Translation from Finnish
Legally binding only in Finnish and Swedish
Ministry of Justice, Finland

Criminal Procedure Act

(689/1997; amendments up to 205/2023 included)

By decision of Parliament, the following is enacted:

Chapter 1
Right to bring charges and consideration of charges (670/2014)

General provision

Section 1

A criminal matter shall not be admitted for examination by a court unless charges for the offence have been brought by a person who under law has the right to do so.

Subsection 2 was repealed by Act 243/2006.

Right of the prosecutor to bring charges (455/2011)

Section 2

The duty of the prosecutor is to bring charges for an offence and to pursue the charges. (455/2011)

Provisions on the prerequisites for bringing charges are laid down in section 6, subsection 1. Provisions laid down elsewhere by law on a request of an injured party for the bringing of charges and on other special prerequisites for the bringing of charges also apply. (670/2014)

Section 3

If an injured party has requested that charges be brought for an offence for which the prosecutor shall not bring charges without such a request made by the injured party, and several persons are suspected of complicity in the offence, the prosecutor may also bring charges against suspects not covered by the request. (455/2011)

If a person who has custody of a minor, a guardian or another legal representative has committed an offence referred to in subsection 1 against the minor or another person under guardianship, the prosecutor may bring charges even if no request for the bringing of charges has been made. (445/1999)

Section 4

If an offence is committed against a person without legal capacity and the prosecutor shall not bring charges without the injured party requesting this, the guardian or another legal representative of the person without legal capacity has the right to make the request. However, in respect of an offence committed against a minor, a person who has custody of the minor or another legal representative of the minor has the right to make the request. (455/2011)

A person without legal capacity has the sole right to request that charges be brought, if the offence was directed at property that the person has the right to administer or if the offence concerns a legal transaction that the person has capacity to enter into. A person without legal capacity also has the sole right referred to above when the offence was directed at the person themselves and the person is at least 18 years of age and manifestly capable of understanding the significance of the matter.

If a minor has reached the age of 15 years, the minor has the right, in addition to a person who has custody of them or their other legal representative, to independently request that charges be brought for an offence directed at the person of the minor.

Section 4a (455/2011)

If the legal capacity of a person has been restricted in some other manner than by a declaration of legal incapacity, and the offence for which the prosecutor shall not bring charges without a

request of the injured party is directed at a matter that only the guardian may decide on, the guardian has the sole right to request that charges be brought. However, the guardian and the client both have the right to make the request if the offence is directed at a matter that they shall decide on jointly.

Section 5 (455/2011)

The injured party shall make the request for the bringing of charges to the prosecutor or the police within whose area of operation the charges for the offence may be brought. If the request is made to another prosecutor or police, the said authority shall without delay forward it to the competent authority.

Section 6 (670/2014)

The prosecutor shall bring charges for a suspected offence if the prosecutor deems that:

1) the offence is punishable under law;

2) the right to bring charges for the offence has not become time-barred; and

3) there is probable cause to believe that the suspect is guilty of the offence.

Even if there is probable cause to believe that the suspect is guilty of the offence and the other prerequisites laid down in subsection 1 are met, the prosecutor may nevertheless waive charges under section 7 or 8 or another equivalent provision of law.

Section 6a (670/2014)

The prosecutor shall make a decision to waive charges if:

1) the prerequisites for the bringing of charges laid down in section 6, subsection 1 are not met;

2) the prosecutor waives charges under section 6, subsection 2;

3) the injured party has not requested that charges be brought or another special prerequisite provided by law for the bringing of charges referred to in section 2, subsection 2 is not met and the nature of the matter is such that a separate decision shall be made.

Reasons for a decision to waive charges shall be stated. The statement of reasons shall indicate the points of fact, evidence, assessment of proof and legal reasoning upon which the decision is based.

Section 7 (670/2014)

The prosecutor may waive charges:

1) in cases where the suspected offence is not expected to lead to a more severe punishment than a fine and the offence is, taking into consideration its harmfulness or the culpability of the suspect as manifested in it, deemed to be of minor significance when assessed as a whole; and

2) in cases where the suspect had not reached the age of 18 years at the time of commission of the suspected offence, and the offence is not expected to lead to a more severe punishment than a fine or imprisonment for at most six months and the offence is deemed to have resulted from lack of understanding or imprudence rather than from disregard of the prohibitions and commands of the law.

Section 8 (670/2014)

Unless an important public or private interest requires otherwise, the prosecutor may, in addition to what is provided in section 7, waive charges:

1) in cases where judicial proceedings and a punishment would be unreasonable or inappropriate in view of a settlement reached between the suspect and the injured party, other endeavours of the suspect to prevent or remove the effects of their act, the personal circumstances of the suspect, the other consequences resulting from the act to the suspect, healthcare and social welfare measures, or other circumstances;

2) in cases where the suspected offence would not have an essential effect on the total extent of the punishment according to the provisions on the imposition of a joint punishment or the provisions on the taking into account of a punishment imposed earlier; or

3) in cases where the expenses for continuing the consideration of the matter would be in manifest disproportion to the nature of the matter and to the potential sanction to be expected.

If charges are being considered for two or more offences of which the same person is suspected and the person has furthered the investigation of one or more of the suspected offences by confessing, the prosecutor may decide not to bring charges for all of the suspected offences. However, charges shall be brought if an important public or private interest so requires.

Section 8a (647/2003)

Before deciding on whether to bring charges, the prosecutor may invite a party and their counsel or attorney to an oral negotiation, if this facilitates the decision-making regarding the bringing of charges or the consideration of the matter in court.

If the suspect is under 18 years of age, the prosecutor shall urgently decide whether to bring charges. The charges shall also be brought without delay. (670/2014)

If the injured party is under 18 years of age and the suspected offence is a sexual offence against the injured party or an offence against the life, health, liberty, privacy, peace or honour of the injured party, the prosecutor shall urgently decide whether to bring charges. The charges shall also be brought without delay. (137/2023)

If a person is suspected of a violation of a restraining order that cannot be deemed to be of minor significance when assessed as a whole, the prosecutor shall urgently decide whether to bring charges. In such a case, the charges shall also be brought without delay. (205/2023)

Section 8b (670/2014)

Unless a public interest requires otherwise, the prosecutor may waive a request for confiscation if:

1) the amount of the proceeds or the value of the object or property is minor;

2) the examination of the grounds for the request or the consideration of the request in court would result in expenses that are manifestly unreasonable in view of the nature of the matter; or

3) charges are not brought for the suspected offence under section 7 or 8 or another equivalent provision of law.

Section 9

A decision to waive charges shall be made and served on the person whose charges are waived and on the injured party well in advance so that the injured party has enough time to prepare and bring a charge referred to in section 14. Service shall be effected by post or in accordance with the provisions of chapter 11 of the Code of Judicial Procedure.

An injured party who is not Finnish-, Swedish- or Sami-speaking shall, upon request, be provided with a free-of-charge translation of the decision to waive charges or of a summary of the decision within a reasonable time. Provisions on translations are also laid down in the Language Act (423/2003) and the Sami Language Act (1086/2003). (12/2016)

Section 9a (670/2014)

If the prosecutor has decided to waive charges under section 7 or 8 or another equivalent provision of law, the prosecutor shall, at the request of the person whose charges are waived, refer the decision to a court for consideration. The request shall be submitted to the prosecutor in writing within 30 days of the date on which the service referred to in section 9, subsection 1 was effected.

When the decision of the prosecutor to waive charges has been referred to a court for consideration, the person whose charges are waived shall, without delay, be informed of when and where the consideration will take place and of the fact that the matter may be decided regardless of the person's absence. In other respects, the provisions in force on criminal proceedings apply to the consideration of the matter, as appropriate.

Section 10 (670/2014)

The prosecutor may, on their own motion or on the motion of the injured party, undertake measures to make a proposal for judgment and to have it considered in the judicial proceedings referred to in chapter 5b if:

1) the most severe punishment provided by law for the suspected offence is imprisonment for six years and the suspected offence is not an offence referred to in chapter 20, section 1, 4, 5, 6, 8a or 8b or in chapter 21, section 4, 5, 6a or 7–15 of the Criminal Code (39/1889); and

2) the prosecutor deems that considering the matter in the judicial proceedings referred to in chapter 5b is justified, taking into account the nature of the matter and the claims presented, the expenses apparently resulting from and the time required for the consideration of the matter in the said proceedings on the one hand and in the procedure for the hearing of charges on the other, and any possible questions of complicity in the suspected offence or in an offence directly connected with it.

A proposal for judgment may be made in cases where:

1) the person suspected of the offence in question or the defendant in the criminal matter confesses to having committed the suspected offence and consents to the consideration of the matter in the judicial proceedings referred to in chapter 5b;

2) the prosecutor and the suspect or the defendant agree on the imputable offence;

3) the injured party has stated during the criminal investigation that they have no claims in the matter, or the injured party consents to the consideration of the matter in the judicial proceedings referred to in chapter 5b.

In the proposal for judgment, the prosecutor pledges to request punishment in accordance with the reduced penal scale referred to in chapter 6, section 8a of the Criminal Code. The prosecutor may also pledge to waive charges for one or more of the suspected offences in accordance with section 8, subsection 2 of this chapter.

The proposal for judgment shall be drawn up in writing and the parties shall sign and date it. The proposal shall contain the information referred to in subsection 2 and the pledge of the prosecutor to request punishment in accordance with the reduced penal scale. The prosecutor may, in the proposal for judgment, state their opinion on the type and extent of the punishment to be imposed. The provisions of chapter 5, section 3 on the application for a summons also apply, as appropriate, to the contents of the proposal for judgment.

In a criminal matter where the European Public Prosecutor's Office exercises competence, the prerequisite for making a proposal for judgment is that the procedure has been approved by a Permanent Chamber of the European Public Prosecutor's Office. The matter shall be referred to the Permanent Chamber as provided in Article 40 of Council Regulation (EU) 2017/1939 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO') before the prosecutor decides whether to make a proposal for judgment. (68/2021)

Section 10a (670/2014)

When the prosecutor deems that a proposal for judgment may be made regarding a suspected offence, the prosecutor shall negotiate with the suspect or the defendant in the criminal matter on the making of the proposal for judgment. The prosecutor shall, where necessary, ascertain whether the injured party consents to the consideration of the matter in the judicial proceedings referred to in chapter 5b.

A counsel shall be appointed for the suspect or the defendant for the purposes of the negotiation, unless the suspect or the defendant expressly wants to attend to their own defence. Even when the suspect or the defendant wants to attend to their own defence, a counsel shall be appointed if the suspect or the defendant is not able to defend themselves or if they are under 18 years of age. The provisions of chapter 15, section 2, subsection 1 of the Code of Judicial Procedure apply to the required qualifications of the counsel. Notwithstanding the provisions of chapter 2, section 1, subsection 2 of this Act, a defence counsel shall be appointed for the suspect or the defendant if the person themselves or the prosecutor so requests. In such a case, the provisions of chapter 2 apply in other respects.

In addition to the prosecutor, the suspect or the defendant and their counsel shall attend the negotiation, unless otherwise provided in subsection 2. If this facilitates the consideration of the

matter, the prosecutor may also invite the injured party and, where necessary, some other person to the negotiation. The injured party has the right to counsel. The prosecutor shall, to the extent necessary in the circumstances, explain to the suspect or the defendant and, if necessary, to the injured party their rights and the significance of the proposal for judgment.

When a proposal for judgment has been drawn up, the prosecutor shall submit it and the criminal investigation materials concerning the matter as well as any other materials that are deemed necessary to the court without undue delay. The matter becomes pending when the proposal for judgment arrives at the court office.

If the prosecutor has already brought charges for the offence referred to in the proposal for judgment, the prosecutor shall submit the proposal for judgment to the court before the opening of the main hearing concerning the charges. The prosecutor shall also notify the court that is hearing the charge of the proposal for judgment, and the court shall suspend the hearing. After a final judgment has been issued based on a proposal for judgment or if otherwise necessary, the prosecutor shall notify the court that is hearing the charge whether the hearing should be discontinued or whether the prosecutor intends to continue to pursue the charge.

If no proposal for judgment is made, statements by the suspect or the defendant that have been given in connection with the negotiation referred to in this section shall not be used as evidence in a criminal matter.

Section 11 (670/2014)

If the prosecutor has decided to waive charges, the prosecutor may only withdraw the decision if such new evidence appears in the matter that shows that the decision had been based on essentially incomplete or erroneous information.

If the prosecutor has decided to waive charges under section 8, subsection 2 or to make a proposal for judgment referred to in section 10, the prosecutor may only withdraw the decision if the confession or consent referred to in section 10, subsection 2, paragraph 1 is withdrawn or if such new evidence appears in the matter that shows that the decision had been based on essentially incomplete or erroneous information.

A superior prosecutor has the right to take up the matter for renewed decision as separately provided.

Section 11a (670/2014)

Reasons for a decision to waive a request for confiscation shall be stated in accordance with the provisions of section 6a, subsection 2. The decision shall be served on the person whom the matter concerns in accordance with the provisions of section 9. In addition, the provisions of section 11, subsections 1 and 3 apply.

Section 12

If, after bringing charges, such a circumstance appears on the basis of which the prosecutor would have been entitled to waive charges under section 7 or 8 or another equivalent provision of law, the prosecutor may withdraw the charges. A notice of the withdrawal of the charges shall be given as provided in section 9. (670/2014)

However, the prosecutor may not withdraw the charges if the defendant in the criminal matter objects to such withdrawal or if a judgment has already been issued in the matter.

Section 13 (455/2011)

The prosecutor may also request a review in favour of the defendant in a criminal matter or amend a request for a review filed against the defendant to be in favour of the defendant.

Right of the injured party to bring charges

Section 14 (455/2011)

The injured party themselves may bring charges for an offence only if the prosecutor has decided to waive charges or if the criminal investigation authority or the prosecutor has decided that no criminal investigation shall be conducted or that such an investigation shall be interrupted or discontinued. The injured party may also bring charges if the performance of criminal investigation measures has been postponed by decision of the head of investigation. (18/2012)

Subsection 2 was repealed by Act 733/2015.

The injured party has the right to join in the charges brought by the prosecutor or another injured party and refer to new circumstances in support of the charges. The injured party may request a review of a decision issued in the matter regardless of whether the injured party has exercised the right to be heard in the matter.

Section 15

The injured party has the right to pursue a charge that has been withdrawn by the prosecutor or another injured party. (455/2011)

If the injured party undertakes to pursue the charge, the injured party shall notify the court of this in writing within 30 days of receiving notice of the withdrawal of the charge.

If the injured party decides not to pursue the charge, the injured party forfeits their right to bring charges. In this event, the charge shall be rejected by judgment at the request of the defendant in the criminal matter.

Section 16

If the injured party withdraws their request for the bringing of charges, they shall no longer have the right to make such a request regarding the offence in question. If the injured party withdraws their charge or waives the bringing or pursuit of charges, the injured party forfeits their right to bring charges.

If the prosecutor shall not bring charges for the offence without the injured party requesting this, and if the injured party has withdrawn their request before the prosecutor has brought charges, the prosecutor shall not bring charges for the offence. The withdrawal of the request does not prevent the prosecutor from bringing charges if the withdrawal does not pertain to all accomplices involved in the offence. (455/2011)

Section 17

If an offence has resulted in the death of a person, their surviving spouse and children have the right to exercise the right of the injured party to bring charges. If the person who died was not survived by a spouse or children, the deceased person's parents and siblings have the right to exercise the right to bring charges. The parents and siblings of the deceased person also have the right to exercise the right to bring charges in the event that one or more of those who have the primary right to exercise the right of the injured party to bring charges are suspected of the offence in question.

Where an injured party has died of other causes, the family members mentioned in subsection 1 have the same right to request that charges for an offence be brought and to bring and pursue a charge as the injured party would have had, except where the injured party had wished that no request for the bringing of charges be made and that no charges be brought.

Chapter 2
Assistance to parties (107/1998)

Section 1 (107/1998)

A person suspected of an offence has the right to attend to their defence in the criminal investigation and in the judicial proceedings themselves.

On the request of the suspect, a defence counsel shall be appointed for the suspect, if:

1) the person is suspected of or punishment is requested for them for an offence for which the minimum punishment provided by law is imprisonment for four months, or an attempt at or complicity in such an offence; or

2) the person is under arrest or on remand.

A defence counsel shall be appointed for the suspect by virtue of office, when:

1) the suspect is incapable of defending themselves;

2) the suspect who does not have a defence counsel is under 18 years of age, unless it is apparent that the person does not need a defence counsel;

3) the defence counsel chosen by the suspect does not meet the qualifications required of a defence counsel or is incapable of defending the suspect in an appropriate manner; or

4) there is another special reason for this.

Section 1a (436/2013)

The court may appoint a legal counsel for an injured party for the purposes of criminal investigation and, when the injured party has claims in a matter pursued by the prosecutor, for the purposes of judicial proceedings:

1) in a matter concerning a sexual offence referred to in chapter 20 of the Criminal Code (39/1889), unless this is deemed unnecessary for a special reason;

2) in a criminal matter referred to in chapter 21, section 1–6 or 6a of the Criminal Code, if this is deemed justified in view of the relationship between the injured party and the suspect;

3) in a matter concerning an offence against life, health or liberty, if this is deemed justified in view of the seriousness of the offence, the personal circumstances of the injured party and the other circumstances.

Section 2 (107/1998)

The person to be appointed as defence counsel or as legal counsel for the injured party under section 1 or 1a shall be a public legal aid attorney or an attorney-at-law. If there is no suitable public legal aid attorney or attorney-at-law available or there is another special reason for this, a licensed legal counsel referred to in the Licensed Legal Counsel Act (715/2011) may be appointed as defence counsel or legal counsel. The person to be appointed as defence counsel or legal counsel shall be given an opportunity to be heard on the appointment. (719/2011)

Where the suspect or the injured party themselves has proposed a person meeting the required qualifications as their defence counsel or legal counsel, the said person shall be appointed unless there are special reasons to the contrary.

The following persons shall not be appointed as defence counsel:

1) a person who has counselled the suspect in a matter connected with the offence under investigation;

2) a person who is suspected of, charged with or sentenced for an offence that is conducive to reducing the person's credibility as a defence counsel; or

3) a person who is disqualified on some other grounds.

If a defence counsel is appointed for the suspect, a counsel cannot be appointed for the suspect under the Legal Aid Act (257/2002). If a counsel has been appointed for the suspect under the Legal Aid Act before the appointment of a defence counsel, the counsel shall be appointed as defence counsel. (260/2002)

Section 3 (243/2006)

Under the conditions specified in section 1a, an adequately qualified support person may be appointed for an injured party in an offence referred to in section 1a who is to be heard in person in order to examine the matter and who may be deemed to need support during the criminal investigation and the judicial proceedings.

Section 3a (1178/2014)

In addition to what is provided in section 1a regarding the appointment of a legal counsel and in section 3 regarding the appointment of a support person for the injured party, the court may, for a criminal investigation, also appoint a legal counsel to assist some other person who has been the object of a pandering offence referred to in chapter 20, section 10 or 11 of the Criminal Code than the injured party, unless this is deemed unnecessary for a special reason. Similarly, the court may, for a criminal investigation and judicial proceedings, appoint a support person for such other

person if they have been the object of such an offence and are to be heard in person in order to examine the matter, and if it can be assumed that the person may need support. (728/2022)

The provisions of this chapter on a legal counsel and support person appointed for an injured party also apply to a legal counsel and support person appointed for a person referred to in subsection 1 above.

Section 4 (107/1998)

A defence counsel, a legal counsel for an injured party and a support person shall be appointed by the court in which the criminal matter is pending or in which it may be instituted. Under the conditions laid down in section 13, subsection 1 of the Legal Aid Act, the appointments may be made retroactively to encompass the necessary measures already taken in the matter. If the consideration of the matter has been concluded and the time limit provided for requesting a review has not yet expired, the appointments mentioned above shall be made by the court which last considered the matter. (928/2008)

In matters referred to in subsection 1, the district court has a quorum with a single judge present. An appointment may be transferred to be considered in connection with the criminal matter for which the appointment has been requested. If a request for an appointment is considered in the court office and it is not granted as requested, the requesting party shall be notified, in writing, of the date on which the decision will be issued well in advance of the issue of the decision. (382/2003)

If conditions for the appointment of a defence counsel in accordance with section 1 no longer exist, the appointment shall lapse, unless the court decides otherwise for a special reason related to the legal protection of the defendant. The provisions of the Legal Aid Act on a counsel apply, as appropriate, to the revocation of the appointment of a defence counsel, a legal counsel for the injured party and a support person. (928/2008)

Section 5 (107/1998)

A defence counsel and a legal counsel for the injured party shall not be substituted by anyone else without the court’s permission.

Section 6 (107/1998)

A defence counsel and a legal counsel for the injured party shall diligently and in accordance with the code of proper professional conduct for attorneys-at-law oversee the rights and interests of their client and, to this end, promote the examination of the matter.

Section 7 (107/1998)

A defence counsel and a legal counsel for the injured party shall, as soon as possible, confer with their client and begin preparations to assist the client, as well as undertake any measures necessary to oversee the client's rights. Where necessary, the counsel shall also assist their client in requesting a review from a court of higher instance.

The appointment as a defence counsel or a legal counsel for the injured party made under this chapter is also in force in separate judicial proceedings in which a civil claim of the injured party is to be considered on an order under chapter 3, section 3.

Section 8 (107/1998)

In addition, the provisions of chapter 15 of the Code of Judicial Procedure on attorneys and legal counsels apply, as appropriate, to a defence counsel and a legal counsel for the injured party.

Section 9

The task of a support person is to provide personal support to the injured party during the criminal investigation and judicial proceedings and to assist the injured party in issues related to the consideration of the matter.

Section 10 (260/2002)

A defence counsel and a legal counsel for the injured party appointed under this chapter shall be paid a fee and compensation from state funds in compliance with the provisions of sections 17 and 18 of the Legal Aid Act on the fees and compensation payable to a counsel, as appropriate. A defendant for whom a defence counsel has been appointed and an injured party for whom a legal counsel has been appointed are exempt from the liability to pay the fees referred to in section 4,

subsection 1, paragraph 3 of the Legal Aid Act. A defendant for whom a defence counsel has been appointed and an injured party for whom a legal counsel has been appointed shall be compensated for the costs incurred by the presentation of evidence in compliance with the provisions of section 4, subsection 2 of the Legal Aid Act. The provisions of the State Compensation for Witnesses Act (666/1972) apply to the payment of compensation to a support person appointed under this chapter and to a witness called by a defendant for whom a defence counsel has been appointed or by an injured party for whom a legal counsel has been appointed. (928/2008)

The provisions of section 22 of the Legal Aid Act apply, as appropriate, to the liability of the opposing party to pay compensation to the State.

A review of the decisions referred to in section 4 above and in this section is requested in compliance with the provisions of section 26 of the Legal Aid Act, as appropriate.

Section 11 (928/2008)

If the court finds the suspect guilty of the offence in respect of which a defence counsel had been appointed for the suspect for the purposes of the criminal investigation and judicial proceedings, the suspect shall be ordered to reimburse the State for the compensations paid from state funds under section 10. If the suspect meets the financial conditions for legal aid specified in the Legal Aid Act, the amount of the reimbursement shall not exceed the amount of the compensation which would be payable under the Legal Aid Act. The defence counsel shall present an account of the said conditions, unless such an account is unnecessary in the matter being considered.

Chapter 3
Civil claims

Section 1

A civil claim arising from an offence for which a charge has been brought may be pursued in connection with the charge. If such a claim is pursued separately, the provisions on the procedure for civil matters apply.

Section 2

If the charge and the civil claim arising from the offence for which the charge has been brought are separately pending in the same court, the court may order that the civil claim be considered in connection with the charge.

If the charge is pending in another court, the court may transfer the civil claim arising from the offence for which the charge has been brought to be considered in connection with the charge, if there are special reasons for the transfer.

Section 3

If a civil claim has been presented in connection with the charge, the court may order that the claim be considered separately in compliance with the provisions on the procedure for civil matters.

Section 4

A decision to join or separate a civil claim and a charge is ineligible for review.

Section 5

The defendant in a criminal matter or another person against whom civil claims have been presented may bring an action against a third party in connection with the charge as provided in chapter 18, section 5, subsection 1 of the Code of Judicial Procedure on the bringing of an action in a civil matter.

A third party may bring an action against one or both of the parties in connection with the charge as provided in chapter 18, section 5, subsection 2 of the Code of Judicial Procedure.

Section 6

If the charge is ruled inadmissible or withdrawn, or if the injured party is found to have forfeited their right to bring charges, the court may, on the request of a party, order that the consideration

of the civil claim shall continue in accordance with the provisions on the procedure for civil matters.

If such a request is not made, the matter shall be removed from the docket.

Section 7

If the plaintiff withdraws their civil claim after the defendant has responded to it, the matter shall, however, be decided, if the defendant so requests.

Section 8

If the charge is rejected, the civil claim may nonetheless be examined or its consideration may be continued in accordance with the provisions on the procedure for civil matters.

Section 9

On the request of the injured party, the prosecutor shall, in connection with the charge, pursue the injured party's civil claim against the defendant arising from the offence for which the prosecutor has brought the charge, if this is possible without essential inconvenience and if the claim is not manifestly unfounded. If the prosecutor decides not to pursue the civil claim of the injured party, the prosecutor shall notify the injured party of this in accordance with the provisions of chapter 1, section 9, subsection 1. (455/2011)

The injured party shall make the request during the criminal investigation or to the prosecutor. In this connection, the injured party shall state the circumstances on which the claim is based. When requesting a review of a decision concerning the charge, the prosecutor shall, under the conditions referred to in subsection 1, also request a review of the decision concerning the injured party's claim for damages, if it had been dependent on the decision concerning the charge.

Section 10

If the injured party or someone else with the right to do so has declared, during the criminal investigation or otherwise to the prosecutor, that they wish to pursue a civil claim arising from the offence referred to in the application for a summons themselves, or if the prosecutor has declared

that they will not pursue the civil claim of the injured party regardless of the injured party's request, the injured party and the other person referred to in this section shall be given an opportunity to submit their claim and its grounds in writing to the court within a specified time limit under threat that otherwise the claim may be ruled inadmissible in connection with the criminal matter.

The court may also by telephone or using another appropriate manner of communication request the injured party and anyone else who has the right to present a civil claim in the matter to submit their claim and its grounds to the court within a specified time limit. In this case, the provisions of subsection 1 regarding the ruling of a claim inadmissible do not apply. On the request of the court, the claim and its grounds may be communicated to the court by telephone or using another appropriate manner of communication. If a claim communicated orally and its grounds are not clear, the court may request that they be confirmed in writing. (243/2006)

Unless otherwise provided in chapter 5, sections 5 and 6 of the Code of Judicial Procedure, the claim referred to in subsections 1 and 2 may be examined in connection with the criminal matter regardless of the absence of the person who presented the claim. (243/2006)

Section 11

After charges have been brought, a civil claim arising from the offence may be presented against the defendant without issuing a summons, if the court, in the light of the evidence available and the other circumstances, deems that this is possible without causing undue inconvenience.

Chapter 4
Competent court

Section 1

A charge for an offence shall be examined by the court of the place of commission of the offence. An offence is deemed to have been committed both where the criminal act was committed and where the consequence of the offence occurred or, if the offence remained an attempt, where the consequence of a completed offence would have occurred. If an offence has been committed in several locations in different judicial districts, the courts in each of these locations are competent.

If, when charges are brought, there is no certainty of the place of commission of the offence, the charge may be examined by any of the courts in whose judicial district the offence can be presumed to have been committed or in whose judicial district the person to be charged is found.

A charge for an offence may also be examined by the court in whose judicial district the person to be charged resides or permanently lives, if it is deemed appropriate, in view of the evidence to be presented, the costs of the judicial proceedings and the other circumstances, that the matter be considered by that court.

Section 1a (667/2005)

Charges for offences referred to in chapter 12 or 13 of the Criminal Code are heard by the Helsinki District Court.

Section 1b (667/2005)

Provisions on the competent court for considering matters concerning certain offences are issued separately.

Section 2 (306/2014)

Unless otherwise provided elsewhere by law, a charge for an offence committed outside of Finland is examined by the court of the place where the person charged is living, residing or found or by the court of the domicile of the injured party.

Section 3

If a person has committed several offences, charges for all of them may be examined by a court that is competent to examine one of the charges, if this makes sentencing the person to a joint punishment more expedient or convenient and it is deemed appropriate, in view of the evidence to be presented, the costs of the judicial proceedings and the other circumstances, that the matter be considered by that court.

Section 4

Charges against several accomplices in an offence may be examined by a court that is competent to hear a charge against one of the accomplices. If the matter has earlier been pending against one of the accomplices, the other accomplices may also be charged with the offence in the same court.

Where an accomplice in an offence is charged with another offence committed in the judicial district of another court, charges for all the offences may be examined by a court that is competent to hear a charge for any of the offences, if it is deemed appropriate, in view of the evidence to be presented, the costs of the judicial proceedings and the other circumstances, that all the charges be heard by that court.

Section 5

Charges against different defendants for different offences may all be examined by a court that is competent to hear a charge for any of the offences, if the offences have a connection with each other and it is deemed appropriate, in view of the evidence to be presented, the costs of the judicial proceedings and the other circumstances, that all the charges be heard by that court. If the matter has earlier been pending against one of the defendants, charges against the other defendants may also be pursued in the same court.

Section 6

When a criminal matter is pending in a court and a charge for a false and unsubstantiated denunciation is brought in connection with the matter, the court may also examine the latter charge.

Section 7

A court remains competent even if there occurs a change in the circumstances that served as the basis for the competence after the criminal matter has become pending.

Section 8

A court where a request for a punishment made by the prosecutor is pending may, upon proposal of the prosecutor and for special reasons, transfer the matter to another competent court. The decisions and other measures of the transferring court related to the matter shall remain in force until the court to which the matter has been transferred orders otherwise. However, the matter shall not be transferred back, unless new special reasons so require. (455/2011)

A decision ordering the transfer of a matter or rejecting a proposal for transfer is ineligible for review.

Section 9

If a request for a review in a criminal matter is pending before a court of appeal, the court of appeal may, for special reasons, transfer the matter to another court of appeal in which another criminal matter concerning the same person is pending.

A decision ordering the transfer of a matter or rejecting a proposal for transfer is ineligible for review.

Section 10

When a higher court deems that a criminal matter referred to it for examination should be reconsidered by a lower court, it may, under the conditions referred to in section 3, also transfer the matter to such a lower court that has not earlier considered it, if any of the offences concerned has been committed within its judicial district or if another criminal matter concerning the same person is pending in that court. However, the matter shall not be transferred, if there is an impediment referred to in section 11 to the transfer.

Section 11

If, as separately provided, a charge against one of the defendants or for one of the offences shall be directly heard by a higher court or by a district court other than that referred to in sections 1 and 2, any other court shall not take up the charge for examination under sections 3–5.

A charge that should otherwise be heard by a lower court may, however, be directly heard by a court of appeal or the Supreme Court in connection with another criminal matter, if the offences are interconnected and it is deemed appropriate, in view of the evidence to be presented, the costs of the judicial proceedings and the other circumstances, that the charges be heard by the higher court. (963/2000)

Section 12

The provisions of sections 1–11 regarding a charge also apply to other public law claims arising from the offence.

Section 13 (963/2000)

Section 13 was repealed by Act 963/2000.

Section 14

If a higher court finds that a lower court is not competent to examine a criminal matter instituted in that court, or confirms a decision of the lower court to that effect, the higher court shall, if so requested in a request for a review or in a response to such a request or if there are very important reasons for this, transfer the matter to the competent lower court, if this is possible in view of the evidence presented.

Where a criminal matter has been instituted in several courts and final decisions have been issued stating that none of them is competent to examine the matter, the Supreme Court shall, upon application, if it finds that one of these courts is competent, annul the erroneous decision and refer the matter to the appropriate court for consideration.

Chapter 5
Bringing of charges

Application for a summons

Section 1

The prosecutor brings charges by delivering a written application for a summons to the office of a district court. The court may order, to the extent it deems necessary, that the prosecutor may also bring charges by issuing a summons themselves. However, the prosecutor may always bring charges themselves if the matter is to be considered in the written procedure referred to in chapter 5a. (243/2006)

A criminal matter becomes pending when the application for a summons arrives at the court office or, if the prosecutor issues the summons, when the summons is served on the defendant.

Section 2 (670/2014)

Section 2 was repealed by Act 670/2014.

Section 3

The application for a summons shall indicate:

1) the defendant;

2) the injured party;

3) the act for which charges are being brought, its time and place of commission and any other information necessary to describe the act;

4) the offence that the prosecutor considers the defendant to be guilty of;

5) the request for a punishment, the request for confiscation and any other claims, and the provisions of law on which they are based;

6) the claims of the injured party to be pursued by the prosecutor under chapter 3, section 9;

7) the evidence that the prosecutor intends to present and what the prosecutor intends to prove with each piece of evidence;

8) any surplus information that the prosecutor intends to use as evidence and the grounds for the use of the surplus information;

9) information disclosed for the purpose of preventing an offence under chapter 5a, section 44 of the Police Act (872/2011), section 17 of the Act on the Use of Network Traffic Intelligence in Civilian Intelligence (582/2019) and section 79 or 80 of the Act on Military Intelligence (590/2019) that the prosecutor intends to use as evidence, and the grounds for using the said information;

10) the request that is a prerequisite for bringing charges or the order or consent that the charges are based on; and

11) the circumstances on which the competence of the court is based, unless the competence is otherwise indicated in the application for a summons.
(589/2019)

In addition, the application for a summons shall indicate the names of the court and the parties and the contact information of the legal representative, attorney or counsel of the parties. The court shall also be provided, in a suitable manner, with the telephone numbers and other contact information of the parties, witnesses and other persons to be heard. If any of this information subsequently changes, the court shall be informed of this without delay. (363/2010)

The application for a summons shall indicate the duration of the deprivation of liberty, if the defendant has been deprived of their liberty for longer than 24 hours, and whether there is reason to arrange the main hearing within two weeks of the date on which the charges were brought, as provided in section 13, subsection 1.

The prosecutor shall sign the application for a summons.

Section 4

The prosecutor shall, together with the application for a summons or without delay after the bringing of charges, in the manner specified by the court, submit to the court the written evidence, any objects to be used as evidence, the criminal investigation record, and any other documents necessary for the consideration of the matter. (733/2015)

Supplementing the application for a summons

Section 5

If the application for a summons is incomplete, the prosecutor shall be requested to remedy the shortcomings within a specified time limit. In this connection, the prosecutor shall be informed of how the application is incomplete.

For a special reason, the court may extend the time limit referred to in subsection 1.

Ruling a matter inadmissible without issuing a summons

Section 6

The court shall rule a matter inadmissible at once if the prosecutor does not comply with the request to supplement the application for a summons or if the application is so incomplete that it cannot serve as a basis for judicial proceedings, or if there is another reason for the inadmissibility of the matter.

Supplementing the criminal investigation

Section 7

If the criminal investigation is incomplete in a manner that would prevent the main hearing from being conducted without interruptions, the court shall notify the prosecutor of the shortcomings and request the prosecutor to ensure that the criminal investigation be completed within a specified time limit.

Summons issued by the court and other preparation of the matter

Section 8

Unless a matter is ruled inadmissible at once as provided in section 6, the court shall issue a summons without delay. The summons is issued by the chairperson of the court or by a trainee judge. (612/2011)

The summons, the application for a summons and any claims referred to in chapter 3, section 10 shall be served on the defendant as provided on the service of notices in chapter 11 of the Code of Judicial Procedure.

For a special reason, the summoning of the defendant may also be carried out by serving only the summons on the defendant and by informing them of the circumstances referred to in section 3, subsection 1, paragraphs 3–5 indicated in the underlying application for a summons. In this event, the application for a summons and any claims referred to in chapter 3, section 10 shall be sent to the defendant by post without delay and well in advance of the court hearing so that the defendant has sufficient time to prepare their defence. If the defendant does not have a postal address, the defendant shall, in connection with the summoning, be notified of the district court office where the documents are available. (243/2006)

Section 9

In the summons, the defendant is requested to respond to the claims presented against them, either in writing within a time limit set by the court or orally in a session. In the summons, the defendant is requested to:

1) state their view regarding the claims presented against them;

2) state reasons for their view, if the defendant denies the charge or objects to the other claims;

3) specify the evidence that they intend to present and state what they intend to prove with each piece of evidence, unless it can be assumed, because the defendant has confessed the offence or due to other circumstances, that no evidence will be needed; and

4) deliver to the court the written evidence that they intend to rely on.

When issuing the request, the court may order which questions the defendant shall address in the response.

When responding to the claims, the defendant shall also provide the court, in a suitable manner, with the telephone numbers and other contact information of the witnesses that the defendant intends to call. If any of this information subsequently changes, the defendant shall inform the court of this without delay. (363/2010)

For a special reason, the court may permit a response to be given orally at the court office or at the session venue, even when a written response had been requested.

Section 10

An oral preparatory hearing shall be held in the matter, if this is necessary to ensure a concentrated main hearing or a structured consideration of the matter. (97/2022)

Subsection 1 as amended by Act 97/2022 enters into force on a date to be specified by act. Previous wording:

A preparatory hearing is to be arranged in the case, if this is necessary for a special reason in order to secure the immediacy of the main hearing.

The court may request a party to submit a written statement to the court before the oral preparatory hearing or between the hearings, if it considers this necessary. In this event, the court shall order which questions the party shall address in the statement.

At an oral preparatory hearing, a party shall not read out loud or submit a written statement to the court or otherwise present their matter in writing.

A party may, however, read out from a document their claims, direct references to case law, legal literature and such documents containing several technical and numerical data that would be difficult to understand if presented merely orally. In addition, a party may rely on written notes as memory aids.

Section 10a (423/2018)

An oral preparatory hearing may also be held by telephone or using a technical means of communication where the participants in the hearing are in voice contact with each other, if the court deems this appropriate.

Section 10b (97/2022)

In the course of the preparation, the court shall draw up a written summary of the claims of the parties, the grounds for them and, where necessary, the evidence and what is to be proved with each piece of evidence, if this is necessary due to the extent of the matter or for some other special reason.

The summary shall be drawn up before the oral preparatory hearing if this can be deemed to promote the conduct of the oral preparation. As the preparation progresses, the summary shall be supplemented, as necessary.

The parties shall be given an opportunity to state their views on the summary.

Section 10b as added by Act 97/2022 enters into force on a date to be specified by act.

Section 11

Before the main hearing, the court may decide to seek the opinion of an expert, to take evidence, to order that a piece of written evidence or other document necessary for the consideration of the matter be produced, to conduct a site visit or to undertake other preparatory measures, if such a measure is necessary to ensure that all the evidence is available at once in the main hearing.

If a party wishes that any of the preparatory measures referred to in this section be undertaken, they shall submit a request to this effect to the court.

Deciding on witness anonymity (733/2015)

Section 11a (733/2015)

Upon written application of the prosecutor, the suspect or the defendant, the court may decide that a person shall be heard as a witness in a criminal matter in such a manner that the witness's identity and contact information are not disclosed (*anonymous witness*), if:

1) the suspected offence or the offence referred to in the charge is an offence for which the most severe punishment provided by law is imprisonment for at least eight years, or an offence punishable under chapter 20, section 11 or chapter 25, section 3 of the Criminal Code or an attempt at or complicity in such an offence; and (728/2022)

2) the procedure is necessary to protect the anonymous witness or a person who is in a relationship referred to in chapter 17, section 17, subsection 1 of the Code of Judicial Procedure to the witness from a serious threat to life or health.

The application or an annex to the application shall indicate who is requested to be heard as an anonymous witness, an account stating that the said person wishes to be heard as an anonymous witness, and the circumstances and evidence that the applicant relies on in support of their request.

Section 11b (733/2015)

The district court decides whether a person shall be heard as an anonymous witness. The matter is considered by the district court that is competent to hear the charges or where the consideration of the matter is most appropriate.

In the district court, the application for witness anonymity is considered by the chairperson of the court. The session may also be held at a time and at a place other than what is provided on court sessions.

The judge who decided on witness anonymity shall also serve as the chairperson in the consideration of the criminal matter in which the said anonymous witness is heard. If the said judge is prevented from serving as the chairperson, the judge who substitutes for them as the

chairperson in the consideration of the criminal matter shall become acquainted with the materials that have accrued in the procedure for deciding on witness anonymity. The judge who serves as the chairperson in the consideration of the criminal matter in a reviewing court also has the same obligation to become acquainted with the relevant documentation.

Section 11c (733/2015)

A court shall take up an application for witness anonymity for consideration without delay. The court shall also, without delay, appoint a public attorney to safeguard the interests of the suspect or defendant, unless the said person themselves has requested witness anonymity, and provide the public attorney with information regarding the contents of the application and its annexes. The prosecutor shall be heard regarding the application of the suspect or defendant for witness anonymity. The court may also procure other evidence, if this is necessary to examine the matter and does not endanger the achievement of the purpose of the proceedings.

Only the prosecutor, the suspect or defendant who requested witness anonymity, and the public attorney have the right to be present when the matter is considered and the decision is pronounced. However, the person who has been requested to be heard as an anonymous witness may be heard. The court may also hear another person than the suspect or defendant who has not requested witness anonymity, if this is necessary to examine the matter and the hearing does not endanger the achievement of the purpose of the proceedings.

The provisions of chapter 10, sections 44–46 of the Coercive Measures Act (806/2011) apply to the public attorney.

Section 11d (733/2015)

The provisions of this section apply to the publicity and non-disclosure of trial documents related to decision-making on witness anonymity. Provisions on the publicity of an oral hearing of a matter concerning witness anonymity are laid down in section 11c, subsection 2.

Trial documents related to decision-making on witness anonymity are non-disclosable unless otherwise provided in subsection 3.

Trial documents related to decision-making on witness anonymity become public as follows, unless the court orders otherwise under subsection 4:

1) of the basic information on judicial proceedings referred to in section 4 of the Act on the Publicity of Court Proceedings in General Courts (370/2007), the name of the court and the nature of the matter become public as soon as the matter becomes pending in the court;

2) of the information contained in the trial documents and the basic information on judicial proceedings, information on the nature of the matter and the name of the court that decided the matter, the applicant and the opposing party, and the matter referred to in section 11a, subsection 1, paragraph 1 for the examination of which anonymity had been requested become public when witness anonymity has been granted and the decision is final;

3) a court decision refusing witness anonymity and the related trial documents, with the exception of information concerning the deliberations of the court, become public when there is a final decision on the matter;

4) if the suspect has been heard as an anonymous witness or if disclosing the suspect's identity and contact information is otherwise necessary in order to solve the offence and this information is not non-disclosable for another reason, the information becomes public when the prosecutor brings charges or when the court has decided to issue a summons for such an offence in accordance with chapter 7, section 5a and the decision is final.

The non-disclosure period of trial documents that are non-disclosable under this section is 60 years. In addition, the court may order that trial documents concerning decision-making on witness anonymity are non-disclosable for a maximum of 60 years as follows:

1) the information referred to in subsection 3, paragraph 2 regarding the applicant and the opposing party, if this is necessary for the protection of life or health;

2) the documents referred to in subsection 3, paragraph 3 to the extent that this is necessary for the protection of life or health.

Notwithstanding the provisions above in this section on the non-disclosure of trial documents, the court:

1) shall provide the applicant with a document containing the decision granting witness anonymity that specifies the matter referred to in section 11a, subsection 1, paragraph 1 and the witness in an appropriate manner, concealing their personal data and contact information;

2) may disclose to a public official with the power of arrest who is heading a criminal investigation, to the prosecutor or to a court, the decision concerning witness anonymity and the related trial documents for the purposes of examining whether an offence has been committed in the consideration of the application for witness anonymity or whether the anonymous witness has committed an offence while testifying.

Section 11e (733/2015)

A review of a district court decision on witness anonymity may be requested, by appeal, from a court of appeal without declaring intent to appeal. The appeal document shall be submitted to the court that issued the decision within seven days of the date of issue. The district court shall, without delay, forward the appeal document together with the case file to the court of appeal. The appellant's opposing party has the right to respond to the appeal in writing. The opposing party shall submit their response to the district court that made the decision within seven days of the expiry of the time limit for requesting a review. The response shall be forwarded to the court of appeal without delay.

A review of a decision of the court of appeal may be requested, by appeal, by requesting leave to appeal from the Supreme Court as provided in chapter 30 of the Code of Judicial Procedure. However, a decision of the court of appeal granting witness anonymity shall be complied with immediately, unless the Supreme Court orders otherwise.

The appeal shall be considered urgently.

Transfer of a matter to the main hearing

Section 12

After the conclusion of the preparation, the matter shall be transferred to the main hearing without delay.

The matter shall be transferred directly to the main hearing if requesting a written response or holding an oral preparatory hearing is deemed unnecessary.

Section 13 (243/2006)

If the defendant is on remand, subject to a travel ban or suspended from public office, the main hearing shall be opened within two weeks of the date on which the criminal matter became pending. The time limit is three weeks if an oral preparatory hearing is held in the matter. If the decision on remand, travel ban or suspension from public office has been made after the charges were brought, the time limit shall be calculated from the date on which the decision was made. (97/2022)

Subsection 1 as amended by Act 97/2022 enters into force on a date to be specified by act. Previous wording:

If the defendant has been remanded for trial, is subject to a travel ban or has been suspended from public office, the main hearing shall be held within two weeks of the time when the criminal case became pending. If the order on remand, the travel ban or the suspension from public office has been made after the bringing of the charge, the period is to be calculated from the date on which the court order was issued.

If a defendant aged under 18 is charged with an offence for which a more severe punishment than imprisonment for six months is provided by law, when committed under the circumstances mentioned in the charge, the main hearing shall be opened within 30 days of the date on which the criminal matter became pending. If the main hearing is cancelled, a new main hearing shall be opened within 30 days of the date on which the original main hearing was scheduled to begin. (137/2023)

If the injured party is under 18 years of age and the suspected offence is a sexual offence against the injured party or an offence against the life, health, liberty, privacy, peace or honour of the injured party, the main hearing shall be opened within 30 days of the date on which the criminal matter became pending. If the main hearing is cancelled, a new main hearing shall be opened within 30 days of the date on which the original main hearing was scheduled to begin. (137/2023)

If a measure referred to in section 7 or 11, a joint hearing of charges or another important reason so requires, the time limit referred to in subsections 1–3 may be extended from what is provided in the said subsections. (137/2023)

Section 13a (205/2023)

A criminal matter concerning a violation of a restraining order shall be considered urgently, unless the violation is deemed to be of minor significance when assessed as a whole.

Section 14

A main hearing may also be held for the purpose of considering a procedural issue and such a part of the matter that can be separately decided even if the matter in other respects is not yet ready for consideration at the main hearing.

Section 15

The following persons shall be invited to the main hearing:

1) the prosecutor;

2) the defendant;

3) an injured party who has notified the court that they intend to present claims and the prosecutor does not pursue these claims; and

4) a legal counsel and a support person appointed under chapter 2.
(243/2006)

If a civil claim arising from the offence is pursued by someone else than the injured party or the prosecutor, or if a civil claim arising from the offence is directed at someone else than the person charged with the offence, that person shall also be invited to the session.

In connection with the invitation, a party shall be notified of the date, time and place of the session and of the sanction for failure to appear at the session. In connection with the invitation, a

party shall be served with any response, written statement or evidence submitted to the court by the opposing party.

The injured party shall be notified of the time and place of the session if the injured party has so requested. (12/2016)

Section 15a (324/2019)

In connection with an invitation to appear before the court, a defendant aged under 18 shall be informed of:

1) the right to attend the oral hearing of the matter in court in person, unless the defendant is ordered to appear in the hearing in person;

2) the right of a person who has custody of the defendant or the defendant's guardian or other legal representative to attend the oral hearing of the matter in court;

3) the fact that the provision of information on a visual or audio recording may be restricted in order to protect privacy as provided in section 13, subsection 2 of the Act on the Publicity of Court Proceedings in General Courts, and that the matter may be considered in the court without the presence of the public under the conditions laid down in section 15, subsection 5 of that Act;

4) the fact that a pre-sentence report will be drawn up on a young person suspected of an offence under the conditions laid down in the Act on Investigating the Circumstances of Suspected Young Offenders (633/2010).

Section 16

If a party wishes to present a piece of evidence in the main hearing that they have not mentioned earlier, the party shall notify the court of this without delay before the main hearing and in this connection state what they intend to prove with the piece of evidence.

Amending a charge

Section 17

A charge that has been brought shall not be amended. However, the prosecutor may extend a charge to cover another act committed by the same defendant, if the court considers this appropriate in view of the evidence available and the other circumstances.

If the prosecutor restricts the charge, makes a reference to another provision of law than one mentioned in the application for a summons or refers to new circumstances in support of the charge, this is not deemed an amendment of the charge.

The provisions of subsections 1 and 2 above on a charge also apply to a request for a punishment presented by the injured party in connection with the hearing of the charge. The provisions on amending an action in connection with a criminal matter pursued by the injured party alone are laid down in chapter 7, section 23.

Joint hearing of charges

Section 18

Charges for several offences committed by the same defendant or for one offence committed by several defendants shall be heard jointly, unless hearing them separately is deemed more appropriate. The same applies to different offences committed by different defendants, if the joint hearing of the charges furthers the examination of the matter.

Different charges taken up for a joint hearing may later be separated, if this is justified in view of the consideration of the matter.

The provisions of subsections 1 and 2 on charges also apply to a request for a punishment against a legal person.

Summons issued by the prosecutor

Section 19

If the prosecutor may issue a summons themselves under section 1, the provisions of sections 3 and 9 apply to the summons.

The prosecutor is responsible for the service of the summons issued by them, any documents appended to the summons, and the invitations addressed to the parties referred to in section 15, subsections 1 and 2 and to the persons to be heard for evidentiary purposes as provided in chapter 11 of the Code of Judicial Procedure. The court shall immediately be notified of the service of the summons and the invitation.

Chapter 5a (243/2006)
Deciding a matter without holding a main hearing

Prerequisites

Section 1 (243/2006)

A matter may be decided without holding a main hearing (*written procedure*), if:

1) the most severe punishment provided by law for any individual offence referred to in the prosecutor's charge, committed under the circumstances mentioned in the charge, is a fine or imprisonment for at most two years; (455/2011)

2) the defendant confesses to having committed the act described in the prosecutor's charge and, in a specific notice submitted to the district court, waives their right to an oral hearing and consents to the matter being decided in the written procedure; (455/2011)

3) the defendant had reached the age of 18 years at the time of commission of the act;

4) the injured party has stated during the criminal investigation that they have no claims in the matter, or the injured party consents to the consideration of the matter in the written procedure; and (423/2018)

5) holding a main hearing would also be unnecessary when assessed as a whole, in view of the extent to which the matter has been resolved.

The most severe punishment that may be imposed in the written procedure is imprisonment for nine months.

Procedure

Section 2 (243/2006)

If, on the basis of the criminal investigation or otherwise, there is reason to assume that the prerequisites for the use of the written procedure exist, the defendant is, in connection with the service of the summons, the application for a summons and the claim referred to in chapter 3, section 10, requested to notify the district court in writing within 14 days of the service whether the defendant confesses to having committed the act described in the charge, whether the defendant waives their right to an oral hearing, and whether the defendant consents to having the matter decided in the written procedure. In this connection, the defendant shall be informed of the type and maximum extent of the punishment proposed by the prosecutor. The defendant shall also be informed of the significance of consent in the consideration of the matter. (423/2018)

In the summons, the defendant is also requested to respond in writing to the claims presented against them. In other respects, the provisions of chapter 5, section 9 apply to the summons, as appropriate.

If the defendant submits the notice referred to in subsection 1 to the district court within the time limit and the other prerequisites provided in section 1 for deciding the matter in the written procedure are met, no main hearing is held in the matter and the matter is decided in the written procedure without delay, unless there is reason to transfer the matter to a main hearing.

Section 3 (243/2006)

For a special reason, the district court may also request a party to submit a written statement to the district court. In this event, the district court shall order which questions the party shall address in the statement.

If the district court deems this necessary, it may give a party an opportunity to give an oral statement at the court office or at the session venue. The district court may also, if it has requested a party to submit a response or a statement, allow such a response or statement to be given orally at the court office or at the session venue.

A party is invited to an oral hearing under threat that the matter may be decided regardless of the party's absence. The district court may also order that a party shall appear before the district court in person, if their personal attendance is deemed necessary. In such a case, the provisions of chapter 8 regarding the invitation and the threats under which a party is to appear before the court apply, as appropriate.

The provisions of chapter 8, section 13 apply to the giving of an oral statement or response using a technical means of communication. (423/2018)

Section 4 (243/2006)

When an oral hearing is held in a matter, an oral response or statement of a party shall be entered in a record.

A written response or statement of a party or a record drawn up based on an oral response or statement shall immediately be served on the parties concerned, unless this is manifestly unnecessary.

Section 5 (423/2018)

Section 5 was repealed by Act 423/2018.

Section 6 (243/2006)

Provisions on the quorum of the district court in the written procedure are laid down in chapter 2, section 6 of the Code of Judicial Procedure.

Ruling

Section 7 (243/2006)

In the written procedure, the judgment or decision may only be based on the circumstances presented in the charge, the confession of the defendant, any claims, responses and statements presented by the parties in writing or orally and entered in a record, and other written material produced in course of the consideration of the matter. A criminal investigation record submitted to the district court may only be used as a basis for a judgment or decision to the extent that the parties have referred to it.

Section 8 (243/2006)

The district court shall notify the parties, in writing and well in advance, of the date on which the judgment or decision will be issued. A notice of this date may be given already in connection with the service of the summons.

The district court shall, immediately after it has issued a judgment or decision, send a copy of it and the instructions for requesting a review referred to in chapter 25, section 3, subsection 2 of the Code of Judicial Procedure to the defendant and an injured party who has presented claims in the matter. It shall be indicated in the judgment or decision to be sent that it is does not contain information on whether it is final. The judgment or decision and the instructions for requesting a review may be sent by post to the address most recently provided by the party.

Supplementary provisions

Section 9 (243/2006)

In other respects, the provisions governing the criminal procedure apply to the written procedure. A matter referred to in chapter 7 of this Act may not be considered in the written procedure.

Chapter 5b (670/2014)
Guilty plea proceedings

Section 1 (670/2014)

A proposal for judgment referred to in chapter 1, section 10 of this Act and in chapter 3, section 10a of the Criminal Investigation Act (805/2011) is considered in the procedure provided in this chapter without holding a main hearing referred to in chapter 6 of this Act or in connection with such a main hearing (*guilty plea proceedings*).

In addition to the proposal for judgment, any other claims arising from the offence referred to in the proposal for judgment shall be considered in guilty plea proceedings.

Section 2 (670/2014)

Guilty plea proceedings shall be held within 30 days of the date on which the matter became pending. If guilty plea proceedings are cancelled, new proceedings shall be held within 30 days of the date on which the original proceedings were scheduled to be held. If shortcomings or lack of clarity in the proposal for judgment or another important reason so require, the time limit may be extended.

The prosecutor and the defendant shall attend the guilty plea proceedings in person. The defendant shall be assisted by a counsel, unless the defendant attends to their own defence under the conditions laid down in chapter 1, section 10a, subsection 2.

The injured party shall be given an opportunity to attend the guilty plea proceedings if their civil claim that is not pursued by the prosecutor will be considered in the proceedings. However, the matter may be decided regardless of the absence of the injured party.

The court is responsible for inviting the parties to the guilty plea proceedings.

Section 3 (670/2014)

Unless the court decides otherwise, the following provisions shall be complied with in guilty plea proceedings, in the order indicated:

1) the prosecutor shall explain the contents of the proposal for judgment and the other circumstances connected with it and present, to the necessary extent, the criminal investigation materials concerning the matter;

2) the court shall ask the defendant whether they still confess to having committed the offence and consent to the consideration of the matter in the procedure provided in this chapter, and whether they understand the contents and significance of the proposal for judgment also in other respects, in addition to which the court shall seek to ensure that the proposal corresponds to the intent of the defendant;

3) the defendant shall be given an opportunity to comment on the proposal for judgment and the criminal investigation materials in other respects;

4) the injured party shall be given an opportunity to comment on the proposal for judgment;

5) other claims shall be considered;

6) the parties shall be provided with an opportunity to present their closing statements.

The court shall oversee that the matter is considered appropriately and that any irrelevant issues are excluded from the matter. The court shall use questions to eliminate lack of clarity and shortcomings in the statements of the parties.

Section 4 (670/2014)

The court shall issue a judgment in accordance with the proposal for judgment if:

1) the defendant has made the confession and given the consent referred to in section 3, subsection 1, paragraph 2;

2) no reasonable doubt remains regarding the voluntary nature and truthfulness of the confession, taking also into account the criminal investigation materials concerning the matter;

3) the court finds the defendant guilty of the offence in accordance with the proposal for judgment;

4) there is no other impediment to the acceptance of the proposal.

In addition, the judgment shall contain a decision on the other claims arising from the offence and connected with the consideration of the matter. The court may also confirm a settlement in compliance with the provisions of chapter 20 of the Code of Judicial Procedure.

Section 5 (670/2014)

If the court does not issue a judgment referred to in section 4, the matter shall be removed from the docket. However, the court shall, upon request, decide questions concerning the fee of a counsel and other expenses resulting from the consideration of the matter.

If the matter is removed from the docket, statements given by the defendant in connection with the negotiation referred to in chapter 1, section 10a or the proceedings referred to in this chapter shall not be used as evidence in a criminal matter.

Section 6 (670/2014)

In other respects, the provisions governing the criminal procedure apply to guilty plea proceedings.

A matter referred to in chapter 7 of this Act may not be considered in guilty plea proceedings.

Chapter 6
Main hearing

Section 1

Before opening a main hearing, the court shall ascertain whether the matter can be taken up for a final hearing. Where necessary, a decision to separate charges in accordance with chapter 5, section 18 shall be issued so that the main hearing can be conducted uninterruptedly.

Section 2

The main hearing shall not be opened and it shall be cancelled and rescheduled, if:

1) the prosecutor fails to appear in court;

2) the defendant fails to appear in court and the matter cannot be decided regardless of this;

3) the counsel appointed for the defendant is not present or cannot be made immediately available in court, and there is no other counsel available for immediate assistance to the defendant;

4) an injured party who should be heard in person, or a witness or an expert witness fails to appear in court;

5) a party wishes to present a new important circumstance or new evidence and the opposing party shall be given an opportunity to peruse it; or

6) there is another impediment to the taking up of the matter for a final hearing.

Section 3 (243/2006)

The main hearing may be opened regardless of an impediment referred to in section 2, paragraph 4–6, if there is reason to assume that the hearing need not be postponed or, if it needs to be postponed, that a new main hearing will not be necessary for a reason referred to in section 11 and the postponement does not significantly impede the consideration of the matter.

The main hearing may be opened notwithstanding an impediment referred to in section 2, paragraph 2, if:

1) the defendant has not complied with an order issued to them to appear in court in person under threat of a fine; and

2) there is reason to assume that even if the main hearing needs to be postponed, a new main hearing need not be held in the matter for a reason referred to in section 11 and the postponement does not significantly impede the consideration of the matter.

Provisions on the taking of evidence in the main hearing referred to in subsection 2 are laid down in chapter 17, section 55 of the Code of Judicial Procedure. (733/2015)

Section 3a (733/2015)

Section 3a was repealed by Act 733/2015.

Section 4 (733/2015)

Provisions on the taking of evidence outside of the main hearing despite the cancellation of the main hearing and on the retaking of evidence in the main hearing are laid down in chapter 17 of the Code of Judicial Procedure.

Section 5

The court is responsible for overseeing that a matter is considered in a structured, clear and orderly manner. The court may also order that a severable part of the matter or a procedural issue be considered separately or that some other deviation from the procedure provided in section 7 be made. (97/2022)

Subsection 1 as amended by Act 97/2022 enters into force on a date to be specified by act. Previous wording:

It is the task of the court to see to it that the case is dealt with in a coherent and orderly manner. The court may also order that a severable part of the case or a procedural issue is to be dealt with separately or that some other derogation from the procedure provided in section 7 is made.

The court shall also oversee that the matter is considered appropriately and that any irrelevant issues are excluded from the matter. The court shall use questions to eliminate lack of clarity and shortcomings in the statements of the parties.

The injured party in a criminal matter shall keep to the truth when making a statement on the circumstances that they are referring to in the matter and when commenting on the circumstances presented by the opposing party. (733/2015)

Section 6

The main hearing shall be oral. A party shall not read out loud or submit a written statement to the court or otherwise present their matter in writing.

A party may, however, read out from a document their claims, direct references to case law, legal literature and such documents containing several technical and numerical data that would be difficult to understand if presented merely orally. In addition, a party may rely on written notes as memory aids.

If the main hearing is carried out in the absence of an injured party or the defendant, the court shall, to the extent necessary, explain what the absent party has stated in the matter, based on the documents.

Section 7 (733/2015)

In the main hearing, the following provisions shall be complied with, in the order indicated:

1) the prosecutor and the injured party shall present their claims and, briefly, the grounds for them;

2) the defendant shall briefly state their view regarding the claims presented;

3) the prosecutor and the injured party shall state further reasons for their views;

4) the defendant shall be given an opportunity to comment on the reasons stated by the opposing party;

5) evidence shall be taken;

6) the parties shall present their closing statements, including, where necessary, their opinion on the guilt of the defendant and the sanction for the offence.

The injured party may participate in the hearing without a party or another person being present, in accordance with the provisions of chapter 17, section 51 of the Code of Judicial Procedure. (423/2018)

Section 8 (733/2015)

Section 8 was repealed by Act 733/2015.

Section 9

A matter shall be considered in the main hearing uninterruptedly.

If the main hearing cannot be completed within one day, the session may be interrupted. The session shall be resumed, if possible, on consecutive days. If this is not possible, the matter shall be considered on at least two weekdays per week unless the hearing is postponed under section 10. (243/2006)

In an extensive or complicated matter, the main hearing may be interrupted for a maximum of three weekdays in order to allow the parties to prepare their oral closing statements referred to in section 7, subsection 1, paragraph 6.

Section 10

Once opened, the main hearing may only be postponed if:

1) it has been opened under section 3;

2) the court has become aware of new important evidence that can only be taken later; or

3) the postponement is necessary because of an unforeseen circumstance or for another important reason.

A postponed main hearing shall be resumed as soon as possible. If the defendant is on remand, subject to a travel ban or suspended from public office, and the postponement is not due to a mental examination of the defendant, the hearing shall be resumed within fourteen days of the

date of postponement or, if the decision on remand, travel ban or suspension is issued after the postponement, of the date of decision.

In connection with postponing a main hearing, the court shall order when the hearing shall be resumed and notify the parties of the possible sanctions for failure to appear at the hearing. If the resumption cannot be scheduled when the main hearing is postponed, the court shall, in due course, notify the parties of the time when the hearing will resume and invite the parties whose attendance is required to the hearing.

Section 11

A new main hearing shall be held in a matter if the court, during the main hearing, has to take on a new member for lack of quorum. However, when a matter is being considered by the composition referred to in chapter 2, section 1, subsection 2 of the Code of Judicial Procedure, a new main hearing need not be held if the new member taken on by the court has been present for the entire main hearing. A new main hearing shall also be held when the matter has been postponed, once or several times, for a total of more than 30 days. (812/2008)

Even if a main hearing has been postponed for more than 30 days, a new main hearing need not be held in the matter if this is deemed unnecessary due to the extent or nature of the matter or for another special reason and if the continuity of the main hearing can be deemed to materialise regardless of the postponement and interruption. (423/2018)

If the main hearing has been postponed due to a mental examination of the defendant, a new main hearing need not be held even if it has been postponed for a longer time than what is provided in subsection 1. (423/2018)

Section 12 (97/2022)

In a new main hearing, the matter shall be considered anew. Oral evidence taken earlier shall be retaken using a video and audio recording insofar as it is relevant in the matter. In a new main hearing, the provisions of chapter 26, section 15a of the Code of Judicial Procedure apply to additional hearing and rehearing and to the presentation of oral evidence by referring to it.

Written evidence taken earlier shall be retaken insofar as it is relevant in the matter.

If there is an impediment preventing evidence taken earlier to be retaken, the court shall ascertain the contents of the evidence, to the extent necessary, based on the trial materials of the previous main hearing.

Section 12 as amended by Act 97/2022 enters into force on a date to be specified by act. Previous wording:

Section 12

In a new main hearing the case is to be dealt with from the start. Evidence received earlier is to be re-received in so far as it is relevant to the case and there is no impediment for the reception. Otherwise, the court is to ascertain the contents of the evidence, as necessary, from the documents compiled during the previous main hearing.

Section 12a (97/2022)

In a matter returned to a district court by a higher court, oral evidence taken earlier shall be taken in the main hearing using a video and audio recording, if this can be deemed appropriate considering the reason for returning the matter to the district court. If oral evidence is taken using a video and audio recording, the provisions of chapter 26, section 15a of the Code of Judicial Procedure apply to additional hearing and rehearing and to the presentation of oral evidence by referring to it.

Section 12a as added by Act 97/2022 enters into force on a date to be specified by act.

Section 13

If the court, after the conclusion of the main hearing, finds it necessary to supplement the consideration of the matter in respect of a specific issue before deciding the matter, and if the issue subject to supplementation is simple or of minor significance, the court may supplement the consideration by requesting a written statement on the issue from the parties. In other cases, the consideration may be supplemented by continuing the main hearing or by holding a new main hearing in the matter.

Chapter 6a (426/2003)
Language of judicial proceedings and interpretation (769/2013)

Section 1 (426/2003)

A court shall use either Finnish or Swedish as the language of proceedings and issue its decision in either Finnish or Swedish as provided in the Language Act (423/2003).

The Sami languages may be used as the language of proceedings in a court in the Sami homeland as provided in the Act on the Use of the Sami Language before the Authorities (516/1991).

The Act on the Use of the Sami Language before the Authorities 516/1991 was repealed by the Sami Language Act 1086/2003.

Section 2 (426/2003)

A party whose own language is Finnish or Swedish has the right to interpretation and translation as provided in the Language Act, when a language other than their own language is to be used in judicial proceedings.

Provisions on the right to use the Sami languages in judicial proceedings are laid down in the Act on the Use of the Sami Language before the Authorities.

A defendant or an injured party in a criminal matter prosecuted by the prosecutor has, if the person is not Finnish-, Swedish- or Sami-speaking, the right to interpretation in criminal proceedings free of charge. The court shall, by virtue of office, ensure that the defendant or the injured party receives the interpretation that they need. (769/2013)

The court shall also ensure that interpretation is arranged when a party is a sign language user or when interpretation is necessary due to a sensory or speech disability of a party. (769/2013)

If the court deems this appropriate, interpretation may be arranged using video conferencing or other suitable technical means of communication where the persons participating in the session are in voice and visual contact with each other, or by telephone. (769/2013)

Section 3 (769/2013)

A defendant who is not Finnish-, Swedish- or Sami-speaking shall, within a reasonable time, be provided with a free-of-charge written translation of the application for a summons and of the judgment insofar as it concerns the defendant. The defendant shall also, within a reasonable time, be provided with a free-of-charge written translation of a decision in the criminal matter and any other essential document or a part of such a document, if a translation is necessary for overseeing the rights of the defendant. An injured party in a criminal matter prosecuted by the prosecutor, other than a Finnish-, Swedish- or Sami-speaking one, shall, upon request and within a reasonable time, be provided with a free-of-charge written translation of the judgment insofar as it concerns the injured party and of the notice of the time and place of the session. The injured party shall also, upon request and within a reasonable time, be provided with a free-of-charge written translation of a decision in the criminal matter and any another essential document or a part of such a document, if a translation is necessary for overseeing the rights of the injured party. (12/2016)

By derogation from subsection 1, the application for a summons, the judgment or another essential document or a part or summary of such a document may be translated orally for a defendant or an injured party, unless the legal protection of the party requires that a written translation of the document be provided.

The court shall ensure that the defendant receives sufficient information regarding their right to a translation of a document and, if necessary, ascertain whether the defendant wants to obtain a translation of a document referred to in this section. A defendant need not be provided with a translation of a document if the defendant waives their right to a translation.

Section 4 (769/2013)

If a party has been heard with the assistance of an interpreter, if the application for a summons, judgment or other essential document or a part or summary of such a document as referred to in section 3 has been translated for a party orally at a court session, or if the defendant has waived their right to a translation of a document, information about this shall be entered in the court record, judgment or decision.

Section 5 (769/2013)

Reasonable costs incurred in providing the necessary interpretation of negotiations between the defendant and their legal counsel are paid from state funds, if the legal protection of the defendant so requires.

Further provisions on the costs to be paid under subsection 1 may be issued by government decree.

Section 6 (769/2013)

A person who has the skills required for the task and is honest and otherwise suitable for the task may serve as an interpreter or a translator.

The court shall appoint a new interpreter or translator if the legal protection of the party so requires.

Section 7 (733/2015)

Section 7 was repealed by Act 733/2015.

Chapter 7
Consideration of a criminal matter pursued by the injured party alone

Application for a summons

Section 1

An injured party brings charges by delivering a written application for a summons to the office of a district court.

A criminal matter becomes pending when the application for a summons arrives at the court office.

Subsection 3 was repealed by Act 733/2015.

Section 2

The application for a summons shall indicate:

1) the defendant;

2) the act for which charges are being brought, its time and place of commission and any other information necessary to describe the act;

3) the offence that the injured party considers the defendant to be guilty of;

4) the request for a punishment, the request for confiscation and the provisions of law on which they are based; (894/2001)

5) any other claims of the injured party and the grounds for them;

6) an account stating that the prosecutor has decided to waive charges or that the criminal investigation authority or prosecutor has decided that no criminal investigation shall be conducted or that such an investigation shall be interrupted or discontinued; (243/2006)

7) the evidence that the injured party intends to present and what the injured party intends to prove with each piece of evidence; and

8) the circumstances on which the competence of the court is based, unless the competence is otherwise indicated in the application for a summons.

In addition, the application for a summons shall indicate the names of the court and the parties and the contact information of the legal representative, attorney or counsel of the parties. The court shall also be provided, in a suitable manner, with the telephone numbers and other contact information of the parties, witnesses and other persons to be heard. If any of this information subsequently changes, the court shall be informed of this without delay. (363/2010)

The application for a summons shall be signed by the injured party or, if it is not drawn up by the injured party, by the person who drew it up. The person drawing up the application shall also mention their profession and place of residence.

Section 3

Any written evidence that the injured party intends to rely on and the criminal investigation record, if such an investigation has been carried out in the matter, shall be appended to the application for a summons.

Supplementing the application for a summons

Section 4

If the application for a summons is incomplete, unclear or confusing, the injured party shall be requested to revise it within a specified time limit, if this is necessary to continue the preparation. The injured party shall also be informed of how the application is incomplete, unclear or confusing and that the action may be ruled inadmissible or rejected if the injured party does not comply with the request. (423/2018)

For a special reason, the court may extend the time limit referred to in subsection 1.

Ruling an action inadmissible and deciding a matter without issuing a summons

Section 5 (423/2018)

The court shall rule an action inadmissible if the injured party fails to comply with the request referred to in section 4 and if the application for a summons is so incomplete, unclear or confusing that it cannot serve as a basis for judicial proceedings, or if there is another reason for the inadmissibility of the matter.

The court shall reject an action by judgment to the extent that it is manifestly unfounded.

Issuing a summons in a matter concerning an anonymous witness (733/2015)

Section 5a (733/2015)

If the injured party brings charges for a suspected offence committed in the consideration of a matter concerning the granting of witness anonymity referred to in chapter 5, sections 11a–11e or

against an anonymous witness based on the contents of a statement given by the witness in court, the injured party shall submit an application for a summons to the court and request that the identity and contact information of the anonymous witness be disclosed, if the person suspected of the offence is the anonymous witness or if the injured party deems that disclosing the information is otherwise necessary to solve the offence.

Before deciding the matter, the court shall hear the prosecutor and the person suspected of the offence in question. If the person suspected of the offence is a person other than the anonymous witness, the anonymous witness shall also be heard. The court may also hear the injured party and procure other evidence and arrange an oral hearing if this is necessary to examine the matter. The matter shall be considered without the presence of the public and the injured party if this is necessary to prevent the disclosure of the identity and contact information of the anonymous witness.

If the court deems that the prerequisites for bringing charges are met, or if the anonymous witness suspected of an offence agrees to the disclosure of their identity and contact information and if not otherwise provided in section 5, the court shall decide to issue a summons. The identity and contact information of the anonymous witness shall be disclosed in the summons, if the person is suspected of the offence or if the disclosure of this information is otherwise necessary for solving the offence. The prosecutor may request a review, by appeal to a court of appeal, of a decision to issue a summons where the identity and contact information of an anonymous witness are disclosed; likewise, the prosecutor may request a review of a similar decision issued by the court of appeal as the court of first instance by appeal to the Supreme Court without requesting leave to appeal. The decision to issue a summons shall be complied with once it has become final. Provisions on the publicity of trial documents are laid down in chapter 5, section 11d, subsection 3, paragraph 4. If the court has decided to issue a summons concerning a person other than an anonymous witness, and has decided not to disclose the identity and contact information of the anonymous witness, the injured party may request a review of the decision not to disclose the information in compliance with the provisions of this subsection on the prosecutor’s right to request a review.

If the prerequisites for bringing charges are not met and the anonymous witness does not consent to the disclosure of their identity and contact information, the court shall reject the action by judgment without issuing a summons. The judgment and the related trial materials shall not be disclosed to a party, either, insofar as they contain information that could lead to the disclosure of

the identity or contact information of the anonymous witness. The non-disclosure period is 60 years. What is provided above in this subsection on the judgment and the related trial materials applies to the decision by which the court has decided to issue a summons that concerns a person other than the anonymous witness and decided not to disclose the identity and contact information of the anonymous witness and to the related trial materials.

The judge who decided that a summons be issued shall not consider the action.

Summons and other preparation of a matter

Section 6

If an action has not been ruled inadmissible or rejected in accordance with section 5, the court shall issue a summons without delay.

The summons, the application for a summons and any documents appended to it shall be served on the defendant in accordance with the provisions on service laid down in chapter 11 of the Code of Judicial Procedure.

Section 7

In the summons, the defendant is requested to respond to the claims presented against them, either in writing within a time limit set by the court or orally in a session. In the summons, the defendant is requested to:

1) state their view regarding the claims presented against them;

2) state reasons for their view, if the defendant denies the charge or objects to the other claims;

3) specify the evidence that they intend to present and state what they intend to prove with each piece of evidence, unless it can be assumed, because the defendant has confessed the offence or due to other circumstances, that no evidence will be needed; and

4) deliver to the court the written evidence that they intend to rely on.

When issuing the request, the court may order which questions the defendant shall address in the response.

When responding to the claims, the defendant shall also provide the court, in a suitable manner, with the telephone numbers and other contact information of the witnesses that the defendant intends to call. If any of this information subsequently changes, the defendant shall inform the court of this without delay. (363/2010)

For a special reason, the court may permit a response to be given orally at the court office or at the session venue, even when a written response had been requested.

Section 8

The summons shall state that the written response shall be delivered to the court office within a time limit set by the court, counted from the date of service of the summons. Upon request, submitted before the expiry of the time limit, the time limit may be extended for a special reason.

If the defendant is requested to respond orally, the court shall invite the plaintiff and, in connection with the summoning, the defendant to a session. In this connection, information on the date, time and place of the session shall be provided.

Section 9

If the consideration of the matter continues in accordance with section 6, subsection 1, preparation shall be conducted in the matter, unless this is deemed unnecessary because of a criminal investigation carried out in the matter or for another special reason.

The following issues shall be clarified in the course of the preparation:

1) the claims of the injured party and the grounds for them;

2) the view of the defendant on the claims and on their grounds;

3) the evidence that will be presented in the matter and what is to be proven with each piece of evidence; and

4) whether additional evidence or other preparatory measures are necessary before the main hearing.

Section 10

When the time limit for submitting a written response referred to in section 8, subsection 1 has expired or when the response has arrived at the court, the preparation shall be continued in an oral hearing without delay, if the court deems that the matter has not been sufficiently prepared to be taken up for consideration in a main hearing.

The court may request that a party submit a written statement to the court before the oral preparatory hearing or between the hearings, if it considers this necessary. In this event, the court shall order which questions the party shall address in the statement.

General provisions on preparation

Section 11 (97/2022)

The court shall conduct the preparation in such a manner that the matter can be considered in a main hearing without interruptions and in a structured manner.

Section 11 as amended by Act 97/2022 enters into force on a date to be specified by act. Previous wording:

Section 11

The court is carry out the preparation so that the case can be dealt with in a continuous main hearing.

Section 12

Efforts shall be made to conclude oral preparation without delay, in one session if possible.

Where necessary, the court shall give the parties an opportunity to express their views on how the preparation of the matter should be arranged.

Parties shall, before the hearing, familiarise themselves with the matter so well that a new oral preparatory hearing is not required because of an omission on their part.

Section 13

The court may order that a severable part of the matter or a procedural issue be prepared separately.

Section 14

A matter shall be considered orally in an oral preparatory hearing. In the hearing, a party shall not read out loud or submit a written statement to the court or otherwise present their matter in writing.

A party may, however, read out from a document their claims, direct references to case law, legal literature and such documents containing several technical and numerical data that would be difficult to understand if presented merely orally. In addition, a party may rely on written notes as memory aids.

Section 14a (423/2018)

An oral preparatory hearing may also be held by telephone or using a technical means of communication where the participants in the hearing are in voice contact with each other, if the court deems this appropriate. In such a case, the provisions on deciding the matter regardless of the absence of a party do not apply.

Section 15

Before concluding the preparation, the court shall draw up a summary of the claims of the parties and the grounds for them, if this is appropriate in view of the consideration of the matter. The parties shall be given an opportunity to state their views on the summary.

Section 16

Before the main hearing, the court may decide to seek the opinion of an expert, to take evidence outside of the main hearing, to order that a piece of written evidence or other document necessary for the consideration of the matter be produced, to conduct a site visit or to undertake other preparatory measures, if such measures are necessary to ensure that all the evidence will be available at once in the main hearing.

If a party wishes that any of the preparatory measures referred to in this section be undertaken, they shall submit a request to this effect to the court.

Section 17

During the preparation, the court may decide to rule the action inadmissible or, if the claim of the injured party is manifestly unfounded, to reject it.

Transfer of a matter to the main hearing

Section 18

When the issues referred to in section 9 have been clarified in the preparation or it is otherwise no longer appropriate to continue the preparation, the court shall state that the preparation is concluded and transfer the matter to a main hearing.

The court shall schedule the main hearing in compliance with the provisions of chapter 5, section 13 and invite the parties to it in accordance with the provisions of chapter 11 of the Code of Judicial Procedure. The parties shall be given an opportunity to express their opinion on the time of the main hearing, if this is possible without undue inconvenience.

In connection with the invitation, a party shall be notified of the date, time and place of the main hearing.

In connection with the invitation, a party shall be served with the response or written statement of the opposing party.

Section 19

When the injured party is invited to the main hearing, they shall be informed of the fact that the court may, upon request of the defendant, order that the injured party forfeit their right to bring charges, if the injured party fails to appear in court. If the injured party is required to appear in person, this shall be mentioned in the invitation.

Section 20

If a party, in the main hearing, wishes to present a piece of evidence that they have not mentioned earlier, the party shall notify the court of this without delay before the main hearing. In this connection, the party shall state what they intend to prove with the piece of evidence and why it had not been mentioned earlier.

Section 21

For the consideration of an issue that may be decided separately, a main hearing may be scheduled even if the preparation has not yet been concluded in other respects. The same also applies to a procedural issue.

Main hearing

Section 22

The provisions of chapter 6 on a main hearing apply, as appropriate, to the main hearing in a criminal matter pursued by the injured party alone, unless otherwise provided in chapter 8, sections 7 and 8.

Amendment of an action

Section 23

An action shall not be amended during judicial proceedings. However, the injured party has the right to:

1) extend a charge to cover another act committed by the same defendant, if the court deems this appropriate in view of the evidence available and other circumstances;

2) claim a performance other than one mentioned in the action, if the said claim is based on a change of circumstances that has taken place during the judicial proceedings or on a circumstance of which the injured party became aware only then; or

3) claim interest or make another supplementary claim, or even a new claim, if this is essentially based on the same grounds.

If the injured party restricts the charge, makes a reference to another provision of law than one mentioned in the action or refers to new circumstances in support of the action, this is not deemed an amendment of the action.

Hearing the prosecutor (243/2006)

Section 24 (18/2012)

If the injured party exercises their primary right to bring charges as referred to in chapter 1, section 14, subsection 2 or pursues a criminal matter alone due to a decision of the criminal investigation authority not to conduct a criminal investigation or to interrupt or discontinue such an investigation or to postpone the conduct of a criminal investigation measure, the court shall, before deciding on the action by issuing a judgment, give the prosecutor an opportunity to be heard in the matter, unless hearing the prosecutor is clearly unnecessary due to the nature of the matter.

Chapter 8
Parties

Attendance of parties

Section 1

A party is ordered to appear in person in a main hearing before a district court under threat of a fine, unless it is deemed that their personal attendance is not necessary to examine the matter.

A party is ordered to appear in person in an oral preparatory hearing before a district court under threat of a fine, if their personal attendance is deemed to further the preparation of the matter.

A party is ordered to appear in person in an oral hearing before a court of appeal or the Supreme Court under threat of a fine, if this is deemed necessary to examine the matter.

If the matter can be decided regardless of the absence of the defendant, this shall be mentioned in the invitation. Similarly, it shall be mentioned whether the defendant shall appear in person.

Section 2

The provisions of section 1 apply, as appropriate, to the injured party even when the person is not a party to the proceedings and to the legal representative of the injured party or of a party.

If a party has several representatives, it is within the power of the court to order which one or ones of them shall appear before the court in person. The court may also order that a person without legal capacity who does not have the right to exercise alone their right to be heard or a person with restricted legal capacity who does not have the right to exercise alone their right to be heard in the matter shall appear before the court in person in order to be heard. (445/1999)

Section 3 (423/2018)

The defendant may not be sentenced to a punishment unless the defendant has been heard in person or represented by an attorney in the main hearing.

However, the defendant shall attend the main hearing of the district court or court of appeal in person insofar as the court deems their attendance necessary to examine the matter or for some other reason. A defendant aged under 18 years may not be sentenced to imprisonment unless the defendant has been heard in person in the main hearing.

The defendant shall attend in person the main hearing where charges for an offence for which they are on remand are heard. The defendant shall also attend the main hearing of the district court in person if they are charged with an offence for which the most severe punishment provided by law is imprisonment for a minimum of six years. However, the court may decide that

the defendant referred to in this subsection need not be present for the entire duration of the main hearing.

Absence of a party in a criminal matter prosecuted by the prosecutor (455/2011)

Section 4

If the injured party or their legal representative fails to comply with an order to appear in court in person under threat of a fine, and the court still deems it necessary for the injured party to attend in person, the court shall enforce payment of the conditional fine and impose a new higher conditional fine or order that the injured party or their legal representative be brought to the hearing or a later hearing.

Section 5

If the defendant fails to comply with an order to appear in court under threat of a fine, and the court still deems it necessary for the defendant to attend, the court shall enforce payment of the conditional fine and impose a new higher conditional fine or order that the defendant be brought to the hearing or a later hearing.

If the defendant has been ordered to appear in court in person and, on the basis of their behaviour, there is reason to assume that the defendant will not comply with the order, the court may order that the defendant be brought to the hearing.

Section 6

If a party or their legal representative who has been requested to appear in an oral preparatory hearing under threat of a fine or ordered to be brought to such a hearing fails to appear or cannot be brought to court, the hearing may, this notwithstanding, be held if it furthers the preparation of the matter.

Absence of a party in a criminal matter pursued by the injured party alone

Section 7

If both parties fail to appear in a court hearing held in a criminal matter pursued by the injured party alone, the matter shall be removed from the docket.

Section 8

If the injured party fails to appear in a hearing held in a criminal matter pursued by them alone, the court may, on the request of the defendant, decide that the injured party forfeits their right to bring charges, provided that the injured party has been invited to the hearing under such a threat. If the defendant does not make such a request, the matter shall be removed from the docket.

If the defendant fails to comply with an order to appear in court under threat of a fine, and the court still deems it necessary for the defendant to attend, the court shall enforce payment of the conditional fine and impose a new higher conditional fine or order that the defendant be brought to the hearing or a later hearing.

Section 9

If the injured party has, under section 8, forfeited the right to bring charges, but the injured party has had a lawful excuse of which they had not been able to notify the court in time, the injured party has the right to refer the matter for consideration on the basis of the same application, by notifying the court of this within 30 days of the date on which the forfeiture of the right to bring charges was ordered. If the injured party does not prove that they had had a lawful excuse, the matter shall be ruled inadmissible.

Section 10

If a defendant who has been ordered, under threat of a fine, to appear in an oral preparatory hearing or to be brought to such a hearing fails to appear or cannot be brought, the hearing may, this notwithstanding, be held if it furthers the preparation of the matter.

Examining and deciding a criminal matter regardless of the absence of the defendant

Section 11 (894/2001)

Notwithstanding the provisions of section 3, a matter may be examined and decided regardless of the absence of the defendant, if their attendance is not necessary to solve the matter and the defendant has been invited to the court under such a threat. In this event, a fixed fine, fine or imprisonment for at most three months and a confiscation order of a maximum of EUR 10,000 may be imposed. (423/2018)

If the defendant has been sentenced to a punishment or a confiscation order has been imposed on them under subsection 1, but the defendant has had a lawful excuse of which they had not been able to notify the court in time, the defendant has the right to refer the matter for reconsideration by notifying the court of this within 30 days of the date of having verifiably been served with the notice of the punishment or the confiscation order. If the defendant does not prove that they had had a lawful excuse, the matter shall be ruled inadmissible.

The absence of the defendant shall not preclude rejection of the charges or other claims.

Section 12 (423/2018)

Notwithstanding the provisions of section 3, a matter may, with the consent of the defendant, be examined and decided regardless of the defendant's absence, if the defendant has been invited to the court under such a threat and their attendance is not necessary to solve the matter. In this event, the most severe punishment that may be imposed is imprisonment for nine months.

Use of a technical means of communication (423/2018)

Section 13 (423/2018)

A party to a criminal matter may participate in an oral hearing using a technical means of communication where the persons participating in the hearing are in voice and visual contact with each other, if the party consents to this and the court deems this appropriate. However, the provisions of chapter 17, sections 52 and 56 apply to the hearing of the defendant and the injured party for evidentiary purposes using a technical means of communication.

The provisions of subsection 1 also apply to the defendant's or the injured party's legal representative and, with the consent of the defendant or the injured party, to the defendant's or the injured party's attorney or legal counsel.

Participation in an oral hearing using a technical means of communication is also deemed personal attendance in an oral hearing within the meaning of this chapter.

The provisions of this chapter on invitations, coercive measures and sanctions for absence also apply to participation in an oral hearing using a technical means of communication before another court or another authority.

What is provided above in this section does not apply to the guilty plea proceedings referred to in chapter 5b. Provisions on the use of technical means of communication in an oral preparatory hearing are laid down in chapter 5, section 10a and chapter 7, section 14a.

Supplementary provisions

Section 14

The provisions of this chapter on absence from a hearing also apply when a party leaves in the middle of a hearing without permission.

Section 15

However, the failure of one party or both parties to comply with the court's request to submit a written statement on a procedural issue or their absence from a hearing held solely for the purpose of considering such an issue does not prevent the resolution of the procedural issue.

Chapter 9
Legal costs

Section 1

If the defendant is sentenced to a punishment or to another criminal sanction, the person is liable to reimburse the State for any compensation ordered to be paid under the State Compensation for

Witnesses Act (666/1972) and any other special costs arisen from the taking of evidence and forensic medical examinations during the criminal investigation or the judicial proceedings, if they have been necessary for solving the matter.

Where it would be unreasonable to order the defendant to pay the reimbursement referred to in subsection 1 in view of the nature of the offence or the personal or financial circumstances of the defendant or for some other reason, the reimbursement shall be reduced or waived.

It may be provided by decree that the defendant shall not be ordered to pay the State the reimbursement referred to in subsection 1 if the amount of the reimbursement is less than the amount specified by the decree.

Section 1a (107/1998)

If the charge or other claim of the prosecutor is rejected, ruled inadmissible or removed from the docket, the State is, on the request of the defendant, liable to compensate the defendant for the reasonable legal costs of the defendant. No liability for compensation exists if the defendant subsequently is, due to a request for review filed by the injured party, sentenced for the act referred to in the charge of the prosecutor. Compensation shall not be paid until the question of the defendant's guilt has been finally ruled on. (243/2006)

If several charges have been brought or several other claims made in the same matter, and some of them are approved and some of them are decided in accordance with subsection 1, the State shall not be ordered to compensate the legal costs, unless there are special reasons for partial compensation. However, the State shall not be ordered to compensate the legal costs of a defendant who by a false confession or otherwise intentionally has caused the bringing of the charges.

The Ministry of Justice may issue further provisions on the implementation of the State's liability for compensation and on the payment procedure. (243/2006)

Section 2

If the defendant has failed to appear in court or comply with orders issued by the court, or has otherwise by neglecting an obligation, intentionally or through negligence, prolonged the

proceedings and thus incurred costs referred to in section 1 to the State or costs to another party, the defendant is liable to compensate those costs regardless of how the legal costs otherwise are to be compensated.

Section 3

A representative, attorney or counsel of the defendant who has, intentionally or through negligence in the manner referred to in section 2, incurred legal costs referred to in this chapter to the State or to another party may, after having been given an opportunity to be heard, be ordered, jointly and severally with the defendant, to compensate these costs.

Section 4

If several defendants are sentenced for complicity in the same offence or for offences that are connected with each other, they shall be jointly and severally liable for the legal costs.

Costs pertaining to such a part of a matter that only concerns one of the defendants referred to in subsection 1 or costs caused by one of the defendants in the manner referred to in section 2 shall be compensated by that defendant alone.

Section 5

If one of the jointly and severally liable persons so requests, the court shall order how the costs shall be divided between them or that one of them shall compensate all the costs.

Section 6 (243/2006)

A claim for the compensation of legal costs shall be made before the conclusion of the consideration of the matter. The claim shall specify the amount of and the grounds for the legal costs.

Section 7

If a claim for the compensation of legal costs has been made, the court shall, when deciding on the liability for compensation, take into account the provisions of sections 1–4, unless otherwise follows from a claim or admission by a party.

Section 8

The provisions governing civil matters apply, as appropriate, to legal costs in a criminal matter pursued by the injured party alone.

The provisions of chapter 21 of the Code of Judicial Procedure apply, as appropriate, to the injured party's liability to compensate the defendant for their legal costs and to the right of the injured party to receive compensation for such costs from the defendant in a case where the injured party has joined in the charges brought by the prosecutor. The injured party shall, however, only be liable for the special costs arisen from the exercise of their right to be heard. The provisions of chapter 21, section 6 of the Code of Judicial Procedure apply, as appropriate, to the obligation of the representative, attorney or counsel of the injured party who has joined in the charges brought by the prosecutor to compensate the costs together with the injured party jointly and severally. (455/2011)

If the injured party has, through a false denunciation or otherwise intentionally, caused the bringing of the charges, the injured party may be obligated to compensate the State for the costs referred to in section 1, subsection 1 fully or partially.

Section 9 (243/2006)

The provisions governing civil matters laid down in chapter 21, sections 8, 12 and 13, section 14, subsection 2, and section 16 of the Code of Judicial Procedure also apply, as appropriate, to criminal matters.

Section 10 (455/2011)

The prosecutor has the right to request a review of decisions made under sections 1–4 and section 8, subsection 3 of this chapter on behalf of the State even when the prosecutor has not prosecuted the case.

Section 11 (455/2011)

If the court, in connection with a criminal matter pursued by the prosecutor, considers an action of the injured party against another party to the matter and no punishment or other criminal sanction has been requested for this party, or if a person other than the injured party presents civil claims against the accused, the provisions in force governing civil matters apply to the legal costs incurred in this connection.

Chapter 10
Voting

Section 1

In a criminal matter, separate votes on any of the following issues shall be taken, in the order indicated:

1) whether a charge shall be rejected or approved and how the act specified in the charge is to be assessed under criminal law;

2) whether a person who has been found guilty shall be sentenced to a punishment or whether punishment shall be waived;

3) whether the court shall order, under chapter 7, section 6 of the Criminal Code, that an earlier punishment shall also cover the offence now being considered;

4) what is the type and extent of the sanction to be imposed; and

5) other issues relating to the sanction.

Section 2

In a vote, the opinion of the majority shall prevail. In the event of a tie, the opinion more lenient from the perspective of the defendant shall prevail.

Section 3

If more than two opinions have been supported in a vote and none of them has received the number of votes referred to in section 2, the votes cast for the opinion most unfavourable to the defendant shall be combined with the votes for the opinion closest to it. Where necessary, this process shall be continued until an opinion prevailing under section 2 is reached.

Section 4

All members of the court shall express their opinion on all the issues to be resolved.

Section 5

A separate vote shall be taken on a procedural issue. In this event, the provisions on voting in civil matters apply.

If the procedural issue relates to a coercive measure, the provisions on voting in criminal matters apply.

Section 6

The provisions on voting in civil matters apply to voting on a civil claim.

Chapter 11
Court ruling

Section 1

A ruling on the principal matter in criminal proceedings is a judgment. Any other court ruling is a decision.

Section 2

Only the trial materials that have been presented in the main hearing shall be taken into account in the judgment. However, a piece of evidence which has been presented outside the main hearing and which, under chapter 17, section 59, subsection 1 of the Code of Judicial Procedure, shall not be retaken in the main hearing, may be taken into account in the judgment. If a new main hearing has been held in the matter, only what is presented in that hearing shall be taken into account in the judgment. However, trial materials that have been presented when supplementing the main hearing in accordance with chapter 6, section 13 may also be taken into account in the judgment. (733/2015)

If the charge is ruled inadmissible or rejected without holding a main hearing, all circumstances presented in the application for a summons, the written response and statements and otherwise may be taken into account in the judgment or decision.

Section 3

A court may only sentence a person for the act for which a punishment has been requested. The court is not bound by the name of the offence or the provision of law under which a punishment has been requested. (733/2015)

Section 4 (733/2015)

The judgment in a criminal matter is either a conviction or an acquittal.

Reasons for the judgment shall be stated. The statement of reasons shall indicate the facts and the legal reasoning on which the decision is based. The statement of reasons shall also explain the grounds on which a contentious issue has been proven or not proven.

If an anonymous witness has been heard in the criminal matter, the court shall, in particular, state reasons for the significance it has attached to the witness's statement as proof in the matter and what measures were undertaken to protect the rights of the defence. The court has the same obligation to state reasons if, instead of hearing the injured party or a witness in person, a statement entered in the criminal investigation record or in another document or recorded in

another manner has been used as evidence. In such a case, the court shall also state reasons for why the injured party or the witness was not heard in person in the judicial proceedings.

Section 5

If several charges are heard in the same judicial proceedings, the court may decide one of them separately, even if the hearing of the other charges still continues. However, charges against the same defendant may only be decided separately if this is justified in view of the consideration of the matter.

A request for the imposition of a corporate fine on a legal person shall not, without a special reason, be decided before deciding on the charge for the offence on which the request is based.

Section 5a (243/2006)

Before ordering a mental examination of a defendant, the court shall separately decide (*interlocutory judgment*) the question of whether the defendant has been proven to have acted in the punishable manner described in the charge. In this connection, the court may also decide, by an interlocutory judgment, a question concerning a civil claim or another claim. No judicial review of an interlocutory judgment may be requested separately by appeal.

After the mental examination, the court shall decide which offence the defendant is guilty of and decide the matter in other respects as well, unless the matter can, in respect of one of the defendants, be decided separately under the conditions laid down in section 5. For a special reason, a question decided by an interlocutory judgment may also be re-assessed.

Section 6

A judgment of a district court shall be drawn up as a separate document. It shall contain:

1) the name of the court and the date of the judgment;

2) the names of the parties;

3) an account of the claims and responses of the parties and the grounds for them;

4) a list of the evidence presented; (97/2022)

Paragraph 4 as amended by Act of 97/2022 enters into force on a date to be specified by act. Previous wording:

4) a list of the persons heard for evidentiary purposes and the other evidence submitted;

5) a statement of reasons;

6) the provisions of law and legal rules applied;

7) the operative part of the judgment; and

8) the names and official positions of the members of the court who decided the matter and an indication of whether the judgment is a result of a vote. If a vote has been taken, the dissenting opinions shall be appended to the judgment.
(167/1998)

The account contained in the judgment may be fully or partially replaced by appending a copy of the application for a summons, the response or another document to the judgment, provided that the clarity of the judgment is not thereby compromised.

Section 7

The deliberations of the court shall take place immediately after the conclusion of the main hearing or, at the latest, on the following day. The judgment shall be pronounced after the conclusion of the deliberations. When pronouncing a judgment, the reasons and the operative part of the judgment shall be announced, unless it is necessary to pronounce the judgment in its entirety. In such a case, only a general description of the reasons may be provided, if the parties agree to this. If the judgment is a result of a vote, this shall be mentioned when the judgment is pronounced.
(769/2002)

If, in an extensive or complex matter, the deliberations of the court or the drawing up of the judgment so require, the judgment may be issued at the court office within 14 days of the

conclusion of the main hearing. If, for a special reason, the judgment cannot be issued within this time limit, it shall be issued as soon as possible. The parties present at the conclusion of the hearing shall be notified of the time when the judgment will be issued.

When a charge is ruled inadmissible or rejected without holding a main hearing, the decision or judgment shall be issued without delay at the court office. In this event, the court shall notify the parties in writing of the date on which the judgment will be issued, well in advance of that date.

Section 8

The judgment of a district court shall be signed by the chairperson of the court.

The judgments of a district court and decisions that have been drawn up as separate documents shall be archived by incorporating them into the case file. (769/2002)

Section 9

A court shall correct a typographical or arithmetical error or any other comparable obvious error in its judgment. The chairperson of the court or, if the chairperson is prevented, a legally trained member of the court may also correct an error. Before an error is corrected, the parties shall be given an opportunity to be heard on the correction, where necessary.

The correction shall be marked on the judgment and on the copies of the judgment given to the parties. If a copy given to a party cannot be corrected, a copy of the corrected judgment shall be sent to the party. If a review has been requested in the matter, the reviewing court shall be notified of the correction.

A party has the right to file a complaint regarding a correction of an error within 30 days of having been informed of the correction.

Section 9a (667/2005)

A period of deprivation of liberty may be deducted from the length of the sentence or such a deduction may be rectified in favour of the sentenced person in compliance with the provisions of section 9 on the correction of an error.

Section 10

If a judgment does not contain a ruling on a civil claim which should have been included in the judgment, the court may supplement the judgment.

A party shall request the supplementation of the judgment in writing within 14 days of the date on which the judgment was pronounced or issued.

The parties shall be invited to a hearing concerning the supplementation of the judgment under threat that the judgment may be supplemented regardless of their absence. If the court does not deem an oral hearing necessary, it shall request a written statement on the issue to be considered from the parties and in this connection notify them of the date on which the ruling on the supplementation of the judgment will be issued.

Section 11

A judgment shall be supplemented by the composition of the court that issued the original judgment. If a member of the court is prevented from attending, the judgment shall be supplemented by a composition of the court that would have been competent to consider the matter.

The ruling on the supplementation of a judgment shall be appended to the judgment and an entry on the subsequent supplementation shall be made on the original judgment. If a review has been requested in the matter, the reviewing court shall be notified of the supplementation.

A review of a ruling on the supplementation of a judgment may be requested by appeal.

Section 12 (167/1998)

A copy of the judgment of the district court shall be provided to the parties as the document containing the ruling.

The copy of the judgment shall be certified by the chairperson, a legally trained member of the court or a public official assigned to the task.

The copy of the judgment of the district court shall be made available to the parties at the district court office, counting from the date on which the judgment was pronounced or issued:

1) within two weeks, if a declaration of intent to appeal has been filed in the matter, and

2) in other cases, if possible, within 30 days.

Section 13

A decision of the district court shall be incorporated into the court record. However, a decision by which a matter is ruled inadmissible shall always be drawn up as a separate document.

Reasons for a decision shall be stated, if a matter is ruled inadmissible, a claim or plea presented in the matter is rejected or there is otherwise a need for a statement of reasons.

In all other respects, the provisions governing a judgment apply to a decision, as appropriate.

Section 14

The court may serve the notifications and invitations referred to in this chapter on the parties by post, unless another form of service is considered necessary.

Chapter 12
Application of the provisions of the Code of Judicial Procedure

Section 1

In addition to the provisions of this Act, and unless otherwise provided in this Act, the provisions of the Code of Judicial Procedure apply to the criminal procedure and to requesting a review in a criminal matter.

Chapter 13
Entry into force

Section 1

This Act enters into force on 1 October 1997.

Criminal matters pending in courts upon the entry into force of this Act shall be considered in accordance with the provisions in force upon the entry into force of this Act.

A criminal matter that is being considered by a court but not yet pending shall become pending upon the entry into force of this Act.