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Security Stewards Act

(533/1999; amendments up to 622/2003 included)

Section 1

Scope of application

- (1) This Act lays down provisions on the obligations and powers of persons who have been appointed to maintain order and security (*security stewards*) under the Assembly Act (530/1999), the Outdoor Recreation Act (606/1973), the Seamen's Act (423/1978), the Public Order Act (612/2003) or the Decree on Accommodation and Catering Firms (727/1991) while they are on duty, and on granting certification to such persons for these duties to the extent not otherwise provided in the above-mentioned Acts or in any other Act. (622/2003)
- (2) This Act also applies to persons who, by virtue of a contract as referred to in section 9(2) of the Private Security Services Act (282/2002), have been appointed to perform the duties of security stewards under one of the statutes mentioned in subsection 1. In addition to the provisions of this Act, the provisions of the Seamen's Act and any other provisions on work at sea apply to employees as referred to in section 1 of the Seamen's Act who have been appointed as security stewards under the Seamen's Act. (285/2002)
- (3) Provisions on the right to interrupt a public meeting or event or to order it to be terminated are laid down in the Assembly Act.

Section 2

Duties and area of operation of security stewards

- (1) Persons to whom the police have granted security steward certification as laid down in section 10 and who are willing to perform security steward duties may be appointed as security stewards.
- (2) The duty of security stewards is to maintain order and security and to prevent crime and accidents at the event or site for which they have been appointed as

security stewards under one of the statutes mentioned in section 1(1) (*area of operation*).

- (3) Security stewards shall act in accordance with the provisions laid down by act and decree and comply with commands and orders issued by the police and rescue authorities or other authorities in advance or during the event.

Section 3

Principles of action to be observed

- (1) Security stewards shall give priority in their actions to measures that further the security of the public.
- (2) Security stewards shall act in an appropriate and objective manner and promote a conciliatory spirit. Security stewards shall maintain order and security in their area of operation primarily through advice, requests and orders.
- (3) Measures taken by security stewards shall be performed without causing more damage or inconvenience than is necessary to perform the duty.

Section 4

Safeguarding security in the area of operation

- (1) In particular, security stewards shall ensure that nobody's security is endangered in their area of operation. They shall notify the event organizer or site proprietor without delay of anything evidently endangering security that comes to their attention, and take necessary urgent measures immediately to preserve security, such as warning the public and directing them away from the danger area and removing the cause of the danger.
- (2) If the measures taken by the event organizer or site proprietor and the security stewards to prevent danger have proved insufficient, the security stewards shall report the factors endangering security to the police and, if necessary, to the rescue authorities.

Section 5

Protecting bystanders and the environment

- (1) Security stewards shall ensure that the event causes no danger or unreasonable disturbance to bystanders, traffic or to domestic peace.
- (2) Security stewards shall also ensure that within their area of operation other people's property is not damaged and that no damage is caused to the environment other than that which can be considered acceptable in regard to the purpose of the event and other circumstances.
- (3) Security stewards shall notify the event organizer or site proprietor without delay of any factors referred to in subsections 1 and 2 that come to their attention, and take action immediately to prevent danger, damage or disturbance.
- (4) If the measures taken by the event organizer or site proprietor and the security stewards to prevent the danger, disturbance or damage referred to in subsections 1 and 2 have proved insufficient, the security stewards shall report the danger, disturbance or damage to the police and, if necessary, to the rescue authorities.

Section 6

Preventing entry

- (1) Security stewards shall prevent from entering their area of operation any persons who, on account of their intoxication, behaviour or equipment, can on reasonable grounds be suspected of endangering order or security there or who do not meet the age requirement for entry.
- (2) Security stewards also have the right to prevent from entering their area of operation any persons who:
 - 1) on the basis of their earlier behaviour, can with reason be suspected of endangering order or security there;
 - 2) do not meet the requirements for entry imposed by the event organizer or site proprietor, but having due regard to the provisions on discrimination in the Penal Code (39/1889); or

3) can with reason be suspected of possessing objects or substances whose possession at the site is prohibited by law or by the conditions imposed by the event organizer or the police.

Section 7

Removal, apprehension and custody of individuals

- (1) Security stewards have the right to remove from their area of operation any persons who:
 - 1) in an intoxicated state are disturbing order or other persons there;
 - 2) in a threatening manner, by being noisy or acting violently are disturbing order or endangering security there; or
 - 3) despite being warned, fail to obey an essential order issued to maintain order or security.
- (2) If removal from the site is evidently insufficient and the disturbance or danger cannot otherwise be eliminated, security stewards have the right to apprehend the person, provided that apprehension is necessary in order to combat a serious danger to other people or to property. The apprehended person shall be handed over to the police without delay. Security stewards do not, however, have the right to apprehend anyone at a public meeting.
- (3) If an apprehended person cannot be handed over to the police without delay, security stewards have the right, provided that they obtain the consent of the police and comply with instructions issued by the Ministry of the Interior, to keep the person in custody for up to four hours after the apprehension, but in any case only up to the time the event has ended and the public has dispersed or the reason for the apprehension has otherwise ceased to be valid. (622/2003)
- (4) Anyone apprehended under this Act on board a vessel may, however, be kept in custody on the orders of the vessel's captain until the vessel is next in port, unless the reason for the apprehension has ceased to be valid prior to that.

Section 8

Prohibited objects and substances

- (1) Security stewards have the right to frisk with the aid of a metal detector or other such technical device anyone seeking to enter their area of operation or anyone inside the area, for the purpose of ensuring that they have no objects or substances on their person or with them that could endanger order or security, or whose possession within the area of operation is prohibited by law or the provisions issued under the law. By virtue of an order issued by the event organizer or the police under section 23(4) of the Assembly Act, or if for some other reason there are reasonable grounds to suspect that someone is in possession of such objects or substances, such persons may be frisked and the items with them checked in some other suitable manner.
- (2) Security stewards have the right in connection with apprehensions as referred to in section 7(2) to frisk apprehended persons to ensure that they are not in possession of any objects or substances that they could use to jeopardize the custody arrangements or cause danger to themselves or to others.
- (3) Security stewards have the right to take away any objects or substances referred to in subsections 1 and 2 found during a frisk. Security stewards also have the right to take away from anyone in their area of operation an object or substance found in a frisk or otherwise that could be used to commit homicide or cause bodily injury or to threaten to commit such an offence, or the bringing of which to the site is otherwise prohibited by law or the provisions issued under the law.
- (4) Objects and substances that have been taken away shall be handed over to the police without delay or, provided that there is no legal impediment, returned to their owners or holders when they leave the site.

Section 9

Use of forcible means

- (1) In discharging their duties, security stewards have the right to use such forcible means that are necessary and can be considered justifiable for the purpose of preventing the entry of persons, removing persons from the site, apprehending persons, frisking apprehended persons or preventing their getaway, taking away objects or substances or removing an obstacle.

- (2) When judging the justifiability of forcible means, due consideration shall be given to the importance and urgency of the task, the danger posed by any resistance, the available resources and other factors affecting the overall assessment of the situation.
- (3) The provisions of section 27 of the Police Act (493/1995) on the right of persons to use forcible means when temporarily assisting police officers also apply to security stewards assisting the police.
- (4) Provisions concerning the excessive use of forcible means are laid down in Chapter 4, sections 6(3) and 7 of the Penal Code. (520/2003)

Section 9a

Being accompanied by a dog (285/2002)

- (1) With the permission of the local police department within whose area of jurisdiction the event is located, a security steward may, while on duty, be accompanied by one dog:
 - 1) which has passed an obedience test meeting the requirements approved by the Ministry of the Interior;
 - 2) whose handler in the obedience test was the security steward in question;
 - 3) which is at least two but not more than 10 years old;
 - 4) which has been registered and identity-marked so that it can be reliably identified;
 - 5) which the security steward can control; and
 - 6) which has not displayed characteristics unsuitable for a dog accompanying a security steward on duty.
- (2) A security steward may be accompanied on duty by a dog meeting the requirements of subsection 1 for two years after the dog has passed the test referred to in subsection 1(1).

- (3) The permission referred to in subsection 1 may be granted if the extent, nature or location of the event requires the accompaniment of a dog for a good reason concerning the need to maintain order. During the event, the dog shall wear a muzzle that can be removed on the order of the police if, due to people's behaviour or for some other comparable reason, it is deemed that there is a threat to the security of the event participants.
- (4) Further provisions on organizing obedience tests for dogs used in security steward duties, on the requirements to be met in such tests and on registration and identity-marking of the dogs may be given by decree of the Ministry of the Interior.

Section 10

Security steward certification (622/2003)

- (1) Security steward certification may be granted to persons of full legal age who are suitable to perform the duties of security stewards and who have received the training specified by the Ministry of the Interior. Security steward certification is granted for a maximum of five years at a time by the local police department of the applicant's municipality of residence.
- (2) Taking into account the extent and nature of the event and for any other special reason, the local police department within whose area of jurisdiction the event is located can also grant security steward certification for an individual event to persons who do not have the training referred to in subsection 1.

Section 10a

Cancellation of security steward certification (622/2003)

- (1) The local police department within whose area of jurisdiction a security steward's municipality of residence is located shall cancel security steward certification if the security steward so requests.
- (2) Security steward certification can be cancelled altogether or for a fixed period if:

- 1) the security steward is no longer suitable to be a security steward in terms of his or her honesty, reliability or personal characteristics;
 - 2) the security steward has been sentenced under a final judgement for an offence that shows him or her to be unsuitable for the job, or if he or she has intentionally acted wrongly to a significant degree as a security steward; or
 - 3) the security steward has significantly violated the conditions and restrictions imposed in the security steward certification.
- (3) In the cases referred to in subsection 2, the local police department may, instead of cancelling the certification, issue an admonition to the security steward if cancellation would be unreasonable under the circumstances.

Section 10b

Temporary cancellation of security steward certification (622/2003)

- (1) A commanding police officer may temporarily cancel security steward certification if the police learn of facts that are likely to lead to full cancellation of security steward certification.
- (2) If security steward certification has been cancelled or if grounds exist for temporary cancellation of security steward certification, a police officer may take possession of the security steward identity card in order to hand it over to a commanding police officer, who shall within 14 days decide whether security steward certification is cancelled temporarily. A police officer may also take possession of a security steward identity card when security steward certification has been cancelled. To this effect, a frisk may be carried out, notwithstanding the provisions of Chapter 5, section 10 of the Coercive Measures Act (450/1987).
- (3) Temporary cancellation of security steward certification shall be reported without delay to the local police department of the security steward's municipality of residence. Decisions temporarily cancelling security steward certification remain in force for a maximum of three months. The local police department within whose area of jurisdiction the security steward's municipality of residence is located may extend the validity period of the

decision by a maximum of six months at a time if the security steward is suspected of an offence that is likely to lead to full cancellation of security steward certification.

Section 11

Security steward insignia and identity card

- (1) Persons appointed as security stewards under this Act shall display the insignia approved by the Ministry of the Interior when on duty. No other person is entitled to use this insignia. (622/2003)
- (2) Persons who are granted security steward certification under section 10(1) shall carry the security steward identity card issued by the police when on duty, and this shall be presented on request. Similarly, security stewards as referred to in section 10(2) shall carry, and present on request, a copy of the decision by which they have been granted certification to perform their duties.

Section 12

Penal provisions

- (1) A security steward who deliberately or through gross negligence fails to comply with the obligations laid down in section 2(3), 4, 5 or 6(1) shall be sentenced for a *security stewarding violation* to a fine, unless a more severe penalty for the act is laid down elsewhere in the law.
- (2) Anyone who uses a security steward insignia as referred to in section 11(1) without the right to do so shall also be sentenced for a security stewarding violation.
- (3) Provisions on the penalty for resisting a security steward are laid down in the Penal Code.

Section 13

Further provisions

- (1) Further provisions on the application of this Act shall be issued by decree, as necessary.

- (2) In addition to what is provided above, the Ministry of the Interior may issue further provisions by decree on the custody referred to in section 7 and the relevant custodial facilities, the carrying out of frisks as referred to in section 8, storage of objects and substances that have been taken into possession, use of forcible means, forcible means equipment, training of security stewards and the procedure to be followed for granting security steward certification.
(622/2003)

Section 14

Entry into force

- (1) This Act comes into force on 1 September 1999.
- (2) Steward certification granted under section 11 of the Public Entertainments Decree (687/1968) will remain valid as security steward certification referred to in section 10(1) of this Act subject to the conditions and limitations specified in the original decision, but for no more than three years from the day on which this Act comes into force.

Entry into force and application of amendments:

- (285/2002) This Act comes into force on 1 October 2002.
(520/2003) This Act comes into force on 1 January 2004.
(622/2003) This Act comes into force on 1 October 2003.