

**NB: Unofficial translation,  
legally binding only in Finnish and Swedish**  
Finnish Transport Safety Agency

## **Act on the Finnish Transport Safety Agency** (863/2009)

### **Section 1 Function**

The Finnish Transport Safety Agency is a central government agency operating under the Ministry of Transport and Communications. It is responsible for transport system regulation and supervision, promotes transport safety and the sustainable development of the transport system, and provides administrative services in the transport sector.

### **Section 2 Duties**

The Agency's duties are to:

- 1) ensure the general safety of the transport system and to further improve safety;
- 2) limit environmental damage caused by the transport system;
- 3) promote the security of shipping and aviation;
- 4) perform certain duties related to the transport market falling within its sphere of responsibility;
- 5) monitor compliance with rules and regulations governing the transport system within the framework of its legal competence, for which separate provisions are issued;
- 6) provide for the organisation of driving tests, handle taxation and registration duties and provide information services within its own sector;
- 7) issue licences and approvals as required in the transport sector and make related decisions;
- 8) issue legal rules governing the sector within the framework of its legal competence, for which separate provisions are issued;
- 9) make international agreements of a technical, non-legislative nature within the limits of its authority;
- 10) participate in international co-operation in the transport sector;
- 11) be prepared, within its own sector, to ensure the operation of the transport system in emergency conditions and when normal operations are disrupted.

The Agency shall also carry out other public administrative duties within its sector as set out by separate provisions.

### **Section 3 Director General**

The Agency is headed by a Director General appointed by the Council of State.

### **Section 4 Charges**

The fees charged for services provided by the Agency are subject to the Act on Criteria for Charges Payable to the State ([150/1992](#)).

In addition to the provisions in section 6, subsection 3 of the Act on Criteria for Charges, the charge can generally be lower than the cost price of the performance or can be waived completely if:

- 1) the structure and level of fees charged for similar services in European Union member states and institutions are essentially different from the charge determined on the basis of the Act on Criteria for Charges Payable to the State;
- 2) it is of absolute necessity for safeguarding the basic conditions for aviation and promoting aviation safety; or
- 3) it is of absolute necessity for promoting competition in air transport.

### **Section 5 Certain service duties**

The Agency can make an agreement on the transfer of advisory services, customer services, document services and other similar duties not involving significant exercise of public power to other entities than the authority itself. In the conduct of duties referred to in this section, the provisions regarding penal liability in public office shall be applied to any person performing such tasks. The duties shall be performed in compliance with the provisions of the Administrative Procedure Act ([434/2003](#)), Language Act ([423/2003](#)) and the Act on the Openness of Government Activities ([621/1999](#)).

### **Section 6 Further provisions**

Further provisions on the management of the Agency and the conduct of its duties, processing of issues and making decisions in the Agency, qualification requirements for the Director General and for other public positions, designation of the Director General's deputy, appointment and recruitment of personnel as well as any other issues related to personnel and to the representation of the Agency with regard to other authorities and in other duties will be issued by Government decree.

The Director General shall issue the rules of procedure for the Agency. The rules shall contain provisions on:

- 1) the organisation;
- 2) use of the power of decision;
- 3) internal management;
- 4) deputies other than the deputy to the Director General;
- 5) other issues related to internal administration.

## **Section 7**

### **Entry into force**

This Act enters into force on 1 January 2010.

This Act repeals the following acts:

- 1) Act of 18 December 1995 on the Finnish Vehicle Administration ([1592/1995](#)), as amended;
- 2) Act of 22 December 2005 on the Finnish Rail Agency ([1094/2005](#));
- 3) Act of 29 December 2005 on the Finnish Civil Aviation Authority ([1247/2005](#)).

Any reference made in another act or decree or in a Government or ministry decision to the Finnish Civil Aviation Authority, Finnish Rail Agency or Finnish Vehicle Administration or to their duties, or any reference to tasks performed by the Maritime Safety Department of the Finnish Maritime Administration or by entities keeping the register of ships and performing pilotage authority duties will, after the entry into force of this Act, be regarded as a reference to the Finnish Transport Safety Agency and its duties.

Measures necessary for the implementation of this Act may be undertaken before the Act's entry into force.

## **Section 8**

### **Transitional provisions for the duties**

At the entry into force of this Act, the matters pending in the Finnish Civil Aviation Authority, Finnish Rail Agency, Finnish Vehicle Administration, central services of the Finnish Road Administration and the Finnish Maritime Administration shall be transferred for handling and decision to the Finnish Transport Safety Agency, as far as they fall under the Agency's responsibility by virtue of this Act or any other act. Similarly, any agreements and other commitments as well as any rights and obligations related to the duties referred to in this subsection will be transferred to the Finnish Transport Safety Agency.

Any permissions, approvals, prohibitions and decisions issued by the Finnish Vehicle Administration and the Finnish Rail Agency shall remain valid at the entry into force of this Act in accordance with the terms and conditions stated therein.

At the entry into force of this Act, the regulations issued by the Finnish Rail Agency and the provisions referred to in section 70, subsection 4 of the Railways Act ([555/2006](#)) shall remain in force until other provisions concerning their application are issued.

## **Section 9**

### **Transitional provisions for personnel**

At the entry into force of this Act, all personnel who perform the tasks referred to in section 8 above to be transferred to the Finnish Transport Safety Agency, either in public-service or contractual employment relationships, and the corresponding public posts and employment positions will be transferred to the Finnish Transport Safety Agency. Personnel employed for a fixed term will be transferred to the Agency for the remainder of their contract. The transfer of a public post or employment position within the same journey-to-work area does not require the consent of the public servant in question. Personnel who are transferring will retain the rights, duties and euro-denominated salary associated with their employment relationship at the time of transfer. If the duties of a public post change and a new post is established to replace it, the new post may, for the first time, be filled without declaring it for application.

On 1 January 2010, the public post of Director General will be established at the Finnish Transport Safety Agency by a decision of the Ministry of Transport and Communications and will be subject to the provisions of the Public Servants Act ([750/1994](#)). Before this Act enters into force, the Ministry of Transport and Communications may establish the senior public posts immediately subordinate to the Director General as of 1 January 2010. The senior public posts immediately subordinate to the Director General may, for the first time, be filled without declaring them for application. At the entry into force of this Act, the public posts of Director General at the Finnish Vehicle Administration, Finnish Civil Aviation Authority and Finnish Rail Agency as well as the public post of Maritime Safety Director at the Finnish Maritime Administration will be terminated. The public-service employment relationships associated with these public posts will terminate without notice when the posts are terminated.