

Act on Registration Services of Vehicles

(1100/1998; amendments up to 1018/2003 included)

Section 1

Purpose of the Act

The purpose of this Act is to promote the availability of vehicle registration services and the keeping of the vehicle register up to date.

Section 2

Registration (1018/2003)

For the purposes of this Act registration services mean the reception of a registration notification or transfer permit applications of a vehicle; the registration notification and the transfer permit application; entering the related data concerning traffic insurance or other data on the vehicle in the vehicle register; delivery of number plates and registration extracts; and other tasks relating to vehicle registration and granting of transfer permits.

Section 3

Arranging registration services

The Vehicle Administration shall arrange the registration services of vehicles by acquiring the services required from their providers (*registrar under contract*) and by handling the tasks itself if necessary. The registration services of other authorities can be separately provided for.

Registration services shall be arranged so that it is possible to notify a vehicle for registration without undue inconvenience in the whole country within the time prescribed.

Section 4

General prerequisites for a registrar under contract

The general prerequisites of a registrar under contract shall be reliability, expertise and financial soundness. A registrar under contract shall also be able to ensure a sufficiently high standard of its operations and the equal treatment of customers as well as attend to appropriate data protection.

A registrar under contract shall have sufficient communications connections to carry out registration tasks and a data system that is in other respects of a sufficiently high standard.

The contract on registration services may be concluded only with an organisation or institution whose registered office, central administration or head office is in the European Economic Area.

Section 5

Evaluating the reliability of a registrar under contract as well as of a person performing registrations

A service provider may be deemed reliable if the person performing registrations, the registrar under contract or a member or deputy member of its board of directors or supervisory board, its managing director, partner or a person in another controlling position has not, by his or her actions shown, that he or she is obviously unsuitable to carry out registration services or to perform registrations.

Section 6

A contract on registration services

At least the following shall be agreed upon in a contract regarding registration:

- 1) scope of the registration services of the registrar;
- 2) measures to ensure the sufficient professional skills of the persons carrying out registration tasks;
- 3) evidence of sufficient data protection required in registration tasks;
- 4) supervision of registration tasks and other methods through which the Vehicle Administration can ensure that the tasks are appropriately carried out;
- 5) notice of termination of the contract or its cancellation in general and especially if the registrar under contract no longer fulfils the general prerequisites of a registrar under contract referred to in sections 4 and 5; as well as
- 6) the remuneration to be paid to the registrar under contract by the Vehicle Administration and the other conditions under which the registrar shall perform registration services.

Section 7

Fee charged for registration

Fees shall be collected to the Vehicle Administration for the registration services of a registrar under contract and they shall be determined in accordance with the provisions of the Act on Criteria for Charges Payable to the State (1992/150).

Section 8

Good administration (1018/2003)

When performing public administrative duties referred to in this Act a registrar under contract shall comply with the provisions of the Administrative Procedure Act (434/2003). However, section 28(1)(4) of the Administrative Procedure Act shall not be applied to a person performing registrations in the employment of a registrar under contract. A registrar under contract and the Vehicle Administration may send an extract from the vehicle register as an ordinary letter.

The provisions on the openness of official documents shall apply to the openness of documents relating to the registration services of a registrar under contract.

Section 9

Provisions of the Language Act (1018/2003)

Provisions on the obligation of a registrar under contract to provide linguistic services are laid down in the Language Act (423/2003).

Section 10 *Supervision*

The Vehicle Administration shall supervise the registration services of a registrar under contract. For the purpose of supervision, the Vehicle Administration shall have the right to carry out inspections in the premises of a registrar under contract and to obtain information on documents relating to the registration services.

Section 11 *Information from personal data files*

The Vehicle Administration shall have the right to obtain necessary information from criminal records and the driver's licence register to establish and supervise the reliability requirements set for a registrar under contract and a person performing registrations. Information on a crime may be delivered to a registrar under contract as grounds for the cancellation of a contract.

Section 12 *Secrecy obligation*

A registrar under contract or a person in its employment may not disclose to a third party any information concerning a crime committed by a person referred to in section 5 which has been acquired from the criminal records or the driver's license register under section 11.

Section 13 *Executive assistance*

The police shall give executive assistance for the supervision of compliance with this Act and the provisions issued thereunder.

Section 14 *Applying for rectification*

Rectification of a decision made by a registrar under contract in an issue concerning registration may be demanded from the Vehicle Administration. The demand for rectification must be made within 30 days of the reception of the decision. Directions for demanding rectification shall be appended to the decision.

Section 15 *Provisions on punishments (605/2002)*

A party that carries out vehicle registration services without a contract with the Vehicle Administration or without a right provided for in this Act or in provisions issued thereunder or who performs registration measures not allowed by the said contract shall be sentenced for *seizure of official authority* in accordance with the provisions of chapter 16, section 9 of the Penal Code (1889/39).

Provisions on criminal liability for public acts apply to persons performing registrations.

Punishment for a violation of the secrecy obligation laid down in section 12 shall be sentenced under chapter 38, section 1 or 2 of the Penal Code unless the act is punishable under chapter 40, section 5 of the Penal Code.

Section 16
Further provisions and instructions

Further provisions on the implementation of this Act may be given by Decree. The competent Ministry may issue further provisions and instructions on the scope of the registration services of various registrars under contract, the general prerequisites of a registrar under contract, the qualifications of a person performing registrations as well as on other details of arranging registration services.

Section 17
Entry into force

This Act enters into force on 1 March 1999.
Measures necessary for the implementation of the Act may be undertaken before the Act's entry into force.
This Act repeals chapter 8 of the Act on the Registration of Vehicles of 18 December 1995 (1995/1598).

Section 18
Transitional provisions

Licences for direct registration issued before the entry into force of this Act shall be valid as such until 1 January 1999 unless otherwise provided for below. The provisions of the chapter repealed by section 17(3) shall be applied to a license holder and to direct registrations.

The rights of a holder of a license for direct registration to obtain information from the data system of road traffic and to store information in the data system shall be determined by the provisions of the Act on the Data System of Road Traffic (1989/819) in force at the time of the entry into force of this Act.

If a holder of a license for direct registration concludes a contract referred to in section 3 of this Act with the Vehicle Administration for handling registration tasks, his or her license shall expire upon the entry into force of the contract.

The implementing provisions of Act of 3 December 1999/1128 read as follows:

This Act enters into force on 1 January 2000.

Measures necessary for the implementation of this Act may be undertaken prior to its entry into force.

The implementing provisions of Act of 12 July 2002/605 read as follows:

This Act enters into force on 1 October 2002.

The implementing provisions of Act of 5 December 2003/1018 read as follows:

This Act enters into force on 1 January 2004.