

## **Act on the State Television and Radio Fund**

(745/1998; amendments up to 475/2012 included)

### Chapter 1 **General provisions**

#### Section 1 *Objective of the Act*

The objective of this Act is to organise the funding of the activities of the Finnish Broadcasting Company Ltd and the management of the State Television and Radio Fund as well as also otherwise promote television and radio activities.

*Section 2 has been repealed by the Act of 10 August 2012/475.*

### Chapter 2 **State Television and Radio Fund**

#### Section 3 (395/2003) *State Television and Radio Fund and its assets (475/2012)*

(1) For the purpose provided in section 1, there shall be an extra-budgetary State Television and Radio Fund managed by the Finnish Communications Regulatory Authority<sup>1</sup>.

(2) Appropriations to the Fund are transferred from the Budget to cover the costs accrued by the provision of public service laid down in section 7 of the Act on Yleisradio Oy (1380/1993). In 2013 the appropriations amounted to EUR 500 million. The amount of appropriations is reviewed on an annual basis so that it corresponds to the changes in the cost level. The basis of the review is an index in which a one-third weight is given to the general cost-of-living index and a two-third weight is given to the index of wage and salary earnings. (475/2012)

#### Section 4 (395/2003) *Accounting, financial statement and auditors*

(1) The Act on the State Budget (423/1988) and the provisions issued thereunder shall be complied with in regard to the accounting and financial statement of the Fund. The

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<sup>1</sup> Former Telecommunications Administration Centre

financial statement calculations of the Fund shall also include a realisation calculation of the utilisation plan of the Fund. The financial statement of the Fund shall be approved and signed by the Finnish Communications Regulatory Authority, which shall deliver it for confirmation to the Ministry of Transport and Communications.

(2) The Ministry of Transport and Communications annually appoints two auditors to audit the administration, finance and accounts of the Fund. One of the auditors shall be either a chartered auditor or association of public administration and finance (JHTT) referred to in the Act on Chartered Public Finance Auditors (467/1999), and the other a chartered auditor or association of public administration and finance (JHTT) or an auditor or association approved by the Central Chamber of Commerce (KHT) as referred to in the Accounting Act (459/2007). The auditors file an audit report of each accounting period.

### Section 5

#### *Use of the assets of the State Television and Radio Fund*

(1) The assets of the Fund consist of assets from State Budget appropriations, fees to be collected, and surpluses accumulated from previous financial periods, which are kept in the Fund's joint account of consolidated accounting. (475/2012)

(2) An amount of the Fund assets referred to in section 3(2) is annually used to finance the activities of the Finnish Broadcasting Company Ltd. Assets may also be used to pay the fees accrued for carrying out a prior evaluation referred to in section 6 a of the Act on Yleisradio Oy (Finnish Broadcasting Company) and to administer the Fund. The assets of the Fund may be used to otherwise promote television and radio operations. (475/2012)

(3) The Government shall decide on the distribution of the assets of the Fund for different purposes in the utilisation plan by calendar years. For a special reason, the utilisation plan may be amended also during a calendar year.

(4) Assets from the Fund shall be paid to the Finnish Broadcasting Company Ltd in instalments and at times approved by the Government in accordance with the utilisation plan and the financing needs of the company.

(5) Assets from the Fund are paid to the Finnish Broadcasting Company Ltd in accordance with the utilisation plan and the financing needs of the company. (475/2012)

*Chapter 3 has been repealed by the Act of 10 August 2012/475.*

*Chapter 4 has been repealed by the Act of 10 August 2012/475*

*Chapter 5, as amended, has been repealed by the Act of 19 August 2005/636*

*Chapter 6 has been repealed by the Act of 10 August 2012/475.*

*Chapter 7 has been repealed by the Act of 10 August 2012/475.*

Chapter 8  
**Transitional provisions and entry into force**

Section 39  
*Entry into force*

(1) This Act enters into force on 1 January 1999.

(2) Measures necessary for the implementation of this Act may be taken prior to its entry into force.

*Section 40 has been repealed by the Act of 10 August 2012/475.*

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*Transitional provisions and entry into force*

*491/2002:*

This Act enters into force on 1 July 2002.

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

The licence fee for 2002 is determined by calculating it separately for 1 January through 30 June 2002 (hereafter the first half of the year) and for 1 July through 31 December 2002 (hereafter the second half of the year). For establishing both parts of the fee, two separate fees are specified: on the basis of calendar year turnover referred to in section 24 of this Act such a fee is determined that would be set, if the provisions in force at the time of the entry into force of this Act would be applied for the whole year; and another fee is determined that would be set, if the licence fee schedule referred to in section 25 of this Act would be applied for the whole year. On these grounds the fee percentage for the first half of the year is calculated according to provisions in force at the time of the entry into force of this Act, and the fee percentage for the second half of the year according to licence fee schedule referred to in section 25 of this Act. The licence fee for 2002 is determined by multiplying the turnover of the first half of the year by the fee percentage of the first half of the year. Correspondingly, the part of the fee for the second of the year is determined by multiplying the turnover of the second half of the year by the fee percentage of the second half of the year. These sums for the first and second halves of the year are added up.

Licence fees that have been collected in accordance with the Act on State Television and Radio Fund for digital television operations before the entry into force of this Act are refunded to licensees in three months after this Act's entry into force.

*395/2003:*

This Act enters into force on 25 July 2003.

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

An administrative matter pending at the time of the entry into force of this Act will be dealt with in accordance with provisions in force at the time of the Act's entry into force. If a decision of the Finnish Communications Regulatory Authority on a revocation of a notice concerning the taking into use of a television set, or on a retrospective television fee or an inspection fee is due to a failure to comply with the notification obligation referred to in section 9, which has been shown before the entry into force of this Act, or to other matters taking place before the Act's entry into force and requiring a legal decision, the decision of the Finnish Communications Regulatory Authority may, however, be sent for information to the liable user of a television set in compliance with the procedure referred to in section 35 a of this Act after the Act's entry into force.

*636/2005:*

This Act enters into force on 1 April 2008.

*713/2005:*

This Act enters into force on 1 April 2005.

With regard to appeal, the provisions of law in force at the time of the entry into force of this Act will continue to apply to decisions of administrative authorities issued before the entry into force of this Act.

*1069/2007:*

This Act enters into force on 1 January 2008.

*475/2012:*

This Act enters into force on 1 January 2013.

Before the entry into force of the Act the Finnish Communications Regulatory Authority has the right to:

- 1) collect all television fees designated for a time period before the entry into force of this Act so that their due date will be no later than 31 December 2012; and
- 2) collect television fees based on notices of taking a television set into use that are submitted in December 2012, without applying the shortest payment obligation period referred to in section 8.

The provisions of law in force at the time of the entry into force of this Act apply until 1 January 2018 to collection of television fees that have not been paid by the time this Act enters into force.

Paid television fees designated for 2013 will be refunded without deducting the refund payment referred to in section 17.

Television fees referred to in the repealed section 17 that have not been refunded by the end of 2017 will be entered as revenue to the State Television and Radio Fund on 1 January 2018.

Data in the television user register referred to in the repealed section 18 will be removed in accordance with section 34 of the Personal Data Act (523/1999).

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

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