

160/1997

## **Nature Conservation Decree**

Issued in Helsinki, February 7, 1997

### **Chapter 1 General provisions**

#### Section 1

##### *Cooperation between authorities*

The environmental authorities and the forestry authorities shall cooperate in the formulation of principles for the management and use of commercial forests within the confines of a nature conservation programme, a protected habitat type, a landscape conservation area, a site hosting a species under strict protection and sites included in, or proposed by the Council of State for inclusion in, the Natura 2000 network.

Regarding land owned by the State, the agency or institution administering a site referred to in paragraph 1 shall be involved in this cooperation.

#### Section 2

##### *Monitoring of naturally occurring species and natural habitat types*

The Ministry of the Environment shall organize the monitoring of naturally occurring species and natural habitat types so as to establish their conservation status. Special priority shall be assigned to endangered species, priority species and habitat types referred to in the Directive of the Council of the European Community (92/43/EEC) on the conservation of natural habitats and of wild fauna and flora, hereinafter the Habitats Directive, and to items listed in annex V of the Directive of the Council of the European Community (79/409/EEC) on the conservation of wild birds.

If monitoring data indicate that the conservation status of a species or natural habitat type is no longer favourable, the Ministry of the Environment shall take steps to restore its favourable conservation status.

#### Section 3

##### *Nature conservation information system*

An information system (nature conservation information system) shall be maintained on nature reserves, natural monuments, nature conservation programmes, natural habitat types, sites hosting endangered species, sites included in or proposed by the Council of State for inclusion in the Natura 2000 network and landscape conservation areas.

The information system shall contain decisions taken under the Nature Conservation Act (1096/1996) and other essential data related to the planning, implementation, supervision and research of nature and landscape conservation, as provided in further detail by the Ministry of the Environment.

## **Chapter 2**

### **Nature conservation programmes**

#### Section 4

##### *Nature conservation programme*

In addition to what is provided in section 7 of the Nature Conservation Act, a nature conservation programme shall state the conservation objectives and the criteria by which sites are selected for protection, and define the sites to be included. The location and boundaries of sites included in the programme shall be indicated on an appropriate map, and the programme shall include an appended assessment of its financial and social implications.

#### Section 5

##### *Obtaining opinions on a nature conservation programme*

A proposed nature conservation programme shall be submitted for the opinion of all government authorities and institutions within whose jurisdiction it lies, the local authority concerned, the Regional Council, national non-governmental nature conservation and environmental organizations and associations promoting the interests of landowners.

## **Chapter 3**

### **Acquisition and administration of nature reserves**

#### Section 6

##### *Acquisition of nature reserves*

The Ministry of the Environment shall decide on State acquisition of land for the purpose of nature conservation. The Ministry of the Environment can, however, delegate this duty, either wholly or in part, to a centre for economic development, transport and the environment. ([1819/2009](#)).

Land purchased by the State for the purpose of nature conservation shall be under the administration of the Ministry of the Environment. Before such land is designated as a nature reserve, the Ministry of the Environment is authorized to delegate its administration to Metsähallitus.

In accordance with the Act on Metsähallitus ([1378/2004](#)), Metsähallitus shall decide on the acquisition of land for the purpose of nature conservation in line with annual objectives adopted by Parliament. Such lands are administered by Metsähallitus. ([17.11.2005/913](#))

Section 7  
*Administration of nature reserves*

State-owned nature reserves are administered by Metsähallitus, unless provided or decided otherwise when the reserve is designated. Authorities and agencies in charge of administering nature reserves shall see that they are used and managed as instructed by the Ministry of the Environment.

What is provided in paragraph 1 shall not apply, however, to nature reserves administered by some other ministry.

Section 8  
*Council for National Parks*

Metsähallitus and the Finnish Forest Research Institute are authorized to appoint a council to oversee matters related to the management and use of national parks. The council may include, among others, representatives of the government authorities and local authorities concerned, scientific and nature conservation organizations and representatives of the local community.

Section 9  
*Compensation paid in instalments*

The first instalment of compensation referred to in section 54 of the Nature Conservation Act shall be paid within the period provided for final payment of compensation in section 52 of the Act on Redemption of Immovable Property and Special Rights (603/1977). Other instalments shall be paid at yearly intervals after the lapse of said period.

If the sum of compensation is less than 50,000 euros, it shall not be split up into instalments.

[\(10.1.2002/14\)](#)

**Chapter 4**  
**Natural habitat types and landscape conservation areas**

Section 10  
*Protected habitat types*

The characteristic features of a natural habitat type are taken to include bedrock or soil, hydro-ecology and food chain and the plant and animal species and populations that have naturally adapted to these conditions.

The natural habitat types referred to in section 29 of the Nature Conservation Act refer to the following habitats:

1) Wild woods rich in broad-leafed deciduous species, with at least 20 tree-sized broad-leafed deciduous tree specimens growing either in one cluster or several adjacent clusters per hectare within a contiguous tract of land to which boundaries can be assigned. Deciduous broad-leafed species are oak, small-leafed lime, maple, ash, fluttering elm and wych elm. A tree is tree-sized when its diameter

exceeds seven centimetres at a height of 1.3 metres. In the case of oak, however, said diameter shall be 20 centimetres at said height.

- 2) Hazel woods with at least 20 hazel bush specimens of at least two metres in height or width growing either in one or several adjacent clusters per hectare within a contiguous tract of land to which boundaries can be assigned.
- 3) Common alder woods rich in swampland or springs, having common alder as the predominant tree species and with lady ferns, marsh ferns and other large ferns as tussock undergrowth. Interceding undergrowth consists of swamp vegetation, usually plants of the arum family and irises.
- 4) Sandy shores in their natural state, covering an area large enough to form a contiguous expanse of vegetation that hosts plant and animal species typical for sandy shore habitats. The soil substance consists of sand or silt, the shore profile not being significantly altered by development, reclaiming or levelling.
- 5) Coastal meadows, being uncultivated and characterised by open terrain and low-growing vegetation as a result of natural processes or traditional livelihoods, and consisting of nearly treeless and shrubless grass- or herb-rich coastal terrain.
- 6) Treeless or naturally sparsely wooded sand dunes formed from particles transported and piled by winds, which are, silviculturally, wasteland or low-productive land.
- 7) Juniper meadows, or uncultivated semi-open terrain consisting of moist or dry meadows shaped by traditional livelihoods. An abundance of juniper is the outstanding feature of the landscape, alternating with typical rock and meadow vegetation.
- 8) Wooded meadows consisting of semi-open terrain and having at least five trees reaped for leaf fodder per hectare in alternation with typical meadow vegetation.
- 9) Single trees or groups of not more than five trees dominating an open landscape, typically being thick-trunked, old, often ramified and broad-crowned. The diameter of pine, birch or oak shall be at least 60 centimetres at a height of 1.3 metres, and 40 centimetres for other tree species. 'Open landscape' is not taken to include regenerated forest areas.

## Section 11

### *Notification and registration of decisions*

Notification of a decision made by the centre for economic development, transport and the environment under section 30 or 47 of the Nature Conservation Act shall be given to the forestry centre, local authority and Regional Council. [\(1819/2009\)](#)

The decision shall also be entered in the real estate register.

## Section 12 [\(1819/2009\)](#)

### *Cooperation between centres for economic development, transport and the environment and forestry centres*

Centres for economic development, transport and the environment shall cooperate with local forestry centres in setting the boundaries of natural habitat types referred to in section 29, paragraph 1, subparagraphs 1-3, of the Nature Conservation Act before the decision referred to in section 30 of the Act is made. Regarding land owned by the State, the centre for economic development, transport and the environment shall also collaborate with the authority or institution administering it.

### Section 13

#### *Preparing a decision concerning a landscape conservation area*

The Ministry of the Environment shall cooperate with the Ministry of Agriculture and Forestry in preparing the decision to designate a landscape conservation area of national interest in agricultural or forest areas.

The Regional Council shall cooperate with the forestry centre in drafting proposals for the designation of a landscape conservation area for the protection of a forest landscape.

### Section 14

#### *Opinions obtained on a proposal for a landscape conservation area*

An opinion shall be obtained on a proposed landscape conservation area from those government authorities and agencies in whose jurisdiction it lies, from the local authority concerned, the Regional Council and from the non-governmental organizations involved in nature conservation and environmental protection and from other associations promoting the interests of landowners in the area concerned.

### Section 15

#### *Decision on a landscape conservation area*

The decision to designate a landscape conservation area shall specify which precise elements constitute its scenic value and the objectives of its protection and management. The designation decision shall include provisions on preservation of the landscape conservation area or any part thereof, as specified in section 34, paragraph 1.

### Section 16 § [\(913/2005\)](#)

Section 16 has been repealed by decree [913/2005](#)

## **Chapter 5 Protection of species**

### Section 17

#### *Fish species*

Fish species within the scope of application of the Nature Conservation Act, as referred to in section 37 of said Act, are listed in appendix 1 to this decree.

Section 18 ([471/2013](#))  
*Protection of animal species*

Animal species protected throughout the country under the provisions of section 38, paragraph 2, of the Nature Conservation Act are listed in Appendix 2 (a) to this decree, while species under protection south of the Oulu and Kainuu regions are listed in Appendix 2 (b).

Section 19  
*Large birds of prey*

Large birds of prey referred to in section 39, paragraph 2 of the Nature Conservation Act are the golden eagle (*Aquila chrysaetos*), sea eagle (*Haliaëtus albicilla*), spotted eagle (*Aquila clanga*), the lesser spotted eagle (*Aquila pomarina*) and osprey (*Pandion haliaëtus*).

Section 20 ([471/2013](#))  
*Protected plant species*

Plant species protected throughout the country under the provisions of section 42, paragraph 1, of the Nature Conservation Act are listed in Appendix 3(a) to this decree, while vascular plants under protection south of the Oulu and Kainuu regions are listed in Appendix 3 (b) and vascular plants under protection in the Oulu, Kainuu and Lapland regions are listed in Appendix 3 (c).

Section 21  
*Threatened species*

Threatened species referred to in section 46 of the Nature Conservation Act are listed in appendix 4 of this decree.

Section 22  
*Species under strict protection*

Species under strict protection referred to in section 47, paragraph 1, of the Nature Conservation Act are marked with an asterisk (\*) in appendix 4 of this decree.

Section 23  
*Species occurring in Finland listed in annex IV (a) of the Habitats Directive*

Section 49, paragraph 1 of the Nature Conservation Act shall apply to species listed in annex IV(a) of the Habitats Directive, which occur naturally in Finland and are listed in appendix 5 of this decree.

**Chapter 6**  
**Miscellaneous provisions**

#### Section 23a (3.10.1997/916)

##### *Designated customs offices for import and export of specimens of threatened species*

When importing or exporting animals, or parts or derivatives thereof, referred to in Council Regulation (EC) No. 338/97 on the Protection of Species of Wild Flora and Fauna by Regulating Trade Therein, from or to countries outside the European Community (third countries), the designated customs offices referred to in section 44a of the Nature Conservation Act are:

- 1) Helsinki, port;
- 2) Helsinki-Vantaa airport;
- 3) Vaalimaa;
- 4) Kilpisjärvi;
- 5) Raja-Jooseppi.

When importing or exporting plants, or parts or derivatives thereof, referred to in the Council Regulation mentioned in paragraph 1, from or to third countries, the designated customs offices referred to in section 44a of the Nature Conservation Act are:

- 1) Helsinki, port;
- 2) Helsinki-Vantaa airport;
- 3) Turku;
- 4) Vaalimaa.

#### Section 24

##### *The Natura 2000 network and the Network of Baltic Sea Coastal and Marine Protected Areas*

What is provided in section 5 concerning opinions obtained for proposed nature conservation programmes shall apply, as appropriate, to sites proposed for inclusion in the Natura 2000 network and the Network of Baltic Sea Coastal and Marine Protected Areas.

Before any decision is made which is likely to result in a significant contraction or substantial deterioration in the protection or management of a site included in the Network of Baltic Sea Coastal and Marine Protected Areas, the Baltic Marine Environment Commission shall be given an opportunity to state its opinion on the matter.

#### Section 24 a [\(52/2015\)](#)

##### *Notification of a measure affecting a Natura 2000 site*

The notification specified in section 65 b of the Nature Conservation Act concerning a measure shall list the following information:

- 1) the name and contact information of the party responsible for the measure;
- 2) the contact information of the real estate owner, if the owner is not the party responsible for the measure;
- 3) the location of the effective area of the measure indicated by a real estate number and the municipality of the real estate, or with sufficient accuracy on a map;

- 4) a description of the planned measure, its method of implementation and the extent of the effective area;
- 5) the time and duration of the measure; and
- 6) a description of the effects of the planned measure on the conservation objectives of the Natura 2000 site.

A map shall be appended to the notification with the location of the measure marked on it.

#### Section 25

##### *More detailed provisions*

More detailed provisions on the implementation of this Decree shall be issued as necessary by the Ministry of the Environment.

#### Section 26

##### *Entry into force and repeals*

This decree comes into effect on March 1, 1997.

This decree repeals the following decrees and Council of State decision:

- 1) decree on the protection of certain plant species, issued May 22, 1992 (450/1992) and later amendments thereto;
- 2) decree on the protection of certain animal species, issued June 10, 1994 (483/1994);
- 3) decree on the acquisition, administration and management of nature reserves, issued April 26, 1996 (296/1996); and
- 4) Council of State decision on species under strict protection, issued June 1, 1989 (519/1989).

The Ministry of the Environment decision on the duties of regional environment centres in the acquisition of nature reserves (298/1996) issued under the decree repealed above in paragraph 2, subparagraph 3, shall nevertheless remain in force.

#### Appendix 1

##### FISH SPECIES WITHIN THE SCOPE OF APPLICATION OF THE NATURE CONSERVATION ACT

#### Appendix 2 (a)

##### ANIMAL SPECIES UNDER PROTECTION THROUGHOUT THE COUNTRY

#### Appendix 2 (b)

##### ANIMAL SPECIES UNDER PROTECTION SOUTH OF THE OULU AND KAINUU REGIONS

#### Appendix 3 (a)

##### PLANT SPECIES UNDER PROTECTION THROUGHOUT THE COUNTRY

#### Appendix 3 (b)

##### VASCULAR PLANTS UNDER PROTECTION SOUTH OF THE OULU AND KAINUU REGIONS

Appendix 3 (c)

VASCULAR PLANTS UNDER PROTECTION IN THE OULU, KAINUU AND LAPLAND  
REGIONS

Appendix 4

THREATENED SPECIES

Appendix 5

SPECIES OCCURRING IN FINLAND LISTED IN ANNEX IV (a) OF THE HABITATS  
DIRECTIVE