

Translation from Finnish

Legally binding only in Finnish and Swedish

Ministry of the Environment

Act on the Built Environment Information System

(431/2023; amendments up to 811/2023 included)

By decision of Parliament, the following is enacted:

Chapter 1

General provisions

Section 1

Scope of application of the Act

This Act applies to the establishment, maintenance and development of the Built Environment Information System and its services, as well as to the processing of data submitted into and stored in the information system.

The Act does not apply to the processing of secret information concerning building and the planning of land use for defence purposes in the following cases:

- 1) the processing of data concerning areas intended for carrying out or supporting the statutory tasks of the Finnish Defence Forces, if the data has been designated as secret by the Finnish Defence Forces;
- 2) the processing of data concerning premises, buildings and infrastructure intended for carrying out or supporting the statutory tasks of the Finnish Defence Forces if:

- a) storing the data is not necessary for the rest of society;
- b) the object is located in an area of the Finnish Defence Forces; or
- c) the object is located outside the area of the Finnish Defence Forces and there are grounds for secrecy laid down in section 24, subsection 1 of the Act on the Openness of Government Activities (621/1999).

Section 2 (811/2023)

Purpose and general structure of the Built Environment Information System

The Built Environment Information System serves information needs related to land use and construction.

The Built Environment Information System consists of the land use information pool and the building information pool. The land use information pool contains the land use information laid down in section 5 of this Act. The building information pool contains the construction information laid down in sections 72 and 73 of the Construction Act (751/2023). In addition, the information pools may contain data stored on the basis of section 9 of this Act.

Sensitive personal data may not be processed in the Built Environment Information System.

Section 2 amended by Act 811/2023 will enter into force on 1 January 2025. The previous wording was:

Section 2

Purpose and general structure of the Built Environment Information System

The Built Environment Information System serves information needs related to land use and construction. The purpose of collecting information is to use it for relevant official purposes laid down by law.

The Built Environment Information System consists of the land use information pool and the building information pool. The land use information pool contains the land use information laid down in section 5 of this Act. The building information pool contains the construction information laid down in section 7 of this Act. In addition, the information pools may contain data stored on the basis of section 9 of this Act.

Sensitive personal data may not be processed in the Built Environment Information System.

Section 3 Duties of the Finnish Environment Institute

The Finnish Environment Institute is responsible for establishing, maintaining and developing the Built Environment Information System.

It is the duty of the Finnish Environment Institute to compile and share information on the built environment and to compile and maintain the necessary statistics on the data stored in the Built Environment Information System.

Notwithstanding secrecy provisions, the Finnish Environment Institute has the right to process data stored in the Built Environment Information System.

Section 4

Information pool controllers and division of responsibilities

The Finnish Environment Institute, municipalities and regional councils are joint controllers of the land use information pool. The Finnish Environment Institute and municipalities are joint controllers of the building information pool.

Each controller is responsible for the obligations imposed on the controller by Regulation (EU) 2016/679 of the European Parliament and of the Council on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation), hereinafter the *GDPR*, and for fulfilling the rights of the data subject in respect of their data stored in and submitted into the Built Environment Information System.

The Finnish Environment Institute is responsible for the disclosure of data from the information pools.

By way of derogation from subsection 2, the Finnish Environment Institute is responsible for the obligation to provide information referred to in Articles 13 and 14, the data subject's right of access to their own data referred to in Article 15, the record referred to in Article 30 and the security of processing referred to in Article 32 of the GDPR.

The Finnish Environment Institute acts as the contact point for data subjects referred to in Article 26 of the GDPR.

Chapter 2

Information content of the Built Environment Information System

Section 5

Land use information to be submitted into the Built Environment Information System

Municipalities and regional councils shall submit the following information referred to in the Land Use and Building Act (132/1999) into the Built Environment Information System in a nationally interoperable and machine-readable format without delay:

- 1) information on the institution of the plan and the demarcation of the planning area;
- 2) the plan's participation and assessment plan;
- 3) information on the availability of the preparation materials of the plan for public viewing;
- 4) the plan proposal;
- 5) information on the availability of the plan proposal for public viewing;
- 6) the approved plan;
- 7) information on the pendency of an appeal against a decision concerning the plan;
- 8) information on the entry into force of the plan or part thereof;
- 9) the legally valid plan;
- 10) a description of the approved plan;
- 11) information on the revocation of the plan;
- 12) the plot division that has entered into force and information on the revocation of the plot division;
- 13) a building ban and information on the revocation or expiry of the ban;

- 14) a building restriction and information on the revocation or expiry of the restriction;
- 15) a restriction on action and information on the revocation or expiry of the restriction;
- 16) the area requiring planning and information on its revocation or expiry; and
- 17) the building ordinance that has entered into force.

The materials referred to in subsection 1, paragraphs 4, 6, 9 and 12 shall also be submitted in an interoperable and machine-readable information model format.

Further provisions on the structure of the information to be submitted may be issued by decree of the Ministry of the Environment.

Section 5 will be applied as from 1 January 2029.

Section 6

Persistent unique identifiers for land use data

The Finnish Environment Institute shall issue a persistent unique identifier to the information laid down in section 5 from the Built Environment Information System. A persistent unique identifier is issued when the data is submitted into the Built Environment Information System for the first time.

Further provisions on the technical content and formation of persistent unique identifiers are issued by decree of the Ministry of the Environment.

Section 7 (811/2023)

Construction information to be submitted into the Built Environment Information System

Provisions on the construction information to be submitted into the Built Environment Information System are laid down in sections 72 and 73 of the Construction Act.

Section 2 amended by Act 811/2023 will enter into force on 1 January 2025. The previous wording was:

Section 7

Construction information to be submitted into the Built Environment Information System

Municipalities shall submit the data on building permit applications, permit decisions, inspections by authorities, final inspection and partial final inspection under sections 131, 142, 150, 153 and 153a of the Land Use and Building Act into the Built Environment Information System without delay.

Chapter 3

Processing, disclosure and monitoring of data in the Built Environment Information System

Section 8

Access and log file of the Built Environment Information System

The Finnish Environment Institute acts as the controller of access and log data file of the Built Environment Information System. The Finnish Environment Institute shall erase access data concerning individuals from the system no later than five years

after the expiry of their access rights and log data no later than five years from the date on which the data was stored.

Section 9

Right of the Finnish Environment Institute to obtain information from other authorities

The Finnish Environment Institute has the right to obtain, free of charge, the information necessary for maintaining the data in the Built Environment Information System from the Digital and Population Data Services Agency, the Tax Administration and the National Land Survey of Finland.

In addition, the Finnish Environment Institute has the right to obtain, free of charge, the building owner's personal identity code and up-to-date contact information into the building information pool of the Built Environment Information System from the Digital and Population Data Services Agency for the purpose of creating and maintaining the ownership data of the building.

Section 10

Authorities' right of access to secret information

The Ministry of Defence, the Finnish Defence Forces, the Digital and Population Data Services Agency, the Emergency Response Centre Agency and the rescue authorities have the right to obtain the information necessary for the performance of their duties from the Built Environment Information System free of charge and secrecy provisions notwithstanding.

Section 11

Public information service of the Built Environment Information System

The Finnish Environment Institute shall maintain the public information service of the Built Environment Information System in the public data network. Only individual searches in a map service hosted in the public data network can be used to search for data in the public information service.

The following information may be kept available in the public information service:

- 1) the information referred to in section 5 above;
- 2) the persistent building code;
- 3) the year of completion of a building;
- 4) the purpose of a building;
- 5) the date of the building permit decision;
- 6) the usage status and decommissioning date of a building;
- 7) the façade material of a building;
- 8) the primary heating method and heating medium of a building;
- 9) the volume, number of storeys, floor area and total area of a building;
- 10) the total floor area of a building;
- 11) the accessibility information of a building;
- 12) the address of a building;
- 13) civil defence shelter information; and
- 14) which authority provided the information referred to in paragraphs 1–13 and the date of its publication.

The information referred to in subsection 2 above may be kept available in the public information service notwithstanding the provisions on the disclosure of personal data

laid down in section 16, subsection 3 of the Act on the Openness of Government Activities.

Chapter 4

Miscellaneous provisions

Section 12

Application of the provision on restricting data processing

Article 18(1) of the GDPR does not apply to the processing of personal data referred to in this Act.

Section 13

Fees

The authorities have the right to obtain information necessary for the performance of their duties from the Built Environment Information System free of charge.

In other respects, the provisions of the Act on Criteria for Charges Payable to the State (150/1992) apply to fees charged for the performances and services provided by the Finnish Environment Institute in relation to the Built Environment Information System.

Section 14

Entry into force

This Act enters into force on 1 January 2024. However, section 5 of this Act shall not apply until 1 January 2029.

Entry into force and application of the amending acts:

811/2023

This Acts enters into force on 1 January 2025.