a small-scale money collection number, once the organiser has made the notification of a small-scale money collection.

A small-scale money collection may be launched when the organiser has received the small-scale money collection number, or, at the latest, five working days after filing the notification of a small-scale money collection.

Section 20

Obligation to suspend a small-scale money collection

The organiser of a small-scale money collection shall be obliged to monitor the amount of funds raised.

The organiser of a small-scale money collection shall suspend the money collection immediately if the funds thereby raised exceed the maximum amount laid down in section 17, subsection 2. All suspensions of money collections shall be notified to the local police department.

Section 21

Prohibition of small-scale money collection and the use of raised funds

The local police department shall prohibit the organisation of small-scale money collection and the use of raised funds, if the requirements related to the organiser or the purpose of the small-scale money collection, laid down in section 5, subsection 2 and section 6, are not met.

The local police department may prohibit the organisation of small-scale money collection and the use of raised funds, if:

- 1) the organiser of a small-scale money collection or a person belonging to the organiser's statutory governing body or other management, or exercising actual decision-making powers in these bodies, and who, in that position, decides on issues related to money collection arrangements, has been sentenced to imprisonment by a final judgment issued during the five years preceding the making of a notification of a small-scale money collection, or, during the three years preceding the making of a notification of a small-scale money collection, has been sentenced to a fine for an offence that is likely to jeopardise the integrity of the small-scale money collection or is likely to undermine confidence in the fulfilment of the small-scale money collection purpose;
- 2) the local police department has reasonable grounds to suspect that the organisation of money collection or the use of raised funds is being, or has been, conducted in a manner that is materially in violation of this Act or any provisions issued under it;
- 3) the organiser of a small-scale money collection has, during its previous money collections, repeatedly or seriously violated the present Act or the provisions issued under it, any provisions on money collection in force at the time of the entry into force of this Act, or any licence conditions attached to the money collection licence granted under the act in force at the time of the entry into force of this Act;

4) the organiser of the small-scale money collection has failed to provide the information prescribed to be notified in the small-scale money collection notification, or has given false or misleading information.

In the situations referred to in subsections 1 and 2, the Police Chief of the local police department, or a police officer with the power of arrest appointed by him or her, may prohibit the deposit bank from releasing the raised funds from the money collection account.

The decision of the local police department to prohibit the organisation of money collection and the use of the raised funds or the release of the funds from the money collection account, may be in force for a maximum of 60 days. The police department can extend the period of validity of the decision by a maximum of 60 days if a wrongful act, omission or changed circumstance in the organisation of money collection or in the use of raised funds has not been corrected. If the grounds for the prohibition decision have ceased to exist, the police department will make a decision regarding the small-scale money collection organiser's right to start the money collection and use of the raised funds, or to continue the money collection and the use of the raised funds or the deposit bank's right to release the raised funds.

If the wrongful act, omission or changed circumstances in the organisation of money collection or in the use of the raised funds has not been corrected by the small-scale money collection organiser during the period of validity of the prohibition referred to in subsection 4, the notification of the small-scale money collection will lapse.

The police department may impose a conditional fine in order to reinforce the prohibition.

Section 22

Issuing settlement of accounts of small-scale money collection

No later than two months after the end of the money collection, the organiser of a small-scale money collection shall provide the local police department with a settlement of accounts of the small-scale money collection for the supervision of the raised funds and publication of the money collection information. The police department will review and approve the settlement of accounts.

The settlement of accounts of the small-scale money collection shall contain the following information:

- 1) the organiser of the money collection;
- 2) the income from the money collection;
- 3) an account of the use of the raised funds;
- 4) the itemised expenses incurred in arranging money collection;
- 5) the period in which the small-scale money collection took place;
- 6) a bank statement of the money collection account or other reliable information on the use of the money collection account from the start of the money collection until the date of the settlement of accounts.

The organiser of the small-scale money collection shall file a notification with the local police department when the funds raised have been used for the purpose of the money collection.

Further provisions may be given by decree of the Ministry of the Interior on the content and form of the settlement of accounts of the small-scale money collection and the notification referred to in subsection 3, public access to the settlement of accounts, the related time limits for accessing the information and the storage of the settlement of accounts.

Chapter 5

Electoral money collections

Section 23

Prerequisites for organising electoral money collections

An electoral money collection may be organised to cover the expenses of an electoral campaign, starting no earlier than six months prior to and ending no later than two weeks after the election day.

Section 24

Prohibition of the organisation of electoral money collection and the use of raised funds

The National Police Board shall prohibit the organisation of electoral money collection and the use of raised funds, if the requirements related to the organiser or the purpose of the electoral money collection, laid down in section 5, subsection 3 or section 23, are not met.

The National Police Board may prohibit the organisation of the electoral money collection and the use of raised funds, if:

1) the organiser of the electoral money collection or a person belonging to its statutory governing body or other member of its management exercising its actual decision-making powers, and who, in that position, decides on issues related to money collection arrangements, has been sentenced to imprisonment by a final judgment issued during the five years preceding the start of the electoral money collection, or has been sentenced to a fine during the three years preceding the date of the start of the money collection, for an offence that is likely to jeopardise the integrity of the electoral money collection or to undermine confidence in the fulfilment of the electoral money collection purpose;

2) the National Police Board has reasonable grounds to suspect that the organisation of the electoral money collection or the use of the raised funds is being, or has been, conducted in a manner that is materially in violation of this Act or any provisions issued under it;

3) the organiser of the electoral money collection has, during its previous electoral money collections or other money collections, repeatedly or seriously violated the present Act or the provisions issued under it, or any provisions on money collection in force at the time of the entry into force of this Act.

In the situations referred to in subsections 1 and 2, the National Police Commissioner or, a public official of the National Police Board appointed by him or her, may prohibit the deposit bank from releasing the raised funds from the money collection account.

The decision of the National Police Board to prohibit the organisation of electoral money collection or the use of the raised funds or the release of the funds from the money collection account, may be in force for a maximum of 60 days. The National Police Board can extend the period of validity of the decision by a maximum of 60 days if a wrongful act, omission or changed circumstance in the organisation of electoral money collection or in the use of the raised funds has not been corrected. If the grounds for the prohibition decision have ceased to exist, the National Police Board will grant permission to continue the electoral money collection.

The National Police Board may impose a conditional fine in order to reinforce the prohibition.

Section 25

Issuing settlement of accounts of electoral money collections

No later than two months after the end of the money collection, the organiser of the electoral money collection shall provide the National Police Board with a settlement of accounts of the electoral money collection for the supervision of the raised funds and publication of the electoral money collection information.

The settlement of accounts of the electoral money collection shall contain the following information:

- 1) the organiser of the electoral money collection;
- 2) the income of the electoral money collection;
- 3) an account of the use of the raised funds;
- 4) the itemised expenses incurred in arranging electoral money collection;
- 5) the period in which the electoral money collection took place;
- 6) a statement of the money collection account or other reliable information on the use of the money collection account during the period of the money collection.

If the organiser of the electoral money collection has an auditor, the settlement of accounts shall be accompanied with the auditor's statement.

Further provisions may be given by decree of the Ministry of the Interior on the content and form of the settlement of accounts of the electoral money collection, the content of the auditor's report, on public access to the settlement of accounts, the related time limits for accessing the information and the storage of the settlement of accounts.

Chapter 6

Use and supervision of raised funds

Section 26

Money collection account

For the purpose of money collection, the organiser shall have a money collection account. The group constituted by the natural persons referred to in section 5, subsection 2, paragraph 9 shall have a separate bank account to deposit the funds raised.

The money collection account shall be in a Finnish deposit bank or in the Finnish branch of a deposit bank with a licence obtained in a State belonging to the European Economic Area.

If the organiser of the money collection has received virtual currency as a part of the money collection, the organiser shall exchange the received virtual currency into money through a virtual currency exchange service and deposit the funds in the money collection account prior to filing the annual report, the final settlement of accounts, or the settlement of accounts of a small-scale or electoral money collection.

Section 27

Use, storage and handling of funds raised

The funds raised shall be used for the purpose referred to in section 6, subsection 1 or subsection 3, paragraphs 2–7 that was notified to the National Police Board in the application for a money collection licence, or for the primary purpose referred to in section 6, subsection 3, paragraph 1 that was submitted to the local police department in the notification for a small-scale money collection.

If the raised funds or part thereof cannot be used for the purpose referred to in subsection 1, or it is not appropriate due to a substantial change in circumstances or for other reasons:

- 1) the National Police Board can, upon application by the licence holder, change the purpose of use of the funds; or
- 2) the funds shall be used for a secondary use, notified to the National Police Board under section 13, subsection 2 or to the local police department under section 18, subsection 1, paragraph 4.

A reasonable share of the raised funds may be used for essential direct expenses for the organisation of the money collection.

The storage and handling of the raised funds shall be organised in a reliable manner. The money collection organiser shall ensure that the raised funds are kept clearly separate from the money collection organiser's own funds.

Section 28

Transfer of immovable property or change of its purpose of use

If the purpose of use of the raised funds is to acquire or refurbish immovable property, the assets or the right of its possession shall not be transferred or the purpose of use of the assets changed during the ten years following the finalisation of the acquisition or refurbishment unless the National Police Board grants permission for it upon application.

The application for the change in the purpose of use of immovable property or for the transfer of title or right of possession shall contain the following information:

- 1) the organiser of the money collection;
- 2) the purpose of use of the immovable property at the time of the application;
- 3) the planned purpose of use of the immovable property;
- 4) the purpose of use of the funds obtained through the transfer of the immovable property.

The application shall contain the document, or a copy thereof, related to the acquisition of the immovable property or the respective right of possession.

In the permission referred to in subsection 1, the National Police Board will decide on the reuse of the funds obtained through the transfer of the title or right of possession of the immovable property, either for a purpose indicated by the money collection organiser as referred to in subsection 2, paragraph 3, or a purpose in line with the money collection organiser's operations, or associated purpose.

Further provisions may be given by decree of the Ministry of the Interior on the content and appendices of the application submitted for the transfer or change of purpose of immovable property.

Section 29

Corrections to annual report and settlement of accounts

The National Police Board may require a new annual report, final settlement of accounts or settlement of accounts of an electoral money collection, and the local police department may require a new settlement of accounts for a small-scale money collection if the annual report or settlement of accounts filed were incomplete, or require the documents to be supplemented or corrected if they contain typographical or arithmetical errors or similar minor shortcomings or faults.

The new annual report or settlement of accounts, supplement or correction to the annual report or settlement of accounts referred to in subsection 1 shall be filed within a reasonable time limit set by the authorities.

Section 30

Right to obtain information

The National Police Board and the local police department have the right to obtain essential information directly related to the supervision of the organisation of money collections:

- 1) free of charge from the organiser of the money collection and the service providers used for the organisation of the money collection, notwithstanding the trade secret binding the member, accountant, auditor, managing director, board member or an employee of the corporate entity;
- 2) from the deposit bank in which the money collection account or other bank account of the money collection organiser is, notwithstanding the secrecy obligation under the Act on Credit Institutions (610/2014);
- 3) free of charge from an authority or a corporate entity assigned with a public duty, notwithstanding the secrecy obligation;
- 4) from a corporate entity or foundation to which the raised funds are factually directed to materialise the purpose of use, notwithstanding the trade secret binding on the member, accountant, auditor, managing director, board member or employee of the corporate entity or foundation.

The National Police Board and the local police department have the right to obtain the information referred to in subsection 1, paragraph 3 also through a technical interface or in electronic form.

The National Police Board has the right to obtain information necessary for compiling money collection statistics free of charge from the money collection organiser.

Section 31

Appointing a trustee

The National Police Board may appoint a trustee to take possession of the raised funds and to issue the settlement of accounts for them, at the expense of the money collection organiser, if the National Police Board has cancelled the licence under section 15 or the local police department has prohibited the organisation of a small-scale money collection or the use of the raised funds under section 21, and the organiser of the small-scale money collection has not corrected the wrongful act, omission or changed circumstance during the validity of the prohibition referred to in section 21, subsection 4.

The trustee appointed may be an attorney-at-law, public legal aid attorney or a licenced legal counsel referred to in the Licenced Legal Counsel Act (715/2011).

The National Police Board will decide on the use of the funds taken into possession for a primary purpose of the money collection, or another purpose close to it.

Chapter 7

Miscellaneous provisions

Section 32

Money collection register

To perform their duties laid down in this Act, the National Police Board and the local police departments maintain a money collection register on the applications for money collection licences, licence receivers, cancellations of money collection licences, notifications for small-scale money collections, decisions prohibiting the organisation of money collections, written warnings, annual reports, annual plans and settlement of accounts.

The Act on the Processing of Personal Data by the Police (616/2019) applies to the processing of personal data in the police registers.

Section 33

Disclosure of information via a public information network

Notwithstanding the provisions of section 16, subsection 3 of the Act on the Openness of Government Activities (621/1999), the National Police Board may disclose information from the money collection register via a public information network to inform the general public regarding money collection licence holders, small-scale money collection organisers, purpose of the money collection as well as the income and expenses of an organised money collection. However, the authorities shall not disclose the code element of the money collection organiser's personal identity code.

Section 34

Obligation to provide information at requests of donations

The organiser of the money collection shall ensure that the public obtains at least the following information in a clear and understandable manner when a donation is requested:

- 1) the organiser of the money collection;
- 2) the purpose of use of the funds to be raised referred to in section 6, subsection 1 or subsection 3, paragraphs 2–7 that was notified to the National Police Board, or the purpose referred to in section 6, subsection 3, paragraph 1 that was submitted to the local police department in the notification for a small-scale money collection;
- 3) the licence number or small-scale money collection number.

In addition to the information under subsection 1, the contact details of the money collection organiser as well as the secondary purpose of use referred to in section 13, subsection 2 or section 18, subsection 1, paragraph 4 shall be made available to the public in a clear and understandable manner.

Section 35

Request for review

Provisions on requesting a judicial review by an administrative court are laid down in the Administrative Judicial Procedure Act (808/2019).

Decisions concerning cancellation, prohibition or expiry made under sections 14, 15, 21 and 24 of this Act shall be complied with regardless of any request for review unless otherwise ordered by an administrative court. Provisions on requesting a review of a decision concerning the imposition of a conditional fine and the ordering of its payment are laid down in section 24 of the Act on Conditional Fines (1113/1990).

Section 36

Penal provisions

Anyone who intentionally

- 1) fails the duty under section 11 to notify changes in circumstances,
- 2) fails the duty under section 20 to interrupt a small-scale money collection if the funds thereby raised exceed the maximum amount set in section 17, subsection 2,
- 3) fails to file the annual report or settlement of accounts under section 12, subsection 1; section 16, subsection 1; section 22, subsection 1; or section 25, subsection 1,
- 4) fails to file the new annual report or settlement of accounts under section 29,
- 5) organises, in connection with the money collection, a lottery or some other function in which participants are promised wins based in whole or in part on chance, in violation of the prohibition under section 7, subsection 1, paragraph 1,
- 6) organises a money collection in a way involving an obvious risk that trading or acquiring members for an association may be confused with the money collection, in violation of the prohibition under section 7, subsection 1, paragraph 2, or

7) when organising the money collection, provides the public with significant untruthful or misleading information on the purpose or the party organising the collection, or the purpose of its activities, in violation of the prohibition under section 7, subsection 1, paragraph 4,

shall be sentenced to a fine for *money collection violation* unless a more severe punishment for the act is laid down elsewhere by law.

The provisions on money collection offences and petty money collection offences are laid down in chapter 17, sections 16c and 16d of the Criminal Code (39/1889).

Provisions on forfeiture order are laid down in chapter 10 of the Criminal Code.

Section 37

Entry into force

This Act will enter into force on 1 March 2020.

This Act repeals the Money Collection Act (255/2006).

A money collection arranged on the basis of a money collection licence granted before the entry into force of this Act, as well as the use and rendering of accounts of the funds thereby collected, are subject to the provisions in force at the time of granting of the money collection licence and to the terms set in the licence.

A licence matter, including a request for review concerning such a matter, which has been initiated before the entry into force of this Act is subject to the provisions in force at the time of the entry into force of this Act.