

Government Decree on the Prosecution Service (1390/2011)

In accordance with the decision of the Government, made on the proposal of the Ministry of Justice, the following is provided under the Act on the Prosecution Service:

Chapter 1

Office of the Prosecutor General

Section 1

Organisation of the Office of the Prosecutor General

The Office of the Prosecutor General comprises units. The Prosecutor General shall appoint the State Prosecutors serving as heads of units.

Section 2

Personnel

The Office of the Prosecutor General has a Prosecutor General's and a Deputy Prosecutor General's position as well as State Prosecutor's position. In addition, the Office may have District Prosecutor's positions and other positions as required for its activities.

Section 3

Administrative duties of a State Prosecutor

In addition to what is provided elsewhere on the duties of a State Prosecutor, he or she assists the Prosecutor General in steering, developing and monitoring the prosecutorial activity.

Section 4

Requirements for office

The requirements for office for prosecutors are provided in the Act on the Prosecution Service.

The requirements for office for a Ministerial Adviser and a Senior Officer are a Master's degree in Law other than a Master's degree in International and Comparative Law.

The requirements for office of the Personnel Manger, the Training Manager, the Information Service Manager, and the Head of Communications are a Master's degree.

Section 5

Appointments

The mode of appointment of prosecutors to the Office of the Prosecutor General is laid down in the Act on the Prosecution Service. Other officials in the Office of the Prosecutor General are appointed by the Office of the Prosecutor General.

Section 6

Appointments to temporary positions

The mode of appointment of an official in the Office of the Prosecutor General to a temporary position is laid down in section 9 of the State Civil Servants Act (750/1994) and in section 20 of the State Civil Servants (971/1994). An appointment of a State Prosecutor to a temporary position exceeding one year, however, shall be carried out by the Ministry of Justice on the proposal of the Office of the Prosecutor General.

Section 7

Leave of absence

Leave of absence to the Prosecutor General and the Deputy Prosecutor General shall be granted by the Ministry of Justice.

Leave of absence to other officials in the Office of the Prosecutor General shall be granted by the Office of the Prosecutor General.

Chapter 2

Prosecution Offices

Section 8

Performance management

Performance management of a Prosecution Office is the responsibility of the Office of the Prosecutor General.

Section 9

Areas of operation and headquarters of Prosecution Offices

The areas of operation and headquarters of Prosecution Offices are as follows:

The area of operation of the Prosecutor's Office of Helsinki is Helsinki, and its 1) headquarters are located in Helsinki;

The areas of operation of the Prosecutor's Office of Länsi-Uusimaa are Espoo, Hanko, 2) Inkoo, Karjalohja, Karkkila, Kauniainen, Kirkkonummi, Lohja, Nummi-Pusula, Raasepori, Sammatti, Siuntio and Vihti, and its headquarters are located in Espoo;

The areas of operation of the Prosecutor's Office of Itä-Uusimaa are Askola, 3) Lapinjärvi, Loviisa, Myrskylä, Porvoo, Pukkila, Pyhtää, Sipoo and Vantaa, and its headquarters are located in Vantaa;

The areas of operation of the Prosecutor's Office of Kanta-Häme are the municipalities belonging to 4) the region of Kanta-Häme as well as Järvenpää, Kerava, Mäntsälä, Nurmijärvi, Pornainen and Tuusula, and its headquarters are located in Järvenpää;

The areas of operation of the Prosecutor's Office of Salpausselkä are the municipalities belonging to the regions of South Karelia, 5) Kymenlaakso and Päijät-Häme, excluding Pyhtää, and its headquarters are located in Kouvola;

The areas of operation of the Prosecutor's Office of Western Finland are the regions of Satakunta and 6) South-West Finland, and its headquarters are located in Turku;

The areas of operation of the Prosecutor's Office of Pirkanmaa are the municipalities belonging to 7) the region of Pirkanmaa, and its headquarters are located in Tampere;

The areas of operation of the Prosecutor's Office of Ostrobothnia are the municipalities belonging to the regions of South Ostrobothnia and 8) Central Ostrobothnia, and its headquarters are located in Vaasa;

The areas of operation of the Prosecutor's Office of Central Finland are the municipalities belonging to 9) the region of Central Finland, and its headquarters are located in Jyväskylä;

The areas of operation of the Prosecutor's Office of Eastern Finland are the municipalities belonging to the regions of South Savo, 10) North Karelia and North Savo, and its headquarters are located in Mikkeli;

The areas of operation of the Prosecutor's Office of Oulu are the municipalities belonging to the regions of Kainuu and 11) North Ostrobothnia, and its headquarters are located in Oulu; and

The areas of operation of the Prosecutor's Office of Lapland are the municipalities belonging to 12) the region of Lapland, and its headquarters are located in Rovaniemi.

Provisions on the area of operation and headquarters of the Prosecutor's Office of Åland are laid down in section 18 of the Act on the Prosecution Service.

Section 10

Personnel

The Office of the Prosecutor General has a District Prosecutor-in-Charge's position and District Prosecutor's positions. In addition, the Office may have other positions as required for its activities.

Section 11

Deputy Chief

The Office of the Prosecutor General appoints on the proposal of a Prosecution Office a District Prosecutor to serve as a Deputy Chief of a Prosecution Office. The appointment shall be made for no longer than four years at a time.

Section 12

Administrative duties of a District Prosecutor

In addition to what is provided elsewhere on the duties of a District Prosecutor, a District Prosecutor shall perform the administrative duties as separately assigned to him or her.

Section 13

Special and Key Prosecutor duties

The Office of the Prosecutor General may on the proposal of a Prosecution Office appoint a prosecutor to serve in Special or Key Prosecutor duties within his or her area of specialisation. The appointment shall be made for no longer than four years at a time.

A prosecutor appointed to Special or Key Prosecutor duties shall, in addition to his or her tasks as a prosecutor, participate in training prosecutors and otherwise participate in national co-ordination and guidance in his or her area of specialisation.

Section 14

Junior Prosecutor

A Prosecution Office may have in temporary positions Junior Prosecutors undergoing training in the duties of a prosecutor. The criminal matters assigned to be dealt with by a Junior Prosecutor shall be determined in accordance with the stage of the internship period and the level of difficulty of the matter involved.

The instruction, guidance and duties of a Junior Prosecutor shall be arranged so that he or she receives a varied and proper training.

Section 15

Requirements for office concerning the linguistic proficiency of a District Prosecutor and a Junior Prosecutor

By way of derogation from what is provided in section 6(1) of the Act on the Knowledge of Languages Required of Personnel in Public Bodies :

- 1) The requirement for office for the three District Prosecutors in the Prosecutor's Office of Helsinki is excellent spoken and written proficiency in Swedish as well as good spoken and written proficiency in Finnish;
- 2) The requirement for office for the three District Prosecutors in the Prosecutor's Office of Länsi-Uusimaa is excellent spoken and written proficiency in Swedish as well as good spoken and written proficiency in Finnish;

3) The requirement for office for the three District Prosecutors in the Prosecutor's Office of Itä-Uusimaa is excellent spoken and written proficiency in Swedish as well as good spoken and written proficiency in Finnish;

4) The requirement for office for the two District Prosecutors in the Prosecutor's Office of Western Finland is excellent spoken and written proficiency in Swedish as well as good spoken and written proficiency in Finnish; and

5) The requirement for office for the five District Prosecutors in the Prosecutor's Office of Ostrobothnia is excellent spoken and written proficiency in Swedish as well as good spoken and written proficiency in Finnish;

When filling temporary Junior Prosecutor positions in the Offices mentioned above, sufficient consideration shall be given to the aforementioned requirements for office concerning linguistic proficiency.

Section 16

Appointments

The mode of appointment of prosecutors to a Prosecution Office is laid down in the Act on the Prosecution Service. Other officials in a Prosecution Office are appointed by the Prosecution Office.

Section 17

Appointments to temporary positions

A District Prosecutor-in-Charge is appointed to a temporary position by the Office of the Prosecutor General. The mode of appointment of other officials in a Prosecution Office to a temporary position is laid down in section 20 of the State Civil Servants Decree.

Section 18

Leave of absence

Leave of absence to a District Prosecutor-in-Charge shall be granted by the Office of the Prosecutor General.

Leave of absence to other officials in a Prosecution Office shall be granted by the Prosecution Office.

Section 19

Power of decision in certain matters concerning personnel

The Office of the Prosecutor General shall decide on a District Prosecutor-in-Charge, a District Prosecutor, or a Junior Prosecutor being dismissed, being put on compulsory part-time, having their position terminated, being put on compulsory leave or suspended from office, and on being warned.

Section 20

Secondary occupations

The permission for a District Prosecutor-in-Charge, a District Prosecutor and a Junior Prosecutor to pursue a secondary occupation shall be granted by the Office of the Prosecutor General. Secondary occupations not requiring a permission shall be notified by the prosecutor to the Office of the Prosecutor General.

Chapter 3

Miscellaneous provisions

Section 21

Designation of a head of an investigation into an offence allegedly committed by a police officer

The Prosecutor General shall designate the prosecutors serving as heads of investigation in the pre-trial investigation of an offence allegedly committed by a police officer.

The Prosecutor General shall direct the activities of prosecutors heading a pre-trial investigation of an offence allegedly committed by a police officer throughout the country.

Section 22

Badge of office

A prosecutor shall be issued with a badge of office, the design of which shall be approved by the Office of the Prosecutor General.

Chapter 4

Entry into force

Section 23

Entry into force

This Decree enters into force on 1 January 2012.

Measures necessary for the implementation of this Decree may be undertaken before its entry into force.

Provisions in force before the entry into force of this Decree shall be applied in an appointment to a position or civil service relationship that has become pending prior to the entry into force of this Decree as well as to a matter concerning assignment to a task.