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**State Compensation for Witnesses Act (666/1972)**  
(amendments to 743/2015 included)

***Presentation of testimony in court***

**Section 1 (494/2012)**

A witness summoned to court by the prosecutor or a criminal investigation authority, or by order of the court in other than a civil case, has the right to reasonable compensation from State funds for travel and living expenses as well as for financial loss. A witness has the right to the compensation provided in this Act also when he or she is heard by telephone or video-conference.

**Section 2 (1257/1988)**

The court may, in a criminal case brought by the prosecutor, order compensation from State funds in accordance with the grounds established in this Act also to a witness brought by another party, if his or her testimony has been necessary for the clarification of the case. Compensation may similarly be ordered paid to a witness heard by the suspect or the injured party in a case regarding coercive measures. If a party has already paid compensation to a witness, the court shall order that he or she be paid a corresponding amount from State funds. Said amount shall not, however, exceed the amount that in accordance with this Act is to be paid to the witness.

**Section 3**

A party and his or her lawful representative who has been ordered or summoned to appear before the court in person in order to clarify the case has the right to the same compensation as a witness. Any compensation awarded in the judgment shall be taken into consideration as a deduction when awarding the recipient compensation for trial costs.

**Section 4**

If a witness, a party or his or her lawful representative who receives compensation from State funds requires an escort in order to appear before the court, also the escort shall be awarded compensation upon the grounds established in this Act.

**Section 5**

The compensation for travel expenses includes the necessary expenses incurred because of the travel.

### **Section 6**

The compensation for living expenses includes a per diem allowance and compensation for accommodation.

### **Section 7** (439/2013)

(1) The compensation for financial loss includes loss of earnings or other income, wages justifiably paid to a substitute and to a home attendant or childminder, as well as other justifiable substantive loss that the person entitled to the compensation has incurred by arriving in court.

(2) An amount that the person entitled thereto demonstrates in a reliable manner having lost shall be paid as compensation for financial loss.

(3) The maximum amount in euros paid for financial loss is established by a Decree.

### **Section 8**

At the conclusion of the hearing of a witness or other person entitled to compensation from State funds, the chairman of the court shall inquire whether or not said person requests compensation referred to in this Act. At the conclusion of the consideration of the case for the day, the decision or judgment shall separately establish the amounts to be paid as compensation for travel expenses, living expenses and financial loss. Any advances that have been paid shall be taken into consideration as a deduction.

### **Section 9**

If a witness or other person entitled to compensation from State funds requests, as compensation for travel expenses, living expenses or financial loss, a sum in excess of what may be paid from State funds, the party who, under this Act, is ordered to reimburse the State for compensation paid to the witness may at the same time be ordered to pay additional compensation that is deemed reasonable.

### **Section 10**

A court decision or judgment on the compensation awarded to a witness is subject to appeal as provided for in Chapter 17, section 42 of the Code of Judicial Procedure.

*[section 10 has been amended as of 1 January 2016 to read as follows:*

*Chapter 17, section 68 contains provisions on appeal of a court decision or judgment on the compensation awarded to a witness.(743/2015)]*

### **Advance payments**

### **Section 11**

(1) A person summoned as witness as well as any other person who is entitled to compensation from State funds has the right to receive an advance payment from said funds for the travel expenses referred to in section 5. An advance may also be paid for living expenses if this is deemed justified in view of the nature of the case and the circumstances of the person entitled to the compensation.

(2) Information on the right to an advance and on the procedure to be followed in securing such an advance shall be provided in connection with the summons.

**Section 12** (494/2012)

A person seeking an advance shall request this from the chief of police of the municipality in which he or she is residing or from the civil servant that has been appointed by the chief of police to deal with matters related to advance payments. In submitting the request, the person making the request shall provide proof that he or she has been summoned to the court and, if necessary, provide a statement of the travel and living expenses incurred.

**Section 13**

A decision shall be given immediately upon the request, establishing the amount to be granted as an advance separately for travel and living expenses. Notice of the decision shall be sent without delay to the court to which the person receiving the advance is to travel. If notice of the decision shall apparently not reach the court before the hearing of the case, timely notice of the granting of the advance shall be given to the court also in another manner.

**Section 14**

A decision on the granting of an advance is not subject to appeal.

**Section 15**

If the person who has collected an advance has not fulfilled the duty for which the advance has been granted, the court shall order him or her to pay back the advance to the extent that it has not been used to cover the expenses referred to in section 11. A decision may be made on this without hearing the recipient.

***Supplementary provisions***

**Section 16** (697/1997)

Chapter 9, section 1 of the Criminal Procedure Act (689/1997) contains provisions on ordering the defendant to pay to the State an amount paid by the State on the basis of the present Act.

**Section 17**

If the charges or other claims are dismissed without considering the merits, rejected or if they lapse, the court shall consider whether compensation to be paid from State funds to a witness or another person entitled thereto are to be borne by the State or whether the injured party shall be ordered to reimburse the State for this compensation.

**Section 18** (822/2011)

Compensation paid to a witness in a coercive measure case and in the hearing referred to in Chapter 7, section 9 of the Criminal Investigation Act (805/2011) is borne by the State. Similarly, compensation paid in a case concerning extradition on the basis of an offence is borne by the State.

**Section 19** (439/2013)

Supplementary provisions on the basis for the calculation of travel for which compensation shall be paid and for the calculation of travel expenses, on the amount of the per diem allowance and the accommodation compensation and the basis for their calculation shall be issued by a Decree. Supplementary provisions also on the practical procedure for compensation of the expenses of witnesses and on advances may be issued by a Decree.

**Section 20**

This Act enters into force on 1 January 1973 and it repeals the Act on Compensation to Witnesses From State Funds Act (333/1938) as well as the 1892 Proclamation on Fees for Witnesses.