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Conscription Act (1438/2007)
Ministry of Defence
This Act enters into force 1 January 2008

Conscription Act

(1438/2007)

Chapter 1 – General provisions

Section 1 – Area of application

This Act provides for the fulfilment of the national defence obligation by persons liable for military service in the Defence Forces of Finland.

This Act also provides for:

- 1) participation of persons liable for military service in executive assistance and rescue operations and any other statutory duties of the Defence Forces;
- 2) the handling and registration of personal information of persons who are not liable for military service but who would be assigned to specific duties in exceptional circumstances.

Section 2 – Military service

Every male Finnish citizen is liable for military service starting from the beginning of the year in which he turns 18 years old until the end of the year in which he turns 60, unless otherwise provided for herein.

Fulfilment of military service includes service as a conscript, participation in reservist training, extra service, and service during mobilization, in addition to participation in call-ups and examinations assessing fitness for military service.

Persons liable for military service are in active military service, in the reserves or in the auxiliary reserves.

The legal rights of a person liable for military service may not, pursuant to this Act, be limited beyond what is necessary for his performing of military service, the maintenance of military order and measures that are necessary to ensure the safety of the persons liable for military service and other persons.

Section 3 – *Other legal and international obligations*

The performing of military service with the Border Patrol is provided for in the Act on the Administration of the Border Patrol (577/2005) and the Border Patrol Act (578/2005).

Exemption from military service due to ethical conviction is provided for in the Unarmed Service Act (1446/2007) and the Act on the exemption of Jehovah's witnesses from military service under certain conditions (645/1985).

Unarmed service in lieu of military service for residents of the Åland islands is provided for in chapter 12 in the Act on the Autonomy of Åland (1144/1991).

The provisions of international treaties binding upon Finland regarding military service shall also apply.

Women's voluntary military service is provided for in the Act on Voluntary Military Service for Women (194/1995), and voluntary national defence is regulated in the Act on Voluntary National Defence (556/2007).

Chapter 2 – **Authorities**

Section 4 – *Ministry of Defence, Defence Command, service branch headquarters and military province headquarters*

The Ministry of Defence directs the implementation of military service.

The Defence Command manages military service according to the principles provided by the Ministry and is in charge of developing the conscription system.

The service branch headquarters plan, develop and administer military service matters in their respective branches, and the military province headquarters do the same in their respective geographical areas.

Section 5 – *Regional office and the call-up board*

The regional office plans and directs military defence in its area, organizes call-ups and manages matters associated with military service.

The call-up board handles matters associated with military service during call-up.

Section 6 – *Brigade-level units and reservist training leader*

Military service matters involving those in active service are handled by the brigade-level unit or, in wartime, by the basic formation or other formation (brigade-level unit). In reservist training, these matters are handled by the reservist training leader.

Section 7 – *Appeal authority*

The appeal authority for military service matters is the Central Call-up Appeals Board.

Section 8 – *General operational and decision-making authority*

The general operational and decision-making authority for military service matters is the regional office and, for persons performing military service as specified in this Act, the commander of the brigade-level unit or the reservist training leader, unless it is prescribed that operational and decision-making authority rests with the Defence Command, the service branch headquarters, the military province headquarters, the unit commander or detachment commander, or the call-up board.

Decision-making in military command matters is provided for in the Act on the Finnish Defence Forces (551/2007), in addition to what is provided for in this Act.

Chapter 3 – **Call-up and assessment of fitness for military service**

Section 9 – *Fitness for military service*

Fitness for military service means that the person liable for military service is able to complete his military service as laid down in this Act without endangering himself or posing a safety risk to others who are serving.

Fitness for military service is decided based on information about the person liable for military service and his health and physical and mental abilities, as derived from:

- 1) the person liable for military service himself;
- 2) an examination by a health care professional;
- 3) suitability tests; and
- 4) testing by the authorities referred to in section 96.

Only a person liable for military service who is deemed fit for military service may be assigned to perform military service.

Section 10 – *Exemption from service due to lack of fitness for military service*

In peacetime, a person liable for military service is exempted from service if he has a serious injury or illness that prohibits military service as a conscript, or if his state of health makes him unable to serve for such a long period that postponing training would not be expedient, or if he is considered a service safety risk.

A person liable for military service deemed temporarily unfit for military service either will not be assigned to military service or will be exempted from his service liability for the time being and assigned a new fitness assessment at a later date. One or more such orders may be given, for a maximum of three years at a time.

In addition, a person liable for military service will be exempted from his service liability in peacetime if he has been summoned to the call-up health care examinations referred to in subsection 2 and has not been determined fit for military service or ex-

empted from his service liability during peacetime by the end of the year that he turns 25 years of age. This exemption from military liability requires that the person in question has not neglected his obligation to participate in the call-up and/or examinations decreed in the subsection referred to above.

Section 11 – *Command authority for assessment of fitness for military service*

The Defence Command issues further regulations concerning the medical grounds for assessing fitness for military service. The Defence Command also issues regulations concerning what the requirements are for specific service assignments.

Call-up

Section 12 – *The purpose of call-ups*

The call-up is for the purpose of assessing the fitness for military service of a person liable for military service and, based on this, deciding on the person's assignment to military or unarmed service. The call-up also involves distributing information about national defence liability and promoting public health.

Section 13 – *Call-up candidates*

Call-up candidates include every male citizen of Finland who:

- 1) turns 18 years of age during the year of the call-up,
- 2) has not attended the previous call-up to which he was summoned, unless he has received a separate decision concerning his fitness for military service, and has not yet turned 30 years of age or will turn 30 during the call-up year, or
- 3) has been summoned back to call-ups pursuant to section 10(2).

Call-up candidates do not include persons who have been granted Finnish citizenship or a decision about citizenship during or after the year they turn 18 years of age. These persons can, however, be summoned to an examination pursuant to section 26.

Section 14 – *Questionnaire regarding health and preliminary health examinations*

Call-up candidates are sent a questionnaire before the call-up to ascertain their state of health. A call-up candidate must answer the questions and provide his own appraisal of his state of health and submit any associated physician's statements about his health.

To assess fitness for military service, the call-up candidate is required to participate in the preliminary call-up health examination at his local health centre or other suitable examination location during the year of the call-up, unless the examination of the call-up candidate is determined to be manifestly unnecessary pursuant to a report received by the regional office from the call-up candidate pursuant to subsection 1 above or from another party pursuant to section 96, or due to the call-up candidate being resident abroad, or for some other special reason.

Section 15 – *Call-up time, listings and announcement*

Call-ups are held each year, beginning 15 August at the earliest and finishing 15 December at the latest.

Persons liable for military service are registered in a call-up listing according to the municipality where, as of 1 January of that year, they have their primary residence or are registered in the population register, pursuant to the Municipality of Residence Act (201/1994).

The time and place of the call-up is stated in a call-up announcement, available on the website of the Defence Forces and the municipal announcement boards at least two weeks before the call-ups and during the call-ups. If necessary, the announcement may also be made available in other forms.

Section 16 – *Call-up participation obligation*

A call-up candidate must participate in the call-up specified in the call-up announcement in person, unless he has been exempted from call-up participation liability.

The regional office may grant call-up exemption if a person liable for military service:

- 1) has a serious injury or illness,
- 2) has already participated in the placement test referred to in section 29 and been assigned to military service, or
- 3) lives abroad and has provided a physician's statement or other legitimate explanation that is sufficient for assessing his fitness for military service.

A call-up candidate who is a prisoner, whether imprisoned, on remand or serving a custodial sentence, shall be assessed for fitness for military service upon termination of his sentence. Such a call-up candidate must notify his regional office immediately of his release.

A call-up candidate who has failed to report to the call-up due to a legitimate impediment is obliged to present proof of this impediment to the regional office immediately after the impediment has been removed. If the call-up candidate is a student at an institution far away from the municipality arranging the call-up, or if there is some other justifiable reason, the candidate may participate in a different call-up within that same year than the one to which he was summoned if the regional office approves.

Section 17 – *Call-up suitability test and questionnaire*

A call-up candidate may be ordered to participate in a suitability test for assessment of fitness for military service and assessment of prerequisites for service. The assessment based on the test is made by a health care professional. All persons subjected to a suitability test are entitled to know the results of the testing.

A call-up candidate may also be required to fill in a questionnaire about his state of health and fitness for military service.

Section 18 – *Other call-up obligations*

A call-up candidate must follow the orders given by the military official and the call-up board during the call-up procedure.

Penalties for non-compliance with an order referred to in subsection 1 and for absence without leave from call-up are provided for in chapter 13.

Section 19 – *Call-up board*

For one year at a time, the regional office sets up at least one call-up board for carrying out the call-ups in its region. The board is made up of a chairman and two other members.

The chairman of the call-up board must be a serving officer who is well informed of conscription matters and who has experience with the conscription process. One of the other members must be a person holding a military post who is familiar with conscription matters, and the other must be a representative of the municipality whose call-up candidates the call-up concerns. At least one of the board members should also be an official of the regional office.

The call-up board has a quorum only when the chairman and both other members are present.

Section 20 – *Duties of the call-up board*

The call-up board decides on the fitness for military service of a call-up candidate and, based on this decision, determines whether the call-up candidate will be:

- 1) assigned to military service,
- 2) exempted from military service, or
- 3) assigned to a new call-up assessment.

The call-up board also decides which persons liable for military service will be approved for unarmed service.

Section 21 – *Call-up board procedure*

The call-up board considers each call-up candidate in the call-up listing on a case-by-case basis. Regarding persons referred to in section 16(2), the board may deliberate and take a decision without the call-up candidate being present in person.

A physician assists the call-up board in their assessment of fitness for military service by offering a recommendation with regard to an examined candidate's fitness for military service. The recommendation is not binding upon the call-up board.

Section 22 – *Municipality obligations associated with call-up*

At the submission of the regional office, a municipality must arrange for the following:

- 1) the preliminary health care examination of persons liable for military service at a health centre or other appropriate location,
- 2) a sufficient number of physicians at the call-up, and
- 3) appropriate facilities for carrying out the call-up.

The municipality shall also appoint a representative of the municipality to the call-up board and a sufficient number of persons to act as deputy board members.

Section 23 – *Police executive assistance at call-up*

The call-up shall have a sufficient number of police officers in attendance to maintain order and to provide executive assistance within their authority.

Section 24 – *Reimbursing expenses*

Reimbursement for a municipality's expenses in arranging call-up health examinations and arranging for physicians to be present at the call-up is provided for in the Primary Health Care Act (66/1972). The expenses of providing appropriate facilities for the call-up are reimbursed by agreement between the regional office and the municipality.

The municipal representative who is a member of the call-up board is entitled to receive a fee from central government funds for participating in the call-up board work and reimbursement of travel expenses. The principles for fees and reimbursement are provided for by a Decree of the Ministry of Defence.

The military authorities are entitled to receive the services referred to in section 23 free of charge.

Section 25 – *Further provisions and regulations*

Further provisions concerning the call-up, the content of the questionnaire about the state of health, and the conducting of the preliminary health examinations referred to in section 14 are issued by Government Decree. Detailed regulations specifying the provisions of the Decree are issued by the Defence Command.

Assessment of fitness for military service and decisions about service assignments at other times than call-up

Section 26 – *Assessment of fitness for military service and decisions about service assignments by the regional office*

The regional office may decide on the fitness for military service of a person liable for military service if:

- 1) the person has not participated in the call-up,
- 2) the person has been ordered to participate in an assessment in accordance with section 10(2),
- 3) the person's fitness for military service has changed in the period between the call-up and the induction date, or after military service or reservist training, or
- 4) the person is a person referred to in section 13(2).

The regional office may require a person liable for military service to undergo an examination in person for the purposes of the decision referred to in subsection 1. However, the presence of the person liable for military service is not necessary, if he has been given the opportunity to be heard and an assessment of his state of health by the person himself or some other report of same is available by which the decision on fitness for military service may be made.

The person liable for military service may request an assessment of his fitness for military service or may request that an assessment already assigned be set for an earlier date. In this case, the provisions of subsection 2 apply.

The regional office may make a decision regarding the military service of the person liable for military service.

The decision referred to in subsections 1 and 4 is made without presentation procedure, as defined in the working order of the regional office.

Section 27 – *Assessment procedure*

A physician assists in assessing the fitness of a person liable for military service by making a recommendation about the person's fitness for military service. The recommendation is not binding upon the regional office.

The person liable for military service must follow the orders given by the military officials during the assessment. Penalties for absence from the call-up and for non-compliance with orders are provided for in chapter 13.

Further provisions regarding the assessments organized by the regional office and assigning to assessment are issued by Government Decree.

Chapter 4 – Assignment to service

Section 28 – *Induction date*

A person liable for military service is required to begin his military service on a general or separately-agreed induction date no later than in the third calendar years after call-up.

When a decision about military service is made in a context other than a call-up, the person liable for military service may be assigned to begin military service in the same year in which the decision was made, or no later than in the second calendar year after the decision was made.

For extraordinary reasons, a person liable for military service may be assigned to begin military service at a different time than the induction date referred to in subsection 1. A conscript who is prevented by a legitimate impediment from entering military service must begin his military service as soon as the impediment is removed, unless he has been assigned a different time.

Induction dates as referred to in subsection 1 are provided for by a Decree of the Ministry of Defence.

Section 29 – *Assignment to military service based on an entrance examination*

Persons liable for military service may be selected for special training as paratroopers, divers, musicians in military bands, air force personnel, international rapid deployment forces or other special tasks, on the basis of entrance examinations. Persons liable for military service who volunteer for special training and meet all of the training qualifications are invited to the relevant entrance examination.

The Defence Command and the relevant service branch headquarters may issue regulations concerning the information that must be submitted by applicants for special training, the physical and other characteristics required, and the grounds for accepting applicants for special training.

Section 30 – *Cancelling assignment to military service*

A regional office may cancel the induction order for a person liable for military service and assign that person to an examination to be carried out at a later date if the person has, before his military service begins, been injured or fallen ill so that he is no longer fit for military service.

The induction order may also be cancelled or a new order issued if:

- 1) after the call-up, the person liable for military service is accepted for special training as referred to in section 29, or
- 2) the military service may no longer be organized according to the original order, due to unit reorganization or similar circumstances.

The induction order may also be cancelled if, after the order has been issued, circumstances are revealed that demonstrate that the person in question would be a danger to service security.

The new induction order referred to in subsection 2 paragraph 2 may be issued without hearing from the person in question.

Section 31 – *Deferring induction date or changing service location*

The induction date may be deferred upon application from the person liable for military service if it is particularly necessary in terms of:

- 1) vocational qualification,
- 2) pursuit of studies,
- 3) arrangement of financial circumstances, or
- 4) other special personal reasons.

The location of military service may be changed upon application from the person liable for military service if it is seen as particularly necessary due to special personal reasons.

Subsection 1 also applies to the active service of a conscript.

Applications for deferring the induction date or changing the location of military service as referred to in subsections 1 and 2 must be submitted in writing to the regional office. A statement must accompany the application detailing the reasons referred to in subsection 1 and 2.

A pending application for deferment or location change as referred to in subsections 1 and 2 is not in itself a valid reason for failing to report for service.

Section 32 – *Order for reservist training*

Persons liable for military service who are reservists may be assigned to reservist training.

The order for reservist training is sent to reservists at least three months before the beginning of the course. This time limit may be deviated from with the reservist's permission.

Section 33 – *Cancellation of order for reservist training*

The regional office may cancel the order for reservist training if the person in question has, before the training begins, become injured or ill so that he is unable to complete the service planned for him in the reservist training. The order may also be cancelled if the person in question is permanently resident abroad and the party issuing the order was not aware of this at the time when the order was issued.

Section 34 – *Exemption from reservist training*

Upon application, a person liable for military service may be exempted from reservist training if:

- 1) the exemption is of critical importance because of family or economic circumstances or for reasons related to professional or business activities,
- 2) the start or progress of the person's studies would suffer substantially without exemption,
- 3) participation in the reservist training would seriously inconvenience or harm the activities of the person's employer, or
- 4) the person has some other special personal reason.

Applications for exemption from reservist training must be submitted in writing to the regional office issuing the order. A statement must accompany the application detailing the reasons referred to in subsection 1.

A pending application as referred to in subsection 1 is not in itself a valid reason for failing to report for service.

Section 35 – *Deferring the induction date and exemption from reservist training for Members of Parliament, members of the Government and Members of the European Parliament*

Upon application from a person liable for military service, the person's induction date may be deferred or he may be exempted from reservist training if such a change or exemption is necessary for him to perform his duties as a Member of Parliament, a member of Government or a Member of the European Parliament. The person must, however, begin military service at the latest during the year in which he turns 29 years of age.

The application referred to in subsection 1 must be submitted in writing to the regional office and must be accompanied by an explanation of the duties in question.

Chapter 5 – Conscription and arranging for military service

Military service

Section 36 – *The purpose of military service*

During military service, conscripts are trained and drilled in national defence functions serving national defence and thus provide the necessary prerequisites for placement in formation in wartime.

During the basic training period, conscripts are taught basic military skills, required fitness and suitability tests are performed, and the suitability of the conscripts for special duties or leadership training is determined.

During the special capabilities training period, training is provided for duties of the rank and file, demanding duties that require special and professional skills and for especially demanding duties. Training for the duties of officers and non-commissioned officers is given during the leadership training period.

During the unit training period, the conscripts who have received training as referred to in subsection 3 are trained to perform their duties in wartime units.

Section 37 – *Determining the term of military service*

The term of military service is:

- 1) 180 days for training in the rank and file,
- 2) 270 days for training for demanding duties that require special and professional skills,
- 3) 362 days for officers, non-commissioned officers and conscripts trained for especially demanding duties.

Conscription liability in peacetime ends at the end of the year in which the person liable for military service turns 30 years of age.

Section 38 – *Training assignment*

A conscript who demonstrates leadership ability and suitability for the duties of an officer or non-commissioned officer in suitability tests, and who has the necessary skills and knowledge, may be assigned to be trained as an officer or non-commissioned officer in the reserves.

A conscript who demonstrates suitable skills and characteristics in suitability tests and service duties, and who has gained relevant training and experience before active service such that he is suitable for the demanding duties that require special and professional skills as referred to in section 37(1) paragraph 2, which include service branch, training branch and specialised training branch duties, or the especially demanding duties referred to in section 37(1) paragraph 3, which include some military driver and armoured unit duties and the special duties of the Navy and Air Force, may be assigned to training in such duties.

Further provisions for assigning conscripts to training and the provision of training, as well as the demanding duties and especially demanding duties referred to above, are issued by Government Decree.

Section 39 – *Notification of assignment*

The conscript must receive notification of assignment to the special training referred to in section 38 at least three months before the conscript's active service would otherwise end pursuant to section 37. This time period may be deviated from with the conscript's permission

Section 40 – *Suspension of training*

The training referred to above in section 38 may be suspended if the conscript:

- 1) is prevented from participating in the training for such a long period of time that the training objectives cannot be met,
- 2) is unable to complete the training as planned, or
- 3) has during the training committed a crime or otherwise behaved in a manner inappropriate for the duties referred to in section 38, or information about such inappropriate behaviour has reached the military authorities after the assignment to training has been made.

Section 41 – *Reducing service time*

If the training referred to in section 38 has been suspended pursuant to section 40 due to poor health or other reasons beyond the control of the conscript, the 270 or 362 days of service assigned to the conscript will be reduced. Unless otherwise provided for in subsection 2, the service time is reduced to 180 days if the active service has lasted less than 180 days, and 270 days if the conscript has already served more than 180 days. The service time may not be reduced without the permission of the conscript.

If the conscript has served more than 270 days and has completed the first stage of the leadership training referred to in section 38(1), the service time may be reduced only:

- 1) in the case of exceptionally compelling personal reasons, or
- 2) if the person in question cannot be assigned to an appropriate service and cannot be assigned to duties requiring a longer service time.

Further provisions about the procedure for reducing service time are issued by Government Decree.

Section 42 – *Participation in activities to develop service conditions*

In each brigade-level unit, there is a conscript committee subordinate to the unit commander participating in the development of the status and service conditions of conscripts. The committee has a chairman and a necessary number of other members and officers. The chairman, members and administrators are chosen from among conscripts.

The unit commander approves the composition of the committee and appoints one or more of the permanent staff to direct the committee activities.

Conscripts may not be refused participation in the activities referred to in subsection 1 unless such participation would interfere with the completion of their training objectives. A person issuing such a refusal must immediately notify the unit commander of the refusal.

Further orders on arrangements for conscript committee activities are issued by the Defence Command.

Section 43 – *Activities outside military service*

A conscript in active service may not engage in a trade or a profession or undertake a municipal or any other public office without permission from the unit commander if such activity cannot be carried out wholly within the conscript's free time or if it could substantially interfere with the proper performance of his service duties.

Section 44 – *Leave and parental leave*

Conscripts in active service have the right to:

- 1) a personal leave of 6, 12 or 18 days, as determined by the length of service and granted without expressly providing cause,
- 2) 12 days of paternity leave due to the birth of their own child.

Section 45 – *Efficiency leave*

Conscripts who particularly distinguish themselves during their service may be granted efficiency leave, to a total of 20 days, provided that the training objectives so allow.

The Defence Command issues more specific orders for the granting of efficiency leave.

Section 46 – *Leave for compelling personal reasons*

In addition to the types of leave referred to above, conscripts may be granted leave for up to 180 days for compelling personal reasons.

Section 47 – *Decision-making authority for leave*

The granting of leave referred to above in sections 44 and 45 is handled and decided by the commander of the basic unit.

The granting of leave referred to above in section 46 is handled and decided by the commander of the basic unit, the commander of the detachment or the commander of the brigade-level unit. The Defence Command issues more specific orders about how decision-making authority is determined according to the length of leave in question.

Reservist training

Section 48 – *Purpose of reservist training*

Reservist training:

- 1) maintains the military know-how and skills acquired during military service and trains reservists for more demanding duties,
- 2) instructs the reservists in changes due to advancements in national defence,
- 3) drills units in their planned formations,
- 4) enables flexible raising of military preparedness.

Section 49 – *Membership in the reserve or auxiliary reserve*

After persons liable for military service complete their military service, they become members of the reserve:

- 1) until the end of the year in which they turn 50 years of age, in the case of the rank and file,
- 2) until the end of the year in which they turn 60 years of age, in the case of officers, non-commissioned officers, and warrant officers,
- 3) as long as they are fit for service, in the case of an officer of the rank of Colonel, Captain (Navy) or higher.

Persons liable for military service belong to the auxiliary reserve if:

- 1) they have not completed military service,
- 2) no longer belong to the reserve, or
- 3) have been exempted from service in peacetime.

Section 50 – *Obligation to participate in reservist training*

A person liable for military service who is in the reserves is liable for participation in reservist training. The maximum total time of the training is:

- 1) 40 days for the rank and file,
- 2) 75 days for persons trained for demanding duties that require special and professional skills,
- 3) 100 days for non-commissioned officers, warrant officers and officers.

In addition to the times referred to in subsection 1, a person liable for military service may, at his consent, be assigned to participate in reservist training as a member of his or her wartime unit for a maximum of 20 days total per calendar year if that person is vital for the Defence Forces for the leadership or training of that unit. Moreover, such an assignment requires the written consent of the employer of the person in question if the training is to take place during working hours.

If a person liable for military service does not report for reservist training at the appointed time because of a legitimate impediment, he must do so immediately once the impediment is removed, unless otherwise instructed by the military authorities.

Section 51 – *Leave and parental leave*

The provisions of section 44(2) concerning paternity leave and of section 46 concerning leave for compelling personal reasons apply to a person in reservist training.

Calculation of service time

Section 52 – *Beginning and ending military service*

Service time is calculated from the day on which the person liable for military service reports for service. The induction day and mustering-out day are included in the service time.

Conscripts who are serving abroad when their service time under this Act expires will be mustered out upon their return to Finland. Any additional days served will be credited in reservist training, as determined by the service to which the conscript was assigned.

If the conscript is imprisoned when the service time under this Act expires, his service will continue for the duration of the imprisonment.

Section 53 – *Time not included in the service time*

The service time of a conscript in military service or a reservist in reservist training does not include:

- 1) time spent on leave referred to in section 46,
- 2) time absent without leave from the service,
- 3) confinement time, if the total time has exceeded ten full days,
- 4) time spent incarcerated as the suspect in a crime,
- 5) time spent in public prison serving a sentence or simultaneous confinement.

When calculating the service time, full calendar days are deducted under subsection 1.

General provisions

Section 54 – *Military oath and military affirmation*

For military service as referred to in this Act, the person liable for military service must choose to either swear a military oath or make a military affirmation.

Further provisions on the formula of the military oath and affirmation and the procedure to be followed when making the military oath or affirmation are issued by Government Decree.

Section 55 – *Training language and command language*

The training language for conscripts is Finnish or Swedish. Finnish-speaking and Swedish-speaking conscripts have the right to be assigned to a unit in which the training language is their mother tongue.

The training language may be something other than that specified in subsection 1 in cases where the training is associated with international military crisis management, or for some other special reason.

The command language of the Finnish Defence Forces is provided for in the Language Act (423/2003).

Section 56 – *Prohibition on discrimination*

In implementing military service based on this Act, no person may be discriminated against because of his or her age, origin, language, religion, political or other opinions, health, handicap, gender, sexual orientation, or other personal reason, unless acceptable grounds may be established.

Section 57 – *Service obligation and attendance obligation*

A person liable for military service must complete his military service in the unit to which he has been assigned and follow orders about military order and military service based on legal authority and the orders of his superior officer, and fulfil all of the obligations required of military service.

A conscript in active service must always be present in the service unit to which he is assigned unless he has express permission to leave the area.

More detailed information about the service obligations and attendance obligation are provided by an ordinance issued as a military command.

Section 58 – *Rest and free time*

Persons in the military service have the right to sufficient rest and to enjoy free time necessary for recuperation. This free time may be spent outside of the military service area with the permission of a military authority.

Rest and free time are further defined by military command.

Section 59 – *Permission to leave the military service area*

A conscript may be granted permission to leave the military service area referred to in section 57 briefly for the following reasons:

- 1) recovery from an illness or injury, based on a physician's statement;
- 2) the death or sudden serious illness of a family member;
- 3) some other compelling personal reason.

The matter referred to in subsection 1 is handled and decided on by the commander of the basic unit, the commander of the detachment, the commander of the brigade-level unit or the leader of the reservist training. The Defence Command issues more detailed orders regarding the distribution of authority.

Section 60 – *Interrupting service*

The commander of the brigade-level unit may interrupt the service of a person liable for military service as provided for in this Act and muster out the conscript if:

- 1) the conscript's training is interrupted pursuant to section 40(1), and the conscript is unable to perform any other kind of non-military service for an extended period of time,
- 2) the conscript is suspected of committing the sort of crime or behaves that there is reason to believe that the conscript could seriously endanger service safety,
- 3) the conscript will be unfit for military service pursuant to section 10(2) for an extended period of time.

In addition, the military service of a conscript may also be interrupted by a decision of the Ministry of Defence when it is felt to be absolutely necessary in order to prevent the spread of a serious disease or other compelling reason.

If the person liable for military service submits an application for non-military service or reservist training, his service is interrupted and he will be mustered out.

The person liable for military service must be heard in person if his service is interrupted on the basis of the reasons listed in subsection 1.

Section 61 – *Training for military crisis management*

For those persons liable for military service who volunteer to receive such training, training in international military crisis management may be offered as part of their military service and reservist training so that they may obtain the required skills.

The Defence Command issues orders concerning the information that must be submitted by applicants for such training, the physical and other characteristics required, and the grounds for accepting applicants for training.

Section 62 – *Arranging for military service abroad*

A person liable for military service in active service as a conscript or participating in reservist training may be assigned to a brief period of service abroad if he :

- 1) is taking part in the training referred to in section 61,
- 2) is performing training support tasks as referred to in paragraph 1,
- 3) is participating, at his own specific consent, in an executive assistance unit with the task of providing executive assistance outside of Finland's borders,
- 4) is participating in routine naval service outside of Finland's territorial waters,
- 5) is participating, at his own specific consent, in an international military exercise which furthers national defence, or
- 6) is participating in a visit, a performance tour, an athletic competition or other such task associated with military service that does not include military exercises.

In cases of the executive assistance referred to in subsection 1 paragraph 3, the provisions of section 78(1) also apply.

Section 63 – *Health examination*

A person liable for military service may be ordered to see a physician or other health care professional for an inspection or examination to determine the state of his health if it is necessary to establish whether that person has the prerequisites for performing his service duties or to determine his fitness for military service.

The state of health and fitness for military service of a person serving as a conscript must be determined within two weeks of beginning military service. His state of health must also be checked again before the term of military service has expired and at other times as needed. During other forms of service provided for in this Act, the health of the person liable for military service is determined at the start and end of the service with a questionnaire and any examinations that may be required.

Section 64 – *Suitability test*

A conscript in active service may be required to take a suitability test. The suitability test evaluates the conscript's ability to meet the requirements of duties and placements as referred to in this Act. The evaluation based on the test is performed by a health

care professional. The conscript is informed about the result of the evaluation personally.

Section 65 – *Testing to determine drug use*

In the examination referred to in section 63, a person in active service under this Act may be tested for drug use as referred to in section 2 of the Narcotics Act (1289/1993). A consenting person liable for military service may be required to undergo a drug test if that person is to be working in a duty which requires accuracy, reliability, independent judgement or a good reactive ability and which if performed under the influence of drugs or drug addiction would:

- 1) endanger the life, health or service safety of the person liable for military service or some other person,
- 2) endanger traffic safety, or
- 3) endanger the protection of information received in connection with service duties and therefore cause harm or damage to the public interest protected by confidentiality provisions.

A conscript who in active military service may be required to take a drug test regardless of the requirements referred to in subsection 1 if there is reason to suspect that he has been under the influence of drugs during his term of service or that he is addicted to drugs. Anyone refusing to participate in a drug test will be subject to a physical examination as provided for in chapter 5(9) of the Coercive Measures Act (450/1987).

Further provisions on the implementation of examinations and investigations and the duties referred to in subsection 1 are issued by Government Decree.

Section 66 – *Appearance of conscripts*

Conscripts in active service are required to wear a military uniform at all times, unless the nature of the service assignment, or other reason in individual cases, so dictates. The appearance of the conscript must meet the requirements of military uniformity and service safety.

Further orders on the appearance of persons in active military service under this Act are issued by military command.

Military uniforms are provided for in the Act on the Defence Forces.

Chapter 6 – Unarmed service

Section 67 – *Unarmed service*

A person liable for military service who asserts that serious reasons of conscience prevent him from performing armed military service and who applies for unarmed service will be exempted from armed service and assigned to unarmed service.

Persons assigned to unarmed service will be referred to in this Act as persons undergoing unarmed service.

Section 68 – *Arranging unarmed service*

The service assignment for persons undergoing unarmed service is arranged in such a way that the convictions of those persons will not be compromised in the performing of their duties.

Persons undergoing unarmed service are not required to use weapons or ammunition or participate in exercises of their use or their upkeep during their service. The same applies to any instruments and equipment that are expressly meant to destroy or damage the enemy.

In all other respects, persons undergoing unarmed service are required to complete the service as provided for in this Act, and all other provisions regarding soldiers also apply to them.

Section 69 – *Service time for unarmed service*

The service time for unarmed service is 270 days, unless the conscript is required to participate in training which requires a 362-day service time.

Section 70 – *Applying for unarmed service*

Applications for unarmed service are submitted to the call-up board during call-up or to the regional office or to the commander of the brigade-level unit in which the conscript is serving.

A person liable for military service living abroad may also submit the application to the authorities referred to in section 126.

The application should contain an assertion of the serious reasons of conscience referred to in section 67. The application is submitted on a form the layout of which is approved by the Defence Command.

Section 71 – *Transferring from unarmed service to armed service*

A person undergoing unarmed service may transfer to armed service if it is still considered expedient to provide training in weapons and ammunition in the remaining service time.

Persons undergoing unarmed service must apply for transfer to armed service to the regional office in writing. If the applicant is already in active unarmed service, the application must be submitted to the commander of the brigade-level unit.

The transfer from unarmed service to armed service does not affect the length of the term of service already assigned to the conscript.

Section 72 – *Transferring from armed service to unarmed service*

A conscript in active military service who applies for unarmed service under section 67 must perform unarmed service in his current service location until his application has been processed and a decision has been made about his service assignment.

After being assigned to unarmed service, the conscript's remaining service time is calculated so that each of the days already served is subtracted from the service time associated with the new form of service. The time necessary to process the application referred to in subsection 1 is also counted as service time.

Transferring to unarmed service does not shorten a service time exceeding 180 days already assigned to the conscript.

Section 73 – *Decision-making authority*

Decisions about exemption from military service and unarmed service referred to above in section 67 are made by the call-up board in the case of call-ups, and by the regional office in all other circumstances.

Decisions about transferring from unarmed service to military service as referred to in section 71 are made by the regional office.

Chapter 7 – Citizenship in another country and liability for military service

Section 74 – *Exemption from military service due to military service in another country*

A citizen of another country who has been accepted as a Finnish citizen, or a Finnish citizen who is currently or has been a citizen of another country, is exempted upon application from military service during peacetime if the person in question has completed at least four months of peacetime military service in said country.

Decisions about the matter referred to in subsection 1 are made by the regional office.

Further provisions for submitting and processing the application referred to in subsection 1 are issued by Government Decree.

Section 75 – *Obligation for citizens of other countries living abroad to participate in call-up and military service*

A person liable for military service is not required to participate in call-up or military service if he is also a citizen of another country and has been resident abroad for the previous seven years. The person may, however, be assigned to military service if he moves to Finland before the end of the year in which he turns 30 years old.

Further information on rules of procedure for assigning to service as referred to in subsection 1 is issued by Government Decree.

Section 76 – *Exemption from military service due to citizenship in another country*

A Finnish citizen is exempted upon application from military service during peacetime if he is a citizen of another country and resident abroad and can prove that his *de facto* ties to his family, studies, income or other person matters are located outside Finland.

The decision referred to in subsection 1 may be cancelled, and the person in question may be required to perform military service if, at a later date, there is an essential change in the grounds for exemption because of the person in question taking up permanent residence in Finland before the end of the year in which he turns 30 years old.

Decisions in the matter referred to in subsections 1 and 2 are made by the regional office.

Further provisions about the submitting and processing of the application referred to in this section are issued by Government Decree.

Section 77 – *Applying international treaties*

A conscript who appeals to citizenship in another country and a treaty referred to in section 3(4) must submit to the military authorities if required an account of his citizenship and military service in another country.

Further provisions on submitting and the account and processing the matter referred to in subsection 1 are issued by Government Decree.

Chapter 8 – Service not based on the national defence liability

Section 78 – *Assigning a conscript in active service to a task outside the Defence Forces*

A conscript in active service under this Act may be assigned to service duties referred to in section 2(1) of the Act on the Defence Forces in executive assistance (paragraph 2a) or in rescue operations (paragraph 2b). During rescue operations or executive assistance duties, conscripts may not participate in the following:

- 1) apprehension of a dangerous person,
- 2) clearing of explosives,
- 3) armed enforcement in order to implement the previous tasks, or
- 4) other similarly dangerous tasks.

A conscript in active service may also be assigned if necessary to duties outside the Defence Forces to promote national defence or military training, including:

- 1) collections for general benefit,
- 2) security arrangements for large-scale public events or other events,
- 3) support of war veterans or veteran organisations,
- 4) repairing real property used in training,
- 5) other similar tasks promoting national defence or military training.

In the duties referred to in subsections 1 and 2, the detachment is led by a person who holds a military post in the Defence Forces and who is assigned to lead the detachment.

Section 79 – *Reservist service in case of disaster or other serious situations*

The President of the Republic may decide, on recommendation from the Government, that the Defence Command may call up all conscripts in the reserves to serve for a short period, no more than 14 days, performing duties for which they have been trained in the Defence Forces, in medical, engineering, communications, transport and safety and other similar duties which do not require the use of military force, if this is absolutely necessary in case of a disaster as referred to in section 2(5) of the Emergency Powers Act (1080/1991) when the situation is particularly serious, or in situations in which a dangerous infectious disease has spread widely and corresponds in its implications to a very serious disaster.

For duties referred to in subsection 1, the detachment is led by a soldier assigned to lead it.

Section 80 – *Requiring reservists to re-enter military service*

A reservist may be required to re-enter military service immediately upon the decision by the President of the Republic referred to in section 79.

A person liable for military service may be exempted on application from the service referred to in section 79 if the exemption is of critical importance due to family or financial circumstances or because of the requirements of professional or business activities. A pending application for exemption is not a legitimate reason for failing to report for service.

Decisions in the matter referred to in subsections 1 and 2 are made by the regional office.

Section 81 – *Applicable provisions and the authorization to issue decrees*

For duties referred to in section 78, provisions regarding the relevant service and associated benefits apply.

For duties referred to in section 79 above, provisions regarding the arranging of service as provided for in sections 54-60 and 63-66 apply. In addition, the provisions of section 44(2) regarding parental leave and the provisions of section 46 regarding leave granted for compelling personal reasons apply. In terms of service-related benefits, the provisions on the benefits paid to persons in obligatory work relationships in section 24 of the Emergency Powers Act apply.

Further decisions on assignments and procedure when determining duty assignments referred to in sections 78 and 79 are issued by Government Decree.

Chapter 9 – Extra service and service during mobilization

Section 82 – Purpose of extra service

The purpose of extra service is to raise and maintain defence preparedness and to train formations in their pre-planned composition, so that the unit may be called up for service during service times of mobilization.

Section 83 – Decision about extra service

The President of the Republic may, in serious disruptive situations under standard conditions or in exceptional circumstances, decide under the military command procedure provided for in section 32(1) of the Act on the Defence Forces that the Defence Forces may call up reservists to extra service. The decision is for a limited period of time, no more than six months at a time, and must be suspended as soon as the situation that caused the increase and maintaining of defence preparedness allows.

The call-up for extra service may be made effective immediately.

Section 84 – Exemption from extra service

A person liable for military service may be exempted from extra service on application if the exemption is absolutely necessary due to family or financial circumstances or for professional or business activities.

Decisions about the matter referred to in subsection 1 are made by the regional office.

Section 85 – Mustering out from extra service

Persons liable for military service performing extra service are mustered out when the increase and maintaining of defence preparedness allows, at the latest seven days after the decision of the President referred to in section 83 has expired.

Section 86 – Participation in service during mobilization

The mobilization of defence forces may be partial or general. Reservists may be called up to serve during times of partial mobilization. During a general mobilization, the auxiliary reserve or part of it may also be required to serve, though only with the consent of Parliament in the case of persons aged 50 or more.

The call-up for service during times of mobilization may be ordered by an announcement of the Ministry of Defence. The call-up may be made effective immediately.

Section 87 – Assignment to service of persons exempted from service during peacetime

A person liable for military service who is exempted from military service during peacetime for health reasons may be called up for military service during mobilization or be required to undergo the examination referred to in section 26 and appointed to a service assignment in which he has proven fit for service.

Section 88 – Service of persons exempted from military service due to serious reasons of conscience

A person liable for military service who has been exempted from service under this Act during peacetime due to serious reasons of conscience may be called up during mobilization to perform duties laid down in the Emergency Powers Act.

The provision of subsection 1 also applies to the person liable for military service referred to in section 118(4).

Section 89 – Purposeful exclusion from call-up upon application due to public or military interest

Persons in public service or in comparable specific professions and other persons the calling into service of whom might endanger the equipping or maintenance of the Defence Forces, the national economy or other public interest may, on application from their agency, institution, community or other employer, be excluded from being called into service in case of mobilization for a fixed period or indefinitely.

A person liable for military service who is in one of the duties referred to in section 35 may also be excluded from being called to extra service and service during mobilization

The application for exemption referred to in subsection 1 is submitted to the regional office, where a decision is made whether to accept the application. The regional office may cancel its decision later if there have been essential changes to the grounds of granting exclusion. The Defence Command issues further orders on the application procedure.

A pending application as referred to in subsection 1 is not a valid reason for failing to report for service.

Section 90 – Provisions that apply to extra service and service during mobilization

For arrangement of services for extra service and service during mobilization, the provisions of sections 54-60 and 63-66 apply.

Exceptions to call-up times, listings and announcements referred to in section 15 may be issued by Government Decree for extra service and service during mobilization.

Further provisions on the work and assignment of work referred to in section 88 are issued by Government Decree.

Chapter 10 – Register of persons liable for military service

Section 91 – Purpose of the register of persons liable for military service

The register of persons liable for military service is a national IT-based register of persons maintained for the purpose of determining the fitness for service and of assigning to service of persons liable for military service and persons who have applied for, are performing or have completed service under the Act on Women's Voluntary Military Service; for the purpose of planning and organizing national and international training and service; for the purpose of promotions and rewards; and for the purpose of placement in duties in exceptional circumstances and preparedness.

The register may include personal data about persons other than persons liable for military service for purposes of placement and preparedness for exceptional circumstances, when the information concerns:

- 1) persons employed in the Defence Forces or the Border Guard,
- 2) persons who have made a commitment under the Act on Voluntary National Defence, and
- 3) persons who are actively serving in or have served in military crisis management tasks or peacekeeping forces.

The register may also include documents regarding the military service and fitness for military service of persons liable for military service that have been added to the register manually.

Processing of personal data is governed by the Personal Data Act (523/1999) and the Act on the Openness of Government Activities (621/1999) unless otherwise provided for in this Act.

Section 92 – Controller of the register of persons liable for military service

The controllers of the register of persons liable for military service include the Defence Command, the service branch headquarters, the military province headquarters and the regional offices within their respective areas, and brigade-level units with respect to persons serving in them.

Section 93 – Data processing

Military authorities may process the data in the register of persons liable for military service insofar as it is necessary to perform their official duties as referred to in section 91. Data concerning state of health, disabilities and health care procedures or data about suspicion of involvement in a crime or punishment for a crime may only be actively processed if the data is absolutely necessary for the completion of a military official's specific task or for reasons of service safety pursuant to section 9.

Section 94 – *Data content of the register of persons liable for military service*

For performing the duties referred to in section 91, the register of persons liable for military service basic information about persons may be entered in the register, including full name and personal identity number, gender, mother tongue, citizenship, marital status, occupation, municipality of birth, home municipality and place of residence, municipality in the population register, address and telephone number or other contact information, and military rank.

In order to best address the duties referred to in section 91, other necessary information about persons liable for military service may be recorded in the register, such as:

- 1) training and qualifications,
- 2) type of drivers license,
- 3) fitness for military service and assessment based on suitability test,
- 4) service record, service location and term of service,
- 5) military oath or affirmation,
- 6) suitability for training and placement in training,
- 7) data on the state of health, if the data is relevant with regard to the military service, service assignment or military service liability of the person in question,
- 8) identifying features,
- 9) any consequences of disciplinary procedures and punishments for crimes dealt with at a military trial and other punishments and sanctions that are relevant with regard to the military service or service assignment of the person in question or his military rank,
- 10) the local registry office of the population register, the local church authority or other religious community and its parish,
- 11) marital status and names and addresses of family members,
- 12) legal incompetence, legal limitations and guardians,

13) if the person in question is held in a prison facility or being cared for in a hospital or other facility associated with social or health care.

Further provisions on the data content of the register are issued by Government Decree.

Section 95 – *Obligation of a person liable for military service to provide information*

A person liable for military service must ensure that the military authorities have information about his place of residence, address, and other contact information, factors influencing his fitness for military service, and information about citizenship in other countries.

A person liable for military service must provide the information referred to in subsection 1 to the military authorities referred to in section 92 on request, and answer a written questionnaire sent by the authorities within 14 days of learning of the questionnaire.

Further provisions on the written questionnaire and submission of the information referred to in subsection 2 are issued by Government Decree.

Section 96 – *Obtaining information from officials, organizations and individuals*

The register controller has the right, in order to perform its statutory duties provided for in section 91 and beyond what is provided for in other legislation, to obtain information necessary for the register of persons liable for military service, confidentiality provisions notwithstanding, as follows:

- 1) data from the population register referred to in sections 4(1)(1-4) and (3) of the Population Register Act (507/1993) for persons liable for military service turning 18 years of age in the next year and data on other persons liable for military service for purposes of service assignment and placement;
- 2) data on the state of health of a person liable for military service from public and private providers of health care services and health care professionals referred to in section 2(4) of the Act on the Status and Rights of Patients (785/1992), for purposes of assessing his fitness for military service;
- 3) data on mental health services given to a person liable for military service as referred to in the Mental Health Act (1116/1990) from health centres, mental health offices, hospitals, and other parties associated with mental health work, if the data are relevant for purposes of assessing fitness for military service and service assignment;
- 4) data from the social welfare authorities about the social and financial situation of a person liable for military service, if the information is relevant when making decisions about the service location, service time and service arrangements;

5) data from the police authorities regarding measures undertaken by the police with regard to a person liable for military service because of a suspected crime and any sanctions imposed on that person, if the data are relevant for assessment of suitability for the training referred to in section 38 or to a particular service assignment, or for determination of the person's general service assignment and arrangement;

6) data from the judicial administration records about criminal matters handled by a public prosecutor, the decisions of the prosecutor, crimes before the court, or decisions of the court for purposes of assessing the suitability of a person liable for military service for the special training or assignment referred to in section 38, or to determine the service assignment or for assessing requirements for promotion and recognition. Obtaining data from the criminal records is separately provided for in the Criminal Records Act (770/1993);

7) data from the Border Guard about those who have completed their military service in the Border Guard, including the nature of their service, service suitability, and the basis for assessment of military fitness for assessment of service assignments under this Act;

8) data from the non-military service authorities including general data on the civil service liability, the service that was assigned and the fitness for military service in preparedness for exceptional circumstances;

9) data from the National Defence Training Association on basic information referred to in section 94(1) on persons participating in voluntary national defence training and his/her assignment in such training in terms of the duties referred to in this Act for evaluation of his/her service assignment;

10) data from the Finnish Immigration Service about the citizenship of the person in question to determine whether the person is liable to serve in the military under this Act;

11) data from prison administration about call-up candidates that are currently serving a prison sentence about when they will be released in order to make the necessary arrangements for call-up and military service;

12) data from social and health care institutions and other similar institutions about call-up candidates currently in an institution concerning when they will be released if the person in question is not able to leave the institution freely, in order to make the necessary arrangements for call-up and military service;

13) data from the National Insurance Institute about a person liable for military service who has received a disability pension pursuant to the National Pensions Act (568/2007) or a handicap compensation pursuant to the Act on Handicap Benefits (124/1998) in order to determine his fit-

ness for military service and service assignment for tasks pursuant to this Act.

The controllers of the register have the right to obtain the data referred to in subsection 1 over a technical connection or in machine-language form free of charge or at cost price with regard to the cost of data extraction, as agreed with the relevant register controller. Before any data is released to the conscript register over a technical connection, the register controller must present a data security statement as referred to in section 32(1) of the Personal Data Act.

Further provisions on the content of data classes and the release of data and the procedure to be followed when receiving personal data referred to in subsection 1 are issued by Government Decree.

Section 97 – *Surrendering information*

In addition to what is provided for in the Act on the Openness of Government Activities, the register of persons liable for military service may surrender necessary information as follows, confidentiality requirements notwithstanding:

- 1) to the Ministry of Defence, the military authorities and the Border Guard authorities for implementation of military service, hiring new personnel, personnel planning and the awarding of recognition,
- 2) to the Ministry of Labour and the Centre for Non-Military Service for implementation of non-military service,
- 3) to the Ministry of Labour for the implementation of labour service for the non-military service assignment,
- 4) to the police for tasks associated with the call-up and retrieving of persons for induction,
- 5) to the Ministry for Foreign Affairs for military service matters,
- 6) to the Finnish immigration service for determination of citizenship matters,
- 7) to the Social Insurance Institution for the implementation of military allowances,
- 8) to the Population Register for data on military service completed to be recorded for citizenship purposes,
- 9) to the courts and prosecution authorities, for official duties requiring information about a person's military rank and service and the consequences of penalty procedures,

10) to authorities, communities and individuals for purposes of awarding military decorations or other matters associated with recognition for services,

11) to the National Defence Training Association of Finland for the basic information referred to in section 94(1) for the organizing of voluntary national defence training,

12) to other parties than those mentioned in paragraphs 1-11, with express consent of the registered person.

Upon granting official permission to gain access to confidential information as referred to in section 28 of the Act on the Openness of Government Activities, provisions necessary for the protection of private interests and national defence must be appended to the permission.

The register controller may surrender information referred to authorities through technical access rights or in machine-language form, confidentiality requirements notwithstanding. Before the data is surrendered over a technical connection, the party requesting the data must present a data security statement referred to in section 32(1) of the Personal Data Act.

Further provisions on the procedure for receiving and surrendering data are issued by Government Decree.

Section 98 – *Removing information from the register of persons liable for military service*

Personal data is removed from the register of persons liable for military service one year after the person is no longer a member of the reserves or auxiliary reserves, at the latest.

Criminal and sanction data is removed from the register at the latest one year after the contingent to which the person to whom the data pertained belonged has been mustered out, or when the person to whom the data pertained has been mustered out. Data received later than this is removed at the latest five years after entry into the register.

Section 99 – *Data archiving*

The purpose of archiving and the nature of the documents to be transferred to archives are provided for in the Archive Act (831/1994).

Chapter 11 – Military service benefits

Section 100 – *Upkeep*

Persons performing their military service under this Act are entitled to food, accommodation and clothing free of charge. The right to food and accommodation does not include free time and leaves during which the conscript spends time outside the military service location.

If the accommodation referred to in subsection 1 cannot be arranged due to a trip or other special service condition, the accommodation is compensated for with a monetary allowance. The amount of the accommodation allowance is provided for by a Decree of the Ministry of Defence.

The Defence Command issues further orders about the upkeep referred to in subsection 1.

Section 101 – *Daily allowance and payment for service assignment*

Persons in military service or in reservist training are entitled to a daily allowance for each day served in either capacity. The amount of daily allowance may be progressive according to the service time.

Those serving in a special service assignment may also be granted an allowance for demanding service conditions in addition to the daily allowance.

Further provisions on the daily allowance and other compensation, as well as the payment procedure, are issued by a Decree of the Ministry of Defence.

Section 102 – *Reservist pay*

Persons participating in reservist training, extra military service, service referred to in section 79 and service in times of mobilization are entitled to reservist pay for each day served in this capacity.

The reservist pay is paid as a daily wage, the amount of which is at least three per cent of the job-specific salary component of demand level 5 as it applies to officials at the Ministry of Defence as agreed on in a specific civil service collective agreement. The amount of reservist pay may be progressive, according to the service assignment.

Reservist pay is not paid for any time that the person liable for military service is not able to serve due to a self-inflicted injury.

Further provisions on the amount of reservist pay and the payment procedure are issued by a Decree of the Ministry of Defence.

Section 103 – *Compensation of travel expenses*

Persons liable for military service are entitled to government-paid travel or compensation for travel expenses caused by travel between home or place of residence and the service or examination location if the purpose of the travel is:

- 1) reporting for or being mustered out from military service, reservist service, extra service or service during mobilization;

- 2) leaving the service location referred to section 59(1) paragraph 1; or
- 3) required participation in examinations referred to in section 26.

That which is decreed in subsection 1 paragraph 3 does not apply to persons liable for military service who are being assessed at the regional office for the first time because they have been absent without leave from the call-up or the examinations arranged by the regional office.

Compensation also includes expenses for travel within Finland when travel to service assignment examinations of the Defence Forces referred to in section 29 is in question.

Compensation for travel expenses is calculated according to expenses incurred by the least expensive mode of public transportation. Travel expenses to and from Finland are only compensated if the person liable for military service is permanently resident abroad. Further provisions on travel expense compensation and the procedures associated with it are issued by a Decree of the Ministry of Defence.

Section 104 – *Free travel on leave*

A conscript is entitled to at least two return trips on leave per month of service while in active service, either to his home or place of residence or, for special reasons, to another place in Finland where he has special personal ties. Conscripts who are permanently resident abroad are entitled to at least one return trip on leave to his home or place of residence abroad while in active service.

The trip must be made using what is for the government the least expensive mode of transport, considering the circumstances.

Further provisions on the compensation for travel expenses and the amount of expense-free leisure trips are issued by a Decree of the Ministry of Defence.

Section 105 – *Health care*

Those in service under this Act are entitled to be examined by a physician or other health care professional and to receive appropriate care without delay.

Further provisions about health care are contained in the Act on Health Care for the Defence Forces (322/1987).

Section 106 – *Social security consultation*

In matters associated with social security during military service, a conscript is entitled to relevant professional assistance.

Section 107 – *Continuation of employment and civil service contract*

The continuation of the employment or civil service contract of a person liable for military service who has been assigned to service is provided for in the Act on the

Continuation of the Employment and Civil Service Contracts of Persons Liable for Military Service Called to Service (570/1961).

Section 108 – *Further benefits for conscripts or their families*

Further financial and social benefits for a conscript and his family are provided for in the Act on Military Support (781/1993) and, upon the death of the conscript, in the Act on financial support after conscript death (1309/1994).

Chapter 12 – Appeals

Section 109 – *Request for rectification*

A person liable for military service may apply in writing to the regional office to request rectification of a decision of the regional office or the call-up board regarding fitness for military service, assessment of the service assignment or exemption from service, as well as decisions of the regional office or the brigade-level unit regarding the benefits laid down in this Act.

The request for rectification must be made within 30 days of when the decision including directions for rectification has been made available to the person in question. The request should be submitted to the authorities responsible for the decision that the request concerns. Requests for rectification regarding decisions of the call-up board, however, should be directed to the regional office.

Section 110 – *Appeals in rectification matters and other matters concerning liability for military service*

A decision for which rectification may be requested as referred to in section 109 may not be appealed.

Decisions issued by the regional office in rectification matters, as well as any other decision issued by the Defence Command, service branch headquarters, military province headquarters, regional office or call-up board under this Act may be appealed to the Central Call-up Appeals Board.

Section 111 – *Impact of an appeal and request for rectification on the enforcement of a decision*

Decisions on assignment to service are enforced regardless of pending rectification requests or appeals.

Section 112 – *Prohibition of appeal*

Decisions of the Central Call-up Appeals Board are final and may not be appealed.

Decisions by a military authority about the following may also not be appealed:

- 1) assignment to service as referred to in section 38,
- 2) reduced service time as referred to in section 41,
- 3) time of a leave as referred to in section 44,
- 4) granting leave as referred to in sections 45 and 46,
- 5) permission to leave the service location as referred to in section 59,
- 6) arranging for military service abroad as referred to in section 62.

It is also not allowed to appeal decisions of brigade-level unit commanders and reservist training leaders about matters associated with the service and training arrangements, reservist training or extra service.

Section 113 – *Delivering a letter of appeal to the authorities*

A letter of appeal addressed to the Central Call-up Appeals Board may also be delivered to the authorities responsible for the decision being appealed. A letter of appeal about a call-up board decision will be sent on to the regional office that set up the call-up board or to the Central Call-up Appeals Board.

Within eight days of receiving the letter of appeal, the Defence Command, service branch headquarters or military province headquarters or regional office must send the letter of appeal, any other papers associated with it and their own statement regarding the matter to the Central Call-up Appeals Board.

Section 114 – *Processing the appeal*

The Central Call-up Appeals Board must urgently process and decide upon the appeal.

A decision on the matter must be sent without delay to the appellant and the authorities responsible for the decision upon which the appeal is based.

Section 115 – *Central Call-up Appeals Board*

The Government appoints the Central Call-up Appeals Board for a term of four years.

The chairman and deputy chairman of the Central Call-up Appeals Board must have legal training with work experience as a magistrate or judge. Three of the remaining five members must have Master's degrees in Law and the other two must be ranked Lieutenant Colonel or higher and be familiar with military service issues. No more than three of the members may be in the service of an organization in the administrative sector of the Ministry of Defence.

The chairman, deputy chairman and members of the Central Call-up Appeals Board each have tenure rights and official liability corresponding to that of a magistrate or judge.

The Central Call-up Appeals Board has quorum when the chairman or deputy chairman, one member who is an officer and other members are present, without the representatives of the Ministry of Defence forming the majority of those present.

The Central Call-up Appeals Board may employ a secretary, who must have legal training.

Section 116 – *Compensation for expenses*

The chairman, deputy chairman, members and secretary of the Central Call-up Appeals Board are entitled to a government fee for their participation in the work of the board.

The amount of the fee and payment procedure are further provided for by a Decree of the Ministry of Defence.

Section 117 – *Further provisions*

Further provisions about calling a meeting of the Central Call-up Appeals Board, the minutes of the board and the signing of the board's documents are issued by Government Decree.

Chapter 13 – Penalty provisions

Section 118 – *Refusing military service*

A conscript who completely refuses any kind of service provided for in this Act, including unarmed service, and does not apply for non-military service, is sentenced, in lieu of applying the provisions in chapter 45 of the Penal Code (39/1889), to a penalty for *refusing military service* as provided for with regard to refusing non-military service in the Non-Military Service Act. In determining the sentence, the amount of service time remaining for the person in question is considered to be that which would have been assigned to him in non-military service if he had applied for and been accepted for non-military service on the day of his mustering out.

Unless otherwise provided for in this section, the offence referred to in subsection 1 is subject to the provisions of the Non-Military Service Act. If the brigade-level unit commander decides to send the pre-trial investigation material to the public prosecutor as provided for in section 14 of the Military Court Procedure Act (326/1983), the conscript refusing military service must be mustered out immediately. If the person in question is not sentenced to imprisonment for refusing military service, the military authorities will reassign him to service.

If the person imprisoned for refusing military service applies for non-military service, he may be released on parole as the provisions provided for in the Non-Military Service Act for persons imprisoned for non-military service offences.

When the person refusing military service has completely served his prison sentence or if the prison sentence has lapsed, he is no longer liable for military service during peacetime.

Section 119 – *Call-up absence*

A person liable for military service who unlawfully fails to arrive at the call-up referred to in section 16, or the examinations referred to in section 26, by the prescribed time, or leaves the call-up without the permission of the military authorities before his matters have been processed, is sentenced to a fine for *call-up absence*.

Section 120 – *Call-up absence during mobilization*

If the offence referred to in section 119 is committed during mobilization, the offender is sentenced to a fine or a prison sentence of up to two months.

Section 121 – *Insubordination during call-up*

A person liable for military service who disregards or disobeys

- 1) an order received from a call-up authority during call-up, or
- 2) an order from a military authority during the health examination referred to in section 26,

is sentenced to a fine for *insubordination during call-up*.

Section 122 – *Dodging military service*

A person seeking exemption from military service or a lighter treatment while in the military service by

- 1) attempting or causing self-inflicted injury or
- 2) presenting false information to the military authorities

is sentenced to a fine or up to three months of imprisonment for *dodging military service under the Conscription Act*.

Section 123 – *Dodging service during mobilization*

If the offence referred to in section 122 is committed during mobilization, with the intention of dodging military service for a long period or indefinitely, the perpetrator is sentenced to up to two years of imprisonment.

Section 124 – *Violating the obligation to provide information*

A person liable for military service who repeatedly fails to answer requests for information referred to in section 95(2) is sentenced to a fine for *violating the obligation to*

provide information, unless a more severe punishment is decreed in another Act for the violation.

Chapter 14 – Miscellaneous provisions

Section 125 – Police escort to military fitness assessment and military service induction

A person liable for military service who without a legitimate impediment fails to report to a call-up, to an examination assigned by the regional office or to service will be forcibly escorted to said call-up, examination or service by the police.

Section 126 – Serving notice for persons living abroad and other communications

Serving notice of decisions under this Act follows the procedures laid down in the Administrative Procedures Act (434/2003). Notice of the decision is also sent to the Finnish embassy or delegation nearest the place of residence of the person in question, or to the office of the consul general, the consul or the vice consul to be delivered to the person in question.

In matters pursuant to this Act, a person liable for military service may send a statement or letter addressed to the military authorities through the foreign affairs authorities referred to in subsection 1. The foreign affairs authorities must deliver the document or statement to the Defence Command without delay.

Section 127 – Call-up in the province of the Åland islands

Call-up in the province of the Åland islands takes place in the city of Mariehamn. The member of the call-up board representing the province is a representative chosen by the Mariehamn city council or a deputy member chosen in the same way.

Section 128 – Entry into force

This Act enters into force on 1 January 2008.

This Act repeals:

- 1) the Conscription Act (452/1950) of 15 September 1950 as amended;
- 2) the Act on the pay for persons liable for military service for service time other than regular military service (294/1953) of 29 June 1953 as amended.

Section 129 – Transitional provisions

For a person serving in unarmed service when this Act enters into force, the Conscription Act in force when this Act entered into force applies in terms of his service time.

For a person liable for military service who has been released from his military service liability pursuant to the Act in force when this Act entered into force, the provisions of section 87 apply.

The entry into force of this Act does not affect decisions pursuant to the Act in force when this Act came into force concerning induction into or deferment of military service.

Regulations and ordinances issued on the basis of the Act in force when this Act entered into force remain valid insofar as they do not conflict with this Act. Such rules and regulations should, however, be rewritten within two years of this Act's entry into force.

If other legislation refers to the Conscription Act repealed by this Act, the references shall be construed to refer to this Act. What is provided for in other Acts for the Military Province Command and Military Province Commander must be construed to refer to the regional office and chief of the regional office.

Before this Act enters into force, appropriate measures may begin for its implementation.

Helsinki

28 December 2007