Media System of Finland

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for the
Study on Co-Regulation Measures
in the Media Sector

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This report is part of the research which has been done for the study on “Co-Regulation Measures in the Media Sector”. The Study is commissioned by the European Commission, Directorate Information Society, Unit A1 Audiovisual and Media Policies, Digital Rights, Task Force on Coordination of Media Affairs (Tender No. DG EAC 03/04).

The above study aims at providing a complete picture of co-regulatory measures taken to date in the media sector in all 25 Member States and in three non-EU-countries, as well as of the research already done. The study will especially indicate the areas in which these measures mainly apply, their effects and their consistency with public interest objectives. In this context, the study will examine how best to ensure that the development of national co- and self-regulatory models does not disturb the functioning of the single market by re-fragmenting the markets. This study started at the end of December 2004, the final report will be compiled by the end of December 2005.

More information on the study can be found at http://co-reg.hans-bredow-institut.de

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Introduction

The basic tools in Finnish media policy are legislation, public subsidy, taxation and reductions in fees.

The Ministry of Transport and Communications oversees telecommunications, the operating licences for local radio and television and the press subsidy system. The Ministry of Education promotes the content production for TV, video and motion pictures, copyright matters, education, archiving, and research. The Finnish Communications Regulatory Authority (FICORA) inspects technical infrastructures, equipment, frequencies and technical licences. The Government grants operating licences for local radio and television. The Government also decides the fee for the annual television licence for viewers.

For the print press there has been in various forms a public subsidy system since the 1970s. Government subsidies to the print press as well as for cultural and opinion papers, and to political party publications, are granted according to a proposal made by a state committee. There is no special legislation on media concentration in Finland.

Another overview of the Finnish media landscape (by Minna Aslama and Kaarle Nordenstreng for *Media Between Culture and Commerce*, edited by Els Debens. Intellect Books, Bristol, forthcoming in 2005) gives the following summary of the regulatory and institutional arrangements:

In Finland, the basic objective of media policy is freedom of speech. The principle, designated as ‘freedom of expression’, is included in the Constitution of Finland (revised in 2000) and in the Act on the Exercise of Freedom of Expression in Mass Media, which provides medium-neutral regulation of freedom of speech (revised in 2004). The current goals, however, emphasize the support for an efficiently functioning market. The present government program (June 2003), under the heading ‘The policy on information society and communications’, sets as goals to boost competitiveness and productivity. Another aim is to maintain Finland’s position as one of the world's leading producers and users of information and communications technology. More citizen-focused aims are to promote social and regional equality, and to improve citizens' well-being and quality of life through effective utilisation of information and communications technologies. The new Communications Market Act
(2003) – covering all communication networks from mobile to digital terrestrial broadcasting networks – aims at securing that networks and services are available to all telecommunication operators and users throughout the country, and that they are technologically advanced, of high quality, reliable, safe and inexpensive.

Finland is included also in the media law portal of the Nordic Information Centre for Media and Communication Research (Nordicom) at http://www.nordicmedia.info/en/index.html.


Nevertheless, the Finnish tradition of involving organised interest groups, especially industrial employers and employees, in lawmaking and public administration, can be seen as a built-in system of co-regulation also in the media field. Although there are few specific mechanisms for co-regulation, the corporatist system of preparing and monitoring legislation as well as organizing public administration in Finland meets the idea of co-regulation in a general sense.

The Finnish legislation system takes market actors and citizen groups into account in several ways:

1. Committees appointed by the Government
   - very usual way to prepare drafts for legislation
   - committee members represent different actors and civic groups

2. Opinions and proposals
   - while drafting legislation different interest groups are invited to give their comments on a plan or draft

3. Hearings by the Parliament
   - in Parliament motions and proposals go through several Select Committees which can hear experts from different interest groups. “These include officials as well as representatives of government agencies, organizations and other interest groups which the matter concerns.” (http://www.parliament.fi/ presentation > Parliament as a legislative body > Handling of matters in committee)

In the Media and Communications sector the Ministry of Transport and Communications also uses task forces to prepare modifications for statutes. In these cases interest groups are invited to participate or to give their opinions.

For Copyright matters Government appoints Copyright Council. The Council is composed of representatives of the major right holders and users of protected works. The chair, vice-chair and at least one member represent other interested parties. http://www.minedu.fi/ minedu/copyright/copyright_council.html.
The present country report is divided into the four media sectors designated in the project grid, in addition to which advertising is included as a fifth “medium”. Relevant legislation available in English is listed in Appendix.

**Constitutional Law**

The first three sections of the Constitution define the political system of Finland as a republican parliamentary democracy based on the principles of popular sovereignty and representative government, with the Parliament as the supreme organ of the state. The status of the highest state organs and their general fields of competence have been defined in section 3 in accordance with the customary three-way separation of powers.

Basic rights and liberties are stipulated in chapter 2 which lists the fundamental values of individual freedom, democratic participation and personal security. The most significant changes, in comparison with the older provisions, relate to the extension of the application of the basic rights and liberties to all persons within the scope of the Finnish legal system, regardless of citizenship, and to the inclusion of economic, social and cultural rights in the Constitution. One of the nearly 20 sections is the following:

*Section 12 – Freedom of expression and right of access to information*

*Everyone has the freedom of expression. Freedom of expression entails the right to express, disseminate and receive information, opinions and other communications without prior prevention by anyone. More detailed provisions on the exercise of the freedom of expression are laid down by an Act. Provisions on restrictions relating to pictorial programmes that are necessary for the protection of children may be laid down by an Act.*

*Documents and recordings in the possession of the authorities are public, unless their publication has for compelling reasons been specifically restricted by an Act. Everyone has the right of access to public documents and recordings.*

Complementing the above mentioned section of the Constitution is the *Act on the Exercise of Freedom of Expression in Mass Media (460/2003)*. It contains more detailed provisions on the exercise, in the media, of the freedom of expression enshrined in the Constitution. In the application of the Act, interference with the activities of the media shall be legitimate only in so far as it is unavoidable, taking due note of the importance of the freedom of expression in a democracy subject to the rule of law.

One of the main aims of the new law is to regulate all media regardless their technology. Here are some examples of the regulations in the law:

**Responsibilities**

- Publisher must name a responsible editor for the publication
  
  - The responsible editor must be over 15 and not insolvent
  
  - The publication must carry notice on the identity of the publisher and the responsible editor; everybody is entitled to get the information on identity of responsible editor
- Responsible editor can be fined for publishing information that breaks Finnish laws

Corrections

- If an individual can see himself as having been insulted by a message in the publication, he has the right to get an answer posted in the same publication
- Individuals and organizations have the right to get false information posted about them in the publication corrected
- The correction or answer must be posted without cost and delay
- The responsible editor must help in the technical implementation of the answer or correction if required

Anonymity

- Publisher has the right to keep source of a message anonymous

1. Broadcasting

1.1. Regulatory framework

1.1.1. Legal provisions

The operations of the Finnish Broadcasting Company (the public service broadcasting system designated as “YLE”) are regulated in the Act on the Finnish Broadcasting Company (Act No. 1380/1993), which came into effect on 1 January 1994. The financing of YLE is regulated by the Act on the State Television and Radio Fund (Act No. 745/1998).

Private radio and television operations over the air are regulated by separate legislation. Private, non-public service broadcasting can be pursued only by those who have been granted an operating licence under this legislation. This legislation was given on 9 October 1998, and is comprised of the Act on Television and Radio Operations (Act No. 744/1998) and certain technical amendments to the Act on Telecommunications Administration and the Copyright Act (Acts No. 747/1998 and 748/1998). In November 2001 a new Radio Act was approved and came into force on 1 January 2002.

Changes have been made in many of these acts in two stages related to the reform of the whole legislation concerning the communication market.

On 1 July 2002 the first phase of the reform entered into force through changes in the Telecommunications Market Act, in the Act on Television and Radio Operations, in the Act on the State Television and Radio Fund, in the Act on the Finnish Broadcasting Company and in the Act on Communications Administration. The changes included, among others, the regulation concerning digital television and radio distribution as well as the percentage of transmission time required to be reserved for programmes produced by independent production companies; it was increased from 10% to 15%.
On 25 July 2003 the second phase of the reform came into effect. The new Communications Market Act (Act No. 393/2003) replaced the Telecommunications Market Act and changes were made in the Act on the amendment of the Act on Television and Radio Operations, the Act on the amendment of the Act on the State Television and Radio Fund and the Act on the amendment of the Act on the Finnish Broadcasting Company. With these changes the EU regulatory framework for all electronic communication is implemented in Finnish legislation.

1.1.2. Administrative regulation/rules
Also the must carry rules were altered and transferred to the Communications Market Act. They oblige cable television networks to transmit without charge YLE’s transmissions (including ancillary and supplementary services related to these programmes) and the nationwide channels of MTV Finland and Channel Four Finland. For the commercial companies the must carry only covers service advertisements and services that form part of the programmes. In Finland the digital television actors have agreed to use the MHP (Multimedia Home Platform) standard in accordance with the view of the Ministry of Transport and Communications. Accordingly they have agreed upon a joint superteletext standard. The responsibility for the Electronic Programme Guide lies according to the Communications Market Act with the administrator of the multiplexes i.e. Digita (and is not covered by the must carry obligation). The actors have agreed to use a common EPG-standard.

1.1.3. Other provisions, especially co-regulatory or self regulatory measures, codes of conduct, etc.
The Act on the Exercise of Freedom of Expression in Mass Media (460/2003) demands that every broadcaster shall designate responsible editor for a programme “to direct and supervise editorial work, to decide on the contents of a periodical, network publication or program, and to see to the other tasks assigned to him or her by this Act”.

YLE has adopted (by the Administrative Council) “Programme Regulations” which set guidelines for all of its radio and television programmes.

Finnish television channels (the public service YLE as well as commercial MTV3 and Nelonen) agreed in the summer of 2004 to classify television content as a safeguard for children. They also agreed to transmit material potentially harmful for children at times when children are not expected to watch television: K-11 (under 11 years) after 17.00 o’clock, K-15 after 21.00 and K-18 after 23.00. These restrictions are shown before each classified programme.

1.2. Regulatory authorities/bodies

1.2.1. Authority/ies
The activities of the holders of operating licences are supervised by the Ministry of Transport and Communications and its subordinate, the Finnish Communications Regulatory Authority (previously the Telecommunications Administration Centre). Supervision with respect to the
ethical principles of advertising, teleshopping spots, and the protection of children, is carried out by the Consumer Ombudsman.

Finnish Communication Regulatory Authority FICORA is a general administrative authority for issues concerning electronic communications and information society services. Its mission is to promote development of the information society in Finland. The specific duty of the Authority is to safeguard the functionality and efficiency of the communications markets in order to ensure that consumers have access to competitive and technically advanced communications services that are both of good quality and affordable.

The Authority is an agency under the Ministry of Transport and Communications.

FICORA’s mandate regarding broadcasting include control of the use of radio frequencies. FICORA monitors television and radio programmes to ensure their compliance with the statutory requirements on European works, advertising and sponsorship. It takes care of television fee administration (television user register, invoicing, inspections). FICORA covers the costs of its operations with the fees it collects. Most of the revenue come from radio transmitter licence fees, telecommunications network numbering fees, postal operation supervision fees and Internet domain fees. The television fees and licence fees for carrying on television operations are passed on to the State Television Radio Fund. FICORA also submits an annual report on the public duties of the Finnish Broadcasting Company YLE to the Government. This report is based on the report YLE is obliged to give annually to FICORA.

1.2.2. Self- or Co-regulatory body/ies

Council for Mass Media in Finland (see <http://www.jsn.fi/eng_default.asp>) has been established to cultivate responsible freedom in regard to the mass media as well as provide support for good journalistic practice. Those who have signed the basic agreement of the Council commit themselves to observe this agreement and to exert influence to the effect that their members and those in their service shall function in a manner befitting this contract. Both Press and Broadcast Media are included through:

- Finnish Association of Magazines and Periodicals
- Finnish Association of Local Periodicals
- Finnish Association of Radio and Television Journalists
- Finnish Newspapers Association
- Union of Journalists in Finland
- Finnish Broadcasting Company
- MTV Oy Ltd ("MTV3" Finnish Commercial TV)
- Association of Finnish Broadcasters
- Oy Ruutunelonen Ab ("Channel Four" Finnish Commercial TV)
- Finnish Urban Press Association
2. Press

2.1. Regulatory framework

2.1.1. Legal provisions


In the application of this Act, interference with the activities of the media shall be legitimate only in so far as it is unavoidable, taking due note of the importance of the freedom of expression in a democracy subject to the rule of law.

2.1.2. Administrative regulation/rules

State subsidies to the press are the main instrument to counter the trend of newspaper disappearing from the market, i.e., to maintain pluralism and diversity in the print media. The main forms of subsidy used are classified as selective and non-selective. Non-selective forms include reduced or subsidised transportation rates for all newspapers (subscribed, not free advertising papers), mainly through the public postal service, as well as tax exemptions – applied to all papers regardless of their political orientation or circulation. This form accounted for majority of the financial subvention to the printed press until the 1980s, but lately it has been reduced to a marginal share. Selective forms, on the other hand, mean direct support to certain papers, typically party organs according to their political weight measured by the number of seats in Parliament. In the cultural field, so-called opinion papers have a separate selective assistance program through which the state wishes to encourage pluralism, but the financial volume and media policy importance of this form is much smaller than the ‘political’ form. Presently selective subsidies are used to pay a good deal of costs of the main party organs, but since they are relatively small by size, the state subsidies represent just 1-2 percent of the total press economy.

In 2005, the amount of selective subsidies for purposes of lowering newspaper transport, delivery and other costs is 5,8 million EUR. Party subsidies are granted to the organs of political parties represented in Parliament and to the County of Áland to support information and communications. Amounting to a total of EUR 7,7 million in 2005, the sum of subsidies is divided among the political parties on the basis of their relative strength in Parliament.

In addition, the Ministry of Education grants subsidies for cultural press with 0,8 million EUR in 2005.

2.1.3. Other provisions, especially co-regulatory or self-regulatory measures, codes of conduct, etc.

Guidelines for good journalistic practice

New version of the “Guidelines for good journalistic practice” entered into force in January 2005. This code of conduct is drafted and formally adopted by the Union of Journalists in
Finland. However, in practice the code is recognised throughout the media field, including all relevant media houses. The code is the backbone for the adjudications of the Council for Mass Media in Finland (see 1.2.2).

2.2. Regulatory authorities/bodies

2.2.1. Authority/ies

2.2.2. Self- or Co-regulatory body/ies
Council for Mass Media in Finland, see above 1.2.2.

3. Online services

3.1. Regulatory framework

3.1.1. Legal provisions
Again, the principal legal provision regulating also online services in Finland is the law "Application of Freedom of Speech in Mass Media" (460/2003). One of the main aims of the new law is to regulate all media regardless of the technology it uses. Thus, the law put traditional media like printed newspapers, and new media, like online publications on the same line.

However, the law is driven by the traditional publication and publisher ideology in that it regulates first and foremost institutional publications, regardless of its media. For instance, the law defines web publication as a periodic publication created from materials collected by the publisher and targeted to the public at large. Individual web-pages and community discussion sites, etc. fall in the scope of the law only if the contents are clearly criminal. In addition, it has been surmised that even discussion fora of online newspapers do not fall within the regulation of this law as long as the publisher does not edit the messages in fora.

Here are some examples of the regulations in the law with special regard to online communication:

Responsibilities

- All published materials must be stored for 21 days
- Everybody has the right to get the stored information if they feel false
- Information has been posted about them or they wish to post a correction

Corrections

- If an individual can see himself as having been insulted by a message in the publication, he has the right to get an answer posted in the same publication

Anonymity
• Administrator of servers the publication resides on must provide all identification information on a message to Finnish authorities if required

Other relevant laws include:

• Act on the Protection of Privacy in Electronic Communications
• Domain Name Act 2003
• Communications Market Act 2003
• Act on Electronic Signatures 2003
• Act on Communications Administration 2001
• Decree on Communications Administration 2001
• Act on the Protection of Privacy and Data Security in Telecommunications 1999

3.1.2. Administrative regulation/rules
There are several administrative regulations that further specify and expand media laws, and are applicable also on online media. These rules deal with, for example, copyright issues.

3.1.3. Other provisions, especially co-regulatory or self regulatory measures, codes of conduct, etc.
Guidelines for good journalistic practice apply also on online journalistic media

3.2. Regulatory authorities/bodies

3.2.1. Authority/ies
Finnish Communication Regulatory Authority FICORA (see 1.2.1.)

3.2.2. Self- or Co-regulatory bodies

a) Council for Mass Media in Finland
See 1.2.2.

b) Copyright Council
The Finnish Government appoints a Copyright Council every three years to assist the Ministry of Education in copyright matters and to issue opinions on the application of the Copyright Act. Anyone can request an opinion from the Copyright Council - e.g. private persons, business enterprises, organisations, the police, administrators and courts of law, whether or not they have personal interests involved.

c) Kuvasto (the copyright organisation of visual artists)
Legal basis: Copyright Act 1961, Copyright Decree 1995
Functions/competencies: Looks after the rights to visual works (photographs excluded).
Organisation: Represents visual artists.

d) Information Society Council
The Information Society Council is a negotiation body for steering the development of the information society and for co-ordinating co-operation between administrative branches and between administration, organisations and business life.

4. Film/Interactive games

4.1. Regulatory framework

4.1.1. Legal provisions
The legal framework is provided by:

- the Act on the Classification of Audiovisual Programs (775/2000)
- the Penal Code §17–20 of Chapter 17 (Crimes Against Public Order)

There has been a law on film control and a government office for film control in Finland since 1946, but since 2001 there is no film censorship in the strong sense of the word. There is no legal authority to order bans or cuts to audiovisual programmes in preventive control.

Classification for age limits: The legal authority to limit the freedom of speech is restricted to giving age categories only. The legal basis for this limitation to the basic right of the freedom of speech is §12 of the Constitution (2000): provisions on restrictions relating to pictorial programmes that are necessary for the protection of children may be laid down by an Act.

The age categories are: General audience (no restrictions, "permitted") and Restricted (“forbidden”, in Finnish “kielletty” designated by “K”) with four age limits: K7, K11, K15, and K18. A person two years younger may attend in the company of an adult when the programme is labeled K7, K11, or K15. An age limitation may be given when a programme is likely to have a detrimental effect on the development of children through its violent, sexual, shocking or other comparable content.

Programmes are classified for public exhibition (in cinemas etc.) and for distribution for private consumption (VHS, DVD, programming-on-demand). This law does not concern television programming and interactive programs that can be downloaded from the web.

Programmes free from preventive inspection: There is no general duty of preventive inspection of audiovisual programmes in Finland since 2001. Yet programs which are offered for adults only (age label 18) need to be registered. For instance, in 2004, over 22,000 hard core pornographic programmes were registered.

There is no legal duty for preventive inspection of interactive programmes such as computer games. However, the distributor has to provide them with age recommendations.

Programmes from large categories such as cooking, travel, science, education, etc. need to be registered only.
General duty to register programmes: Each audiovisual program that is offered for public exhibition and professionally for private consumption (VHS, DVD, computer game, etc.) has to be registered.

Preliminary inspection by discretion: If the suspicion of content harmful to children arises, the Finnish Board of Film Classification may order the programme for inspection even in categories generally exempted. By mutual consent with the distributor there is the option of preliminary inspection for defining age limits for computer games etc.

Restrictions of content by general law: The Penal Code, Chapter 17, sanctions the dissemination of depictions of brutal violence (§ 17) and images offending sexual decency (§ 18 – sexually offending images involving children, violence, or animals). There are a number of other abuses of the freedom of speech concerning protection of basic rights of dignity, religion, race, ethnicity, etc., formulated by law. They are not grounds for preventive control of audiovisual programmes. The Finnish Board of Film Classification is, however, the authority often consulted by the prosecution in criminal cases involving audiovisual programs.

4.1.2. Administrative regulation/rules
- Decree on the Classification of Audiovisual Programmes (822/2000) by the Government
- Decree on the Finnish Board of Film Classification (1086/2004) by the Government, and
- Decree on the Basis for Payments for the Measures Taken by the Finnish Board of Film Classification and the Finnish Appeal Board of Film Classification (858/2000) by the Ministry of Education

4.1.3. Other provisions, especially co-regulatory or self-regulatory measures, codes of conduct, etc.
The Finnish television channels the Finnish Broadcasting Company (YLE TV1, YLE TV2, etc.), MTV3, and Nelonen agreed to start in the summer of 2004 a sharpened practice to classify television content as a safeguard for children. They also agreed to transmit material potentially harmful for children at times when children are not expected to watch television: K11 after 17.00, K15 after 21.00, and K18 after 23.00.

4.2. Regulatory authorities/bodies

4.2.1. Authority/ies
- Act on the Finnish Board of Film Classification (776/2000)
- to classify programs for viewers under 18 years
- to register programs exempt from classification
The organ for the control of audiovisual programs is the Finnish Board of Film Classification (Valtion elokuvatarkastamo). There is also an Appeal Board for Film Classification (Valtion elokuvalautakunta). On its decisions appeals may be addressed to the Supreme Court of Administration (Korkein hallinto-oikeus).

4.2.2. Self- or Co-regulatory bodies
There are none for the moment.

5. Advertising

5.1. Regulatory framework

5.1.1. Legal provisions
– Consumer Protection Act 38/1978 (pdf)
– Decree on the indication of the prices in marketing consumer products (1359/1999)
– Product liability act (694/1990)
– Act on television and radio operations (744/1998)
– Insurance contracts act (543/1994)

5.2. Regulatory authorities/bodies

5.2.1. Authority/ies

Consumer Agency & Ombudsman
The Consumer Ombudsman issues practical guidelines concerning marketing methods in certain sectors. The guidelines are based on rulings of the Market Court and of the Consumer Ombudsman and/or on discussions with organizations in the specific sector concerned. List of guidelines available in English:
– Minors, marketing and purchases (pdf),
– Price expressions as a marketing method (pdf),
– Promotional games (pdf, summary),
– Statutory liability for lack of conformity and guarantee in the sale of consumer goods (pdf),
– The use of environmentally oriented claims in marketing (pdf).
5.2.2. **Self- or Co-regulatory body/ies**

**Market Court**
The Market Court is a special court hearing cases that have been subjected to its jurisdiction by:

1) the Act on Competition Restrictions;
2) the Public Procurement Act;
3) the Act on Certain Proceedings before the Market Court; and
4) other legislation.

The activity of the Market Court is conducted by a Chief Judge. The Market Court also comprises four Market Court Judges and a sufficient number of case-handlers, i.e., Market Court Referendaires (Legal Secretaries).

Both legally qualified members and part-time expert members participate in the hearing of cases. In the spring of 2002, the Council of State assigned 16 expert members to the Market Court for a term of four years. The expert members hold a suitable Master's degree and are familiar with competition law, procurement, economics, business life, financial affairs, consumer protection or marketing.

At the Market Court, one legally qualified member can give a ruling if an appeal, petition or claim in a case has been withdrawn or the case is dismissed or dropped without considering the merits. Otherwise, three legally qualified members constitute a quorum. Competition cases are dealt with by legally qualified members together with a minimum of one or a maximum of three expert members. From one to three expert members can also take part in hearing market law and public procurement cases if the nature of the case requires it.

However, if the case-law in a case to be decided is well established, two legally qualified members will constitute a quorum of the Market Court.

Whenever a case may be of significance in principle as regards application of a law or if a ruling were to depart from earlier case-law, the Chief Judge can refer the case for consideration before a larger panel of members (a reinforced hearing). The case is then considered by four legally qualified members and a maximum of four expert members.

In competition and public procurement cases, the procedure is governed by the provisions of the Act on Competition Restrictions and the Public Procurement Act together with the provisions of the Administrative Judicial Procedure Act. As a rule, the proceedings are conducted in writing. Nevertheless, the Market Court can hold an oral hearing if necessary in order to clarify the case. Market Court rulings in competition and public procurement cases are subject to appeal to the Supreme Administrative Court.

In market law cases, the procedure is governed by the provisions of the Act on Certain Proceedings before the Market Court and the Code of Judicial Procedure. As a rule, written preparation is followed by an oral preparatory hearing and then by an oral main hearing.
Market Court rulings in market law cases may be appealed to the Supreme Court if the latter grants leave to appeal.

**Council of Ethics in Advertising**

The Council of Ethics in Advertising in Finland issues statements on whether or not an advertisement can be considered ethically acceptable in view of the ICC International Code of Advertising Practice and other corresponding codes and guidelines. The Council may also develop the principles of ethics in advertising.

The Council does not issue statements on whether or not an advertisement or advertising practice is against the law.

The Council shall have a chairman, a vice-chairman, and a minimum of four and a maximum of six members. The Central Chamber of Commerce appoints the members for a three-year term and elects the chairman and vice-chairman amongst the members. The Central Chamber of Commerce appoints four members in accordance with a proposition by the Advertising Council.

The chairman and at least one member shall have the university degree of Master of Laws. One of the members shall be an expert in equality issues.

Consumers and entrepreneurs, as well as organizations and authorities that work with issues related to advertising, may request a statement from the Council. The Council may take up an advertisement at its own initiative for a particularly good reason.

The Council decides whether or not to take up a request. It deals with requests that can be deemed to have public significance.

The Council gives its statement in writing, one copy for each party and one copy for the archives of the Council. The Council may decide not to issue a statement, for a specified reason. The reasons underlying such a decision must be stated.

The Council does not disclose any trade secrets that were revealed during the proceedings.

The Council members are bound by a confidentiality clause regarding any trade secrets that may come to their knowledge during the proceedings.

Statements issued by the Council are public unless otherwise decided.

There are no fees on the proceedings unless the Council decides, due to the extent of the case, to charge a fee for a case where the request for a statement comes from an entrepreneur, who must be informed thereof in advance.

**APPENDIX**

**Main legislation** can be found in English in [http://www.finlex.fi/en/laki/kaannokset/](http://www.finlex.fi/en/laki/kaannokset/)


Act on the Openness of Government Activities (621/1999)
Act on the Protection of Privacy in Electronic Communications (516/2004)
Communications Market Act (393/2003)
Act on Television and Radio Operations (744/1998)
Act on the Finnish Broadcasting Company Ltd (1380/1993)
Act on the Market Court (1527/2001)
Radio Act (1015 /2001)
New Copyright Law is in Parliament under discussion (Government proposal HE 28/2004, not in English)
Copyright administration is in Ministry of Education http://www.minedu.fi/minedu/copyright/index.html
Act on the Finnish Board of Film Classification (776/2000)
Act on the Classification of Audiovisual Programmes (775/2000)
Decree on the Finnish Board of Film Classification (823/2000)
Government Decree on the Classification of Audiovisual Programmes (822/2000)
Act on Consumer Agency (1056/1998, not in English)
Information on Consumer Agency: http://www.kuluttajavirasto.fi/user_nf/default.asp?site=36&tmf=0&lmf=0&id=0
Information on Consumer Ombudsman
http://www.kuluttaja-asiamies.fi/user_nf/default.asp?site=36&tmf=0&lmf=0&id=0

Also
Domain Name Act (228/2003)
Act on Communications Administration (625/2001)
Film Promotion Act (28/2000)
Film Promotion Decree (121/2000)
Act on Discretionary Government Transfers 688/2001 on which Decree on press subsidies (1481/2001, not in English) is based