

NB: Unofficial translation

Act on District Prosecutors

195/1996

Section 1 — *Local prosecutor*

- (1) The District Prosecutors act as local prosecutors.
- (2) In his or her prosecution duties, the District Prosecutor shall be subordinate to the Prosecutor-General, as provided in the Act on Public Prosecutors (199/1997). (200/1997)
- (3) Separate provisions apply to the Prosecutor for the Åland Islands.

Section 2 — *Prosecution Office and Prosecution Department*

- (1) A District Prosecutor operates in a District Prosecution Office or the Prosecution Department of the State Local Office. The Office and the Department shall fall within the purview of the Ministry of Justice.
- (2) The District Prosecution Office and the Prosecution Department of the State Local Office shall be headed by the District Prosecutor-in-charge. If, however, the Prosecution Department has only one prosecutor, it shall be headed by that District Prosecutor.
- (3) If the general session of the Government has decided that a post of police chief, as referred to in section 6a of the Act on Police Administration (156/1996), is to be established in the State Local Office, the police chief may act also as a District Prosecutor.

Section 3 — *Requirements for office*

The District Prosecutor-in-charge and the District Prosecutor shall hold a University degree in law and have the skill necessary for the performance of the task.

Section 4 — *Appointment (200/1997)*

The District Prosecutor-in-charge and the District Prosecutor shall be appointed by the Prosecutor-General.

Section 5 — *State Local Districts*

- (1) The local prosecution services shall be arranged by State Local District.
- (2) In order to achieve an appropriate arrangement of the local prosecution services, the Ministry of Justice can order different District Prosecution Offices or Prosecution Departments of State Local Offices to operate in co-operation or, after having heard the Provincial Government, order that a District Prosecution Office or a Prosecution Department of a State Local Office to operate also within another District.

Section 6 — *Jurisdiction of District Prosecutors*

The District Prosecutors operating within the jurisdiction of a District Court are competent to prosecute cases in which the District Court is competent.

Section 7 — *Junior Prosecutors*

- (1) A District Prosecution Office or the Prosecution Department of a State Local Office may have Junior Prosecutors, who are appointed for a given period and who shall hold a University degree in law.
- (2) A Junior Prosecutor shall be appointed by the head of the Office or Unit in question.

Section 8 — *Competence of Junior Prosecutors*

- (1) A Junior Prosecutor may be assigned to deal with the issuance of summary penal orders and with criminal matters heard by a single judge in the District Court.

- (2) A Junior Prosecutor of four months' standing may deal with individual criminal matters which under the circumstances at hand cannot give rise to a penalty different from or more severe than a fine or imprisonment for two years. However, a Junior Prosecutor may not deal with a criminal matter which is to be considered ambiguous, unclear or otherwise difficult to deal with, or in which the defendant is in detention.

Section 9 — *Jurisdiction in charges for offences in office*

Charges against a District Prosecutor-in-charge, a District Prosecutor or a Junior Prosecutor shall be brought before a Court of Appeal.

Section 10 — *Rules of Procedure*

The head of a District Prosecution Office shall confirm the Rules of Procedure of the Office and the head of the Prosecution Department of a State Local Office shall confirm the Rules of Procedure of the Unit.

Section 11 — *Further provisions*

Further provisions on the implementation of this Act shall be issued by a Decree.

Section 12 — *Entry into force*

- (1) This Act enters into force on 1 December 1996.
- (2) Measures necessary for the implementation of this Act may be undertaken before its entry into force.
- (3) This Act repeals the Town Attorneys Act (352/1976), as later amended, and the Act on the Town Attorneys and Police Chiefs as District Court Prosecutors (1436/1992).

Section 13 — *Transitional provision*

A Town Attorney, Police Chief or Deputy Chief operating as a Prosecutor may at the entry into force of this Act be appointed as a District Prosecutor even if he or she does not meet the requirements referred to in section 3.