

Translation from Finnish

Legally binding only in Finnish and Swedish

Ministry of Justice, Finland

Courts Act

(673/2016; amendments up to 842/2020 included)

By decision of Parliament, the following is enacted:

PART I

GENERAL PROVISIONS

Chapter 1

General provisions (209/2019)

Section 1 (209/2019)

Scope of application

This Act lays down provisions on the courts, judges, other court members and other court personnel. This Act also lays down provisions on the National Courts Administration, the Judicial Appointments Board, the Judicial Training Board, and their duties and personnel.

However, this Act applies to the Supreme Court and the Supreme Administrative Court and to the members of these courts only if not otherwise provided in the Supreme Court Act (665/2005) or in the Supreme Administrative Court Act (1265/2006).

Provisions on the High Court of Impeachment are issued separately.

Section 2

Courts

General courts are the district courts, the courts of appeal and, as the highest judicial instance, the Supreme Court.

General administrative courts are the administrative courts and, as the highest judicial instance, the Supreme Administrative Court.

Special courts are the Market Court, the Labour Court and the Insurance Court.

Section 3

Exercise of judicial powers and independence of courts

The courts exercise the judicial powers accorded to them under the Constitution.

The courts are independent in their exercise of judicial powers.

Section 4

Organisation of the work of courts

The courts are responsible for the organisation of their work in compliance with the provisions of this Act or another act.

Further provisions on the activities of a given court, on the consideration of judicial and administrative matters, and on other organisation of work are laid down in the rules of procedure approved by the court.

Section 5

Judges

Judges are:

- 1) in the Supreme Court, a president and justices as the other judges;
- 2) in the Supreme Administrative Court, a president and justices as the other judges;
- 3) in a court of appeal, a president as the head of court and court of appeal justices as the other judges;
- 4) in a district court, a chief judge as the head of court and district court judges as the other judges, and in district courts serving as land courts, also technically qualified judges;
- 5) in an administrative court, a chief judge as the head of court and administrative court judges as the other judges;

- 6) in the Market Court, a chief judge as the head of court and market court judges and technically qualified judges as the other judges;
- 7) in the Labour Court, a president as the head of court and a labour court judge as the other judge;
- 8) in the Insurance Court, a chief judge as the head of court and insurance court judges as the other judges;
- 9) in the courts of appeal, the administrative courts, the Market Court, the Labour Court and the Insurance Court, junior judges referred to in chapter 18.

A court may also have other members as provided in this Act or in another act.

Section 6

Status and independence of judges

Judges are independent in their exercise of judicial powers.

Provisions on the right of judges to remain in office as a guarantee of independence are laid down in section 103 of the Constitution and further provisions in chapter 16 of this Act.

Section 7

Judge's affirmation

Before undertaking their duties, judges and other members of a court shall give the following judge's affirmation: "I [insert name] do promise and swear, on my honour and my conscience, that I shall act in my office in accordance with the Constitution and the law, I shall render justice in a lawful and impartial manner to the best of my understanding, and I shall respect the equality of all persons before the law."

The affirmation is given in the court in question. It may also be given in a district court.

Further provisions on the judge's affirmation are issued by government decree.

PART II

COURTS

Chapter 2

District courts

Section 1

Duties of district courts

District courts consider civil, criminal and petitionary matters as the court of first instance, unless otherwise provided.

District courts also consider other matters assigned to them by law.

Section 2

Deciding a matter

District courts consider and decide matters in a session and in a written procedure in the court office.

The chief judge of a district court, a district court judge or a trainee judge serves as the chairperson of a district court.

Section 3 (860/2017)

District courts

District courts are Åland District Court, South Karelia District Court, South Ostrobothnia District Court, South Savo District Court, Helsinki District Court, Eastern Uusimaa District Court, Kainuu District Court, Kanta-Häme District Court, Central Finland District Court, Kymenlaakso District Court, Lapland District Court, Western Uusimaa District Court, Oulu District Court, Pirkanmaa District Court, Ostrobothnia District Court, North Karelia District Court, North Savo District Court, Päijät-Häme District Court, Satakunta District Court, and Southwest Finland District Court.

Provisions on the district courts that serve as land courts, maritime courts and military courts are issued separately.

Section 4

Places of operation of the district courts

A district court has an office with a registry. If necessary, a district court may have several offices and venues.

For special reasons, a court session may also be held in some other place located within the judicial district of the district court than at a venue referred to subsection 1, or in a municipality located outside the judicial district of the district court.

Provisions on the locations of the district court offices and venues are issued by decree of the Ministry of Justice.

Section 5 (860/2017)

Judicial districts of district courts

The judicial district of a district court consists of one or more regions or one or more municipalities in a region or regions, unless otherwise separately provided by law on the jurisdiction of district courts.

Provisions on the judicial districts of district courts are issued by government decree.

Section 6

Members of a district court

The members of a district court are the chief judge and the district court judges. In addition, a district court has, as other members, lay judges who participate in the consideration and decision of matters as provided in the Code of Judicial Procedure or in another act. Provisions on lay judges are laid down in the Act on District Court Lay Judges (675/2016).

A district court may also have military members who participate in the consideration and decision of military court cases. Provisions on military court cases are laid down in the Military Court Procedure Act (326/1983).

When a district court is established through merging the judicial districts of two or more district courts, there may temporarily be more than one position of chief judge at the district court, if so required by the merger. One of these chief judges shall be appointed as head of court in compliance with chapter 11, section 2, subsection 1. The provisions governing a chief judge of a district court apply to the chief judge of a district court acting as the head of court.

The administrative court judge of the Åland Administrative Court also serves as a district court judge at the Åland District Court.

Section 7

Members of the Land Court

A district court that serves as a land court has, as members, a district court judge who considers land court cases (*judge responsible for land court cases*) and a technically qualified judge. The judge responsible for land court cases also participates in the consideration of other matters in the district court.

In addition, the chief judge of a district court shall assign at least one other judge of the district court to consider land court cases for a term of at most five years at a time.

Chapter 3

Courts of appeal

Section 1

Judicial duties of courts of appeal

Courts of appeal consider appeals and complaints against decisions of district courts, as well as matters concerning extraordinary requests for review and other judicial matters that under the law shall be decided by a court of appeal.

Courts of appeal consider, as the court of first instance, cases concerning offences in public office involving judges, other court officials and prosecutors, which under the law shall be decided by a court of appeal.

Section 2

Supervisory duties of courts of appeal

Courts of appeal supervise the operations of the district courts within their judicial districts and undertake measures to rectify any defects they detect, where necessary. To perform this duty, courts of appeal have the right to receive the necessary information from the relevant authorities.

Courts of appeal shall draw up a report on the matters they have detected in connection with the supervision of district courts. The report shall be submitted to the Chancellor of Justice and to the Parliamentary Ombudsman for information. In addition, courts of appeal shall inform the Chancellor of Justice of such matters that have come to their knowledge that may lead to a charge for an offence in public office being brought in a court of appeal.

Provisions on how the supervision shall be carried out are laid down in the rules of procedure.

Section 3

Other duties of courts of appeal

Courts of appeal consider matters of judicial administration and other matters that under the law shall be decided by them.

Section 4

Deciding a matter

Courts of appeal consider and decide judicial matters in a session upon presentation or in a main hearing.

The president or a court of appeal justice serves as the chairperson of a court of appeal.

Section 5

Courts of appeal

Courts of appeal are Helsinki Court of Appeal, Eastern Finland Court of Appeal, Rovaniemi Court of Appeal, Turku Court of Appeal, and Vaasa Court of Appeal.

Section 6

Places of operation of the courts of appeal

Provisions on the locations of the courts of appeal are issued by government decree. A court of appeal may also have a permanent venue. Provisions on the locations of such venues are issued by decree of the Ministry of Justice.

Sessions of a court of appeal are held in the municipality where the court is located. However, a main hearing may be held in another municipality within the judicial district of the court of appeal than in the municipality where the court is located, if necessary. For special reasons, a main hearing may also be held in a municipality outside of the judicial district of the court of appeal.

Section 7

Judicial districts of courts of appeal

The judicial district of a court of appeal consists of the judicial districts of one or more district courts, unless otherwise separately provided by law on the jurisdiction of courts of appeal.

Provisions on the judicial districts of the courts of appeal are issued by government decree.

Section 8

Members of courts of appeal

The members of a court of appeal are the president and the court of appeal justices. A court of appeal may also have junior judges.

In addition, the Helsinki Court of Appeal has military members who participate in the consideration and decision of military court cases as provided in the Military Court Procedure Act.

Chapter 4

Administrative courts

Section 1 (842/2020)

Judicial duties of administrative courts

Administrative courts consider and decide appeals to the administrative court, matters of administrative litigation and other matters that fall under their jurisdiction under the Administrative Judicial Procedure Act (808/2019) or another act.

Section 2

Deciding a matter

Administrative courts consider and decide matters in a session upon presentation.

The chief judge or a legally trained administrative court judge serves as the chairperson of an administrative court.

Section 3

Administrative courts

Administrative courts are Helsinki Administrative Court, Hämeenlinna Administrative Court, Eastern Finland Administrative Court, Northern Finland Administrative Court, Turku Administrative Court, and Vaasa Administrative Court.

Provisions on the Åland Administrative Court are issued separately.

Section 4

Judicial districts of administrative courts

The judicial district of an administrative court consists of one or more regions, unless otherwise separately provided by law on the jurisdiction of administrative courts.

Provisions on the judicial districts and locations of the administrative courts are issued by government decree.

Section 5

Members of administrative courts

The members of an administrative court are the chief judge and the administrative court judges. In addition, an administrative court may have junior judges.

Administrative courts have expert members with expertise in child welfare, adoption, mental health issues, substance abuse services, communicable diseases, and special care for persons with intellectual disabilities, who participate in the consideration and decision of matters as provided in the Administrative Courts Act (430/1999) or in another act.

Chapter 5

Market Court

Section 1

Duties of the Market Court

The Market Court is a special court for competition and oversight matters, procurement matters, intellectual property rights matters, and market law matters.

Provisions on the quorum in the Market Court, on the consideration of matters that under the law fall under the Market Court's jurisdiction, and on requesting a review of a decision of the Market Court are laid down in the Market Court Procedure Act (100/2013).

Section 2

Members of the Market Court

The members of the Market Court are the chief judge, the market court judges and the technically qualified judges. The Market Court may also have junior judges.

The Market Court has expert members with expertise in competition and oversight matters, procurement matters, intellectual property rights matters and market law matters, who participate in the consideration and decision of matters as provided in the Market Court Procedure Act.

Chapter 6

Labour Court

Section 1

Duties of the Labour Court

The Labour Court is a special court for civil cases concerning collective agreements, and it also considers appeals that under the law fall under its jurisdiction.

Provisions on the matters falling under the jurisdiction of the Labour Court, on the quorum in the Labour Court, and on the consideration of matters in the Labour Court are laid down in the Labour Court Procedure Act (646/1974).

Section 2

Members of the Labour Court

The members of the Labour Court are the president and a labour court judge. The Labour Court may also have a junior judge.

The Labour Court has fourteen expert members who participate in the consideration and decision of matters as provided in the Labour Court Procedure Act. Two of the expert members shall be legally trained and shall not represent the interests of employers or employees. Eight of the other expert members shall have expertise in employment relationships and four of the other expert members shall have expertise in public-service relationships.

Chapter 7

Insurance Court

Section 1

Duties of the Insurance Court

The Insurance Court is a special court for income security matters that under the law fall under its jurisdiction.

Provisions on the quorum in the Insurance Court and on the consideration of matters in the Insurance Court are laid down in the Insurance Court Procedure Act (677/2016).

Section 2

Members of the Insurance Court

The members of the Insurance Court are the chief judge and the insurance court judges. The Insurance Court may also have junior judges.

The Insurance Court has a chief physician who serves as a full-time medical member. In addition to serving as a medical member, the chief physician plans and develops the Insurance Court's medical assessment procedure and is responsible for the overall planning, organisation and effectiveness of the work of the medical members. The chief physician shall also supervise that the medical members apply the legal principles and interpret the law in a uniform manner.

In addition, the Insurance Court has other medical members, expert members with expertise in working conditions or business activities, and expert members with expertise in military injuries, who participate in the consideration and decision of matters as provided in the Insurance Court Procedure Act.

Chapter 8

Organisation of work at courts, leadership and administration

Section 1

Leadership

The head of court leads a court and is responsible for its performance.

A court may have a management group to support the head of court in leading and developing the operations of the court. The management group consists of the head of court as the chairperson, the directors of departments referred to in section 4, the head of administration referred to in chapter 19, section 5, and, as necessary, other personnel.

The management group shall deal with, at least, the proposal for the rules of procedure of the court, and other significant matters that concern the leadership, administration, finances, operation and personnel of the court and the development of these.

Further provisions on the composition of the management group and the matters the group shall consider are laid down in the rules of procedure.

Section 2

Duties of the head of court

The head of court is responsible for developing the court and ensuring its operational capacity. The head of court determines the performance targets for the court and sees to it that these are achieved. The head of court shall supervise the uniformity of the application of legal principles and the interpretation of the law in the decisions of the court.

The head of court participates in the administration of justice to the extent that his or her other duties allow.

Section 3

Deciding administrative matters

The head of court decides administrative and financial matters within the authority of the court that have not been assigned to other public officials for decision.

The head of court may order that a matter that concerns issuing of a statement on a legislative matter or submission of a legislative motion shall be considered and decided in a plenary session, or, in a district court, in another extended composition.

Provisions on the right of the head of court to refer a matter to another public official for decision are laid down in the rules of procedure. The head of court may personally decide a matter that he or she has already referred to another public official for decision or that otherwise is within the authority of another public official.

Section 4

Departments

A court may be divided into departments. Provisions on the division into departments are laid down in the rules of procedure.

A department is headed by a legally trained judge assigned to the task by the head of court (*director of department*), unless it is headed by the head of court himself or herself.

Section 5

Assignment of directors of department

The head of court assigns a legally trained judge to serve as a director of department for at most three years at a time. The task shall be declared open for application for those permanent judges of the court in question who have been appointed to their positions before the end of the application period. The person to be assigned to the task shall have the personal characteristics and leadership skills required by the task.

The assignment may be revoked on serious grounds.

Section 6

Duties of directors of departments

The director of department guides and directs the work of the department. The director of department is responsible, in particular, for the overall planning and organisation of work in the department and for the performance of the department. The director of department shall supervise the uniformity of the application of legal principles and the interpretation of the law in the decisions issued by the department.

Section 7

Allocation of cases

Cases shall be allocated for preparation and decision in accordance with the principles established in the rules of procedure. These principles shall be clear and they shall ensure the right of the parties to have their case decided in an independent, objective and expeditious manner.

Section 8

Reallocation of cases

A case that has been allocated to a judge for consideration and decision may be reallocated against the will of the judge in question only if there are serious grounds for this due to the illness of the judge, a delay in the case, the workload of the judge, or another corresponding factor.

The head of court decides on the reallocation of a case in situations referred to in subsection 1. In the Supreme Court and the Supreme Administrative Court, the president decides on the reallocation of a case. Reasons for the decision shall be given.

Section 9

Rules of procedure

The rules of procedure of a court are approved by the head of court after consulting the management group or, if the court does not have a management group, after consulting the permanent judges.

The rules of procedure of a court are public and they shall be made publicly available.

Section 10

Annual report

The courts shall submit an annual report on their activities. Several courts may also submit a joint annual report.

The annual report is public and it shall be made publicly available.

PART III

JUDGES

Chapter 9

Status of a judge in the exercise of judicial powers and as a public official

Section 1

Responsibilities of judges

Judges exercise judicial powers independently and are, in this activity, subject only to the law.

Judges are obliged to decide cases that have been allocated to them. Judges shall perform their official duties conscientiously and carefully. Judges shall consider and decide cases expeditiously.

Provisions on the general duties of public officials that also apply to judges are laid down in chapter 4 of the Act on Public Officials in Central Government (750/1994) and elsewhere in the law.

Section 2

Official accountability of judges

Provisions on the official accountability of judges are laid down in section 118 of the Constitution and elsewhere by law.

Section 3

Judge as a referendary

If, under the law, a case shall be decided in court upon presentation, a judge may serve as the referendary.

Section 4

Education and training

Judges shall maintain and develop their knowledge of the law, legal skills and abilities, and professional skills.

Judges shall be offered sufficient training, and they shall be given the opportunity to participate in it.

Section 5

Outside employment and outside employment permit

Judges shall not accept or continue outside employment referred to in section 18, subsection 4 of the Act on Public Officials in Central Government, unless the court, upon application, grants a permit for this (*outside employment permit*). An outside employment permit may not be granted for serving as an arbitrator appointed by one of the parties to a dispute before a panel of arbitrators.

In other respects, provisions on outside employment are laid down in section 18 of the Act on Public Officials in Central Government.

Provisions on the registration of information on outside employment of judges are laid down in the Act on the Register of Private Interests and Extra-Judicial Activities of Judges (565/2015).

Section 6

Applying for an outside employment permit

An outside employment permit is granted upon application by the court in which the judge serves. However, a permit for the chief judge of a district court is granted by a court of appeal, for the president of a court of appeal and the Labour Court by the Supreme Court, and for the chief judge of an administrative court, the Market Court and the Insurance Court by the Supreme Administrative Court.

Notwithstanding the provisions of section 18, subsection 5 of the Act on Public Officials in Central Government, the applicant shall, in the application, provide information on the parties to an arbitration procedure to the head of court considering the application.

Section 7

Notification of income from outside employment and notification of termination of outside employment

A judge shall submit a notification of the income received from outside employment to the court annually, if the total income from outside employment exceeds EUR 10,000. The notification shall indicate the outside employment for which the income was paid. In addition, the payer shall also be indicated in respect of outside employment other than arbitration. Notwithstanding the provisions of section 24, subsection 1, paragraph 23 of the Act on the Openness of Government Activities (621/1999), information provided by a judge on income received from outside employment is public. A judge shall also notify the court of the termination of outside employment without delay.

A notification of income shall be submitted by the end of May of the calendar year following the receipt of the income at the latest. The notification shall be submitted to the court referred to in section 6, subsection 1.

Chapter 10

Required qualifications for judges

Section 1

General required qualifications for judges and grounds for appointment

To be appointed as judge, the person shall be a Finnish citizen with integrity who holds a master's degree in law other than a master's degree in international and comparative law, and who by his or her earlier service in court or in another position has demonstrated that he or she has the knowledge of the field in question and the necessary personal characteristics required for the successful performance of the duties of the position to be filled. Provisions on the qualifications required for positions of judge where expertise in a special field is necessary may be issued separately.

Provisions on the Finnish and Swedish language skills required of judges are laid down in section 9.

Section 2

Required qualifications for judges of the highest courts

To be appointed as president or member of the Supreme Court, or as president or member of the Supreme Administrative Court, the person shall be an eminent legal expert and meet the required qualifications specified in section 1. In addition, the president of the Supreme Court and the president of the Supreme Administrative Court shall have leadership skills.

Section 3

Required qualifications for heads of court

To be appointed as head of court, the person shall meet the required qualifications specified in section 1 and have leadership skills.

Section 4

Required qualifications for judges responsible for land court cases

A judge responsible for land court cases, who is working at a district court that serves as a land court, shall have expertise in real estate legislation and in the consideration of real estate cases.

Section 5

Required qualifications for technically qualified land court judges

A technically qualified judge working at a district court that serves as a land court shall hold a Master of Science (Technology) degree that is suitable for the position and that has been completed in the field of land surveying, shall have solid experience of cadastral procedures, and shall be well versed in real estate valuation.

Section 6 (774/2019)

Required qualifications for administrative court judges with expertise in water and environmental protection cases

A member of an administrative court, other than a legally trained member, who participates in the consideration of cases to be decided in the procedure specified in the Water Act (587/2011) and the Environmental Protection Act (527/2014) shall hold a suitable master's degree in the field of

technology or natural sciences. In addition, the person shall be familiar with the duties falling within the scope of the applicable legislation.

Section 7

Required qualifications for the chief judge of the Market Court and market court judges

The chief judge of the Market Court and the market court judges shall also have expertise in competition or oversight matters, procurement matters, intellectual property rights matters, or market law matters.

Section 8

Required qualifications for technically qualified judges of the Market Court

A person who holds a suitable master's degree in the field of technology, is a Finnish citizen with integrity, has expertise in patent matters and has the necessary personal characteristics may be appointed as technically qualified judge of the Market Court.

Section 9

Qualification requirements concerning Finnish and Swedish language skills of judges

To be appointed as judge, the person shall have excellent oral and written skills in the language of the majority population in the judicial district in question and:

- 1) in a unilingual court, satisfactory understanding and oral skills in the other language;
- 2) in a bilingual court, satisfactory oral and written skills in the other language.

Provisions on the language skills required of judges at the Åland District Court and the Åland Administrative Court are issued by government decree under the Act on the Autonomy of Åland (1144/1991).

Section 10

Positions of district court judge requiring special language skills

To safeguard the linguistic rights, bilingual district courts shall have a sufficient number of positions of district court judge requiring excellent oral and written skills in the language of the

minority population in the judicial district and satisfactory oral and written skills in the language of the majority population. A bilingual court shall, however, always have at least one such position.

Provisions on the number of positions referred to in subsection 1 in each bilingual district court are issued by government decree.

Section 11 (209/2019)

Other positions of judge requiring special language skills

To safeguard the linguistic rights, the bilingual courts of appeal and administrative courts, the Market Court and the Insurance Court may have a sufficient number of positions of legally trained judge requiring the language skills referred to in section 10, subsection 1.

Provisions on the number of positions referred to in subsection 1 in each bilingual court are issued by government decree. Before submitting a proposal for such a decree to the Government, the Ministry of Justice shall request a statement from the National Courts Administration concerning the need for the positions referred to in subsection 1.

Section 12

Exemption

No exemption may be granted from the required qualifications for a position of judge.

Chapter 11

Appointment of heads of court and permanent judges

Section 1

Appointment of judges to permanent positions and fixed-term public-service relationships

A judge is appointed to a permanent position, unless he or she is appointed to a fixed-term public-service relationship on the grounds laid down in chapter 12, section 1.

Junior judges are appointed for a fixed term in accordance with chapter 18, section 1.

The head of court is appointed for a fixed term in accordance with the provisions of section 2. The president of the Supreme Court and the president of the Supreme Administrative Court are appointed to their positions on a permanent basis.

Section 2

Appointment of the head of court for a fixed term

The head of court is appointed for a fixed term of seven years at a time. However, the term of a head of court may not extend beyond the statutory retirement age of judges. The provisions governing the appointment of permanent judges apply to the appointment of heads of court.

In cases referred to in chapter 12, section 1, a head of court may also be appointed for a term shorter than seven years.

A head of court who holds a permanent position of judge is on leave of absence from this position for the duration of his or her term as the head of court. However, the provisions of chapter 24, section 4 apply to a head of court appointed to his or her position before the entry into force of this Act.

If a person holding a position of head of court referred to in this section is appointed to another position of head of court, the person is deemed to have resigned from the former position as of the date on which he or she was appointed to the new position.

Section 3

Authority making the appointment

In cases referred to in section 2, subsection 1, permanent judges and heads of court are appointed by the President of the Republic on the basis of a proposal for decision presented by the Government.

Section 4 (209/2019)

Declaring a position open for application

Before a permanent position of judge or a fixed-term position of head of court is filled, the position shall be declared open for application.

The decision to declare a position open for application is made by:

- 1) the Supreme Court, when the position open for application is the position of president of the Supreme Court, a court of appeal or the Labour Court;
- 2) the Supreme Administrative Court, when the position open for application is the position of president of the Supreme Administrative Court or the position of chief judge of an administrative court, the Market Court or the Insurance Court;
- 3) the appropriate court of appeal, when the position open for application is the position of chief judge of a district court;
- 4) the court in which the position is placed, if the position open for application is some other than those mentioned in paragraphs 1–3.

Section 5 (209/2019)

Duties of the National Courts Administration in appointing judges

The National Courts Administration is responsible for the practical measures related to declaring a position of judge open for application in accordance with the instructions provided by the court that makes the decision to declare the position open for application.

The National Courts Administration shall draw up a summary of the applicants' official merits and other merits to be taken into account and submit it to the court that made the decision to declare the position open for application, to the court where the position to be filled is placed, and to the Judicial Appointments Board.

However, the measures referred to in subsections 1 and 2 shall be taken by the Supreme Court, if the position of president, member or referendary of the Supreme Court is open for application, and by the Supreme Administrative Court, if the position of president, member or referendary of the Supreme Administrative Court is open for application.

Section 6 (209/2019)

Re-declaring a position open for application, extending the application period, and cancelling the application procedure

For a valid reason, a position of judge may be re-declared open for application or the application period may be extended. In such a case, the earlier applicants shall be taken into consideration

without having to submit a new application. The application procedure may also be cancelled, if there is a valid reason for this.

The decision to re-declare a position open for application, to extend the application period and to cancel the application procedure is made by the court that decided on declaring the position open for application. The National Courts Administration is responsible for the related practical measures, with the exception of the positions in the Supreme Court and the Supreme Administrative Court, in respect of which these courts are responsible for the measures themselves.

Section 7

Proposal for appointment of a judge

The President of the Republic appoints the president of the Supreme Court and the president of the Supreme Administrative Court without a proposal referred to in subsection 3.

The Supreme Court prepares a reasoned proposal for the appointment of a member of the Supreme Court, which is submitted to the Government for presentation to the President of the Republic. The Supreme Administrative Court prepares, in a corresponding manner, a proposal for the appointment of a member of the Supreme Administrative Court.

A reasoned proposal for the appointment of a judge other than those referred to in subsections 1 and 2 is made by the Judicial Appointments Board referred to in chapter 20.

Section 8

Statement of the Judicial Appointments Board

The Judicial Appointments Board may issue a statement in a matter concerning the appointment of a member of the Supreme Court or the Supreme Administrative Court, if the court in question so requests. Section 9 applies to the issuing of such a statement.

Section 9 (209/2019)

Consideration of matters by the Judicial Appointments Board

Before making a proposal for appointment, the Judicial Appointments Board shall request a statement on the applicants from the court that made the decision to declare the position open for application. However, a statement regarding the applicants for a position of district court judge shall be requested from the appropriate court of appeal and, in addition, from the district court where the position is open for application. In respect of applicants for a position of technically qualified judge of a land court, a statement shall also be requested from the National Land Survey of Finland. Before appointing the chief judge of the Åland District Court, a statement shall be requested from the Government of Åland.

Before making a proposal for the appointment of the president of the Labour Court or a labour court judge, the Judicial Appointments Board may request a statement on the applicants from the central organisations and labour market institutions referred to in chapter 17, section 13 as well as from the Ministry of Finance and the Bank of Finland. The Board may also obtain other statements and reports and hear the applicants and experts.

Before a proposal for appointment is made, the applicants shall be given an opportunity to comment on the statements and reports that have been obtained during the preparations for the appointment.

Section 10

Issuing of a statement by a court

The statement by a court in a matter concerning the appointment of a judge is issued:

- 1) in a court of appeal, an administrative court, the Market Court and the Insurance Court, by a composition consisting of the head of court and the directors of departments or, if the court is not divided into departments, by the head of court after consulting the permanent judges;
- 2) in a district court, by the chief judge of the district court after consulting the management group or, if there is no management group in the district court, after consulting the permanent district court judges;
- 3) in the Labour Court, by the president.

The composition referred to above in subsection 1, paragraph 1 has a quorum when the head of court as the chairperson and at least half of the other members or their substitutes are present.

Section 11 (209/2019)

Content of the statement by the court

A statement issued by a court shall contain a reasoned view on which of the applicants should be appointed to the position.

The statement by the court shall indicate the reasoned view of the court on the merits and qualifications of the applicants and their order of preference with regard to the position to be filled.

Section 12

Declaration of private interests

Before being appointed to a permanent position of judge, the candidate shall provide a declaration of his or her private interests referred to in section 8a, subsection 1 of the Act on Public Officials in Central Government. The declaration shall be submitted to the authority making the appointment or, if this authority is the President of the Republic, to the Ministry of Justice. A person appointed as judge shall also submit the declaration for information to the court to which he or she is appointed.

Throughout his or her time in office, a judge shall declare any changes in his or her private interests without delay. Such declarations shall be submitted to the court in which the judge serves. However, the chief judge of a district court shall submit the declaration to the appropriate court of appeal, the president of a court of appeal and the Labour Court to the Supreme Court, and the chief judge of an administrative court, the Market Court and the Insurance Court to the Supreme Administrative Court. A judge shall also submit a corresponding declaration to the court or the Ministry of Justice whenever they so request.

Provisions on private interests are also laid down in section 8a of the Act on Public Officials in Central Government. Provisions on the registration of information on private interests are laid down in the Act on the Register of Private Interests and Extra-Judicial Activities of Judges.

Section 13

Right of a head of court to be appointed to a permanent position of judge

A head of court who has not been appointed to another permanent position of judge has the right, upon termination of his or her term of office referred to in section 2, subsection 1, to be appointed to a permanent position of legally trained judge in the court in which he or she has served as the head of court. If necessary, the head of court has the right to be appointed to such a position of judge in another court for which he or she is qualified and which can be considered suitable for him or her. The appointment shall be made in accordance with the procedure for the appointment of judges specified by law. However, the position shall not be declared open for application.

The seniority of a judge referred to above in subsection 1 is determined on the basis of the date on which he or she was appointed as head of court.

Chapter 12

Appointment of judges for a fixed term

Section 1

Appointment of judges to a fixed-term public-service relationship

If a permanent position of judge or a fixed-term position of head of court is vacant or a judge is prevented from attending to his or her duties or is on annual holiday, a person may be appointed to a fixed-term public-service relationship of a judge to hold the position. A judge may also be appointed to a fixed-term public-service relationship in a court if this is necessary due to the number or nature of the cases to be considered or for another special reason.

A judge may not be appointed to a fixed-term public-service relationship for the purpose of considering an individual case, unless there is a compelling need to do so in order to safeguard the judicial proceedings.

The provisions governing the qualifications, the right to remain in office, and the pay of the corresponding permanent judge apply to the qualifications of a judge appointed to a fixed-term public-service relationship, his or her right to remain in office for the period that he or she has been appointed, and the grounds for his or her pay.

Section 2

Declaring a fixed-term public-service relationship of a judge open for application

A fixed-term public-service relationship of a judge shall be declared open for application, if the appointment is to be made for at least six months.

A fixed-term public-service relationship of a member of the Supreme Court and the Supreme Administrative Court shall be declared open for application regardless of the duration of the appointment.

Section 3

Appointment of certain senior members of the judiciary to a fixed-term public-service relationship

The President of the Republic appoints members of the Supreme Court to a fixed-term public-service relationship on the proposal of the Supreme Court, and members of the Supreme Administrative Court on the proposal of the Supreme Administrative Court.

If the position of head of court is vacant, the Supreme Court appoints the president of a court of appeal and the president of the Labour Court as well as the chief judge of a district court to a fixed-term public-service relationship. The chief judge of a district court is appointed on the proposal of the appropriate court of appeal.

If the position of head of court is vacant, the Supreme Administrative Court appoints the chief judge of an administrative court, the Market Court and the Insurance Court to a fixed-term public-service relationship.

Section 4

Appointment of other judges to a fixed-term public-service relationship

The Supreme Court appoints judges to a fixed-term public-service relationship of more than one year to a court of appeal, the Labour Court and a district court on the proposal of the head of the court in question. Similarly, the Supreme Administrative Court appoints judges to an administrative court, the Market Court and the Insurance Court.

The head of court appoints judges to a fixed-term public-service relationship of at most one year to the court in question.

Before a judge is appointed in a case referred to in subsection 2, the head of court shall consult the management group or, if there is no management group, the permanent judges of the court, unless this is unnecessary due to the short duration of the appointment or for another reason.

Section 5

Declaration of private interests by judges appointed to a fixed-term public-service relationship

Judges appointed to a fixed-term public-service relationship of more than one year shall, before the appointment and throughout their time in office, give a declaration of their private interests referred to in chapter 11, section 12. The same applies to members of the Supreme Court and the Supreme Administrative Court appointed to a fixed-term public-service relationship regardless of the duration of the appointment.

Chapter 13

Leave of absence and substitute arrangements

Section 1

Leave of absence and attendance of judges

The decision to grant leave of absence referred to in section 23 of the Act on Public Officials in Central Government to a judge is made by the court in question, unless otherwise provided in section 2 of this chapter.

Section 2

Leave of absence of heads of court

The head of court may take leave of absence referred to in section 23 of the Act on Public Officials in Central Government for at most one month a year. The decision to grant leave of absence to the president of a court of appeal and the Labour Court for a period longer than one month is made by the Supreme Court. Similarly, the decision to grant leave of absence to the chief judge of an administrative court, the Market Court and the Insurance Court for a period longer than one

month is made by the Supreme Administrative Court. The decision to grant leave of absence to the chief judge of a district court for a period longer than one month is made by the appropriate court of appeal.

Section 3

Substituting for a head of court

When the head of court is prevented from attending to his or her duties, a director of department or another legally trained judge designated as the substitute in the rules of procedure shall serve as his or her substitute. If the rules of procedure do not contain such a provision, the most senior active director of department or, if the court is not divided into departments, the most senior active legally trained judge shall serve as the substitute for the head of court.

Section 4

Substituting for a director of department

When a director of department is prevented from attending to his or her duties, the judge designated as the substitute in the rules of procedure shall serve as his or her substitute. If the rules of procedure do not contain such a provision, the most senior active legally trained judge in the department in question shall serve as the substitute for the director of department.

Chapter 14

Service in another court and transfers

Section 1

Assignment of a qualified judge

Where necessary, the Supreme Court may assign another judge who meets the required qualifications to replace a disqualified judge in a court of appeal or in the Labour Court. Similarly, the Supreme Administrative Court may assign a judge to replace a disqualified judge in an administrative court, the Market Court and the Insurance Court.

Where necessary, a court of appeal may assign a legally trained judge from the court of appeal or from another district court in the judicial district of the court of appeal to replace a disqualified judge in a district court.

Section 2

Service of a judge in another court

A judge may be assigned, with his or her consent, to serve as a judge for at most one year at a time in a court other than the one to which he or she has been appointed, if this is justified due to the nature, extent or number of cases to be considered in the court to which he or she is to be assigned.

The court of appeal gives an assignment referred to in subsection 1 to a judge to serve in a district court within its judicial district. The Supreme Court gives an assignment to a judge to serve in a court of appeal and in the Labour Court, and the Supreme Administrative Court gives an assignment to a judge to serve in an administrative court, the Market Court and the Insurance Court.

Before an assignment is given, the consent of the court from which the judge is transferred shall be requested.

Section 3 (1509/2019)

Obligation of a technically qualified land court judge to serve in another district court

Where necessary, a technically qualified judge may be assigned to consider land court cases and cases referred to in section 65 of the Private Roads Act also in another district court considering land court cases within the same cooperation area for technically qualified judges than the one to which he or she has been appointed.

The assignment referred to above in subsection 1 is given by the district court to which the technically qualified judge has been appointed.

Provisions on the cooperation areas for technically qualified land court judges are issued by decree of the Ministry of Justice.

Section 4 (209/2019)

Transfer of judges in connection with reorganisation of the court system

The provisions of section 5a, section 5b, subsection 2 and section 5c, subsection 1 of the Act on Public Officials in Central Government on the reorganisation of functions within state administration apply to the transfer of judges in connection with a reorganisation of the court system.

If the position that is to be transferred under subsection 1 would be located, after the reorganisation, outside of the travel-to-work area of a judge and the judge does not consent to the transfer, efforts shall be made to transfer the judge to another position of judge within his or her travel-to-work area. If there is no such position, the judge may be transferred, with his or her consent, to a position of judge or to another position outside of his or her travel-to-work area. If, however, in connection with a reorganisation, a position of judge is replaced with a new position other than a position of judge, the judge has the right to be primarily appointed to a position of judge.

Judges may only be transferred to positions for which they meet the required qualifications and that can be deemed suitable for them. When transferring a position of judge, the procedure for the appointment of a judge specified by law shall be followed. The position shall not, however, be declared open for application, and the statement by a court on the appointment shall be issued by the Supreme Court or the Supreme Administrative Court, depending on which court is affected by the reorganisation.

If a judge refuses to accept a position assigned to him or her without a valid reason, the judge may be relieved from office. The matter is considered by the Supreme Administrative Court on the application of the National Courts Administration. The matter shall be considered as an urgent judicial matter.

Chapter 15

Written warning and suspension from office

Section 1

Written warning

A written warning referred to in section 24 of the Act on Public Officials in Central Government may be issued to a judge by the head of the court in which the judge serves. However, a written warning to the chief judge of a district court is issued by the president of the court of appeal, to the president of a court of appeal and to the president of the Labour Court by the president of the Supreme Court, and to the chief judge of an administrative court, the Market Court and the Insurance Court by the president of the Supreme Administrative Court.

Section 2

Suspension from office

The decision to suspend a judge from office on the grounds referred to in section 40, subsection 2, paragraphs 1–3 of the Act on Public Officials in Central Government is made by the court in which the judge serves. However, the decision to suspend the chief judge of a district court from office is made by the appropriate court of appeal, the decision to suspend the president of a court of appeal and the Labour Court is made by the Supreme Court, and the decision to suspend the chief judge of an administrative court, the Market Court and the Insurance Court is made by the Supreme Administrative Court.

Further provisions on suspension from office are laid down in the Act on Public Officials in Central Government.

Chapter 16

Termination of a public-service relationship

Section 1

Retirement age and resignation

Provisions on the general retirement age for public officials and on the termination of a public-service relationship applicable to judges are laid down in section 35 of the Act on Public Officials in Central Government.

The resignation of a judge is, upon application, accepted by the court in which the judge serves.

Section 2

Resignation of a judge and relieving a judge from office due to incapacity for work

Judges shall resign from their position if they have lost their ability to work due to an illness, impairment or injury.

If a judge who has lost his or her ability to work does not resign on his or her own motion, the court decides on the relieving of the judge from office. The matter shall be considered by the court relieving the judge from office as an urgent judicial matter. The decision to relieve a judge from office is made by:

- 1) the court of appeal that is competent to deal with offences in public office, if the matter concerns a judge of a district court or the Labour Court;
- 2) the Supreme Administrative Court, if the matter concerns a judge of the Supreme Administrative Court, an administrative court, the Market Court or the Insurance Court;
- 3) the Supreme Court, if the matter concerns a judge of the Supreme Court or a court of appeal.

The court that is competent to decide on suspension from office makes the application for the relieving of a judge from office.

Section 3

Competence of judges after termination of a public-service relationship

A judge continues to be competent in a judicial matter even after he or she no longer holds a position of judge or a fixed-term public-service relationship in the court in question, if he or she has decided the matter or participated in the decision on it as a member of a multimember composition while in office, or if a proposal for a decision on the matter had been made while he or she was in office.

What is provided in subsection 1 does not apply to a judge who has been relieved from office under section 2.

PART IV

EXPERT MEMBERS AND OTHER PERSONNEL

Chapter 17

Expert members

Section 1

Status of expert members

Expert members are independent in the exercise of judicial powers in the same manner as judges.

The provisions of chapter 9, sections 1 and 2 on the obligations and accountability of judges also apply to expert members.

The provisions of chapter 16, section 3 on the competence of judges also apply to expert members after their term has ended.

Section 2 (860/2017)

Right of expert members to remain in post

The provisions on the right of the holder of a position of judge to remain in office apply, with the exceptions specified in sections 18–21, to the right of an expert member to remain in post for the duration of the assignment.

The provisions of chapter 16, section 1 on the resignation of judges also apply to expert members.

Section 3

Assignment of expert members

The Government assigns expert members to an administrative court, the Market Court and the Insurance Court. The President of the Republic assigns expert members to the Supreme Administrative Court and the Labour Court.

Section 4

Number of expert members and their deputies

A sufficient number of expert members shall be assigned to each court. Provisions on the number of expert members in the Labour Court are laid down in chapter 6, section 2.

A sufficient number of deputies may be assigned to the expert members. The provisions on expert members also apply to their deputies.

Section 5

Term of expert members

Expert members are assigned for a term of five years at a time. If a post of expert member becomes vacant during the term, a new expert member may be assigned to replace him or her.

However, the assignment of a member may only last until the member reaches the retirement age of judges specified by law.

Section 6

Declaring posts open for application

The court in question declares the posts of expert members open for application.

What is provided in subsection 1 does not apply to those expert members of the Labour Court and the Insurance Court who are assigned on the basis of proposals referred to in sections 13 and 15.

The court may obtain statements or other reports regarding the applicants.

Section 7 (860/2017)

Proposal for assignment of an expert member

Courts submit a reasoned proposal to the Ministry of Justice, for presentation to the Government or the President of the Republic, regarding which of the applicants should be assigned to the posts.

A proposal for the assignment of those expert members of the Labour Court who have expertise in employment relationships and public-service relationships is made on the basis of proposals referred to in section 13. A proposal for the assignment of those expert members of the Insurance Court who have expertise in working conditions or business activities and those with expertise in military injuries is made on the basis of proposals referred to in section 15. In addition, the Insurance Court may, if necessary, consult the Ministry of Social Affairs and Health before submitting a proposal to the Ministry of Justice on the assignment of medical members to the Insurance Court.

Section 8

Required qualifications for expert members of administrative courts

Expert members of administrative courts shall:

- 1) in matters referred to in section 7, subsection 1, paragraphs 1 and 1a of the Administrative Courts Act, hold a master's degree suitable for the post and have expertise in child welfare;
- 2) in matters referred to in section 7, subsection 1, paragraph 2 of the Administrative Courts Act, hold a master's degree suitable for the post and have expertise in special care for persons with intellectual disabilities;
- 3) in matters referred to in section 7, subsection 1, paragraph 3 of the Administrative Courts Act, be licenced physicians with expertise in psychiatry;
- 4) in matters referred to in section 7, subsection 1, paragraph 4 of the Administrative Courts Act, hold a master's degree suitable for the post and have expertise in substance abuse services;
- 5) in matters referred to in section 7, subsection 1, paragraph 5 of the Administrative Courts Act, be medical specialists with expertise in communicable diseases.

Section 9

Required qualifications for expert members of the Supreme Administrative Court

At the Supreme Administrative Court, the required qualification for an environmental expert member is a suitable master's degree in the field of technology or natural sciences. In addition, the person shall be familiar with the duties falling within the scope of the applicable legislation.

The required qualification for an engineering expert member is a suitable master's degree in the field of technology. In addition, the person shall be familiar with patent matters.

Section 10

Required qualifications for expert members of the Market Court

The required qualification for an expert member of the Market Court who participates in the consideration of competition and oversight matters and procurement matters is a suitable master's degree. In addition, the person shall be familiar with competition law, procurement, the energy market, economics, marketing, the securities market, business and industry, or economic issues.

The required qualification for an expert member of the Market Court who participates in the consideration of intellectual property rights matters is a suitable master's degree. In addition, the person shall be familiar with issues related to the technical field in question or in patent issues, or in marketing, economics, business and industry, economic issues or the arts.

The required qualification for an expert member of the Market Court who participates in the consideration of market law matters is a suitable master's degree. In addition, the person shall be familiar with consumer protection, marketing, business and industry, or economic issues.

Section 11

Competence of expert members of the Market Court to consider other matters in the same judicial proceedings

When the Market Court considers, in the same judicial proceedings, matters falling into different categories, an expert member who is competent to participate in the consideration of one of the

matters to be considered in the said judicial proceedings is also competent to participate in the consideration of the other matters to be considered in the same proceedings.

Section 12

Required qualifications for expert members of the Labour Court

The required qualification for an expert member of the Labour Court who does not represent the interests of either employers or employees is a master's degree in law, other than a master's degree in international and comparative law. In addition, the person shall be familiar with working conditions.

The other expert members of the Labour Court shall be familiar with employment relationships or public-service relationships.

Section 13

Proposal for the assignment of expert members of the Labour Court with expertise in employment and public-service relationships

The expert members of the Labour Court with expertise in employment relationships and public-service relationships are assigned on the basis of proposals made by entities representing the interests of employers and employees as follows:

- 1) of the members with expertise in employment relationships:
 - a) four are assigned on the proposal of the most representative central organisations for employer associations; and
 - b) four are assigned on the proposal of the most representative central organisations for trade associations of employees and officials; and
- 2) of the members with expertise in public-service relationships:
 - a) two are assigned on the proposal of the Ministry of Finance, the KT Local Government Employers, the Commission for Church Employers, and the Bank of Finland; and
 - b) two are assigned on the proposal of the most representative central organisations for trade associations of central government public officials, public officials of the Bank of Finland, local government officials, and church officials.

Among the proposed candidates for expert members shall be candidates who are familiar with employment relationships in industry, agriculture and the services sector.

To be taken into consideration, the proposals of the entities referred to in subsection 1 shall contain at least twice as many candidates as will be assigned as expert members. An account indicating that the candidates have agreed to being assigned as expert members shall be appended to the proposals.

Before making its proposal, the Labour Court shall request the entities referred to in subsection 1 to submit their proposals for the assignment of expert members. The expert members shall be assigned even if no proposal is submitted within the period determined by the Labour Court or if the proposal is incomplete, if no proposal has been made or if it has not been supplemented regardless of a request to do so. The Labour Court may request a new proposal if the candidates do not meet the general grounds for appointment to office.

The provisions on criminal liability for acts in office apply to persons in the service of the organisations referred to in subsection 1 above who participate in the nomination of candidates referred to in this section.

Section 14

Required qualifications for expert members of the Insurance Court

The medical members of the Insurance Court shall be licenced physicians.

Among the other expert members of the Insurance Court shall be persons with expertise in working conditions or business activities as well as persons with expertise in military injuries.

Section 15 (860/2017)

Proposal for the assignment of expert members of the Insurance Court with expertise in working conditions or business activities and in military injuries

The expert members of the Insurance Court with expertise in working conditions or business activities and expert members with expertise in military injuries are assigned as follows:

1) the members with expertise in working life and the labour market or in business activities are assigned on the proposal of:

- a) the representative organisations for employers and employees;
- b) the KT Local Government Employers and the main bargaining organisations representing local government officials and employees;

- c) the Office for the Government as Employer and the most representative central organisations for central government public officials and employees;
 - d) the most representative organisations for entrepreneurs;
 - e) the most representative organisations for farmers; and
 - f) the Ministry of Defence and the most representative organisations familiar with the circumstances of beneficiaries in military accident cases; and
- 2) the members with expertise in military injuries and familiarity with the circumstances of beneficiaries are assigned on the proposal of the most representative central organisations representing beneficiaries, and the military members are assigned on the proposal of the Ministry of Defence.

To be taken into consideration, the proposals of the entities referred to in subsection 1 shall contain at least twice as many candidates as will be assigned as expert members. An account indicating that the candidates have agreed to being assigned as expert members shall be appended to the proposals.

Before making its proposal, the Insurance Court shall request the entities referred to in subsection 1 to submit their proposals for the assignment of expert members. The expert members shall be assigned even if no proposal is submitted within the period determined by the Insurance Court or if the proposal is incomplete, if no proposal has been made or if it has not been supplemented regardless of a request to do so. The Insurance Court may request a new proposal, if the candidates do not meet the general grounds for appointment to office.

The provisions on criminal liability for acts in office apply to persons in the service of the organisations referred to in subsection 1 above who participate in the nomination of candidates referred to in this section.

Section 16

Qualification requirements concerning language skills of expert members

To be assigned as an expert member of an administrative court, the person shall have good oral and written skills in the language of the majority population in the judicial district of the administrative court in question and:

- 1) in a unilingual administrative court, satisfactory understanding and oral skills in the other national language; or

2) in a bilingual administrative court, satisfactory oral and written skills in the other national language.

Provisions on the qualification requirements concerning the language skills of expert members and deputy members at the Åland Administrative Court are issued by government decree under the Act on the Autonomy of Åland.

To be assigned as an expert member of the Supreme Administrative Court or the Market Court, as an expert member of the Labour Court who does not represent the interests of either employers or employees, and as a medical member of the Insurance Court, the person shall have good oral and written skills in Finnish and satisfactory oral and written skills in Swedish.

The expert members of the Labour Court with expertise in employment relationships and public-service relationships and the expert members of the Insurance Court with expertise in working conditions or business activities and those with expertise in military injuries shall be assigned so that there is a sufficient number of persons with proficiency in the Finnish and the Swedish language among them.

Section 17

Declaration of private interests

A person proposed to be assigned as an expert member shall, before the assignment and throughout the duration of the assignment, submit a declaration of private interests referred to in chapter 11, section 12 to the court.

Section 18

Status of expert members in connection with reorganisation of the court system

If, in connection with a reorganisation of the court system, the duties of an expert member are transferred to another court, the expert member has the right to continue in his or her duties in the other court.

Section 19

Written warning and suspension of expert members

An expert member may be issued with a written warning and suspended from his or her post as an expert member in compliance with the provisions of chapter 15 on a written warning to be issued to a judge and suspension of a judge from office, as appropriate.

Section 20

Examination of the health of expert members and relieving expert members from their post due to incapacity for work

If necessary, the health of an expert member may be examined in compliance with section 19 of the Act on Public Officials in Central Government.

The provisions of chapter 16, section 2 of this Act on the relieving of a judge from office due to incapacity for work also apply to expert members.

Section 21

Relieving expert members from their post

If the required qualification for an expert member is that the person shall be a licenced physician or medical specialist and he or she no longer has, under the Health Care Professionals Act (559/1994), the right to practise as such or if this right has been restricted, the court in question shall relieve the person from his or her post or order that the expert may not attend to his or her duties for a specified period. The expert member shall be given an opportunity to be heard before being relieved from his or her post.

Section 22 (209/2019)

Fee payable to expert members

A reasonable fee and compensation is paid to expert members from state funds. The grounds for the fee and compensation and the amount of these is determined by the National Courts Administration.

Chapter 18

Junior judges

Section 1 (209/2019)

Positions of junior judge

A court of appeal, an administrative court, the Market Court, the Labour Court and the Insurance Court may, for training purposes, have fixed-term positions of junior judge to which a person is appointed for three years. The appointment may, for special reasons, be extended for a maximum of two years.

A person who has been serving as a junior judge for two years may, for the remainder of his or her term, also serve as some other judge than a junior judge or as a referendary at the Supreme Court or at the Supreme Administrative Court.

The provisions of chapter 12 on the appointment of judges to a fixed-term public-service relationship apply to the appointment of junior judges. The Judicial Training Board decides on declaring a position of junior judge open for application, re-declaring a position open for application, extending the application period, and cancelling the application process. The National Courts Administration is responsible for the practical measures related to declaring a position open for application as referred to in chapter 11, sections 5 and 6 and for drawing up a summary of the merits of the applicants and submitting it to the Judicial Training Board.

Section 2

Required qualifications for junior judges and grounds for appointment

To be appointed as junior judge, the person shall meet the required qualifications specified in chapter 10, section 1, and have at least three years' experience of the duties of a judge, court referendary or legal officer, prosecutor, attorney-at-law, or legal counsel, or of another corresponding lawyer post that can be deemed to prepare the person for the duties of a judge. A further required qualification is that the person shall have successfully passed an examination that demonstrates knowledge of the key legislation and the general principles governing the duties of a judge. The provisions of chapter 10, section 9 apply to the requirements concerning the Finnish and Swedish language skills of a junior judge.

Section 3

Competence of junior judges

A multimember composition deciding a case in court may only include one junior judge.

A junior judge may not be a member of a composition deciding a case that concerns an offence in public office committed by a judge.

A junior judge may serve as the chairperson of a court.

Section 4

Advanced court training programme for junior judges

The objective of the training of junior judges is to deepen their knowledge of the law and legal skills and abilities and to provide them with a good ability to make independent judicial decisions also in extensive and complicated cases.

During their term of office, junior judges shall participate in the advanced court training programme, devised by the Judicial Training Board, in accordance with the personal study plans drawn up for them at the place of training.

Section 5

Suspension of the training programme

The head of court may, for a justified reason, allow a junior judge to suspend his or her advanced court training programme. A junior judge may complete the suspended programme after the suspension has ended.

Notwithstanding the provisions on the appointment of junior judges, the court in which the position of junior judge is placed may, without having to declare the position open for application, appoint the junior judge, upon his or her application, to the position of junior judge for a period corresponding to the term of office remaining under subsection 1. (209/2019)

Section 6

Completion of the advanced court training programme

A junior judge, having served in his or her duties for the three-year minimum period referred to in section 1, subsection 1, shall submit a final paper or pass a final examination demonstrating the skills and knowledge required in the duties of a judge. The Judicial Training Board organises the examination.

A junior judge who has successfully completed the advanced court training programme and whose final paper has been accepted or who has passed the final examination may be granted the right to use the designation of 'trained in the advanced court training programme'. The right is granted by the Judicial Training Board upon application.

Provisions on the Judicial Training Board are laid down in chapter 21.

Chapter 19

Other personnel

Section 1

Referendaries and legal officers

The courts have referendaries and legal officers as follows:

- 1) the courts of appeal have court of appeal referendaries;
- 2) the administrative courts have administrative court referendaries;
- 3) the Market Court has market court legal officers;
- 4) the Labour Court has labour court referendaries;
- 5) the Insurance Court has insurance court referendaries.

Furthermore, administrative courts may have notaries as referendaries.

In the rules of procedure, another public official who meets the required qualifications may also be designated to serve as a referendary in addition to the public officials referred to in subsections 1 and 2.

A referendary may serve as the preparing legal officer in a case where the judge serves as a referendary in accordance with chapter 9, section 3.

Section 2

Appointment of referendaries and legal officers

Referendaries and legal officers are appointed by the court in question.

Section 3

Required qualifications for referendaries and legal officers

The required qualification for the positions referred to in section 1, subsection 1 is a master's degree in law other than a master's degree in international and comparative law. In addition, a court of appeal referendary shall have experience of the duties of a judge. A labour court referendary shall also be familiar with employment relationships.

The required qualification for the position of notary referred to in section 1, subsection 2 is a suitable higher education degree.

The provisions of chapter 10, section 9 on the qualification requirements concerning the language skills of judges also apply to the qualification requirements concerning the language skills of referendaries and legal officers.

Section 4

Trainee judges

District courts, courts of appeal and administrative courts have trainee judges completing court training, who participate in the consideration and decision of judicial matters in accordance with the Act on Court Training (674/2016).

Provisions on the required qualifications for trainee judges and their appointment are laid down in section 3 of the Act on Court Training.

Section 5 (209/2019)

Head of administration and other personnel

A court may have a position of head of administration or another similar position, the holder of which is responsible for the administration of the court. A court may also have other personnel in an employment or public-service relationship.

The required qualification for the head of administration is a suitable master's degree. The rules of procedure of a court may contain provisions on the required qualifications for other personnel, if this is justified in view of the duties involved in a given position.

The court in question appoints the public officials referred to in this section and hires the personnel in employment relationships.

Section 6 (860/2017)

Competence of office staff

The chief judge of a district court may give an assignment to, in writing, such a member of the office staff of the district court who has given an affirmation referred to in subsection 4, who has received training necessary for the task and who has sufficient skills to perform the task:

1) in matters referred to in chapter 5, section 3 of the Code of Judicial Procedure:

a) to issue judgments by default;

b) to issue, under chapter 21, section 8c of the Code of Judicial Procedure, decisions in respect of legal costs as well as judgments in cases where the defendant has admitted the action;

c) to make decisions to dismiss a case without considering the merits, if the plaintiff has withdrawn the action and the defendant does not request a decision in the case;

2) to decide on divorce petitions under section 25, subsection 1 of the Marriage Act (234/1929), if both spouses are domiciled in Finland.

If a matter to be decided by a member of the office staff, referred to in subsection 1, turns out to be extensive, subject to interpretation or otherwise difficult to decide, it shall be transferred to a trainee judge or a legally trained member of the district court for decision.

The chief judge of a district court may give an assignment to, in writing, such a member of the office staff who has sufficient skills for this to issue summons and certificates, to effect service of

documents and to perform other duties related to the preparation, consideration or enforcement of judicial matters.

Before undertaking the duties, a person performing judicial duties under subsection 1 shall give the following affirmation, which is equivalent to the affirmation of a judge: "I, [insert name], do promise and swear on my honour and conscience that to the best of my understanding and conscience I shall in all judicial duties act in an impartial manner in accordance with the law." The affirmation shall be given before the court in which the person undertakes the judicial duties.

Section 7

Leave of absence and attendance

The court in question decides on granting leave of absence to the personnel in a public-service relationship referred to in this chapter.

Section 8

Outside employment of referendaries and legal officers

The provisions of chapter 9, sections 5–7 on the outside employment of judges also apply to outside employment of court referendaries and legal officers.

Section 9

Training of referendaries and legal officers

The provisions of chapter 9, section 4 on the training of judges also apply to court referendaries and legal officers.

PART IV A

THE NATIONAL COURTS ADMINISTRATION AND THE BOARDS (209/2019)

Chapter 19a (209/2019)

National Courts Administration

Section 1 (209/2019)

National Courts Administration

The purpose of the National Courts Administration, which operates in the administrative branch of the Ministry of Justice, is to ensure a favourable operating environment for the courts and to develop, plan and support the activities of the courts. The National Courts Administration is an independent agency.

Section 2 (209/2019)

Duties of the National Courts Administration

The National Courts Administration is responsible for ensuring that the courts are able to maintain a high level of quality in the exercise of their judicial powers and that the administration of the courts is organised in an efficient and appropriate manner.

The National Courts Administration shall especially:

- 1) make proposals to the Ministry of Justice on appropriations for the operating expenditure of the courts and decide on the allocation of the appropriations to the courts in accordance with the approved budget, in so far as the appropriations have not been allocated directly to a specific court;
- 2) be in charge of the premises management of the courts, in so far as the power of decision in this regard does not lie with the Ministry of Justice;
- 3) be in charge of the maintenance and development of the information systems of the courts;
- 4) be responsible for organising training for judges and other court personnel in cooperation with the Judicial Training Board referred to in chapter 21;
- 5) decide on matters related to the establishment, termination and transfer of positions and internal recruitment arrangements at the courts, and deal with matters related to the employment relationships of court personnel in so far as these matters do not fall within the competence of a court or some other authority;

- 6) support the courts in their communication activities;
- 7) monitor the performance of the courts and conduct studies and assessments concerning this;
- 8) act as the agency representing the court system in national development projects and other projects, unless this task falls within the competence of a specific court, the Government or some other authority;
- 9) participate in the overall development of the operations of the court system;
- 10) promote, support and coordinate development projects concerning courts and their activities;
- 11) submit initiatives to the Government on legislation, measures and development in its field of activity;
- 12) participate in international cooperation in its field of activity;
- 13) be in charge of the technical and routine central administration of the court system;
- 14) make proposals to the Ministry of Justice on appropriations for the operating expenditure of the Judicial Appointments Board and the Judicial Training Board, decide on the allocation of appropriations to the Boards, and attend to other central administration tasks concerning the Boards.

Section 3 (209/2019)

Position of courts

In its activities, the National Courts Administration shall take account of the independence of the courts and the position and statutory duties of the highest courts laid down in the Constitution. The provisions of section 2 do not restrict the competence of the courts provided by law.

Section 4 (209/2019)

Hearing of the highest courts

The National Courts Administration shall give the Supreme Court and the Supreme Administrative Court an opportunity to express their opinion on a budget proposal concerning the other courts and on a budget proposal concerning the National Courts Administration. The opinions of the highest courts shall be submitted to the Ministry of Justice for information.

The Supreme Court and the Supreme Administrative Court shall also be given an opportunity to express their opinion on other such matters of principle being considered by the National Courts Administration that may be of great significance to the court system.

Section 5 (209/2019)

Management

The National Courts Administration has a board of directors and a director general.

Section 6 (209/2019)

Board of directors

The highest decision-making body in the National Courts Administration is the board of directors.

The board of directors:

- 1) determines the key objectives, strategy and management principles for the operations and economy of the National Courts Administration;
- 2) decides on the budget proposals concerning the courts and the National Courts Administration that are to be submitted to the Ministry of Justice;
- 3) decides on the allocation of appropriations to the courts in accordance with the approved budget in so far as the appropriations have not been allocated directly to a specific court;
- 4) confirms the general principles for the organisation of oversight of the accounting and finances of the courts and the National Courts Administration;
- 5) approves agreements that have significant consequences or importance in principle for the National Courts Administration, and issues opinions on important matters of principle concerning the field of activity of the National Courts Administration;
- 6) decides, in accordance with the Act on Public Officials in Central Government, on the establishment, termination and transfer of other positions of judge than those of the highest courts;
- 7) decides whether an application for the relieving of a judge from office as referred to in chapter 14, section 4, subsection 4 is to be made;
- 8) appoints the director general, dismisses the director general or terminates his or her public-service relationship, and makes any other significant decisions concerning the public-service relationship of the director general;
- 9) confirms the rules of procedure of the National Courts Administration;
- 10) makes other decisions that are of significance for the operations and tasks of the National Courts Administration.

Section 7 (209/2019)

Appointment and composition of the board of directors

The Government appoints the board of directors of the National Courts Administration for a term of five years at a time from among the candidates proposed to it in accordance with section 8.

The board of directors consists of one judge of the Supreme Court and one judge of the Supreme Administrative Court as well as one judge from the courts of appeal, one judge from the district courts, one judge from the administrative courts, and one judge from the special courts. The board of directors also has one member representing the other personnel of the courts and one member with special expertise in the management of public administration. Each member has a personal deputy.

One of the judge members shall be a head of court of a court of appeal or a district court and one of them shall be a head of court of an administrative court or a special court.

A Member of Parliament or a member of the Parliament of Åland, the Government, the Government of Åland, a local council or a local executive may not be a member of the board of directors of the National Courts Administration.

Section 8 (209/2019)

Nomination of candidates for board members

The board of directors of the National Courts Administration is appointed after:

- 1) the Supreme Court has nominated a candidate for a member and a deputy member from among its personnel;
- 2) the Supreme Administrative Court has nominated a candidate for a member and a deputy member from among its personnel;
- 3) the heads of court of the courts of appeal and the district courts have, following an expression-of-interest procedure, nominated their candidates for members and deputy members representing the courts of appeal and the district courts, and the heads of court of the administrative courts and the special courts have, following an expression-of-interest procedure, nominated their candidates for members and deputy members representing the administrative courts and the special courts; before the nomination, the heads of court referred to above in this paragraph shall discuss the nominations among themselves and consult the employees' organisations representing judges; and

4) the heads of court have, in accordance with the procedure laid down in paragraph 3, nominated a candidate for a member and a deputy member representing other court personnel after consulting the employees' organisations representing the personnel.

The Ministry of Justice announces vacancies in the board of directors and requests the parties concerned to nominate candidates as provided in subsection 1. Twice as many candidates for members and deputy members referred to in subsection 1, paragraphs 3 and 4 shall be nominated as will be selected for each position.

If a member or a deputy member of the board of directors no longer serves in the position or task on the basis of which he or she was nominated, or if he or she has been appointed to a position referred to in section 7, subsection 4, a new member or deputy member shall be nominated to replace him or her for the remainder of the term of the board of directors. A new member need not, however, be nominated in a situation where a head of court referred to in subsection 1, paragraph 3 transfers to another position of judge in the middle of the term or where a judge referred to in the said paragraph, other than a head of court, is appointed to the position of head of court.

Section 9 (209/2019)

Chairperson and deputy chairperson of the board of directors

The board of directors selects among its members a chairperson and, as provided in the rules of procedure, one or more deputy chairpersons.

Section 10 (209/2019)

Decision-making by the board of directors

The board of directors has a quorum when at least four members or deputy members are present.

Decisions of the board of directors are based on the opinion seconded by the majority. In the event of a tie, the chairperson has the casting vote.

Further provisions on the decision-making procedure of the board of directors and on the presentation of matters in this connection may be laid down in the rules of procedure of the National Courts Administration.

Section 11 (209/2019)

Director general

The National Courts Administration is headed by a director general.

The director general decides on matters that are not to be decided by the board of directors or some other public official under the law or the rules of procedure of the National Courts Administration.

Provisions on the right of the director general to refer a matter to another public official for decision are laid down in the rules of procedure. The director general may take over and decide himself or herself a matter that he or she has referred to another public official or a matter in which the power of decision otherwise lies with another public official.

Section 12 (209/2019)

Other personnel

In addition to the director general, the National Courts Administration has other personnel as provided in the rules of procedure. Provisions on the required qualifications for other personnel may be laid down in the rules of procedure of the National Courts Administration, if this is justified considering the duties included in a given position.

Section 13 (209/2019)

Rules of procedure

Further provisions on the activities, organisation and personnel of the National Courts Administration and on the work arrangements and consideration of matters at the National Courts Administration are issued in the rules of the procedure.

PART V

MISCELLANEOUS PROVISIONS

Chapter 20

Judicial Appointments Board

Section 1

Duties, appointment and composition of the Judicial Appointments Board

The task of the Judicial Appointments Board is to prepare appointments of judges.

The Government appoints the Judicial Appointments Board for a term of five years at a time.

The chairperson of the Judicial Appointments Board is the member nominated by the Supreme Court and the vice chairperson is the member nominated by the Supreme Administrative Court. The other members are one president of the courts of appeal, one chief judge of the administrative courts, one chief judge of the district courts, one permanent judge of the courts of appeal, one district court judge, two administrative court judges or one administrative court judge and one judge of a special court, one attorney-at-law, one prosecutor, and one member representing legal research and education. Each member has a personal deputy.

Section 2

Nomination of members of the Judicial Appointments Board

The Judicial Appointments Board is appointed after:

- 1) the Supreme Court has nominated one member and one deputy member from among its personnel;
- 2) the Supreme Administrative Court has nominated one member and one deputy member from among its personnel;
- 3) the presidents of the courts of appeal have nominated one member and one deputy member from among themselves;
- 4) the chief judges of the administrative courts have nominated one member and one deputy member from among themselves;
- 5) the Supreme Court has nominated one member and one deputy member from among the chief judges of the district courts, one member and one deputy member from among the other

permanent judges of the courts of appeal, and one member and one deputy member from among the district court judges following an expression-of-interest procedure;

6) the Supreme Administrative Court has nominated the members and deputy members from among the administrative court judges or judges of the special courts following an expression-of-interest procedure;

7) the Finnish Bar Association has nominated one member and one deputy member representing attorneys-at-law from among its members;

8) the Prosecutor General has nominated one member and one deputy member representing prosecutors;

9) the Ministry of Justice has nominated one member and one deputy member representing legal research and education.

Section 3

Nomination procedure

Twice as many candidates for members and deputy members referred to in section 2, paragraphs 5–9 shall be nominated as will be selected for each post. Before nominating candidates for the member referred to in section 2, paragraph 9, the Ministry of Justice shall consult the institutes representing legal research and education.

The Supreme Court and the Supreme Administrative Court shall announce the vacancies for the posts referred to in section 2, paragraphs 5 and 6 and inform the Ministry of Justice of the members and deputy members they have nominated.

The Ministry of Justice shall request the Finnish Bar Association and the Prosecutor General to nominate candidates for the members referred to in section 2, paragraphs 7 and 8.

Section 4

Resignation of a Board member

The Government accepts the resignation of a member and a deputy member of the Judicial Appointments Board.

When a member resigns, a replacement shall be appointed for him or her for the remainder of the term in accordance with the procedure specified above.

Section 5

Quorum

The Judicial Appointments Board has a quorum when the chairperson or vice chairperson and at least eight other members or deputy members are present.

Section 6 (209/2019)

Personnel of the Judicial Appointments Board

The Judicial Appointments Board has a secretary. The Board may also have part-time referendaries. The task of the secretary and the part-time referendaries is to prepare and present the appointment proposals and statements of the Board. In addition, the secretary is responsible for the organisation of the other activities of the Board.

The secretary and the part-time referendaries shall hold a master's degree in law other than a master's degree in international and comparative law and have good knowledge of court activities.

The Judicial Appointments Board appoints the secretary and the part-time referendaries for a fixed term. The National Courts Administration is responsible for organising the other secretarial services of the Board, and it may assign its personnel to perform duties of the Board. Provisions on the required qualifications for these positions may be laid down in the rules of procedure of the Board.

Section 7

Further provisions

Further provisions on the office and personnel of the Judicial Appointments Board, organisation of work and consideration of matters at the Board may be laid down in the rules of procedure approved by the Board.

Chapter 21

Judicial Training Board

Section 1 (209/2019)

Duties of the Judicial Training Board

The Judicial Training Board is responsible for:

- 1) planning the training to be provided to court members, referendaries, legal officers, trainee judges, and other personnel, in cooperation with the National Courts Administration and the courts;
- 2) planning and organising the examinations and other performance reviews referred to in chapter 18, section 2 and section 6, subsection 1;
- 3) organising the application procedure for the positions of junior judge and the pre-selection of junior judges;
- 4) organising the centralised application process for the traineeships referred to in the Act on Court Training and selecting and appointing trainee judges;
- 5) issuing instructions to the courts of appeal, the administrative courts, the Market Court, the Labour Court and the Insurance Court on the contents of the personal study plans of junior judges referred to in chapter 18, section 4, subsection 2;
- 6) issuing instructions to the district courts, courts of appeal and administrative courts on the contents of the traineeship plans referred to in section 12 of the Act on Court Training;
- 7) issuing a statement, upon request, to the National Courts Administration on persons to be selected for leadership training or other training;
- 8) granting the right referred to in chapter 18, section 6, subsection 2 to use the designation of 'trained in the advanced court training programme' (in Finnish: *tuomarikoulutettu*);
- 9) granting the honorary title of 'Master of Laws (Trained on the Bench)' (in Finnish: *varatuomar*) referred to in section 18 of the Act on Court Training.

Section 2 (209/2019)

Appointment and composition of the Judicial Training Board

The Government appoints the Judicial Training Board for a term of five years at a time.

The Judicial Training Board consists of a chairperson, a vice chairperson and eight other members. The chairperson, the vice chairperson and four other members shall be permanent judges. The

other members are a prosecutor, an attorney-at-law, a member representing legal research and education, and a member representing the National Courts Administration. Each member has a personal deputy.

The judge members of the Board shall represent the different courts in an equitable manner, and at least one of the members shall be a head of court.

Section 3 (209/2019)

Nomination of the members of the Judicial Training Board

The Judicial Training Board is appointed after:

- 1) the Judicial Appointments Board has nominated the chairperson, the vice chairperson and the other judge members as well as their deputies on the basis of applications;
- 2) the Prosecutor General has nominated the member and deputy member representing prosecutors;
- 3) the Finnish Bar Association has nominated the member and deputy member representing attorneys-at-law from among its members;
- 4) the Ministry of Justice has nominated the member and deputy member representing legal research and education;
- 5) the National Courts Administration has nominated its own member and deputy member.

The provisions of chapter 20, section 3, subsections 1 and 3 regarding the appointment of the members of the Judicial Appointments Board and their deputies also apply to the appointment of the Judicial Training Board.

Section 4

Resignation of a Board member

The Government accepts the resignation of a member and deputy member of the Judicial Training Board.

When a member resigns, a replacement shall be appointed for him or her for the remainder of the term in accordance with the procedure specified above.

Section 5

Quorum

The Judicial Training Board has a quorum when the chairperson or vice chairperson and at least five other members or deputy members are present. In addition to the chairperson or vice chairperson, at least three other judges shall be present.

Section 6 (209/2019)

Personnel of the Judicial Training Board

The Judicial Training Board has a secretary. The Board may also have part-time referendaries. The task of the secretary and the part-time referendaries is to prepare and present the matters to be considered by the Board. In addition, the secretary is responsible for the organisation of the Board's other activities.

The secretary and the part-time referendaries shall hold a suitable master's degree and have good knowledge of court activities or adult education.

The Judicial Training Board appoints the secretary and the part-time referendaries. The National Courts Administration is responsible for organising the other secretarial services of the Board, and it may assign its personnel to perform duties of the Board. Provisions on the required qualifications for these positions may be laid down in the rules of procedure of the Board.

Section 7

Further provisions

Further provisions on the office and personnel of the Judicial Training Board, the organisation of the Board's work and the consideration of matters by the Board may be laid down in the rules of procedure approved by the Board.

Chapter 22

Matters concerning offences in public office

Section 1

Offences in public office

The following courts consider charges for offences in public office brought against court members and other court officials:

- 1) the Supreme Court, if the case concerns a member of a court of appeal;
- 2) a court of appeal, if the case concerns:
 - a) a member, a trainee judge or the head of administration of a district court within its judicial district, or an office staff member of a district court within its judicial district where the case concerns an offence in public office committed in the performance of a task referred to in chapter 19, section 6, subsection 1;
 - b) a member, head of administration, referendary, notary or trainee judge of an administrative court located within its judicial district;
- 3) the Helsinki Court of Appeal, if the case concerns:
 - a) a member, the head of administration or a legal officer of the Market Court;
 - b) a member, the head of administration or a referendary of the Insurance Court;
 - c) a member, the head of administration or a referendary of the Labour Court;
 - d) the head of administration, a referendary or a trainee judge of a court of appeal other than the Helsinki Court of Appeal;
- 4) the Turku Court of Appeal, if the case concerns a public official referred to in paragraph 3, subparagraph d serving at the Helsinki Court of Appeal.

The provisions of this section concerning a head of administration also apply to a person appointed to another similar position referred to in chapter 19, section 5, subsection 1.

The provisions of this section concerning a person serving as a referendary also apply to a person assigned to serve as a referendary under chapter 19, section 1, subsection 3 at the same court.

Chapter 23

Request for review

Section 1

Request for review of a decision on an outside employment permit

A decision of a court on an outside employment permit referred to in chapter 9, section 5 above may be appealed against to the Supreme Administrative Court. However, a decision of the Supreme Court and of the Supreme Administrative Court is appealed against to the court in question, where the case shall be considered in a plenary session.

The decision shall be complied with regardless of appeal, unless the appellate court decides otherwise.

Section 2

Request for review of a decision on a written warning

A decision to give a written warning referred to in chapter 15, section 1 above may be appealed against. The appellate court shall consider the matter as an urgent judicial matter.

A decision on a written warning is appealed against as follows:

- 1) a decision made by the chief judge of a district court to the court of appeal;
- 2) a decision made by the president of a court of appeal and the Labour Court to the Supreme Court;
- 3) a decision made by the chief judge of an administrative court, the Market Court and the Insurance Court to the Supreme Administrative Court;
- 4) a decision made by the president of the Supreme Court and the Supreme Administrative Court to the court in question, where it shall be considered in a plenary session.

The appeal document shall be submitted to the court at which the judge serves within 30 days from the date of service of the decision. The court shall, without delay, submit the appeal document with appendices, a copy of the decision appealed against, and a statement of the head of court on the appeal to the appellate court.

The decision shall be complied with regardless of appeal, unless the appellate court decides otherwise.

Section 3

Request for review of a decision on suspension from office

A decision on suspension from office referred to in chapter 15, section 2 above may be appealed against. The appellate court shall consider the matter as an urgent judicial matter.

A decision may be appealed against as follows:

- 1) a decision of a district court to the court of appeal;
- 2) a decision of a court of appeal and the Labour Court to the Supreme Court;
- 3) a decision of an administrative court, the Market Court and the Insurance Court to the Supreme Administrative Court;
- 4) a decision of the Supreme Court and the Supreme Administrative Court to the court in question, where the case shall be considered in a plenary session.

The appeal document shall be submitted to the court at which the judge serves within 30 days from the date of service of the decision. The court shall, without delay, submit the appeal document with appendices, a copy of the decision appealed against, and its statement to the appellate court.

The decision shall be complied with regardless of appeal, unless the appellate court decides otherwise.

Section 4

Request for review of a decision to relieve a judge from office due to incapacity for work

A decision of a court of appeal to relieve a judge from office due to incapacity for work as referred to in chapter 16, section 2, subsection 2, paragraph 1 above may be appealed against to the Supreme Court. The appellate court shall consider the matter urgently.

The decision of the court of appeal shall be complied with regardless of appeal, unless the appellate court decides otherwise.

Section 5

Request for review of a decision to relieve an expert member from post

A decision of an administrative court or the Insurance Court to relieve an expert member from his or her post, as referred to in chapter 17, section 21 above, may be appealed against to the Supreme Administrative Court. The appellate court shall consider the matter urgently.

The decision shall be complied with regardless of appeal, unless the appellate court decides otherwise.

Section 6

Request for review of a decision of the Judicial Training Board

An administrative review of the grading of the examinations referred to in chapter 18, section 2 and section 6, subsection 1 may be requested within 14 days from the date of service of the decision. Provisions on requesting an administrative review are laid down in the Administrative Procedure Act (434/2003). The decision on a request for an administrative review is not subject to appeal. (842/2020)

A decision concerning appointment of a trainee judge is not subject to appeal. (885/2018)

Other decisions of the Judicial Training Board may be appealed against to an administrative court. However, the decision of an administrative court is not subject to appeal. In other respects, the provisions of the Administrative Judicial Procedure Act apply to requesting a review at an administrative court. (842/2020)

Section 7 (885/2018)

Request for review of a decision concerning appointment to a public position or a public-service relationship or assignment to a post

A decision concerning the appointment of a person to a public position or a public-service relationship is not subject to appeal, if:

1) the decision concerns appointment to a public position or a public-service relationship referred to in chapters 11, 12 and 18 or in chapter 19, section 1, subsection 1;

2) the decision concerns the appointment of the head of administration of a court to a public position or a public-service relationship, or appointment to another similar position or public-service relationship with responsibility for the administration of a court, referred to in chapter 19, section 5, subsection 1.

The provisions of the Act on Public Officials in Central Government on requesting a review apply to requesting a review of a decision concerning the appointment of other personnel referred to in chapter 19, section 5 to a public position or a public-service relationship. However, a review of an administrative decision of the Supreme Court or the Supreme Administrative Court shall be requested within 30 days from the date of service of the decision from the court in question, where the matter shall be considered in a plenary session.

A decision concerning the assignment of an expert member referred to in this Act is not subject to appeal.

Section 8 (842/2020)

Request for review of a decision of the National Courts Administration

An administrative review may be requested of a decision issued by the National Courts Administration under chapter 19a. Provisions on requesting an administrative review are laid down in the Administrative Procedure Act.

A decision of the National Courts Administration on a request for an administrative review may be appealed against to the administrative court with jurisdiction in the municipality in which the agency is located. In other respects, the provisions of the Administrative Judicial Procedure Act apply to requesting a review at an administrative court.

Chapter 24

Entry into force and transitional provisions

Section 1

Entry into force

This Act enters into force on 1 January 2017.

Section 2

Repealed acts

This Act repeals the following Acts:

- 1) District Courts Act (581/1993);
- 2) Courts of Appeal Act (561/1994);
- 3) Act on the Expert Members of the Supreme Administrative Court (1266/2006);
- 4) Market Court Act (99/2013);
- 5) Insurance Court Act (132/2003);
- 6) Judicial Appointments Act (205/2000);
- 7) Act on Holding Lower Court Sessions Outside of the Regular Seat (141/1932).

Section 3

Certain decrees remaining in force

The following decrees shall remain in force:

- 1) Government Decree on the Judicial Districts of the District Courts (1053/2014);
- 2) Government Decree on the Judicial Districts of the Courts of Appeal (337/2013);
- 3) Decree of the Ministry of Justice on the Location of Offices and Venues of the District Courts (454/2009).

The Government Decree on the Judicial Districts of the District Courts (1053/2014) was repealed by the Decree on the Judicial Districts of the District Courts (1021/2017), the Government Decree on the Judicial Districts of the Courts of Appeal (337/2013) was repealed by the Decree on the Locations and Judicial Districts of the Courts of Appeal (864/2016), and the Decree of the Ministry of Justice on the Location of Offices and Venues of the District Courts (454/2009) was repealed by Decree 81/2017.

Section 4

Transitional provisions concerning heads of court

The provisions in force at the time of the entry into force of this Act apply to the filling of a position of head of court that had been declared open for application before the entry into force of this Act.

A person appointed to a permanent position of head of court before the entry into force of this Act is deemed to have resigned from his or her position as of the date on which he or she was appointed as head of court of another court for the fixed term referred to in chapter 11, section 2, subsection 1. Such a head of court does not have the right to return to the permanent position of head of court at the end of the term. The provisions of chapter 11, section 13 apply to his or her right to be appointed to a permanent position of judge at the end of the term.

A permanent head of court appointed before the entry into force of this Act may, upon his or her application, be transferred to another position of judge that is vacant in the same court, if he or she has served as head of court without interruption for at least seven years and has reached the age of 63 years. The head of court shall express his or her intention to transfer to this other position of judge before the position is declared open for application. The authority making the appointment decides on the transfer. In deciding judicial matters, a head of court who has transferred to the position of judge is the second most senior judge after the head of court.

Section 5

Transitional provisions concerning other judges

Upon the entry into force of this Act, the Finnish title of the justices of the Supreme Administrative Court changes from *hallintoneuvos* to *oikeusneuvos*.

Persons who, upon the entry into force of this Act, were appointed as senior judges of a court of appeal are also judges of the court of appeal, and persons who, upon the entry into force of this Act, were appointed as senior judges of the Insurance Court, are judges of the Insurance Court. The provisions concerning court of appeal justices or insurance court judges apply to them.

Persons who, upon the entry into force of this Act, were appointed as senior judges of a court of appeal or senior judges of the Insurance Court have the right, after the entry into force of this Act,

to serve in a position that requires leadership skills. When serving in such a position, they are members of the management group of the court and of the composition referred to in chapter 11, section 10, subsection 1, paragraph 1.

Section 6

Transitional provisions concerning other personnel

Upon the entry into force of this Act, the titles 'assistant judge of a court of appeal' and 'senior assistant judge of the court of appeal' change to 'court of appeal referendary', the title 'assistant judge of the administrative court' changes to 'administrative court referendary', the title 'market court referendary' changes to 'market court legal officer', the title 'assistant judge of the Labour Court' changes to 'labour court referendary', and the titles 'assistant judge of the Insurance Court' and 'insurance court secretary' change to 'insurance court referendary'.

If a referendary referred to in section 9 of the repealed Court of Appeals Act was assigned to consider a matter as a member of a composition of a court of appeal before the entry into force of this Act, the composition has a quorum in the matter even after the entry into force of this Act. If a referendary of the Insurance Court is a judicial member of a composition considering a case in the Insurance Court before the entry into force of this Act, he or she may continue to be a member of the composition also after the entry into force of this Act.

Sections 3a, 3b and 4a, section 14, subsection 3, section 17 and section 20, subsection 2 of the repealed District Courts Act apply to a junior district judge appointed before the entry into force of this Act.

Section 7

References to previous act

Where references are made in other legislation to provisions in force upon the entry into force of this Act, the corresponding provision of this Act shall be applied instead.