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The Safety Investigation Act of Finland (525/2011)

Chapter 1 – General provisions

Section 1 – *The purpose of safety investigations*

- (1) The purpose of a safety investigation is to promote general safety, prevent accidents and incidents, and prevent losses resulting from accidents.
- (2) A safety investigation is not conducted in order to allocate legal liability.

Section 2 – *Accidents and incidents to be investigated*

(1) The **Safety Investigation Authority** shall investigate:

- (1) an accident which, due to deaths or injuries, the extent of harm incurred by the environment, property or assets, or the nature of the accident, is deemed particularly serious (major accident);
- (2) an accident or serious incident in aviation, as defined in Regulation (EU) No 996/2010/EC of the European Parliament and of the Council on the investigation and prevention of accidents and incidents in civil aviation and repealing Directive 94/56/EC (Regulation on Aviation Accident Investigation), and in Chapter 1 of Annex 13 to the Convention on International Civil Aviation (Finnish Treaty Series 11/1949) as subsequently amended;
- (3)) a serious accident in rail traffic, as defined in Article 3 of Directive 2016/798/EC of the European Parliament and of the Council on railway safety, or a corresponding accident in other private or public railway traffic; (187/2019)



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- (4) a very serious accident in maritime traffic, as defined in Article 3 of Directive 2009/18/EC of the European Parliament and of the Council (Maritime Accident Directive) establishing the fundamental principles governing the investigation of accidents in the maritime transport sector and amending Council Directive 1999/35/EC and Directive 2002/59/EC of the European Parliament and of the Council and the Code of International Standards and Recommended Practices for a Safety Investigation into a Marine Casualty or Marine Incident, mentioned in the regulations of Chapter 6 of Annex XI-1 to the 1974 Convention on the International Safety of Life at Sea (Finnish Treaty Series 11/1981) as subsequently amended, or a corresponding accident in inland waterway traffic
- (2) A serious incident and another accident or incident may be investigated in accordance with this Act.
- (3) A joint investigation of several similar accidents or incidents may be conducted in accordance with this Act (Safety Study).
- (4) An exceptional event, as referred to in chapter 5, may also be investigated in accordance with this Act.

Section 3 – Application of the provisions on the investigation of accidents Unless otherwise provided for in this Act, the provisions contained in this Act on the investigation of an accident apply to the investigation of an incident referred to in section 2, subsections 1 and 2, and to the investigation of an exceptional event, as referred to in chapter 5, as well as to a Safety Study.

Section 4 – Relationship with other legislation

- (1) In addition to this Act, the provisions for the investigation of accidents in European Union legislation and in any international obligation binding on Finland apply to an investigation.
- (2) The Regulation on Aviation Accident Investigation applies to the investigation of accidents and serious incidents referred to in said Regulation. In addition, the provisions of this Act apply to the investigation.
- (3) Separate provisions apply to the investigation of military aviation accidents and to the investigation of road and off-road accidents.



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(4) If the accident referred to in subsection 3 is a major accident or a serious incident, however, it shall be investigated in accordance with this Act.

Section 5 – *Contents of the investigation*

(1) The safety investigation examines the course of events, their causes and consequences, and the search and rescue actions, as well as the actions taken by the authorities.

(2) The investigation specifically examines whether safety had adequately been taken into consideration in the activity leading to the accident and in the planning, manufacture, construction, and use of the equipment and structures that caused the accident or incident or were affected by the accident or incident. The investigation also examines whether management, supervision, and inspection activities had been appropriately arranged and managed. Where necessary, the investigation also examines possible deficiencies in the provisions and orders regarding safety and the authorities.

Section 6 – *Territorial competence*

(1) A safety investigation may be conducted into an accident that occurred in Finland. Similarly, an investigation may be conducted into a marine casualty accident that has occurred in the leased territory of the Saimaa Canal.

(2) A safety investigation may be conducted into an accident that has occurred outside Finland, as provided for in European Union legislation or in an international obligation binding on Finland on the investigation of accidents.

(3) Regardless of where an accident has occurred, the consequences of an accident affecting Finland, and the other factors referred to in section 5, may be investigated to the extent that they concern the actions of the authorities of Finland and Finnish citizens involved in the accident.

Section 7 – *Waiving an investigation*

The investigation of an accident may be waived if it is agreed on the basis of European Union legislation or an international obligation binding on Finland that the investigation shall be conducted by the authority of another state or by an international organisation.



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Chapter 2 – Organisation of the investigation

Section 8 – *The Safety Investigation Authority*

(1) The Safety Investigation Authority has been established in connection with the Ministry of Justice to conduct safety investigations. The Safety Investigation Authority performs its function independently and impartially.

(2) The function of the Safety Investigation Authority is to investigate accidents and incidents referred to in section 2, subsections 1–3. The Authority is further responsible for the following:

- (1) ensuring the general organisation, planning, guidance, provision of information, and supervision of safety investigations;
- (2) training persons suitable to be investigators;
- (3) maintaining readiness to initiate an investigation quickly;
- (4) attending to international cooperation connected with the safety investigation field;
- (5) issuing safety recommendations and monitoring their implementation.

(Subsection 3 has been repealed by Act 187/2019.)

Section 9 – *Organisation of the Safety Investigation Authority*

(1) The Safety Investigation Authority has an Executive Director, officials who conduct safety investigations, other officials and, if necessary, other personnel.

(2) The functions of the Executive Director are to manage, supervise, and develop the operations of the Safety Investigation Authority and to be responsible for the quality of the operations and their effectiveness. The Executive Director is appointed by the Government.

(3) The Safety Investigation Authority shall have rules of procedure, which are confirmed by the Executive Director. The rules of procedure contain provisions on the organisation of the Authority, the duties of the personnel, the consideration and resolution of matters, and other general arrangements for operations.

Section 10 – *Special qualifications for eligibility*

(1) The qualifications for Executive Director of the Safety Investigation Authority are



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a Master's degree, good knowledge of a field of the Authority, and proven management skills and experience. An Executive Director who holds a doctoral degree has the honorary title of Professor. (187/2019)

(2) The qualifications of the officials who conduct safety investigations are training that is suitable for the task, and the skills and experience required for proper performance of the task.

Section 11 – *Expert of the Safety Investigation Authority*

(1) In a safety investigation, the Safety Investigation Authority may use the assistance of an external expert (expert of the Safety Investigation Authority).

(2) Section 10, subsection 2 applies to the qualifications of an expert of the Safety Investigation Authority.

Section 12 – *Participation of a representative of a state in an investigation*

(1) If an accident that is to be investigated by Finland affects another state to a significant extent, a representative of such a state may assist in the investigation, as provided for in the legislation of the European Union or in an international obligation binding on Finland on the investigation of accidents, or if this is deemed necessary for another reason. The decision on the participation of another state in the investigation is made by the Safety Investigation Authority.

(2) If an accident that is to be investigated by another state or an international organisation affects Finland to a significant extent, the Safety Investigation Authority may undertake the necessary measures to enable a representative of Finland to participate in the investigation.

Section 13 – *Investigation team*

(1) The Safety Investigation Authority may appoint an investigation team for a safety investigation. If the assistance of an expert of the Safety Investigation Authority is used in the investigation, an investigation team shall be appointed for the investigation.

(2) An investigation team shall have the necessary number of members who have



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sufficient expertise in areas that are relevant from the point of view of the investigation. The members of the investigation team may be officials of the Safety Investigation Authority or of another authority, or experts of the Safety Investigation Authority who have given their consent to the assignment. The Safety Investigation Authority shall appoint one member of the investigation team as the head of the investigation team.

(3) The Safety Investigation Authority may amend the composition of the investigation team if this is necessary for conducting an expert, independent and impartial investigation. (187/2019)

(4) An official of another authority or an expert of the Safety Investigation Authority shall be appointed in writing as a member of the investigation team.

Section 14 – *Disqualification*

(1) The provisions of section 28, subsection 1, paragraphs 4-7 of the Administrative Procedure Act (434/2003) on disqualification in the consideration of a matter apply to the disqualification from an investigation of an official of the Safety Investigation Authority, a member of an investigation team, or of another person participating in an investigation. In addition, such a person is disqualified: (187/2019)

(1) if they or a person close to them has suffered a loss in the accident under investigation, or a person close to them has been killed in the accident;

(2) if they or a person close to them may be found liable for the accident or for losses caused by the accident;

(3) if the investigation or its outcome can be expected to benefit or harm them or a person close to them; or

(4) if their conduct or that of a person close to them may become subject to examination in the safety investigation that is to be carried out as a consequence of the accident. (187/2019)

(2) A person close to the individual in question refers to a person as referred to in



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section 28, subsection 2 and 3 of the Administrative Procedure Act. The provisions of sections 27, 29, and 30 of the Administrative Procedure Act apply to the consequences of disqualification.

Section 15 – *Official liability*

The provisions on official liability under criminal law apply, in functions referred to in this Act, to an expert of the Safety Investigation Authority and to a representative of a state, as referred to in section 12. The Tort Liability Act (412/1974) contains provisions on liability for damages.

Chapter 3 – The investigation

Section 16 – *Obligation to notify*

(1) An authority participating in search and rescue operations at the scene of the accident shall without delay notify the Safety Investigation Authority of an event that, in the assessment of the notifying authority, may be subject to investigation in accordance with this Act. If the notification lacks information that is necessary for the assessment of the need for an investigation, said authority shall update the notification as soon as the missing information is available. (187/2019)

(2) The obligation to notify also applies to:

- (1) the Finnish Transport and Communications Agency; (187/2019)
- (2) the Finnish Transport Infrastructure Agency; (187/2019)
- (3) a Regional State Administrative Agency;
- (4) any other authority supervising safety in its field of operations;
- (5) the party that received a notification of an accident or incident;
- (6) a legal person who is involved in an accident or incident in the form of traffic referred to in section 2, subsection 1, paragraphs 2–4, or who has apparently suffered damage as a result of such an accident;
- (7) a legal person who is providing the traffic control and management services referred to in part I, chapter 1, section 10 of the Act on Transport Services (320/2017).



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(3) A court that receives a report from the master of a vessel regarding the giving of a maritime declaration, as referred to in chapter 18, section 7, subsection 2 of the Maritime Act (674/1994), shall forward the report without delay to the Safety Investigation Authority and shall reserve the Authority an opportunity to participate in the court session dealing with the maritime declaration and to present questions thereof.

Section 17 – *Initiation of the investigation*

(1) The Safety Investigation Authority decides on the initiation of a safety investigation and the extent to which the investigation is to be conducted.

(2) A safety investigation shall be conducted into an accident referred to above, in section 2, subsections 2 and 3, if this is necessary from the point of view of the purpose described in section 1. When considering the initiation of an investigation, the following shall also be taken into account:

- (1) the severity and nature of the accident;
- (2) the frequency and likelihood of recurrence of similar accidents
- (3) any requests by authorities supervising safety, persons involved in the matter and others for the conduct of an investigation;
- (4) whether the investigation would provide significant information regarding safety;
- (5) whether the accident posed a danger to several persons at the same time;
- (6) whether some other party is investigating the accident.

(3) The Safety Investigation Authority is responsible for the initiation of the safety investigation if the accident involves a ro-ro vessel or high-speed passenger craft, as referred to in Article 3 of the Maritime Accident Directive, and if the accident took place in the territorial waters of Finland or the vessel had most recently visited Finland.

Section 18 – *Preliminary investigation*

(1) The Safety Investigation Authority may, in order to ensure the prerequisites for



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an investigation, initiate a preliminary investigation already before a decision is made on the initiation of the investigation.

(2) The provisions of section 19 on ensuring the prerequisites for the investigation, section 20 on the right to receive information, section 22 on the right of inspection, and section 23 on an interview apply to the competence of an expert of the Safety Investigation Authority sent by the Safety Investigation Authority to the scene of the accident for the purpose of a preliminary investigation.

(3) When the Safety Investigation Authority has initiated an investigation, any other authority or party that has initiated a safety investigation shall transfer to the Authority the investigation materials that it has compiled.

Section 19 – *Ensuring the prerequisites for the investigation*

(1) An official of the Safety Investigation Authority conducting an investigation and a member of an investigation team (persons conducting an investigation) have the immediate right of access to the scene of the accident and the right to examine objects, equipment, and structures at the scene that are connected to the accident. (187/2019)

(2) The Safety Investigation Authority and the head of the investigation team may order that the scene of the accident be isolated, and prohibit the removal or movement of persons killed in the accident if this is necessary from the point of view of the safety investigation.

(3) Objects and other material at accident site that may be of significance to the investigation may not be destroyed, removed, or moved without the permission of the Safety Investigation Authority or the head of the investigation team, unless there are compelling reasons for this. The Authority and the head of the investigation team shall ensure that the material is catalogued.

(4) The orders referred to in subsections 2 and 3, given in order to ensure the prerequisites for the investigation, shall be cancelled as soon as the order or prohibition is no longer necessary for the purposes of the investigation.



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Section 20 – *The right to receive information*

(1) Notwithstanding secrecy provisions, a person conducting an investigation has the right, for the conduct of the investigation, to receive the following, free of charge, from the authorities and other persons carrying out public duties:

- (1) necessary information from the relevant police and pre-trial investigation documentation and autopsy report;
- (2) necessary information regarding the operations of the police, search and rescue services, emergency response centres, health care authorities, and other authorities in connection with the accident and in preparing for accidents;
- (3) necessary information from devices and other corresponding recorders registering the operation of a vehicle device, or signalling and traffic control system connected with the accident, the circumstances of the accident as well as voice communication and message traffic; (187/2019)
- (4) necessary information regarding the health of persons involved in the accident; and
- (5) other information that is essential in investigating the course of events, factors contributing to the cause or consequences of the accident or incident, or other comparable circumstances.



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(2) Notwithstanding secrecy provisions, a person conducting an investigation has the right to receive, for the conduct of the safety investigation, essential information from any private party involved in the accident. The obligation to provide information also applies to another private party who, due to observations made regarding the accident or for other reasons, has information regarding the accident.

(3) A person conducting an investigation also has the right to receive the information referred to in subsection 1, paragraph 3 from a private party, and the information referred to in paragraph 4 from a private corporation or an operative unit engaged in healthcare and medical treatment, as well as from professional healthcare personnel.

(4) A person conducting an investigation has the right to receive the information referred to in subsections 1–3 in the form that they request and by means of a technical user interface or otherwise by electronic means.

Section 21 – *The right to receive information from telecommunications companies*

(1) Notwithstanding secrecy provisions, a person conducting an investigation has the right to receive from a telecommunications company, as referred to in the Act on the Protection of Privacy in Electronic Communication (516/2004), the identification data and location data of a subscriber or terminal that may reasonably be assumed to have been at the scene of the accident being investigated, as well as information regarding the subscriber, user, and place of installation, as provided for in sections 97 and 98 of the Communications Market Act (393/2003).

(2) The right to receive the information referred to in subsection 1 exists only if the information is essential for the investigation of the course, causes, or consequences of the accident under investigation.

(3) The information may be provided by means of a technical user interface or otherwise by other electronic means.

(The Act on the Protection of Privacy in Electronic Communication (516/2004) and the Communications Market Act (393/2003) have been repealed by the Act on Electronic Communication Services (917/2014).)



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Section 22 – *The right of inspection*

(1) A person conducting an investigation has the right to seize and examine objects and documents if this is essential for the conduct of the safety investigation. A person conducting an investigation has the right to conduct tests on objects to be examined and to remove parts from objects, as well as to take samples if this is essential for the tests.

(2) A person conducting an investigation has the right of access to means of transport, office premises, and other premises, as well as areas, if this makes it possible to obtain information necessary for the safety investigation. However,



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the right of access applies to premises used for housing on a permanent basis only if this is necessary in order to obtain information that is essential for the promotion of public safety, or for the prevention of accidents and incidents, or for preventing losses caused by accidents. An expert of the Safety Investigation Authority has the right of access to premises used for housing on a permanent basis only when assisting an official of the Safety Investigation Authority or if there is an official of another authority in such premises at the same time, performing functions that are within their competence. Section 15 of the Act on the Defence Forces (551/2007) applies to the right of access of persons other than Finnish citizens to areas in the possession of the defence forces, unless otherwise provided for by an international obligation binding on Finland or by the legislation of the European Union.

(3) The advance approval referred to in Article 12 of the Regulation on Aviation Accident Investigation is not required in an investigation.

Section 23 – Interview

(1) A person conducting an investigation may interview persons involved in the accident, experts, and anyone who may be assumed to be able to provide information that is needed in the investigation.

(2) Another person may be present during an interview only if the Safety Investigation Authority or the head of the investigation team so decides.

However, when a minor is interviewed, the minor's guardian, trustee, or other legal representative shall be present. In addition, a person advising or representing the person being interviewed may be present.

(3) The person being interviewed shall be informed of their rights and status in the interview.

(4) A person conducting an investigation has the right to speak on a preliminary basis with a person referred to in subsection 1. (187/2019)

Section 24 – Reports and statements



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The Safety Investigation Authority or the investigation team may order a report from another authority or from a private party on an aspect requiring special expertise, and may request a statement from such an authority or private party regarding a specific issue.

Section 25 – *Detection of a threat of an accident during the investigation*

The Safety Investigation Authority shall inform the appropriate authority if, in the course of the safety investigation, defects or deficiencies are detected that the authority should urgently rectify in order to prevent further accidents.

Section 26 – *Decision-making authority of the Safety Investigation Authority and of the head of the investigation team*

Decisions taken by the head of the investigation team on the basis of sections 19 and 23 shall be followed in the investigation unless the Safety Investigation Authority decides otherwise.

Chapter 4 – Investigation report

Section 27 – *Investigation report*

(1) A public investigation report shall be drawn up on the safety investigation, with a scope that is appropriate in view of the seriousness of the accident.

(2) The investigation report shall include an account of the course of the accident, the factors leading to the accident, and the consequences of the accident, as well as safety recommendations addressed to the appropriate authorities and other parties regarding measures that are necessary in order to promote general safety, prevent further accidents and incidents, prevent damage, and improve the effectiveness of the operations of search and rescue and other authorities. The investigation report may not include information on the identity of a private person who was involved in the accident or who was interviewed in the investigation.

(Subsection 3 has been repealed by Act 187/2019.)

(4) Notwithstanding subsection 2 above, safety recommendations in an investigation



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report prepared regarding an accident that has occurred in railway traffic may not be directed at private parties.

Section 28 – *Comments by the authorities and the persons involved*

(1) Prior to the completion of the investigation report, an opportunity shall be reserved for those involved in the accident and for the authorities responsible for supervision in the field of the accident to comment on the draft investigation report.

(2) A reasonable period of time shall be reserved for giving comments.

(3) The comments or a summary of the comments shall be included in the investigation report or in its annex. However, no comments given by private individuals may be included in the investigation report.

Section 29 – *Conclusion of the investigation*

The investigation is concluded when the investigation report is published.

Conclusion of the investigation does not prevent a new investigation into the matter if this is necessary on the basis of a new and significant circumstance that becomes evident after the conclusion of the investigation. (187/2019)

Section 30 – *Monitoring of safety recommendations*

(1) The Safety Investigation Authority monitors the implementation of the safety recommendations included in the investigation report. (187/2019)

(2) On the request of the Safety Investigation Authority, an authority or another party shall submit a report on the measures that it has undertaken on the basis of the safety recommendations addressed to it.

(3) An authority shall submit an annual report to the Safety Investigation Authority on the measures that it has undertaken on the basis of a safety recommendation addressed to it in an investigation report dealing with an accident that has occurred in railway traffic.

Chapter 5 – Investigation of an exceptional event

Section 31 – *Exceptional event*



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An exceptional event refers to a very serious event that was not an accident and that resulted in death or that threatened or seriously damaged the basic functions of the society.

Section 32 – *Initiation of an investigation into an exceptional event*

(1) The Government decides on the initiation of an investigation into an exceptional event.

(2) The Government may appoint an investigation team, in connection with the Safety Investigation Authority, to investigate the event. The investigation team carries out its functions independently and impartially. (187/2019)

Section 33 – *Investigation of an exceptional event*

In addition to what is provided for in section 5, subsection 1, the investigation of an exceptional event may examine circumstances connected with the cause of the event to the extent that this is essential in order to obtain the information necessary to prevent similar events.

Section 34 – *Competence of the investigation team*

(1) The provisions of chapter 3 on the competence of the head of the investigation team and the persons conducting an investigation apply to the competence of the head of the investigation team and the members of the investigation team referred to above in section 32, subsection 2.

(2) In addition to what is provided for in section 20 on the right to receive information, an investigation team appointed to investigate an exceptional event has the right to receive the information necessary, from the point of view of the purpose of the investigation, regarding the contents of confidential messages contained in possible pre-trial investigation documentation.

Section 35 – *Investigation report to be issued on the investigation of an exceptional event*

The investigation team prepares the investigation report on the investigation of an exceptional event. The investigation report is submitted to the Government.



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(Section 36 has been repealed by Act 187/2019.)

Section 37 – Archiving of investigation material

The head of the investigation team ensures that the documents provided and drafted to conduct the functions of the investigation team are arranged for archiving at the Safety Investigation Authority. After the investigation has been concluded, the Safety Investigation Authority decides on the provision of documents.

Chapter 6 – Miscellaneous provisions

Section 38 – Provision of public information regarding the progress of the investigation

(1) The Safety Investigation Authority provides public information on the investigation and its progress.

Information on the course of the investigation shall be provided, in particular, to persons who have suffered damage, persons close to those who have been killed, authorities that have participated in the rescue operations, and those who may have been otherwise affected by the consequences of the accident. Correspondingly, information shall be provided to representatives of labour organisations if the accident has occurred in circumstances related to work.

(2) The Safety Investigation Authority notifies parties that have provided notification in accordance with section 16, as well as the pre-trial investigation authorities, of the initiation and conclusion of a safety investigation.

(3) In providing information on a safety investigation in accordance with Article 15, paragraphs 4 and 5 of the Regulation on Aviation Accident Investigations, the spouse, child, grandchild, sibling, parent, or grandparent of a victim, as well as any person who is otherwise particularly close to the victim, is deemed a close relative of the victim.



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Section 39 – *Disclosure of information to be kept secret*

(1) In addition to what is provided for in the Openness of Government Activities Act (621/1999), the Safety Investigation Authority may, notwithstanding secrecy provisions, disclose information received in the course of a safety investigation to other persons conducting a safety investigation according to law, if this is essential for the conduct of the investigation, and to the authorities for another purpose, if this is essential in order to safeguard an important public interest.

(2) Notwithstanding subsection 1 and notwithstanding secrecy provisions, the Safety Investigation Authority may disclose information obtained in the safety investigation to pre-trial investigation and prosecutorial authorities only if the information is essential for the investigation of an offence for which the maximum sentence provided in law is imprisonment for at least two years. However, the Authority may not disclose to pre-trial investigation or to prosecutorial authorities information referred to in section 21, or information that to an essential extent has been received from a person who is obliged or entitled to refuse to testify in a pre-trial investigation or in court proceedings on such a circumstance, unless the person who is entitled to refuse to testify consents to the disclosure.

(3) An authority that has received information on the basis of subsection 1 above may not undertake legal action on the basis of a negligent violation of which it has been informed only on the basis of the information that it has received from the Safety Investigation Authority.

(4) The Safety Investigation Authority may not transmit confidential information that has been received from an authority of another state that is responsible for a safety investigation, or confidential information that has been received in a safety investigation conducted in another state, in violation of conditions imposed when the information was received.

Section 40 – *Right to refuse testimony*

(1) In addition to the provisions of chapter 17, section 12 of the Code of Judicial



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Procedure, an official of the Safety Investigation Authority, a member of an investigation team, or another person participating in a safety investigation is not allowed to testify on matters related to the accident that they have learned during an investigative task, unless very important reasons require their testimony on the matter.

(2) The prohibition of subsection 1 shall remain in force even if the witness no longer holds the position, in which they found out about the matter subject to the testimony.

Section 41 – Assistance provided by the Safety Investigation Authority to an investigation authority of another state

The Safety Investigation Authority may, on the request of an authority of another state responsible for a safety investigation, provide assistance in the safety investigation. The provisions of sections 19–24 apply to the competence of an official of the Safety Investigation Authority providing such investigative assistance.

Section 42 – Cooperation and executive assistance

(1) Investigation measures may be carried out in cooperation with an authority carrying out a pre-trial investigation or an investigation of the cause of death in the same matter, to the extent that the Safety Investigation Authority regards such cooperation as appropriate from the point of view of the safety investigation.

(187/2019)

(2) The Safety Investigation Authority has the right to receive executive assistance on request from the police, the Defence Forces, or the Border Guard in a safety investigation and in securing such an investigation. (187/2019)

(3) On the request of the Safety Investigation Authority or of the investigation team referred to in chapter 5, an authority shall prepare the reports and conduct the studies that fall within its competence and that are essential for the purpose of the investigation, and that the Authority or the investigation team itself cannot conduct, and shall also provide them with any other executive assistance that they require.

Section 43 – Release from performance of official duties

If a person appointed as a member of the investigation team holds a state office,



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they are relieved from performance of their official duties for the duration of the investigation, unless the investigatory duties can be performed alongside the performance of their official duties without endangering the safety investigation or its purpose.

Section 44 – *Personal identity card of the Safety Investigation Authority*

(1) Officials and experts of the Safety Investigation Authority have, as identification, a personal identity card issued by the Authority. The identity card is to be presented when needed and demanded.

(2) The identity card is valid for a specified period, after which it is to be returned to the Safety Investigation Authority. The Authority decides on the period of validity of the card.

Section 45 – *Allowances and compensation*

(1) A fee is paid to a member of an investigation team who is not an official of the Safety Investigation Authority. The Ministry of Justice establishes the criteria for fees. Travel expenses are reimbursed in accordance with the collective agreement for state civil servants on the reimbursement of travel expenses.

(2) A person interviewed in a safety investigation is entitled to receive a reasonable compensation for necessary travel and subsistence expenses, as well as for financial loss.

(3) Losses incurred as a consequence of the measures referred to in section 22 create an entitlement to full compensation from state funds.

Section 46 – *Conditional fine*

(1) The Safety Investigation Authority may order that the information referred to in sections 20 and 21, as well as the objects and documents referred to in section 22, subsection 1, be produced. The Authority may enforce its order with a conditional fine, as provided for in the Act on Conditional Fines (1113/1990).

(2) However, a conditional fine may not be imposed on a natural person when there is reason to suspect said person of an offence and the information relates to a matter that is the subject of suspicions in relation to the offence.



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Section 47 – *Authority to issue orders*

The Safety Investigation Authority may issue orders on the technical conduct of safety investigations.

Chapter 7 – Entry into force

Section 48 – *Entry into force*

- (1) This Act enters into force on 1 June 2011.
- (2) This Act repeals the Accident Investigation Act (373/1985).

Section 49 – *Transitional provisions*

- (1) The provisions that were in force at the time this Act entered into force apply to an investigation initiated before that time.
- (2) If a reference is made elsewhere in law to the Accident Investigation Act, the present Act applies instead.
- (3) Measures necessary for the implementation of this Act may be taken before it enters into force.



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