

Translation from Finnish

Legally binding only in Finnish and Swedish

Ministry of the Environment, Finland

Nature Conservation Act

(9/2023; amendments up to 840/2023 included)

Chapter 1

General provisions

Section 1

Objectives of the Act

The objectives of this Act are to:

- 1) safeguard biodiversity;
- 2) foster natural beauty and landscape values;
- 3) promote adaptation to climate change;
- 4) support the sustainable use of natural resources and the natural environment;
- 5) increase citizens' knowledge of nature and environmental awareness;
- 6) promote nature research.

To achieve the objectives referred to in subsection 1 above, nature conservation shall aim for the attainment and preservation of a favourable conservation status of Finland's habitat types and wild species.

Section 2

Scope of application of the Act

This Act applies to the conservation and management of nature and landscapes.

However, only sections 4, 16, 70, 73, 74, 76–79, 81–83, 85, 104, 124, 125 and 127 and chapters 5–7 and 10 apply to the management and use of forests to the extent that provisions on them are laid down in the Forest Act (1093/1996).

If a project requires a derogation referred to in section 66 or 83 and an environmental permit specified in the Environmental Protection Act (527/2014), a permit specified in the Water Act (587/2011) or a permit for the extraction of resources specified in the Land Extraction Act (555/1981), the processing of the matter shall comply with the provisions of the Act on the Coordination of Certain Environmental Permit Procedures (764/2019) concerning the coordination of the processing of permit applications.

Section 3

Definitions

For the purposes of this Act:

- 1) *biodiversity* means the variability of living organisms from terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are part, and diversity within species, between species and of ecosystems;
- 2) *habitat types* mean demarcatable land or water areas with similar prevailing environmental conditions and typical species of flora and fauna;
- 3) *favourable conservation status of a habitat type* means that the natural range and areas of occupancy of the habitat type are preserved or expanding, the structure and functions required for the long-term preservation of the habitat type are preserved and the conservation status of the typical species of the habitat type is favourable;
- 4) *favourable conservation status of a species* means that the species is capable of maintaining itself on a long-term basis as a viable component of its natural habitats;
- 5) *ecological compensation* means offsetting a deterioration caused in species and habitat types by improving the status of species and habitat types outside the impacted site once any deterioration has primarily been avoided, secondly been minimised and, where possible, the status of the impacted species and habitat types has undergone restoration in the impacted area;
- 6) *sustainable use of biodiversity* means the use of the components of biodiversity in a way and at a rate that does not lead to the long-term decline of biodiversity and that thereby maintains potential to meet the needs and aspirations of present and future generations;
- 7) *damage to nature* means a significant, measurable, direct or indirect adverse impact on reaching or maintaining a favourable conservation status of habitat types and species where derogations for their causation have not been authorised under section 39, subsection 2 or section 83, and which is caused to:

- a) nature values of sites included in the Natura 2000 network referred to in chapter 5 for the conservation of which the site is included in the network;
- b) species referred to in Article 4(2) of Directive 2009/147/EC of the European Parliament and of the Council on the conservation of wild birds (*Birds Directive*) and listed in Annex I to the Directive, or to species listed in Annex II to Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (*Habitats Directive*);
- c) localities of species referred to in subparagraph b) the destruction or deterioration of which is prohibited as laid down in section 79;
- d) breeding sites or resting places of species or specimens of species referred to in section 78.

Section 4

International agreements

Besides the provisions of this Act, stipulations on the conservation of nature and wild species are laid down in international agreements binding on Finland.

Section 5

Directives of the European Union

This Act implements the Habitats Directive and the Birds Directive, except in respect of the species of animals referred to in section 5 of the Hunting Act (615/1993), and Directive 2004/35/EC of the European Parliament and of the Council on environmental liability with regard to the prevention and remedying of environmental damage (*Environmental Liability Directive*), unless otherwise provided on its implementation in another act.

Section 6

Protection of the Sami culture

The authorities responsible for the implementation of this Act shall ensure that the implementation of the Act does not alone or together with other activities result in any deterioration that is greater than minor in the conditions for practising the Sami culture and that the conditions for practising the Sami culture can be safeguarded and their development promoted as far as possible.

Decisions issued under this Act shall not alone or together with other activities result in any deterioration that is greater than minor in the conditions for practising traditional Sami livelihoods

or other maintenance and development of the Sami culture in the Sami homeland referred to in section 4 of the Act on the Sami Parliament (974/1995) or any deterioration that is greater than minor in the living conditions and opportunities to practise the nature-based livelihoods of the Skolt Sami referred to in the Skolt Act (253/1995) in the Skolt Sami Area.

Section 7

Precautionary principle

In the decision-making under this Act or a decree issued under it attention shall be paid to the threat of a significant decline in or loss of biodiversity even if no scientifically proven knowledge on it were available.

Section 8

Promoting environmental awareness

The authorities referred to in chapter 2 shall in their activities promote environmental education and the environmental awareness of citizens and private and public actors in order to safeguard biodiversity.

Chapter 2

Nature conservation authorities and other actors

Section 9

Central government authorities for nature conservation

The Ministry of the Environment is responsible for the general guidance, monitoring and development of nature and landscape conservation. The Ministry of the Environment is the management authority referred to in Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein (*CITES Regulation*).

The Centres for Economic Development, Transport and the Environment promote the conservation and sustainable use of biodiversity and the conservation of landscapes in their respective areas, are responsible for the official duties laid down for them in this Act, supervise compliance with the provisions of the Nature Conservation Act and exercise the right to be heard in nature

conservation matters of public interest. In addition, the Centres for Economic Development, Transport and the Environment act as support authorities specified in chapter 4 and guide, supervise and promote the implementation of support and, where possible, support the activities of municipalities in matters falling within their remit.

Metsähallitus is responsible for duties relating to the administration, use and management of the network of state nature reserves and the other official duties assigned to it in this Act.

The Finnish Border Guard participates in the supervision of compliance with this Act in nature reserves.

Finnish Customs supervises compliance with this Act and the CITES Regulation in import, export, re-export and transit.

Section 10

Expert authorities for nature conservation

The Finnish Environment Institute produces information concerning biodiversity and carries out duties relating to surveillance. The Finnish Environment Institute is the competent authority for the issue of permits and certificates referred to in the CITES Regulation.

The Finnish Museum of Natural History is for its part responsible for duties relating to the conservation of species, surveillance and information management, and acts as the scientific authority referred to in the CITES Regulation.

Further provisions on the duties of the expert authorities may be issued by government decree.

Section 11

Municipalities

The municipalities promote the conservation of biodiversity and landscape conservation within their areas.

Section 12

Finnish Nature Panel

The Government appoints the Finnish Nature Panel to serve as an independent scientific expert body for a fixed period of four years at a time. A variety of scientific disciplines shall be represented in the Finnish Nature Panel.

The Finnish Nature Panel is tasked with producing, compiling and analysing scientific information for planning, implementation, monitoring and decision-making concerning policy measures relating to biodiversity. For these duties, the Finnish Nature Panel may also issue opinions on plans and other documents affecting biodiversity. The Finnish Nature Panel may also produce other reports and material and communicates about these to the public and decision-makers as necessary. The members of the Finnish Nature Panel may be paid a reasonable remuneration for attending to the duty.

Further provisions may be issued by government decree on the duties and composition of the Finnish Nature Panel and on other procedures concerning the activities of the Finnish Nature Panel, and on the selection, term of office and remuneration of members.

Chapter 3

Nature conservation planning

Section 13

National Biodiversity Strategy and Action Plan

The Ministry of the Environment formulates the National Biodiversity Strategy and the Action Plan implementing the strategy in cooperation with other ministries and key actors. The National Biodiversity Strategy sets out the national functional, quantitative and temporal targets for halting biodiversity decline and improving the state of biodiversity.

The National Biodiversity Action Plan shall specify the measures necessary to implement the National Biodiversity Strategy and shall designate the parties responsible for their implementation and for monitoring the effectiveness of the measures. The Ministry of the Environment is responsible for the monitoring of the National Biodiversity Strategy and Action Plan and reports to the Government on the implementation of the strategy.

The National Biodiversity Strategy is adopted by the Government.

Further provisions may be issued by government decree on the formulation of the National Biodiversity Strategy and Action Plan.

The Centres for Economic Development, Transport and the Environment may formulate biodiversity implementation plans concerning the National Biodiversity Strategy and Action Plan referred to in subsection 1 for their respective areas. Sufficient interaction with key actors in the area shall be ensured in the formulation of the implementation plans.

The preparation and monitoring the National Biodiversity Strategy and Action Plan and of the regional implementation plans shall be based on best available scientific knowledge. The plans referred to in sections 7–9 of the Climate Act (423/2022) shall be taken into account in the preparation.

Section 14

Action programmes for voluntary nature conservation

For the promotion of biodiversity by voluntary means, action programmes concerning the conservation of habitats, habitat types and species and the improvement of their status may be formulated. Action programmes are formulated by the competent ministry.

Action programmes shall define multiannual quantitative and qualitative objectives for measures to promote biodiversity, the responsibilities of the ministries and central government authorities, and the monitoring of implementation and impact.

Action programmes are formulated to promote and safeguard nationally significant nature values, but programmes may also be formulated for a specific area.

Action programmes for voluntary nature conservation are adopted by the Government.

Section 15

Nature conservation programmes

Nature conservation programmes that reserve sites for nature conservation purposes may be formulated to safeguard nationally significant nature values.

Nature conservation programmes shall indicate which kinds of measures are to be considered as jeopardising the purpose of the programme.

Nature conservation programmes are formulated by the Ministry of the Environment. When formulating a nature conservation programme, those whose interests or rights are affected by the matter shall be reserved the right to be heard. Provisions on hearing the views of stakeholders are laid down in section 34 of the Administrative Procedure Act (434/2003).

Nature conservation programmes are adopted by the Government.

Further provisions may be issued by government decree on the formulation and content of a nature conservation programme.

Section 16

Legal effects of nature conservation programmes

No measures jeopardising the purpose of the conservation of the site may be carried out at sites included in a nature conservation programme adopted by the Government. The restriction on action remains in effect despite an appeal, unless otherwise decided by the appellate authority.

A Centre for Economic Development, Transport and the Environment may authorise a derogation from the restriction laid down in subsection 1 where the purpose of conservation is not markedly jeopardised.

When planning their measures and deciding on their implementation, central government authorities and institutions shall ensure that the measures do not complicate the implementation of nature conservation programmes.

Section 17

Participation and interaction

Nature conservation planning shall take economic, social, cultural and educational perspectives and special regional and local characteristics into account. When preparing plans and programmes, adequate public communication and cooperation and interaction between different authorities and other parties shall be ensured. In addition, members of the public shall have an opportunity to examine the draft plans and programmes and express their opinion on these.

When launching the formulation of a natural conservation programme, the Ministry of the Environment shall provide information on the matter in a way that creates conditions for public discussion on the matter.

Section 18

Nature conservation surveillance

The Ministry of the Environment shall, in cooperation with other competent authorities, organise the surveillance of the natural range, area of occupancy and abundance of habitat types and wild species, and assess the conservation status of species and habitat types and any changes in it. In this, particular consideration shall be given to threatened species and habitat types and to the surveillance of their trend of becoming threatened, the habitat types and species of Union interest referred to in the Habitats Directive and the species of wild birds referred to in the Birds Directive.

If based on surveillance it can be deemed that the conservation status of a species or habitat type is not favourable, the Ministry of the Environment shall, in cooperation with other competent authorities, take measures to attain a favourable conservation status.

Metsähallitus and the Centres for Economic Development, Transport and the Environment are responsible for surveillance concerning the number and surface area of nature reserves and natural monuments and their ecological status.

The Finnish Environment Institute is responsible for compiling the information required for the reports referred to in Article 12 of the Birds Directive and Article 17 of the Habitats Directive.

Further provisions may be issued by government decree on the organisation of surveillance and related duties of the authorities.

Chapter 4

Support for biodiversity conservation and management

Section 19

Forms of support

Biodiversity conservation and management may be supported by providing financial support (*grants*), and goods or services (*aid*).

Section 20

Grants for the promotion of biodiversity conservation and management

The Centres for Economic Development, Transport and the Environment may, within the limits of the Budget, award grants for projects and measures to promote the conservation and management of biodiversity and natural and cultural landscapes. Grants may also be awarded for research and development work.

Provisions on the payment, interruption of payment and clawback of grants are laid down in the Act on Discretionary Government Grants (688/2001). The duties referred to in sections 12, 19, 21 and 22 of the Act are carried out by the Development and Administration Centre for the Centres for Economic Development, Transport and the Environment and the Employment and Economic Development Offices. In addition to the Centres for Economic Development, Transport and the Environment, the Development and Administration Centre also attends to supervision duties referred to in section 15 of the Act on Discretionary Government Grants.

Grants may be awarded to natural persons, enterprises, public entities and other entities, excluding central government accounting offices.

Further provisions may be issued by government decree on the award, payment and use of discretionary government grants in accordance with the Budget.

Section 21

Aid

Discretionary aid may be awarded, within the limits of a maximum amount approved in the Budget, for measures promoting the restoration, rehabilitation and management of habitats of species and of habitat types and natural or cultural landscapes referred to in this Act. Aid consists of goods or services.

The Centres for Economic Development, Transport and the Environment may award aid upon application or the written consent of the landowner. If the aid promotes the economic activity of the beneficiary, it may only be awarded upon application.

Further provisions may be issued by government decree concerning the content of aid.

Section 22

Application of European Union legislation on state aid

To the extent that aid referred to in this chapter is directed at economic activity of an enterprise or other entity, provisions on aid to be awarded are also laid down in European Union acts concerning state aid.

Further provisions on awarding of aid intended for biodiversity conservation and management, conditions for eligibility for aid, use of aid and obligations of beneficiaries, and aid conditions may be issued by government decree as provided in Commission Regulation (EU) No 702/2014 declaring certain categories of aid in the agricultural and forestry sectors and in rural areas compatible with the internal market in application of Articles 107 and 108 of the Treaty on the Functioning of the European Union; in Commission Regulation (EU) No 651/2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty; and in Commission Regulation (EU) No 1407/2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid.

Section 23

Organisation of aid

The Centres for Economic Development, Transport and the Environment organise the procurement of aid and its delivery to beneficiaries. The duties of the Centres for Economic Development, Transport and the Environment include planning the aid, preparing the procurement of aid, making procurement decisions and agreements, paying for goods or services, and organising the

procurement of aid and its delivery on the basis of aid decisions, and other organisation duties required by the aid.

Provisions on the procurement of goods and services are laid down in the Act on Public Procurement and Concession Contracts (1397/2016).

Section 24

Beneficiaries

Aid may be awarded to natural persons, enterprises, other entities and public entities, excluding central government accounting offices.

Section 25

Applying for aid and providing consent

Aid shall be applied for in writing from a Centre for Economic Development, Transport and the Environment or the landowner shall provide its written consent to it before the action to be supported commences. Aid may not be awarded before the effective period of any aid previously awarded for the action has ended.

An aid application shall contain information on:

- 1) the applicant;
- 2) the project or measure for which aid is applied;
- 3) the estimated eligible costs of the project and the basis for their calculation;
- 4) the form and amount of any other public financing received for the project or measure;
- 5) the benefits for species, habitat types or natural or cultural landscapes referred to in this Act arising from the project or measure.

If aid is awarded pursuant to the landowner's written consent, the Centre for Economic Development, Transport and the Environment shall ensure that it has the information referred to in subsection 2.

Further provisions may be issued by government decree on the content of aid applications.

Section 26

Conditions for eligibility for aid

The conditions for eligibility for aid are that the aid, taken as a whole, promotes the achievement of objectives concerning biodiversity conservation and that no other public financing has been granted for the measure.

Aid may cover the costs in part or in full. The basis of calculating aid to be awarded is the cost, including value added tax, of the good or service incurred by the Centre for Economic Development, Transport and the Environment.

Further provisions may be issued by government decree on conditions for eligibility for aid and the amount of aid and on the criteria for determining aid.

Section 27

Cancellation of aid applications or consent

Aid applicants may cancel their application and landowners may cancel their consent to awarding aid in full or in part until they have been notified of the aid decision. Applicants or landowners shall notify the Centre for Economic Development, Transport and the Environment of the cancellation in writing without delay.

An application or consent may, however, be cancelled after the notification of the aid decision in the event of a force majeure or an exceptional natural circumstance preventing the measure to be supported. The cancellation shall be made immediately upon the beneficiary having been informed of the force majeure or the exceptional natural circumstance.

Section 28

Decisions and agreements on aid

A favourable aid decision shall contain an estimate of the monetary value of the aid and the maximum monetary amount of the aid, the conditions and eligibility criteria of the aid, and the criteria for interruption and clawback of aid and for supervision of the use of aid.

The Centre for Economic Development, Transport and the Environment shall notify the beneficiary of the actual monetary value of the aid once the measures have been completed.

The Centre for Economic Development, Transport and the Environment may enter into an agreement with the beneficiary on the details of implementing the measure and the delivery of the aid. Where necessary, the agreement shall contain stipulations on the duties and responsibilities of the parties to the agreement in implementing the aid measures and on other details of the practical implementation of the aid.

If the aid is awarded on the basis of a landowner's consent, the Centre for Economic Development, Transport and the Environment may not issue a favourable decision before it has entered into an agreement with the landowner on the details of the implementation of the measure and the delivery of the aid.

Further provisions may be issued by government decree on the content of aid decisions and agreements.

Section 29

Interruption and clawback of support

The Centre for Economic Development, Transport and the Environment shall interrupt the provision of support where it is apparent that:

- 1) the beneficiary has failed to provide information or has provided false or misleading information and this has materially affected the receipt, amount or conditions of support;
- 2) the beneficiary uses the support for a purpose that is materially different from the purpose for which the support was awarded;
- 3) the beneficiary otherwise materially breaches the support conditions.

Provision of support shall also be interrupted if so required by European Union state aid rules applicable to the support.

On the grounds referred to in subsections 1 and 2, the Centre for Economic Development, Transport and the Environment shall order, in full or in part, the clawback of the support that has already been delivered or its value. The Centre for Economic Development, Transport and the

Environment may, however, refrain from clawing back support or its part if the beneficiary has rectified its conduct referred to in subsection 1 and the achievement of the objectives of the support has not been jeopardised.

Section 30

Interest and interest for late payment levied on support clawed back

The amount of money clawed back shall bear annual interest referred to in section 3, subsection 2 of the Interest Act (633/1982) increased by three percentage points from the date on which the support was awarded. If the amount clawed back is not paid at the latest on the due date set by the Centre for Economic Development, Transport and the Environment, it shall bear annual interest for late payment in accordance with the interest rate referred to in section 4, subsection 1 of the said Act.

Section 31

Accounting

Accounts in accordance with the Accounting Act (1336/1997) shall be kept on projects for which aid or a grant has been awarded in a separate cost centre or in another manner that enables the supervision of the use of the aid or grant without difficulty. All vouchers relating to the implementation of the project shall be retained in accordance with the Accounting Act. The reporting entity as regards aid is the Centre for Economic Development, Transport and the Environment responsible for the procurement of the aid and, as regards grants, the beneficiary.

Section 32

Application period and provision of information

The Centres for Economic Development, Transport and the Environment may set an application period for aid or grant applications. The Centres for Economic Development, Transport and the Environment shall provide information about the opportunity to apply for aid or grants, the application procedure to be followed, and eligibility for and conditions of aid and grants.

Chapter 5

Natura 2000 network of the European Union

Section 33

Natura 2000 network

The Natura 2000 network of the European Union in Finland consists of:

- 1) the special protection areas notified to the European Commission under the Birds Directive;
- 2) the special areas of conservation on which provisions have been laid down by decree of the Ministry of the Environment following approval by the European Commission or the Council of the European Union of the sites under the Habitats Directive as sites of Union interest.

The provisions of section 15 on the formulation and adoption of nature conservation programmes shall be complied with when formulating proposals on sites to be included in the Natura 2000 network.

Decisions on amendments to scientific information concerning sites included in the Natura 2000 network are made by a Government plenary session.

The list and maps of sites included in Finland's Natura 2000 network are published by decree of the Ministry of the Environment. The list of sites contains the identification number and name of the site, geographical coordinates of the centre of the site, the grounds for the conservation of the site and information on whether the site contains a priority natural habitat type referred to in Annex I to the Habitats Directive or a priority species referred to in Annex II to the Directive.

Section 34

Prohibition of deterioration

The nature values on the basis of which sites included in the Natura 2000 network are conserved shall not be caused to significantly deteriorate.

Section 35

Assessment of projects and plans

If a project or plan, either individually or in combination with other projects and plans, is likely to cause a significant deterioration in nature values of a site included in or proposed by the

Government to be included in the Natura 2000 network for the conservation of which the site has been included or is intended to be included in the Natura 2000 network, the implementer of the project or the formulator of the plan shall carry out an appropriate assessment of these impacts in view of how they affect the conservation objectives of the site. The same applies to projects or plans outside the site that are likely to have significant adverse impacts extending to the site.

The authority issuing the permit or adopting the plan shall see that the assessment referred to in subsection 1 is carried out. The authority shall request an opinion on the assessment from the Centre for Economic Development, Transport and the Environment and from the party in whose possession the site included in the Natura 2000 network is. If the Centre for Economic Development, Transport and the Environment itself is the planner or implementer of the project, the Ministry of the Environment decides which other Centre for Economic Development, Transport and the Environment issues the opinion. The decision of the Ministry of the Environment is ineligible for review by a separate appeal.

The opinion referred to in subsection 2 above shall be issued without delay and no later than six months from the date on which the request for an opinion was received by the Centre for Economic Development, Transport and the Environment or on which the Centre was notified of the decision of the Ministry of the Environment referred to in subsection 2.

If an assessment procedure referred to in chapter 3 of the Act on Environmental Impact Assessment Procedure (252/2017) is applied to the project, the assessment referred to in subsection 1 of this section is carried out, on a case-by-case basis, in conjunction with the assessment procedure. The competent authority referred to in the said Act shall incorporate the opinions issued by the Centre for Economic Development, Transport and the Environment and the party in possession of the nature reserve referred to in subsection 2 of this section into the reasoned conclusion referred to in section 23 of the said Act.

Section 36

Suspension and notification obligation of authorities

An authority that under a notification obligation provided by law has been notified of a project or plan referred to in section 35, subsection 1 shall take measures within its competence to suspend the implementation of the project or plan until the assessment referred to in the said subsection

has been completed. The authority shall also notify the Centre for Economic Development, Transport and the Environment of the matter without delay.

Section 37

Notification obligation of parties responsible for measures

If a measure may cause a significant deterioration in nature values on the grounds of which a site included in the Natura 2000 network is conserved, the party responsible for the measure shall notify the Centre for Economic Development, Transport and the Environment of this. The notification need not be made if the measure requires a permit issued by an authority or a notification referred to in section 36.

The notification shall be made in writing at least 30 days prior to taking the measure. It shall be regarded as delivered to the Centre for Economic Development, Transport and the Environment once it has arrived at the Centre. The notification shall contain information on the measure, the manner of its implementation and its impacts on the conservation objectives of the site. Further provisions may be issued by government decree on the content of the notification.

Section 38

Prohibition or restriction of measures

If a measure notified to a Centre for Economic Development, Transport and the Environment under section 36 or 37 could cause a significant deterioration in nature values on the grounds of which a site included in the Natura 2000 network is conserved, the Centre for Economic Development, Transport and the Environment shall within 30 days of receipt of the notification prohibit the taking of the measure or restrict it. Prior to making a decision, the Centre for Economic Development, Transport and the Environment shall seek to negotiate on alternatives to the implementation of the measure with the party responsible for the measure in order to prevent a consequence prohibited in section 34.

Section 39

Issue of permits and adoption and ratification of plans

An authority may not issue a permit for the implementation of a project or adopt or ratify a plan if the assessment and opinion procedure referred to in section 35, subsections 1 and 2 shows that

the project or plan causes a significant deterioration in nature values for the conservation of which the site has been or is intended to be included in the Natura 2000 network.

Notwithstanding the provisions of subsection 1, a permit may be issued to a project which otherwise fulfils the conditions provided by law or a plan may be adopted or ratified if there is no alternative solution to the project or plan and the Government decides in its plenary session that the project or plan must be implemented for imperative reasons of overriding public interest.

Where the site hosts a priority natural habitat type specified in Annex I to the Habitats Directive or a priority species referred to in Annex II to the Directive, the condition for the issue of the permit or adoption or ratification of the plan is that a reason relating to human health or public safety or to beneficial consequences of primary importance for the environment elsewhere, or some other imperative reason of overriding public interest, requires that the permit be issued or the plan be adopted or ratified. In the latter case, an opinion from the Commission shall be obtained on the matter.

In decisions made under subsection 2 or 3 concerning the implementation of a project or plan the Government shall stipulate the measures required to compensate for a deterioration in the integrity or nature values of the Natura 2000 network. The implementer of the project or plan is responsible for the costs arising from the measures. The Government may downwardly adjust the responsibility for the costs, taking into account the imperative reason of public interest underlying the project or plan.

Section 40

Miscellaneous cases

The provisions of sections 35 and 39 also apply to sites concerning which the European Commission has notified that it will launch negotiations for the inclusion of the site in the Natura 2000 network.

If the European Commission does not approve a site proposed by the Government for the Natura 2000 network or if the Council of the European Union does not decide to include a site negotiated upon in the Natura 2000 network, the application of sections 35 and 39 ends. In such a case, the provisions of section 124, subsection 2 shall be complied with.

Section 41

Implementation of the Natura 2000 network

At sites included in the Natura 2000 network, conservation in line with the conservation objectives shall be carried out as soon as possible and within six years at most from the approval of the site by the European Commission or the Council of the European Union as a site of Union interest. However, in special protection areas referred to in section 33, subsection 1, paragraph 1 above, conservation shall be carried out without delay following the notification of the site to the European Commission.

The grounds for the conservation objectives of the sites are included in the site-specific data forms of the Natura 2000 database. When establishing nature reserves and deciding on other measures specified in this Act, the authorities shall implement measures corresponding to the ecological requirements of the habitat types and species on the grounds of which sites in the Natura 2000 network are conserved and aiming at their preservation, increase or improvement. Corresponding measures shall also be implemented when formulating management and use plans for wilderness areas in accordance with the Wilderness Act (62/1991) and for state wilderness recreation areas established under the Outdoor Recreation Act (606/1973), and management and use plans of Centres for Economic Development, Transport and the Environment and Metsähallitus concerning Natura 2000 sites, as well as assessments concerning the status of Natura 2000 sites. Conservation objectives shall also be taken into account when formulating land use plans specified in the Land Use and Building Act (132/1999) as required by the function and purpose of the plan and when making support decisions concerning environmental management.

Section 42

Discontinuation of conservation and compensation for network deterioration

The conservation based on this chapter of a site included in the Natura 2000 network may be discontinued wholly or in part or its protection provisions or regulations may be eased only under the conditions specified in section 35, subsections 1 and 2 and in section 39, subsections 2 and 3.

If the conservation of a site included in the Natura 2000 network is discontinued wholly or in part, its protection provisions or regulations are eased or an authority has under section 39, subsection 2 or 3 issued a permit or adopted or ratified a plan and this leads to a deterioration in the integrity

or nature values of the Natura 2000 network, the Ministry of the Environment shall immediately take the measures ordered by the Government under section 39, subsection 4.

Chapter 6

Nature reserves

Section 43

Nature reserves and conditions for their establishment

Nature reserves comprise:

- 1) national parks;
- 2) strict nature reserves;
- 3) other state nature reserves;
- 4) private nature reserves.

The general condition for the establishment of a nature reserve is that:

- 1) the site hosts a species, biotic community, habitat type or ecosystem that is threatened, rare or becoming scarce;
- 2) there are breeding sites or resting places of specimens of species in need of strict protection referred to in section 78 at the site;
- 3) the site has an unusual or rare natural formation;
- 4) the site has special landscape value;
- 5) this is necessary for the preservation of a favourable conservation status of a habitat type or species;
- 6) the site is of special significance for the potential of habitat types or species to adapt to the impacts of climate change;
- 7) the site is in a manner other than those referred to in paragraphs 1–6 so representative, typical or valuable that its conservation can be deemed as necessary for the preservation of biodiversity or natural beauty.

Section 44

National parks

Provisions on the establishment and purpose of a national park are laid down by an act. A national park may only be established in state-owned areas.

The surface area of a national park shall be at least 1,000 hectares. The site shall be of significance as a public natural attraction or with respect to increasing knowledge of or public interest in nature.

Section 45

Strict nature reserves

Provisions on the establishment and purpose of a strict nature reserve are laid down by an act where the site is at least 1,000 hectares in size and in other cases by government decree. A strict nature reserve may only be established in state-owned areas.

A strict nature reserve shall be of significance for the safeguarding of natural development, scientific research or teaching.

Section 46

Other state nature reserves

Provisions on the establishment and purpose of another state nature reserve are laid down by government decree or, if the site established as another state nature reserve is a maximum of 100 hectares in size, by decree of the Ministry of the Environment (*establishing decree*).

Provisions on the establishment of another state nature reserve in Finland's exclusive economic zone are laid down by government decree. This shall take into account the restrictions on the jurisdiction of the coastal state laid down in Parts V and XII of the United Nations Convention on the Law of the Sea (Finnish Treaty Series 49–50/1996). The provisions of sections 57–60 do not apply to other state nature reserves established in Finland's exclusive economic zone.

Section 47

Private nature reserves

A Centre for Economic Development, Transport and the Environment may upon the application or consent of the landowner establish a private nature reserve at a site fulfilling the conditions for establishment referred to in section 43, subsection 2. When considering the establishment of a site, other aspects relating to the public interest shall also be taken into account. A private nature reserve may not be established unless the landowner and the Centre for Economic Development, Transport and the Environment have agreed on the protection regulations and compensation concerning the site.

In the absence of the application or consent of the landowner, the Centre for Economic Development, Transport and the Environment may by its decision establish as a nature reserve a private site that is included in a nature conservation programme adopted by the Government or the conservation of which must under a government resolution concerning the implementation of the Natura 2000 network be implemented as laid down in this Act.

Provisions on the marking of nature reserves are laid down in section 59. Information on the establishment of a nature reserve shall also be entered in the Land Information System.

Section 48

Fixed-term protection of privately owned sites

To promote nature or landscape conservation, a Centre for Economic Development, Transport and the Environment and a private landowner may enter into an agreement on the fixed-term protection of a site fulfilling the conditions for establishment referred to in section 43, subsection 2 either wholly or as regards certain measures. An agreement may be concluded for a maximum of 20 years at a time.

An agreement referred to in subsection 1 above shall remain valid even if the site is transferred to a new owner.

Information on the agreement shall be entered in the Land Information System.

Section 49

Protection provisions on national parks and strict nature reserves

Any activity altering nature is prohibited in national parks and strict nature reserves. At these sites, it is not permitted to:

- 1) construct buildings, constructions or roads;
- 2) extract earth material or minerals or damage the soil or bedrock;
- 3) add drainage;
- 4) remove or destroy fungi, trees, shrubs or other plants or their parts;
- 5) capture, kill or disturb wild vertebrates or destroy their nests or other refuges or capture or collect invertebrates; or to
- 6) take any action other than those referred to in paragraphs 1–5 that adversely affects the natural conditions, landscape or preservation of species of the site or the purpose for which the site was established.

Provisions on the right to prohibit or restrict access, camping, landing and keeping of vehicles in nature reserves are laid down in section 56.

Section 50

Derogations from protection provisions on national parks and strict nature reserves

Notwithstanding the provisions of section 49, measures that are required by the appropriate management or use of a nature reserve and that do not jeopardise the purpose for which the site was established are permitted in national parks and strict nature reserves. At these sites, it is permitted to:

- 1) construct, restore and refurbish buildings, constructions and paths necessary for site management, supervision, research, guidance of the public and visitor safety, and for hiking and other visits to the site;
- 2) manage and rehabilitate natural and cultural environments, seminatural grasslands and grazed woodlands and built heritage, and restore the natural development of habitats that have deteriorated;
- 3) construct a road necessary for guidance of the public at the site;
- 4) pick berries and useful mushrooms;
- 5) fish in accordance with the common fishing rights laid down in section 7 of the Fishing Act (379/2015);
- 6) practise reindeer husbandry in accordance with the Reindeer Husbandry Act (848/1990);

- 7) use and repair roads, infrastructure and related equipment located at the site;
- 8) repair navigation aids and fairways of water bodies and carry out minor clearing required by navigation aids;
- 9) carry out mapping and surveying;
- 10) hunt elks (*Alces alces*) and white-tailed deer (*Odocoileus virginianus*) in compliance with the provisions of the Hunting Act;
- 11) put down a wounded animal and take possession of a game animal that has died at the site in the context of hunting taking place outside the site in compliance with the provisions of the Hunting Act.

Metsähallitus shall be notified without delay of any tracking of a wounded animal in a nature reserve, the need to put down an animal and taking into possession a game animal that has died at the site.

Plant species which are invasive alien species referred to in the Act on Managing the Risks Caused by Alien Species (1709/2015) may be controlled in and removed from national parks and strict nature reserves. It is also permitted to capture and kill American minks (*Neovison vison*) and raccoon dogs (*Nyctereutes procyonoides*) in accordance with the provisions of chapter 7 of the Hunting Act.

Where circumstances so require, in national parks and strict nature reserves it is permitted to take the measures necessary for national defence, duties of the Finnish Border Guard, emergency operations, control of diseases communicable to humans or animals and of pests of plants, and to cut down a tree that poses an obvious risk to a neighbouring real estate. Measures shall be carried out in such a way that does not cause greater harm than necessary to the purpose for which the site was established. On request, Metsähallitus may provide executive assistance to central government authorities to fulfil the obligation to control pests of plants or diseases communicable to humans or animals referred to in this subsection.

By way of derogation from the provision of subsection 1, paragraph 6, Metsähallitus may restrict the grazing of reindeer (*Rangifer tarandus*) in strict nature reserves for a reason relating to nature research or for another special reason. Fencing and other costs arising from a restriction are covered from central government funds.

Section 51

Derogations subject to authorisation from protection provisions on national parks and strict nature reserves

If authorised by Metsähallitus, in national parks and strict nature reserves, provided that the purpose for which they were established is not jeopardised, it is permitted to:

- 1) capture or kill animals, and collect fungi and plants or their parts, animal nests and mineral samples for research or other scientific or teaching purposes;
- 2) reduce the number of specimens of plant and animal species other than species referred to in section 50, subsection 3 if they are too high in number or otherwise harmful;
- 3) remove specimens of game species that pose an obvious threat to human safety or threaten to cause significant financial damage to property;
- 4) fish in a manner other than that referred to in section 7 of the Fishing Act;
- 5) construct buildings and constructions relating to reindeer husbandry;
- 6) land with an aircraft;
- 7) restore and refurbish buildings and constructions other than those referred to in section 50, subsection 1, paragraphs 1 and 2.

Metsähallitus may authorise geological surveying if the activity does not jeopardise the purpose for which the site was established. In such cases, geological surveying shall be organised in a way that does not cause harm that is greater than minor to the species, habitat types, hydrology or landscape of the site.

An authorisation to derogate from the protection provisions is issued for a fixed period and may remain valid for a maximum of ten years at a time.

Conditions may be attached to an authorisation referred to in this section. Conditions may include temporal or spatial restrictions or measures that the applicant shall comply with to avoid or limit harm to conservation values caused by the activity.

If a right based on an authorisation is transferred to another party, Metsähallitus shall be notified without delay of the transfer. The previous holder of the authorisation is responsible for all obligations relating to the authorisation until another holder has, upon application, been approved to replace the previous holder.

Section 52

Protection provisions on other state nature reserves

Unless otherwise provided below in this section, the provisions of sections 49–51 on national parks and strict nature reserves apply to other state nature reserves.

Hunting is permitted in other state nature reserves located in the area of a municipality referred to in section 8 of the Hunting Act. Provisions may, however, be laid down by government decree on the restriction of hunting in another state nature reserve located in the area of a municipality where hunting jeopardises the purpose for which the site was established or causes harm to other use of the site. The restrictions may be spatial or temporal or apply to a specific game species. Provisions may also be laid down by government decree under which hunting is permitted only for a municipal resident referred to in the said section if required to safeguard or manage game populations.

Provisions of section 49, subsection 1, paragraph 5 of this Act apply to the killing, capturing and disturbing of animals in other state nature reserves located in areas other than those referred to in section 8 of the Hunting Act. Provisions may, however, be laid down by the establishing decree on hunting being permitted in another state nature reserve where hunting does not jeopardise the purpose for which the site was established or cause harm to other use of the site. Provisions may set spatial or temporal restrictions or apply to a specific game species.

Provisions on fishing in another state nature reserve located in public waters in the sea or in Finland's exclusive economic zone are laid down in section 8, subsections 1 and 3 of the Fishing Act. Provisions may, however, be laid down by government decree on the restriction of fishing in another state nature reserve located in public waters in the sea or in Finland's exclusive economic zone where fishing jeopardises the purpose for which the site was established or causes harm to other use of the site. The restrictions may be spatial or temporal.

By way of derogation from the provisions of section 49, subsection 1, Metsähallitus may authorise mineral exploration in another state nature reserve. The condition for granting an authorisation is that the activity does not jeopardise the purpose for which the site was established and does not cause harm that is greater than minor to the species or habitat types on the grounds of which the site is conserved, to hydrology or landscape, or to the rights of the Sami as an indigenous people, unless the harm can be eliminated by means of the conditions of the authorisation.

Provisions may be laid down by the establishing decree on exercise and training operations of the Finnish Defence Forces and the Border Guard in other state nature reserves for which the Finnish Defence Forces or the Border Guard have a right of use, and otherwise in a water area belonging to another nature reserve where the operations do not jeopardise the purpose for which the site was established. Provisions may also be laid down by the establishing decree on the placing and maintenance of aviation and navigational aids and on other corresponding measures by the authorities in other state nature reserves, and on permitting the construction of a road, line or cable, digging of a ditch, dredging of a waterway or other corresponding measure in another state nature reserve where the measures do not jeopardise the purpose for which the site was established. In addition, provisions may be laid down by the establishing decree on permitting buildings and constructions necessary for the realisation of the indigenous people's rights of the Sami in another state nature reserve located in the Sami homeland where this does not jeopardise the purpose for which the site was established.

Section 53

Protection regulations on private nature reserves

The decision on establishing a private nature reserve referred to in section 47 shall include the necessary protection regulations concerning the conservation and, where necessary, management of nature at the site. The decision may include a prohibition or restriction corresponding to one referred to in section 56, subsection 2, provided that this is required for the preservation of species or habitat types at the site.

When establishing a private nature reserve in a manner referred to in section 47, subsection 2 without the landowner's consent, the protection regulations included in the decision may not restrict land use to an extent greater than that resulting from the nature conservation programme concerning the site or the grounds on which a site included in the Natura 2000 network is conserved, unless the landowner has consented otherwise. In addition to the parties concerned, the municipality shall be provided with an opportunity to be heard before the decision is taken.

When amending the protection regulations on a private nature reserve, the procedure in accordance with subsections 1 and 2 shall be complied with.

Upon the landowner's consent, the Centre for Economic Development, Transport and the Environment and Metsähallitus may carry out nature management duties in a private nature reserve.

Section 54

Derogations from protection regulations on private nature reserves

In an individual case, the Centre for Economic Development, Transport and the Environment may authorise a derogation from the protection regulations concerning a private nature reserve where the derogation does not jeopardise the purpose for which the site was established and it is necessary for the management or use of the site or for repair of existing infrastructure or equipment related to this or for research.

If a right referred to in subsection 1 is transferred to another party, the Centre for Economic Development, Transport and the Environment shall be notified of the transfer without delay. The previous holder of the authorisation is responsible for all obligations relating to the authorisation until another holder has, upon application, been approved to replace the previous holder.

Section 55

Safeguarding of certain rights

Besides the provisions of section 6, the conditions for maintaining and developing the Sami culture shall be safeguarded in state nature reserves located in the Sami homeland. When establishing a site, the special objectives of its conservation and, in national parks, the interests of visitors shall also be taken into account in an appropriate manner.

Provisions are laid down separately by an act on the right of persons referred to in section 8 of the Hunting Act to hunt in the area of a national park located in their municipality of residence.

By way of derogation from the provisions of this Act, a right that exists on a nature reserve as an encumbrance, leasehold or other corresponding right established prior to the entry into force of the protection regulations may be exercised. Such a right may, however, be expropriated by the state in accordance with section 114.

Section 56

Restrictions on access

Access to areas of strict nature reserves other than separately signposted roads, paths or areas is only permitted if authorised by Metsähallitus.

In national parks and other state nature reserves, access, camping, landing and keeping of a boat, ship or other vehicle may be prohibited or restricted by means of a regulation in the statute establishing the site or included in the rules and regulations referred to in section 58. The condition for prohibiting or restricting access or landing is that it is necessary for the preservation of species or habitat types at the site.

Metsähallitus may authorise a derogation from a prohibition or restriction referred to in subsection 2.

The provisions of subsection 1 do not apply to access in tasks necessary for reindeer husbandry or the management of an official duty allowed by the protection regulations concerning the site, or for the exercise of specific rights laid down for the local residents.

Section 57

Management and use plans for nature reserves

A management and use plan shall be formulated for the organisation of the management and use of a national park that specifies the measures to implement the objectives for which the park was established. A management and use plan may also be formulated for a strict nature reserve and another state nature reserve.

The management and use plans for national parks, strict nature reserves and other state nature reserves are prepared and adopted by Metsähallitus. When preparing management and use plans, Metsähallitus shall ensure sufficient interaction with the various user groups of the site. In the Sami homeland, management and use plans are formulated in interaction with the relevant Sami communities and in cooperation with the Sami Parliament so that the traditional knowledge of the Sami is included in the information material used in planning. When preparing a management and use plan for a national park, an opinion of the Ministry of the Environment shall be requested on the plan.

A Centre for Economic Development, Transport and the Environment may adopt a management and use plan for a private nature reserve if the plan has the landowner's consent.

A decision concerning the adoption of a management and use plan is ineligible for review by appeal.

Section 58

Rules and regulations for state nature reserves

Metsähallitus shall formulate rules and regulations for the users of a national park that set out the necessary restrictions on the use of the site based on section 56, subsection 2. Where necessary, Metsähallitus may also formulate rules and regulations for a strict nature reserve and another state nature reserve.

Section 59

Defining and marking the boundaries of nature reserves

Provisions on the formation of a state nature reserve into a real estate unit are laid down in the Real Estate Formation Act (554/1995).

Metsähallitus shall mark the boundary of a national park and a strict nature reserve and any prohibition or restriction imposed under section 56, subsection 2 in a clearly visible manner at the site. In addition, any prohibition or restriction on access or landing applied to a private nature reserve shall be marked at the site. The boundary of another state nature reserve and a private nature reserve may also be marked at the site. The boundaries of sites in water areas are only marked on maps and charts.

The installation of on-site marking may be contracted out to a private expert with the qualifications necessary for the performance of the task. The task may not, however, be assigned to a private expert if the installation of the on-site marking requires interpretation of the statute or decision establishing the site.

The contract between the authority and the private expert shall specify the content of the task and any matters necessary for the performance of the task. The authority shall supervise the expert when the expert is performing the assigned tasks. Provisions on criminal liability while in office

apply to an expert in this role. Provisions on liability for damages are laid down in the Tort Liability Act (412/1974).

Further provisions on the manner of marking the boundaries of and prohibitions and restrictions concerning nature reserves and on the symbols used in marking are laid down by decree of the Ministry of the Environment.

Section 60

Inclusion of sites in state nature reserves

A site transferred to the ownership of the state where a decision on its use as an extension to a nature reserve has been made in conjunction with a procurement or other acquisition is considered as included in the nature reserve in question. Upon the application of Metsähallitus, another site included in the assets for the management of public administrative duties referred to in section 5 on the Act on Metsähallitus (234/2016), excluding sites belonging to public water areas, may also be included in a state nature reserve in a cadastral procedure or by a decision on the amalgamation of real estates.

A site connected to a national park owned by a public entity other than the state may, upon the consent of the entity, be included in the national park.

If a private nature reserve which has been transferred to the state's ownership is included in a nature reserve, the entry concerning its protection is removed from the Land Information System in conjunction with the inclusion. At the same time, the protection regulations concerning the site cease to be valid. The same applies to a situation where a private nature reserve which has been transferred to the state's ownership is included in a state nature reserve to be established.

Section 61

Abolition of private nature reserves and easing of protection regulations

A Centre for Economic Development, Transport and the Environment may, upon application by the owner of the site or anyone with an interest in the matter or upon proposal by the Ministry of the Environment, abolish wholly or in part the conservation of a privately owned site or ease its protection regulations if the nature values of the site have declined materially. The same applies to a situation where the protection of the site prevents the implementation of a project or plan of

very high public interest and there is no technically or economically feasible alternative to this project or plan. An opinion of the Ministry of the Environment shall be obtained on the application.

A condition may be set for a decision referred to in subsection 1 above that the owner or the holder of a special right pays back in full or in part any compensation paid to the owner or holder under section 47, subsection 1 or section 111, where this is to be deemed reasonable.

Information on the abolition of conservation shall be entered in the Land Information System.

Section 62

Abolition of state nature reserves and easing of protection provisions

A state nature reserve established by decree may be abolished wholly or in part or the protection provisions of the site may be eased only if the protection of the site prevents the implementation of a project or plan of very high public interest and there is no technically or economically feasible alternative to this project or plan.

Information on the abolition of conservation shall be entered in the Land Information System.

Section 63

Special provision concerning the network of coastal and marine Baltic Sea protected areas

The provisions of section 15 of this Act shall be complied with when formulating proposals concerning areas to be included in the network of protected areas based on the Convention on the Protection of the Marine Environment of the Baltic Sea Area (Finnish Treaty Series 12/1980).

Chapter 7

Conservation of habitat types

Section 64

Conserved habitat types

A Centre for Economic Development, Transport and the Environment may decide to conserve an occurrence of any of the following habitat types (*conserved habitat type*) that is in its natural state or in a state comparable to a natural state and that is important for the preservation of the conserved habitat type:

- 1) sand beaches;
- 2) forest stands with deciduous (hardwood) trees;
- 3) hazel (*Corylus avellana*) scrubs;
- 4) black alder (*Alnus glutinosa*) forests;
- 5) seashore meadows;
- 6) pollard meadows;
- 7) dry meadows;
- 8) coastal wooded dunes;
- 9) inland flooded forests;
- 10) sunlit slopes of esker forests;
- 11) benthic habitats characterised by *Zostera marina*;
- 12) sheltered benthic habitats characterised by *Charales*;
- 13) calcareous rock outcrops.

The boundaries of the occurrence of the conserved habitat type shall be defined in the conservation decision. An occurrence of a conserved habitat type may not be destroyed or caused to deteriorate. The prohibition enters into force once the owners and occupants of the site have been notified of the decision.

A decision referred to in subsection 2 above remains in effect despite an appeal, unless otherwise decided by the appellate authority. An entry on the decision shall be made in the cadastre.

If an occurrence of a conserved habitat type defined by means of a decision referred to in subsection 2 has lost its significance for the attainment or preservation of a favourable conservation status of the habitat type, the Centre for Economic Development, Transport and the Environment may abolish the conservation of the occurrence.

Further provisions are issued by government decree on the criteria for the definition of habitat types referred to in subsection 1.

Section 65

Prohibition of deterioration of strictly protected habitat types

The following rare and threatened habitat types shall not be destroyed or caused to deteriorate:

- 1) serpentine rock outcrops and scree land surface which are above surface occurrences of rock outcrop or scree composed of serpentinite or some other ultrabasic rock type where serpentine plant species occur; and
- 2) coastal open dunes which are dunes located on the coast or in the archipelago of the Baltic Sea formed from sand as a result of wind erosion and deposition, and wetlands or temporary wetlands created in their depressions where species typical of sand dunes occur.

Further provisions are issued by government decree on the criteria for the definition of habitat types referred to in subsection 1.

Section 66

Derogations from the prohibition of destruction and deterioration of habitat types

In an individual case, a Centre for Economic Development, Transport and the Environment may authorise a derogation from a prohibition referred to in section 64, subsection 2 or section 65, subsection 1 if the conservation objectives of the habitat type are not considerably jeopardised or if the conservation of the habitat type prevents the implementation of a project or plan of very high public interest and there is no technically or economically feasible alternative to this project or plan.

An authorisation referred to in subsection 1 above is issued for a fixed period and may remain valid for a maximum of ten years at a time.

Conditions that the applicant shall comply with to avoid or limit harm caused by the activity to conservation values may be attached to an authorisation referred to in subsection 1 above. The conditions may include temporal or spatial restrictions or other obligations.

If the project or measure for which the authorisation was granted is transferred to another party, the transfer of the authorisation shall be applied for from the Centre for Economic Development, Transport and the Environment. The authorised party is responsible for all obligations in

accordance with the authorisation decision until another party has been approved to replace the party.

Section 67

Management of threatened habitat types

Aid and grants may be awarded in accordance with the provisions of chapter 4 for the rehabilitation and management of threatened habitat types, excluding habitats of special importance specified in section 10 of the Forest Act. (840/2023)

In addition, upon the landowner's consent the Centre for Economic Development, Transport and the Environment and Metsähallitus may carry out necessary management and rehabilitation measures in strictly protected and conserved habitat types after the Centre for Economic Development, Transport and the Environment has made the decision referred to in section 64.

Chapter 8

Conservation of species

Section 68

Species included in the scope of application of the chapter

The provisions of this chapter apply to animal and plant species occurring in the wild in their natural range in Finland and in Finland's exclusive economic zone, excluding game species specified in section 5 of the Hunting Act and unprotected animals and species of fish and crayfish. By way of derogation from this, the provisions of sections 78, 79 and 83, however, also apply to brown bear (*Ursus arctos*), European lynx (*Lynx lynx*), otter (*Lutra lutra*) and wolf (*Canis lupus*) in areas outside the reindeer husbandry area.

The provisions of this chapter on species also apply to subspecies, breeds, strains and forms.

The provisions of this chapter on plants and plant species also apply to fungi and fungal species.

Section 69

Protection of animal and plant species

The mammals, birds, reptiles and amphibians covered by the scope of application of this chapter are protected.

If the preservation of an invertebrate species or a plant species becomes threatened or its protection proves to be necessary for some other reason, provisions on the species being protected nationwide or in a part of Finland may be laid down by government decree.

Section 70

Protection of animal species

The following are prohibited with regard to protected animal species:

- 1) deliberate killing or capture of specimens;
- 2) taking into possession, transferring to another location or any other deliberate damaging of nests or other refuges and of eggs and other development stages of specimens;
- 3) deliberate disturbance of specimens, particularly during the breeding period of animals, in important resting areas during migration or in places otherwise important for their lifecycle.

Notwithstanding the provisions of subsection 1 above, an adder (*Vipera berus*) which is found on the grounds of a building or otherwise causes danger to persons or domestic animals may, where necessary, be captured and transferred to another location and, where this is not possible, killed.

Damaging a nest or refuge referred to in subsection 1, paragraph 2 above is prohibited outside the breeding period only if the nest or refuge in question is made by the animal itself and used repeatedly by the animal. The animal species referred to in this subsection are specified by government decree.

Means of capture of invertebrates which are harmful with regard to nature conservation are prohibited. Further provisions on prohibited means of capture are issued by government decree.

Section 71 (701/2023)

Protected animals found in a helpless state

By way of derogation from the provisions of section 70, the provisions of the Animal Welfare Act (693/2023) apply to helping protected animals found sick, injured or otherwise in a helpless state.

Section 72

Protected animals found dead

A protected animal found dead shall not be taken into possession. The animal may, however, be delivered to a state research institute for investigation of cause of death or detection of transmissible animal diseases.

Where an animal referred to in subsection 1 has scientific or teaching value when treated in an appropriate manner, it may be taken and delivered without unnecessary delay to the Finnish Museum of Natural History, another museum of natural history or institution or university, which shall apply to the Centre for Economic Development, Transport and the Environment for an authorisation to hold the animal referred to in section 89.

Section 73

Protection of nesting trees of large birds of prey

Nesting trees of the golden eagle (*Aquila chrysaetos*), white-tailed sea eagle (*Haliaeetus albicilla*), lesser spotted eagle (*Aquila pomarina*) and osprey (*Pandion haliaetus*) where the nest is repeatedly used and clearly visible are protected.

Location data on nesting trees referred to in subsection 1 above is maintained in the nature conservation information system referred to in chapter 13.

Section 74

Protection of plant species

A protected plant, its part or seeds shall not be picked, collected, cut off, uprooted or destroyed.

Section 75

Threatened species

Provisions may be laid down by government decree to designate as a threatened species a wild species which, according to the national assessment of the threat status of species occurring in Finland, is facing at a minimum a high risk of being lost in the wild. The risk of loss is assessed based on best available information on the size of, changes in, and fragmentation and continuous decline of the population or its natural range and area of occupancy or on the basis of quantitative analysis of the risk of loss.

The Ministry of the Environment shall draw up a proposal for the review of the decree referred to in subsection 1 on the basis of the national assessment of the threat status of species occurring in Finland within two years from the completion of each assessment.

Section 76

Taking threatened species into account

The authorities shall take the threatened species into account in their permit consideration under the relevant act or in decision-making concerning land use planning in compliance with the separate provisions of other legislation concerning the safeguarding of nature values.

Section 77

Conservation of localities of species subject to special conservation measures

Provisions may be laid down by government decree to designate as a species subject to special conservation measures a threatened species referred to in section 75 which is facing at a minimum a very high risk of being lost in the wild. Provisions may be laid down to also designate as a species subject to special conservation measures a threatened species which has very few localities and the preservation of the localities is under threat.

A Centre for Economic Development, Transport and the Environment may decide to conserve a locality that is important for the preservation of a species subject to special conservation measures. The conservation decision shall define the boundaries of the locality. The locality may not be destroyed or caused to deteriorate. The prohibition enters into force once the owners and occupants of the site have been notified of the decision.

If the permanence of a locality of a species subject to special conservation measures cannot be assessed reliably in advance, the decision referred to in subsection 2 may be made for a maximum period of ten years.

If a locality referred to in subsection 2 has lost its significance to the attainment or preservation of a favourable conservation status of the species, the Centre for Economic Development, Transport and the Environment may discontinue the conservation of the locality.

Section 78

Conservation of breeding sites and resting places of species in need of strict protection in the European Union

The animal species specified in Annex IV and plant species specified in Annex IV(b) to the Habitats Directive are species in need of strict protection. Provisions on species in need of strict protection in Finland are laid down by government decree.

The breeding sites or resting places of species in need of strict protection shall not be destroyed or caused to deteriorate.

Section 79

Conservation of localities of species of Union interest

A Centre for Economic Development, Transport and the Environment may decide to conserve a locality that is significant for the attainment or preservation of a favourable conservation status of a species referred to in Article 4(2) of the Birds Directive or specified in Annex I to the Directive or specified in Annex II to the Habitats Directive.

The conservation decision shall define the boundaries of the locality. The locality may not be destroyed or caused to deteriorate. The prohibition enters into force once the owners and occupants of the site have been notified of the decision.

Section 80

Management of habitats of threatened species

Aid and grants may be awarded in accordance with the provisions of chapter 4 for the rehabilitation and management of habitats of threatened species referred to in this chapter.

Upon the landowner's consent, the Centres for Economic Development, Transport and the Environment and Metsähallitus may carry out necessary management and rehabilitation measures in a breeding site or resting place referred to in section 78 and in a locality of species subject to special conservation measures referred to in section 77 and in a locality of species of Union interest referred to in section 79 after the decision to conserve the locality has been made.

Section 81

Conservation of newly discovered species

A Centre for Economic Development, Transport and the Environment may decide to conserve a locality of a species found as a new species in Finland or a species previously unknown to science where this is necessary for studying and preserving the species.

The conservation decision shall define the boundaries of the locality. The locality may not be destroyed or caused to deteriorate. The prohibition enters into force once the owners and occupants of the site have been notified of the decision. The prohibition is in force for a maximum of ten years.

A decision referred to in subsection 2 above remains in effect despite an appeal, unless otherwise decided by the appellate authority. An entry on the decision shall be made in the cadastre.

Section 82

General derogation from certain protection provisions

By way of derogation from the provisions of section 70 and 74, a site may be used for agriculture and forestry or construction activities, and buildings and equipment may be used in accordance with their purpose. In such cases, however, damage to or disturbance of protected animals and plants shall be avoided where possible without significant additional costs.

The derogation referred to in subsection 1 above does not apply to bird species or species in need of strict protection referred to in section 78.

Section 83

Derogation from provisions concerning the conservation of species

A Centre for Economic Development, Transport and the Environment may authorise a derogation from the provisions of sections 70, 73, 74, 77, 78 and 79 if this does not have adverse impacts on the preservation or attainment of a favourable conservation status of the species.

With regard to bird species, in addition to the provisions of subsection 1 a condition for a derogation is that there is no other satisfactory solution to it and the derogation is necessary:

- 1) for the conservation of fauna or flora;
- 2) in the interests of public health, air safety or other public safety;
- 3) for preventing serious damage to crops, livestock, forests, fisheries or waters;
- 4) for the purposes of research and teaching, re-population or re-introduction or for the breeding necessary for these purposes.

With regard to species in need of strict protection referred to in section 78 above, in addition to the provisions of subsection 1 a condition for a derogation is that there is no other satisfactory solution to it and that the derogation is necessary:

- 1) for the conservation of wild fauna and flora or preservation of habitat types;
- 2) for preventing particularly serious damages concerning crops, livestock production, forests, fisheries or waters or other types of property;
- 3) in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature, and if the derogation has benefits of primary significance for the environment;
- 4) for the purpose of research and education, re-population or re-introduction of these species or for the propagation measures necessary for these purposes, including the artificial propagation of plants.

Any authorisation is issued for a fixed period and may remain valid for a maximum of ten years at a time.

Conditions that the applicant shall comply with to avoid or limit harm caused by the activity to conservation values may be attached to an authorisation decision. The conditions may include temporal or spatial restrictions or other obligations.

If the project or measure for which the authorisation was granted is transferred to another party, the transfer of the authorisation shall be applied for from the Centre for Economic Development, Transport and the Environment. The authorised party is responsible for all obligations in accordance with the authorisation until another party has been approved to replace the party.

Section 84

Area-specific derogations from provisions concerning the conservation of species

An authorisation of a derogation referred to in section 83, subsections 1 and 2 above from the prohibition of disturbance of a protected bird species may be issued for the area of one or more municipalities if, owing to the abundance of the species, it is likely that specimens of the species cause unpredictably targeted, particularly significant damage to crops, fish farming or commercial fishing. A condition for the decision is that there are enough sites that can be designated for feeding, resting or other corresponding needs of the species during migration.

Section 85

Assisted spreading of species subject to special conservation measures

By way of derogation from the provisions of section 83 above, a Centre for Economic Development, Transport and the Environment may issue an authorisation referred to in section 83 for the transfer of specimens or parts of specimens of a species subject to special conservation measures outside the natural range of the species only where this is necessary for the preservation of the species or the attainment of its favourable conservation status and the adaptation of the species to climate change.

A decision referred to in subsection 1 above concerning sites other than state-owned ones may only be made upon the landowner's consent. A condition for the decision is that the landowner and the Centre for Economic Development, Transport and the Environment have agreed upon the details of the implementation of the measures.

Chapter 9

Holding, barter, import and export of specimens of species

Section 86

Scope of application of the chapter

This chapter applies to the holding, barter, import, export and transit of specimens of species falling within the scope of application of chapter 8, bird species naturally occurring in the wild in Member States of the European Union, and species in need of strict protection listed in Annex IV to the Habitats Directive and species referred to in the CITES Regulation.

Section 87

Holding, barter and commercial exploitation of species

A specimen of a protected animal or plant species may not be held, transported, sold, bartered or offered for sale or barter. The same applies to specimens of species in need of strict protection in the European Union and bird species occurring naturally in the wild in the European territory of the Member States of the European Union, excluding game animals and unprotected animals referred to in section 5 of the Hunting Act and species listed in Annex III to the Birds Directive.

The provisions of subsection 1 concerning specimens also apply to parts, derivatives and eggs of the species. In addition, provisions are laid down in the CITES Regulation on the purchase, sale, offer to purchase, offering for sale, keeping or transporting for sale, or acquisition or display to the public for commercial purposes of specimens, their parts or derivatives and on the movement of live specimens.

Section 88

Import and export of species

Specimens, parts or derivatives of protected animal or plant species shall not be imported or exported.

Live diurnal birds of prey (*Accipitriformes*), owls (*Strigiformes*) and falcons and caracaras (*Falconidae*) shall not be imported.

In addition, the CITES Regulation lays down provisions on the import from non-European Union countries, export and re-export to non-European Union countries and transit of specimens, parts or derivatives of species referred to in the Regulation.

Specimens or parts of species specified in Annex A to the CITES Regulation which are globally threatened due to international trade and, as regards species specified in Annex B to the CITES Regulation, of African elephants (*Loxodonta*), argalis (*Ovis ammon*), southern white rhinoceros (*Ceratotherium simum simum*), polar bears (*Ursus maximus*), lions (*Panthera leo*) and hippopotamuses (*Hippopotamus amphibius*) shall not be imported as hunting trophies from a non-European Union country.

Section 89

Derogations from the prohibition of holding, barter, import and export

A Centre for Economic Development, Transport and the Environment may authorise a derogation from the prohibitions laid down in sections 87 and 88 for the purpose of studying and conserving the species or for educational purposes.

The provisions of section 88, subsection 1 above do not apply to exchange of scientific collections carried out by the Finnish Museum of Natural History and universities.

Section 90

National implementation of the CITES Regulation

The Finnish Environment Institute issues the permits and certificates referred to in the CITES Regulation.

Animals and plants and their parts and derivatives specified in the CITES Regulation imported to Finland from non-European Union countries, exported from Finland to the above-mentioned countries and transited via the European Union shall be imported, exported and transited via the following border control points:

- 1) Port of Helsinki;
- 2) Helsinki-Vantaa Airport;
- 3) Port of Turku;

- 4) Turku Airport;
- 5) Niirala;
- 6) Vaalimaa;
- 7) Raja-Jooseppi;
- 8) Kilpisjärvi.

Where required, customs authorities shall direct the transport of specimens, their parts and derivatives to a border control point specified in subsection 2 under customs supervision.

Chapter 10

Landscape conservation and management and natural monuments

Section 91

Landscape management areas

A national landscape management area or a regional landscape management area may be established to conserve and manage the beauty, historical characteristics or other special landscape-related values of a natural or cultural landscape.

Section 92

Establishment of landscape management areas

The decision on the establishment and purpose of a national landscape management area is made by the Ministry of the Environment upon proposal by a regional council or Centre for Economic Development, Transport and the Environment.

The decision on the establishment and purpose of a regional landscape management area is made by a Centre for Economic Development, Transport and the Environment upon proposal by a registered local or regional association, municipality or regional council.

A Centre for Economic Development, Transport and the Environment may formulate a management and use plan for a landscape management area. During the preparatory phase of a management and use plan for a landscape management area, an opinion of the Ministry of the Environment shall be requested on the plan.

The formulation of a management and use plan shall be organised in interaction with the owners of the areas included in the landscape management area and other key local actors. In the Sami homeland, management and use plans shall be formulated in interaction with the relevant Sami communities and in cooperation with the Sami Parliament so that the traditional knowledge of the Sami is included in the information material employed in planning.

A decision concerning the adoption of a management and use plan is ineligible for review by appeal.

Further provisions may be laid down by decree of the Ministry of the Environment on the interactive procedure to be followed in the establishment of landscape management areas and in the formulation of management and use plans.

Section 93

Regulations concerning landscape management areas

Regulations and recommendations necessary for the conservation of essential landscape characteristics may be included in the decision on the establishment of a landscape management area. Regulations may not, however, cause significant disadvantage to real estate owners.

Regulations concerning landscape management areas shall not be breached.

A Centre for Economic Development, Transport and the Environment may authorise a derogation from regulations concerning a landscape management area.

Regulations referred to in subsection 1 concerning a landscape management area that fall within the scope of application of the Land Use and Building Act do not apply to an area for which there is a valid local detailed plan or a legally binding local master plan.

Section 94

Abolition of landscape management areas

A landscape management area may be abolished or its conservation regulations eased if the landscape value of the area has materially declined or if conservation prevents the implementation of a project or plan of high public interest.

The Ministry of the Environment may abolish a national landscape management area or amend a decision concerning it. A Centre for Economic Development, Transport and the Environment may, upon proposal by a municipality or regional council, abolish a regional landscape management area or amend a decision concerning it.

Section 95

Natural monuments

A tree, group of trees, erratic boulder or other corresponding natural formation which is worthy of special conservation because of its beauty, rarity, landscape value, scientific value or another corresponding reason may be designated as a protected natural monument.

At sites owned by the state, the decision to protect a natural monument is made by the authority administering the site. A natural monument shall be marked in a clearly visible manner.

The decision to protect a natural monument located in a privately owned site is made by the municipality upon proposal by or consent of the owner of the site. The municipality shall ensure the marking of a natural monument located at a privately owned site in a clearly visible manner.

A protected natural monument may not be damaged or impaired.

Section 96

Abolition of the protection of natural monuments

In a state-owned area the authority administering the site where a natural monument is located may abolish in part or wholly the protection of the natural monument if grounds for protection no longer exist or if protection prevents the implementation of a project or plan of high public interest.

In a privately owned area the municipality may, upon application by the owner or proposal by the Centre for Economic Development, Transport and the Environment, abolish wholly or in part the

protection of a natural monument if grounds for protection no longer exist or if protection prevents the implementation of a project or plan of high public interest.

An opinion of the Centre for Economic Development, Transport and the Environment shall be obtained on an application by the owner of a privately owned site.

Section 97

Prohibition signs

No signs prohibiting access, landing or other exercise of everyman's rights shall be displayed in land or water areas for the display of which there are no legal grounds.

Chapter 11

Voluntary ecological compensation

Section 98

Offsetting for deterioration

An actor causing a deterioration of nature values in its activity (*party causing a deterioration*) may offset the deterioration of a habitat type or the habitat of a species caused by its activity by means of nature values generated through offset measures specified in section 99 or, where the conditions specified in section 100 are fulfilled, by means of conservation offsets.

Offsetting may either be equivalent to the deterioration (no net loss) or exceed it (net positive impact).

Section 99

Offset measures

Offset measures mean measures to compensate for a deterioration caused in a habitat type or the habitat of a species in full, at the minimum.

Offset measures are measures that are not obligatory under legislation or other obligations and that:

- 1) return a site the nature values or condition of which have deteriorated to a restoration process towards the natural state or a desired state in terms of biodiversity;
- 2) increase the surface area of the habitat type or habitat of a species; or
- 3) improve the ecological quality of the habitat type or habitat of a species.

Section 100

Conservation offsets

A conservation offset means the permanent conservation of an occurrence of a threatened habitat type that is representative in terms of its natural state that:

- 1) maintains or improves the natural state or the desired state in terms of biodiversity by preventing activity causing the deterioration of the natural state; and
- 2) produces a better ecological outcome than the offset measures referred to in section 99.

Section 101

Offset criteria

Offset measures shall be implemented:

- 1) in the same or adjacent subzone of a forest vegetation zone, in the same marine area and in the same or adjacent water body type or aquatic habitat type of the main river basin where the deterioration is caused; and
- 2) in the area of the Sami community where the deterioration takes place.

A deterioration in a threatened habitat type or habitat of a species shall be offset by means of measures targeted at a habitat of the same species or the same habitat type. If the deterioration cannot for scientific reasons be offset by means of measures targeted at the same nature value, the deterioration shall be offset by means of measures targeted at a corresponding, equally threatened or more threatened nature value.

Further provisions may be issued by decree of the Ministry of the Environment on the correspondence of offset measures relating to nature values and geographical locations.

Section 102

Time of offsetting

Prior to commencing deteriorating measures, measures that create conditions for the attainment of the desired state (*fundamental measures*) shall be implemented. Where necessary, repeated management measures needed for the attainment of the desired state shall be implemented.

Conservation offsets shall always be implemented prior to a deterioration.

Section 103

Generating nature values

Landowners may generate nature values by means of offset measures for use in ecological compensation.

An offset plan shall be formulated for the generation of nature values that shall indicate:

- 1) information on the site used in offsetting (*offset site*), its nature values and their state prior to the offset measures;
- 2) information on the nature values to be improved, the desired state and the offset measures employed to implement the improvement of nature values;
- 3) the timeframe for the performance of the offset measures;
- 4) information on the monitoring of the implementation of the offset measures;
- 5) an assessment of the risks relating to the implementation of the offset measures and a plan for preparing for them and for alternative implementation methods;
- 6) information on the practical implementer of the fundamental measures and the implementer's qualification for the role.

The Centre for Economic Development, Transport and the Environment issues an opinion on the offset plan upon the landowner's application. The opinion shall be sent for information to the municipality and the regional council where the site concerned in the plan is located.

Following the implementation of the fundamental measures in accordance with the offset plan, the Centre for Economic Development, Transport and the Environment issues, upon the landowner's

application, an opinion on the quality and quantity of nature values to be generated by means of the measures.

Upon the landowner's application, the Centre for Economic Development, Transport and the Environment enters information on the quality and quantity of nature values generated by the measures in the register included in the nature conservation information system.

The provisions of sections 64 and 77 do not apply to nature values to be generated in an offset site without the landowner's consent.

Further provisions may be issued by decree of the Ministry of the Environment on the content of offset plans.

Section 104

Decisions on compensation equivalence of offsets

A party causing a deterioration may apply to the Centre for Economic Development, Transport and the Environment for a decision on the equivalence of an offset. The application shall provide:

- 1) information on the impacted site, its nature values and their state prior to the deterioration and an assessment of the deterioration caused in nature values;
- 2) information on the nature value generated in accordance with section 103 or the conservation offset referred to in section 100 employed to offset the deterioration in the habitat type or habitat of a species.

If the offset proposed by the applicant fulfils the conditions laid down in sections 99–101, the Centre for Economic Development, Transport and the Environment shall approve the application. In its decision, the Centre for Economic Development, Transport and the Environment shall prohibit the destruction and deterioration of the nature values of the offset site and define the boundaries of the offset site. The prohibition enters into force once the owners and occupants of the site have been notified of the decision.

A decision referred to in subsection 2 above remains in effect despite an appeal, unless otherwise decided by the appellate authority. In addition, an entry on the decision shall be made in the cadastre.

The Centre for Economic Development, Transport and the Environment enters information on the offsetting in the register included in the nature conservation information system.

Section 105

Derogations from the conservation of offset sites

A Centre for Economic Development, Transport and the Environment may authorise a derogation from a prohibition referred to in section 104, subsection 2 if the prohibition prevents the implementation of a project or plan of very high public interest and there is no technically or economically feasible alternative to the project or plan.

The decision shall oblige the party causing the deterioration to take offset measures to offset for the nature values found in the offset site and sought through offset measures.

Section 106

Access to offsetting information

Everyone has the right to access information on the nature values generated and their use as advance offsets from the register included in the nature conservation information system.

Section 107

Responsibility for costs

The party causing the deterioration and the generator of nature values are responsible for the costs:

- 1) arising from planning and implementing offset measures;
- 2) incurred by the authorities in adopting the offset plan and filing it in the register.

In addition, the party causing the deterioration is responsible for the costs arising from:

- 1) assessing the deterioration;
- 2) monitoring the implementation of the offset measures;
- 3) monitoring the effectiveness of the offset measures.

Chapter 12

Procurement of sites for nature conservation purposes and compensations

Section 108

Procurement of sites to the state

Sites may be procured to the state's ownership to implement programmes referred to in sections 14 and 15 above and the conservation of the Natura 2000 network or to supplement the existing network of nature reserves or otherwise for the purpose of nature conservation.

The Centres for Economic Development, Transport and the Environment and Metsähallitus attend to the duties relating to procurement of sites for the purpose of nature conservation. Further provisions on the duties relating to procurement of sites are laid down by government decree.

Section 109

Implementation of nature conservation programmes

The Ministry of the Environment shall commence the implementation of a nature conservation programme referred to in section 15 without delay once the Government's decision on its adoption has gained legal force. In addition to the provisions of section 108, subsection 2 above, when considering the order of implementation efforts shall be made to take the significance of the values to be conserved and the factors threatening them into account.

The manner of implementing conservation shall be commensurate with the purpose of conservation and efforts shall be made to primarily implement conservation by voluntary means.

The Ministry of the Environment may decide to discontinue the implementation of a nature conservation programme to some extent if the nature values of the site have materially declined, if the purpose of conservation is not significantly jeopardised or if the programme prevents the implementation of an important project that is necessary in the public interest.

Section 110

Right of owners to request expropriation

Once four years have passed from a decision to adopt a nature conservation programme and the decision has gained legal force, the owners of sites included in the nature conservation programme have the right to request the expropriation of the site if the programme has not been implemented or agreed to be implemented at their site. The owners of sites have the same right if according to a legally valid decision of the Government concerning the Natura 2000 network the conservation of the site must be implemented under this Act and four years have passed from the date of issue of the government resolution.

Expropriation is initiated by submitting an application for an expropriation procedure to the National Land Survey of Finland.

Section 111

Obligation of the state to provide compensation

The state is obliged to compensate an owner of real estate or a holder of a special right for significant disadvantage caused by:

- 1) a decision made under section 64, subsection 2; section 77, subsections 2 and 3; section 79, subsection 2 or section 81, subsection 2;
- 2) a prohibition laid down in section 65, subsection 1; section 73, subsection 1 or section 78, subsection 2;
- 3) protection provisions of a nature reserve established under section 47, subsection 2;
- 4) a prohibition or restriction decision made under section 38 or a refusal of an authorisation made under section 39, subsection 1 if there would otherwise be no impediment to granting the authorisation or implementing the measure.

When assessing the significant disadvantage referred to in subsection 1 above, the combined effects of the prohibitions, decisions and protection provisions referred to in the said subsection shall be taken into account.

In matters referred to in subsection 1, paragraph 1 above, the condition for the obligation to pay compensation is that the owner has applied for authorisation under section 68 or section 85 to derogate from a prohibition and the application has been rejected.

Full compensation shall be paid for the disadvantage. If the permanence of the significant disadvantage caused by a prohibition laid down in section 78, subsection 2 cannot be assessed reliably in advance, the compensation shall be provided for a maximum period of ten years. Following that, the compensation shall be provided for a permanent disadvantage if it is likely that the breeding site or resting place is permanent.

Separate provisions are laid down on compensation for a disadvantage caused by the refusal of permits referred to in the Land Use and Building Act and in the Land Extraction Act. Provisions on the downward adjustment of a special obligation concerning the use of forests in accordance with section 10 of the Forest Act are laid down in section 11 of the Forest Act.

Section 112

Limitations on the obligation to provide compensation

The right to receive compensation referred to in section 111, subsection 1, paragraph 4 above does not exist if the disadvantage is caused:

- 1) by the refusal of a permit referred to in the Water Act;
- 2) by the refusal of a permit referred to in the Environmental Protection Act;
- 3) by the resolution of a matter concerning an exploration permit, mining permit or gold panning permit referred to in the Mining Act (621/2011);
- 4) by the refusal of an expropriation permit referred to in the Act on the Redemption of Immovable Property and Special Rights (603/1977); or
- 5) to the state, a municipality or a joint municipal authority.

Section 113

Procedure in compensation matters

If it has been impossible to agree on compensation or on another alternative method of implementing conservation, a procedure to determine the compensation referred to in section 111, subsection 1 may be applied for from the National Land Survey of Finland.

In a situation referred to in section 111, subsection 3 above, the application shall be accompanied by information about the refusal of authorisation referred to in the said subsection. If, however, it

is apparent that the conditions for granting authorisation do not exist, the order to perform the procedure may be issued without the provision of the said information.

Provisions on the procedure and on imposing compensations are laid down in the Act on the Redemption of Immovable Property and Special Rights. Interest at the rate laid down in section 95, subsection 1 of the said Act shall be paid on a restriction on the right of use of a site from the date on which the owner of the site applied to the National Land Survey of Finland for an order of a compensation procedure.

Section 114

Expropriation right of the state

The Government has the right to decide on the expropriation of immovable property and special rights to the state in order to establish a nature reserve or otherwise implement conservation referred to in this Act. Provisions on expropriation are laid down in the Act on the Redemption of Immovable Property and Special Rights.

An expropriation permit matter may be decided by the Ministry of the Environment if the site concerned is included in a legally valid nature conservation programme or, pursuant to a legally valid government decision, in the Natura 2000 network as a site intended to be implemented under this Act. The Ministry of the Environment may also decide on an expropriation permit matter in a case where a site for which an expropriation permit is applied includes a minor part of a site outside the nature conservation programme or the Natura 2000 network. The above provisions of this section on sites apply to the right of use pertaining to such sites.

Prior to commencing an expropriation referred to in subsection 1 or 2, the matter shall be negotiated with the landowner, where possible without considerable difficulty.

Section 115

Payment of compensation in instalments

By way of derogation from section 52 of the Act on the Redemption of Immovable Property and Special Rights, if required by the Centre for Economic Development, Transport and the Environment the payment of compensation referred to in section 111 above may be made in a maximum of four annual instalments.

Further provisions may be issued by government decree on the payment of compensation in instalments.

Section 116

Certain decisions free of charge

Decisions on nature reserves, landscape management areas and natural monuments issued under this Act and decisions issued under section 64, subsection 2; section 77, subsections 2 and 3; section 79, subsection 2 and section 81 are free of charge. Otherwise, provisions on decisions being subject to a charge are laid down in the Act on Criteria for Charges Payable to the State (150/1992).

Chapter 13

Management of nature conservation information and provision of information on decisions

Section 117

Nature conservation information system

The nature conservation information system consists of information on biodiversity and on activities affecting it. The information system is used for the management and processing of information relating to the application and implementation of this Act, for nature conservation planning and for the implementation of supervision in accordance with this Act, as well as for surveillance, assessment and research relating to biodiversity.

The nature conservation information system consists of information entered in the information systems, registers and case management systems administered by the Ministry of the Environment, the Centres for Economic Development, Transport and the Environment, Metsähallitus, the Finnish Environment Institute and the Finnish Museum of Natural History (*administrators*). Provisions on the information entered in the information system are laid down in section 118 of this Act and in chapter 18, sections 1 and 2 of the Water Act.

The Ministry of the Environment, the Centres for Economic Development, Transport and the Environment, Metsähallitus, the Finnish Environment Institute and the Finnish Museum of Natural History are each data controllers for the information they have entered in the system.

The Ministry of the Environment is responsible for the content-related and functional development of the information system in cooperation with the administrators.

Further provisions may be issued by government decree on the information systems, registers and case management systems referred to in subsection 2 and on the duties of the authorities relating to system administration.

Section 118

Information entered in the nature conservation information system

The Ministry of the Environment shall enter in the nature conservation information system:

- 1) the decisions it has made under this Act and information on decisions of Administrative Courts and the Supreme Administrative Court relating to them;
- 2) the opinions referred to in section 57, subsection 2; section 61, subsection 1 and section 92, subsection 3;
- 3) information and reports relating to the organisation of nature conservation surveillance.

The Centres for Economic Development, Transport and the Environment shall enter in the information system:

- 1) the decisions they have made under this Act and information on decisions of Administrative Courts and the Supreme Administrative Court relating to them;
- 2) the opinions and initiatives referred to in section 35, subsection 2 and section 92 and the documents relating to the procurement of sites referred to in section 108.

Metsähallitus shall enter in the system:

- 1) the decisions it has made under this Act and information on decisions of Administrative Courts and the Supreme Administrative Court relating to them;

2) the opinion referred to in section 35, section 2 on Natura assessment, the application referred to in section 60, subsection 1 for the inclusion of a site in a nature reserve and the documents relating to the procurement of sites referred to in section 108.

In addition, the Ministry of the Environment is responsible for the entry of government decisions referred to in sections 13, 14, 15, 33, 39 and 114 and the opinion of the European Commission referred to in section 39 in the nature conservation information system.

The authorities carrying out surveillance of the state of biodiversity and the Finnish Environment Institute and the Finnish Museum of Natural History shall enter the information relating to nature conservation surveillance referred to in section 18 in the information system. Surveillance information may also be entered by other parties approved by the authorities concerned.

Municipalities and regional councils shall, where possible, submit information relating to biodiversity and activities affecting it generated in the activities of municipalities to the Centre for Economic Development, Transport and the Environment to be entered in the nature conservation information system if the direct entry of the information in the information system is not possible.

Section 119

Quality of information

The administrators update the information in the nature conservation information system in conjunction with performing their obligations provided by law. In addition, information may be updated on the basis of information submitted to the administrators. The producer of the information is responsible for the accuracy of the information.

The administrators are responsible for the inclusion in the information system of information indicating the quality of information concerning the source and the time it was acquired and entered.

Section 120

Disclosure of information and right to access information

Information entered in the nature conservation information system is public environmental information referred to in Directive 2003/4/EC of the European Parliament and of the Council on

public access to environmental information and repealing Council Directive 90/313/EEC, unless otherwise provided in the Act on the Openness of Government Activities (621/1999) or in another act.

Notwithstanding secrecy provisions, the administrators and the Finnish Forest Centre, the Regional State Administrative Agencies, municipalities and regional councils, the Finnish Wildlife Agency and the Finnish Safety and Chemicals Agency have the right to access information from the nature conservation information system free of charge that is necessary for the performance of the duties laid down for them.

Section 121

Service of decisions and provision of information on decisions

The Centres for Economic Development, Transport and the Environment shall serve decisions referred to in sections 64, 77, 79, 81 and 104 and Metsähallitus shall serve decisions referred to in section 60 by public notice referred to in section 62a of the Administrative Procedure Act, and information on the notice shall be published in the municipality concerned in accordance with the provisions of section 108 of the Local Government Act (410/2015). In addition, the decisions shall be entered in the Land Information System.

The Ministry of the Environment shall serve proposals for sites to be included in the Natura 2000 network referred to in section 33 by public notice referred to in section 62a of the Administrative Procedure Act, and information on the notice shall be published in the municipality concerned in accordance with the provisions of section 108 of the Local Government Act.

The Ministry of the Environment, the Centres for Economic Development, Transport and the Environment and Metsähallitus shall publish the decisions made by them under this Act on their websites. Notwithstanding the provisions of section 16, subsection 3 of the Act on the Openness of Government Activities, decisions published on the internet may contain location data.

Chapter 14

Supervision of nature conservation, administrative enforcement and punishments

Section 122

Organisation of supervision

The Centres for Economic Development, Transport and the Environment shall supervise compliance with this Act and the provisions and decisions issued under this Act, and with European Union provisions.

Metsähallitus supervises compliance with this Act in state nature reserves.

Section 123

Right of access to information and right of inspection

For the performance of their duties, the authorities supervising compliance with provisions and decisions concerning nature conservation, or public officials or local government officials designated by them, have the right to:

- 1) notwithstanding secrecy provisions, have access to necessary information from other authorities and operators;
- 2) enter the area of another party and have access to a location where an activity is carried out;
- 3) conduct inspections, perform measurements and, where necessary, take samples;
- 4) observe activities and their impacts on nature and the environment.

The public official or local government official conducting the inspection has the right to obtain copies of documents to be inspected and printouts of records from information systems.

In addition, provisions on inspections are laid down in section 39 of the Administrative Procedure Act.

Section 124

Temporary prohibition of measures

A Centre for Economic Development, Transport and the Environment may prohibit for a maximum period of two years the use of a site referred to in section 43, subsection 2 that may jeopardise the purpose of conservation of the site. The decision of the Centre for Economic Development, Transport and the Environment shall be complied with despite a request for review, unless otherwise ordered by the appellate authority.

If conservation lapses or the implementation of a nature conservation programme is discontinued under section 109, subsection 3 and the owner of the site has suffered a significant disadvantage due to the prohibition of measures, the owner has the right to receive full compensation from the state for the disadvantage.

Provisions of section 113 shall be complied with when determining the compensation.

Section 125

Prohibition of measures when expropriation is pending

If a permit has been issued under section 114 for the expropriation of a site or a special right, no measures may be commenced at the site that may jeopardise the purpose of the expropriation. The prohibition is in effect starting from the service of the expropriation permit issued to the owner and occupant of the site.

Section 126

Coercive measures

Should anyone fail to comply with this Act or the provisions and decisions issued under it or take a measure in violation of them, the Centre for Economic Development, Transport and the Environment may prohibit the party concerned from continuing or repeating the act or negligence and oblige the party, with a notice of a conditional fine or enforced suspension, to eliminate the unlawful state or rectify the negligence within a time limit or may give notice that the necessary measures will be performed at the expense of the party concerned. The decision of the Centre for Economic Development, Transport and the Environment shall be complied with despite a request for review, unless otherwise ordered by the appellate authority.

Any information provided by a natural person based on an obligation to provide information laid down in or under this Act that has been obtained through a notice of a conditional fine served on the natural person for the fulfilment of the obligation may not be used to hold the person criminally liable in a pre-trial investigation, in consideration of charges or in judicial proceedings.

Provisions on the notice of a conditional fine, notice of enforced compliance and notice of enforced suspension are laid down in the Act on Conditional Fines (1113/1990).

Section 127

Preventing and remedying damage to nature

If a natural person or legal person who operates or de facto controls an occupational activity (*operator*) intentionally or through negligence causes or threatens imminently to cause damage to nature referred to in section 3, paragraph 7 through a measure or negligence in violation of this Act or provisions or decisions issued under it, the operator shall notify the Centre for Economic Development, Transport and the Environment of the damage to nature or its imminent threat and take the necessary measures to prevent or minimise adverse impacts.

Having been informed of damage to nature or its immediate threat, the Centre for Economic Development, Transport and the Environment shall, in addition to the provisions of section 126, order the operator causing the harm to take measures to prevent or minimise adverse impacts, where necessary, and order the operator to take remedial measures referred to in the Act on the Remediation of Certain Environmental Damage (383/2009). Provisions of section 128, subsection 1 of this Act apply to the right to initiate proceedings.

The significance of an adverse impact referred to in this section shall be assessed in relation to the level of conservation of the habitat type or species in question at the time the damage occurred and to the services they produce and to their natural regenerative capacity. Further provisions are laid down by government decree on factors determining the significance of adverse impacts.

The provisions of subsections 1 and 2 do not apply to damage to nature where the provisions on preventing and remedying the damage are laid down in the Environmental Protection Act, Water Act or Gene Technology Act (377/1995).

Section 128

Special right to initiate proceedings

Persons suffering a disadvantage have the right to initiate proceedings at a Centre for Economic Development, Transport and the Environment on a matter referred to in section 126 if the purpose of initiating proceedings is to prevent the destruction of nature or deterioration of nature values which is not of minor significance, or to start the remedying of damage to nature. Registered

entities referred to in section 134, subsection 4 and municipalities have the same right in their areas.

Matters initiated on the basis of the special right to initiate proceedings shall be resolved as urgent.

Section 129

Action in criminal matters

The nature conservation supervising authorities specified in section 122 above shall report acts or negligence referred to in sections 130 and 131 to the police for pre-trial investigations. However, the obligation to report can be waived if the act or negligence has not had any material impact on conserved nature values, has not sought financial gain that is greater than minor, and is also otherwise to be deemed very minor considering the circumstances.

The Centre for Economic Development, Transport and the Environment is the injured party in criminal matters.

Section 130

Reference to the Criminal Code of Finland

Provisions on punishment for degradation of the environment are laid down in chapter 48, sections 1–4 of the Criminal Code (39/1889), and on punishment for a nature conservation offence in chapter 48, sections 5 and 5a of the Criminal Code.

Section 131

Nature conservation violation

Anyone who intentionally or through gross negligence unlawfully:

- 1) in violation of the provisions of section 16, subsection 1, performs a measure at a site included in a nature conservation programme jeopardising the purpose of the conservation of the site,
- 2) in violation of the provisions of section 34, causes a significant deterioration in the nature values on grounds of which a site included in the Natura 2000 network has been conserved,

- 3) violates the protection provisions laid down in a statute on the establishment of a state nature reserve or the protection regulations issued in a decision on the establishment of a private nature reserve or a prohibition or restriction of access, camping or landing or a prohibition or restriction of keeping a boat, ship or other vehicle laid down in section 56, subsection 1 or imposed in rules and regulations issued under section 56, subsection 2 and subsection 58 of this Act,
- 4) in violation of the regulations of a decision referred to in section 64, subsection 2; section 77, subsection 2; section 79, subsection 2; section 81, subsection 2 or section 104, subsection 2, destroys or causes a deterioration in an occurrence of a conserved habitat type, a locality of a species subject to special conservation measures, a locality of a species of Union interest, a locality of a newly discovered species, or an offset site the boundaries of which have been defined by a decision,
- 5) in violation of the provisions of section 70, subsection 1, paragraph 2, takes or transfers to another location a nest or other refuge, egg or other development stage of a protected animal species,
- 6) in violation of the provisions of section 73, subsection 1, destroys or damages a nesting tree of a large bird of prey,
- 7) violates the provisions on the protection of plant species laid down in section 74,
- 8) in violation of the provisions of section 87, subsection 1, holds a specimen, part, derivative or egg of a protected species which has been taken from the wild after 31 December 1996,
- 9) in violation of the provisions of section 87, subsection 1, sells and barter or offers for sale or barter a specimen, part, derivative or egg of a protected animal or plant species,
- 10) purchases, offers to purchase, acquires or displays in public for commercial purposes, uses for the purpose of financial gain, sells or keeps in possession, offers or transports for sale a specimen, part or derivative of an animal or plant species specified in Annex A or B to the CITES Regulation in violation of the provisions of Article 8 of the Regulation or moves a live specimen of an animal species specified in Annex A to the Regulation in violation of the provisions of Article 9 of the Regulation,
- 11) in violation of the provisions of section 88, subsection 1 or 2, imports a specimen, part or derivative of a protected animal or plant species, a live diurnal bird of prey (*Accipitriformes*), owl (*Strigiformes*), falcon or caracara (*Falconidae*),
- 12) in violation of the provisions of section 88, subsection 4, imports as a hunting trophy a specimen or part of a threatened animal species,
- 13) in violation of the provisions of section 88, subsection 1, exports a specimen, part or derivative of a protected animal or plant species,

- 14) imports, exports or transits via Finland a specimen, part or derivative of an animal or plant species specified in the CITES Regulation without a permit or certificate required by Articles 4, 5, and 9 of the said Regulation or fails to comply with the conditions set in the permit or certificate,
- 15) imports from or exports to a third country a specimen, part or derivative of an animal or plant species specified in the CITES Regulation via a border crossing point other than one specified in section 90, subsection 2 or fails to submit the import notification required in Article 4 of the said Regulation,
- 16) in violation of the provisions of section 93, subsection 2, violates the regulations issued in a decision concerning a landscape management area,
- 17) in violation of the provisions of section 95, subsection 4, damages or impairs a protected natural monument,

shall be sentenced to a fine for a nature conservation violation, unless the act is punishable as a nature conservation offence.

Anyone who intentionally kills or captures a specimen of a protected species, damages the nest or other refuge, eggs or other developmental stages of specimens of such a species or disturbs specimens in violation of the provisions of section 70, subsection 1, paragraphs 1–3, and anyone who intentionally or through gross negligence unlawfully destroys or causes a deterioration of an occurrence of a strictly protected habitat type or a breeding site or nesting place of a species in need of strict protection in violation of the provisions of section 65, subsection 1 or section 78 shall also be sentenced for a nature conservation violation.

Camping outside a site designated for camping, or stopping or parking a motor vehicle off the road in the immediate vicinity of a road in violation of a prohibition or restriction imposed under section 53 or 56 is not considered a nature conservation violation if the prohibition or restriction is not marked at the site in a clearly visible manner.

Section 132

Confiscation

Confiscation of the object of the offence to the state shall be ordered in respect of anyone who has committed an act referred to in section 130 or section 131. Furthermore, confiscation of the value of the protected animal or plant as a representative of its species shall be ordered in respect

of anyone who has violated the provisions of section 70 or 74. In addition, provisions on confiscation are laid down in chapter 10 of the Criminal Code.

Provisions on the values of protected animals and plants are laid down by decree of the Ministry of the Environment.

Section 133

Right to take possession

A game and fisheries warden referred to in the Act on the Supervision of Hunting, Fishing and Wilderness Areas by Metsähallitus (1157/2005) has the right to take possession of hunting, collection and other equipment which has been or is apparently intended to be used in violation of protection provisions or regulations concerning a nature reserve. The same right to take possession applies to animals captured unlawfully and plants taken unlawfully from a nature reserve and anything else that may not be taken from or used in a nature reserve.

In addition, provisions on the right to take possession are laid down in section 81 of the Hunting Act and in sections 108 and 109 of the Fishing Act.

Chapter 15

Requests for review

Section 134

Requests for review

A request for an administrative review may be made concerning a decision by a Centre for Economic Development, Transport and the Environment in accordance with chapter 4. Provisions on requests for an administrative review are laid down in the Administrative Procedure Act.

A decision made under this Act is eligible for review by appeal in compliance with the provisions of the Administrative Judicial Procedure Act (808/2019), unless otherwise provided below.

Notwithstanding the provisions of the Administrative Judicial Procedure Act, a government decision referred to in section 13 concerning the National Biodiversity Strategy is ineligible for review.

Anyone whose right, obligation or interest may be affected by the matter has the right of appeal. The municipality concerned and, in its area of activity, a registered local or regional entity the purpose of which is the promotion of nature conservation or environmental protection also has the right of appeal against decisions other than those concerning compensation, aid, grant or compensation equivalence of voluntary offsetting. A nationwide entity which represents the interests of landowners or promotes nature conservation or environmental protection also has the right of appeal against a government decision concerning the adoption of a nature conservation programme. In addition, the Sami Parliament also has the right of appeal if a decision undermines the right of the Sami as an indigenous people to maintain and develop their own language and culture.

Section 135

Appeals against decisions made under another act

Besides the separate provisions on requests for review, the Centres for Economic Development, Transport and the Environment have the right of appeal against a decision concerning the issue of a permit or adoption of a plan in accordance with another act on the grounds that the decision is in violation of this Act or provisions or decisions issued under it.

Chapter 16

Provisions on entry into force

Section 136

Entry into force

This Act enters into force on 1 June 2023.

This Act repeals the Nature Conservation Act 1096/1996, hereinafter the repealed act.

A hunting trophy acquired prior to the entry into force of this Act may be imported notwithstanding the provisions of section 88, subsection 4.

In case of any references to the repealed act or to the 1923 Nature Conservation Act (71/1923) elsewhere in the legislation, the provisions of this Act apply instead.

Section 137

State nature reserves established under the repealed act

The following statutes laid down under the repealed act remain in force:

- 1) Government Decree on Seal Conservation Areas (736/2001);
- 2) Government Decree on Meiko Nature Reserve (1382/2006);
- 3) Government Decree on the Establishment of Nature Reserves at Certain State-owned Sites Located in the Municipalities of Suomussalmi and Puolanka (203/2014);
- 4) Government Decree on Kalevala Park Nature Reserves (204/2014);
- 5) Government Decree on Nature Reserves in the Region of Southwest Finland (214/2014);
- 6) Decree of the Ministry of the Environment on the Establishment of Nature Reserves in the Region of Southwest Finland (215/2014);
- 7) Government Decree on Saimaa Nature Reserves (441/2014);
- 8) Government Decree on Nature Reserves in Southern Parts of the Region of North Ostrobothnia (644/2017);
- 9) Decree of the Ministry of the Environment on Nature Reserves in Southern Parts of the Region of North Ostrobothnia (645/2017);
- 10) Government Decree on Nature Reserves in Eastern Lapland (646/2017);
- 11) Decree of the Ministry of the Environment on Nature Reserves in Eastern Lapland (647/2017);
- 12) Government Decree on Patanjärvenkangas Nature Reserve (278/2018);
- 13) Government Decree on Nature Reserves in the Region of South Savo (204/2019);
- 14) Decree of the Ministry of the Environment on Nature Reserves in the Region of South Savo (205/2019);
- 15) Government Decree on Nature Reserves in the Region of South Karelia (1076/2019);
- 16) Decree of the Ministry of the Environment on Nature Reserves in the Region of South Karelia (1077/2019);
- 17) Government Decree on Nature Reserves in the Region of North Karelia (140/2021);
- 18) Decree of the Ministry of the Environment on Nature Reserves in the Region of North Karelia (141/2021);
- 19) Government Decree on Nature Reserves in the Region of Uusimaa (332/2021);
- 20) Decree of the Ministry of the Environment on Nature Reserves in the Region of Uusimaa (333/2021); (840/2023)

- 21) Government Decree on Nature Reserve of Ruunaa (124/2003); (840/2023)
- 22) Government Decree on Nature Reserves in the Region of Central Ostrobothnia (245/2022); (840/2023)
- 23) Decree of the Ministry of the Environment on Nature Reserves in the Region of Central Ostrobothnia (246/2022). (840/2023)

Instead of the provisions of the repealed Nature Conservation Act referred to in the statutes listed in subsection 1 above, the provisions of this Act apply as follows:

- 1) instead of section 13 of the repealed act, section 49 of this Act applies;
- 2) instead of section 14 of the repealed act, section 50 of this Act applies;
- 3) instead of section 15 of the repealed act, section 51 of this Act applies;
- 4) instead of section 17 of the repealed act, section 52 of this Act applies;
- 5) instead of section 71 of the repealed act, section 55 of this Act applies.

The rules and regulations concerning the nature reserves referred to in the statutes listed in subsection 1 above and management and use plans of national parks remain in force.

Section 138

Nature reserves and natural monuments specified in the 1923 Nature Conservation Act

The statutes issued under the 1923 Nature Conservation Act concerning the establishment of state nature reserves and the protection provisions laid down in them and the decisions issued under the said Act concerning the establishment of private nature reserves and the protection regulations laid down in them remain in force. The same applies to decisions on the rules and regulations of state nature reserves and the adoption of a management and use plan of a national park.

By way of derogation from the provisions of subsection 1, the provisions of this Act on restrictions on access to a state nature reserve, a management and use plan of a nature reserve, rules and regulations of a state nature reserve, the defining and marking of the boundaries of a nature reserve, the inclusion of a site in a state nature reserve, and fishing based on common fishing rights apply to state nature reserves.

By way of derogation from the provisions of subsection 1, section 54 applies to derogations from the protection regulations of private nature reserves.

Decisions issued under the 1923 Nature Conservation Act on the protection of natural monuments remain in force and sections 95 and 96 apply to them.

Section 139

Decisions of authorities issued under the repealed act

A decision, permit or authorisation issued by an authority under the repealed act that is in force at the time of the entry into force of this Act shall be complied with unless otherwise provided below.

By way of derogation from the provisions of subsection 1 above, decisions concerning the habitat type of prominent single trees or groups of trees in an open landscape referred to in section 29, subsection 1, paragraph 9 of the repealed act lapse upon the entry into force of this Act.

Section 140

Conserved habitat types specified in the repealed act

The provisions of this Act apply to decisions of Centres for Economic Development, Transport and the Environment made under sections 29–30 of the repealed act concerning conserved habitat types as follows:

- 1) sections 64, 66 and 67 of this Act apply to the habitat types referred to in section 29, subsection 1, paragraphs 1–5, 7 and 8 of the repealed act;
- 2) sections 65–67 of this Act apply to the habitat type of treeless or sparsely wooded sand dunes referred to in section 29, subsection 1, paragraph 6 of the repealed act.

Section 141

Localities of species specified in the repealed act

Sections 77, 80 and 83 of this Act apply to decisions of Centres for Economic Development, Transport and the Environment made under section 47, subsections 2 and 3 concerning the conservation of localities of species under strict protection.

Sections 79, 80 and 83 of this Act apply to decisions of Centres for Economic Development, Transport and the Environment concerning the conservation of localities of species made under section 47, subsection 5 of the repealed act.

Section 142

Landscape conservation areas and natural monuments specified in the repealed act

Sections 92 and 93 of this Act apply to landscape conservation areas specified in section 33 and section 34, subsections 1 and 2 of the repealed act.

Sections 95 and 96 of this Act apply to natural monuments specified in section 23 of the repealed act.

Section 143

Matters pending

The provisions in force at the time of the entry into force of this Act apply to matters pending in an administrative authority or court of law at the time of the entry into force of this Act.

If the appellate court repeals a decision to which the provisions in force at the time of the entry into force of this Act apply and fully reinitiates the processing of the matter, the matter is processed and resolved in accordance with the provisions of this Act.

Section 144

Application to nature conservation programmes and decisions adopted prior to the entry into force of the repealed act

The provisions of section 47, subsection 2, section 53, subsection 2 and section 114 on nature conservation programmes also apply to the following conservation programmes and decisions adopted by the Government prior to the entry into force of the repealed act:

- 1) Programme for the Development of National Parks and Strict Nature Reserves adopted on 24 February 1978, including as subsequently supplemented;
- 2) Mire Conservation Programme adopted on 19 April 1979 and 26 March 1981;
- 3) Waterfowl Habitats Conservation Programme adopted on 3 June 1981;

- 4) Herb-rich Forest Conservation Programme adopted on 13 April 1989;
- 5) Decision on the Protection of Mikkelsaaret Islands adopted on 24 August 1989;
- 6) Shore Conservation Programme adopted on 20 December 1990;
- 7) Programme for the Protection of Old-growth Forests adopted on 27 June 1996.

Section 145

Transitional provision concerning certain decrees

The following statutes issued under the repealed act remain in force:

- 1) Decree of the Ministry of the Environment on Guideline Values of Protected Animals and Plants (9/2002);
- 2) Government Decree on the Remediation of Certain Environmental Damage (713/2009);
- 3) Decree of the Ministry of the Environment on the List of Sites Included in the Natura 2000 Network (354/2015);
- 4) Decree of the Ministry of the Environment on the On-site Marking of Nature Reserves (261/2016);
- 5) Government Decree on Aid for the Rehabilitation and Management of Seminatural Grasslands and Grazed Woodlands Awarded in 2020–2025 (953/2020), but no longer than until 31 December 2025;
- 6) Government Decree on Aid for the Restoration, Rehabilitation and Management of Forest Habitats Awarded in 2022—2027 (800/2022), but no longer than until 31 December 2027.