



Constitutional Foundations



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1. OVERVIEW OF THE LEGAL DUTIES AND POWERS

From the [Constitution of Finland](#) (731/1999, amendments up to 817/2018 included):

Section 27 - Eligibility and qualifications for the office of Representative

Everyone with the right to vote and who is not under guardianship can be a candidate in parliamentary elections.

A person holding military office cannot, however, be elected as a Representative.

The Chancellor of Justice of the Government, the Parliamentary Ombudsman, a Justice of the Supreme Court or the Supreme Administrative Court, and the Prosecutor-General cannot serve as representatives. If a Representative is elected President of the Republic or appointed or elected to one of the aforesaid offices, he or she shall cease to be a Representative from the date of appointment or election. The office of a Representative shall cease also if the Representative forfeits his or her eligibility.

Section 48 - Right of attendance of Ministers, the Ombudsman and the Chancellor of Justice

Minister has the right to attend and to participate in debates in plenary sessions of the Parliament even if the Minister is not a Representative. A Minister may not be a member of a Committee of the Parliament. When performing the duties of the President of the Republic under section 59, a Minister may not participate in parliamentary work.

The Parliamentary Ombudsman and the Chancellor of Justice of the Government may attend and participate in debates in plenary sessions of the Parliament when their reports or other matters taken up on their initiative are being considered.

Section 69 - The Chancellor of Justice of the Government

Attached to the Government, there is a Chancellor of Justice and a Deputy Chancellor of Justice, who are appointed by the President of the Republic, and who shall have outstanding knowledge of law. In addition, the President appoints a substitute for the Deputy Chancellor of Justice for a term of office not exceeding five years. When the Deputy Chancellor of Justice is prevented from performing his or her duties, the substitute shall take responsibility for them.

The provisions on the Chancellor of Justice apply, in so far as appropriate, to the Deputy Chancellor of Justice and the substitute.

Section 108 - Duties of the Chancellor of Justice of the Government

The Chancellor of Justice shall oversee the lawfulness of the official acts of the Government and the President of the Republic. The Chancellor of Justice shall also ensure that the courts of law, the other authorities and the civil servants, public employees and other persons, when the latter are performing a public task, obey the law and fulfil their obligations. In the performance of his or her duties, the Chancellor of Justice monitors the implementation of basic rights and liberties and human rights.

The Chancellor of Justice shall, upon request, provide the President, the Government and the Ministries with information and opinions on legal issues.

The Chancellor of Justice submits an annual report to the Parliament and the Government on his or her activities and observations on how the law has been obeyed.

Section 110 - The right of the Chancellor of Justice and the Ombudsman to bring charges and the division of responsibilities between them

A decision to bring charges against a judge for unlawful conduct in office is made by the Chancellor of Justice or the Ombudsman. The Chancellor of Justice and the Ombudsman may prosecute or order that charges be brought also in other matters falling within the purview of their supervision of legality.

Provisions on the division of responsibilities between the Chancellor of Justice and the Ombudsman may be laid down by an Act, without, however, restricting the competence of either of them in the supervision of legality.

Section 111 - The right of the Chancellor of Justice and Ombudsman to receive information

The Chancellor of Justice and the Ombudsman have the right to receive from public authorities or others performing public duties the information needed for their supervision of legality.

The Chancellor of Justice shall be present at meetings of the Government and when matters are presented to the President of the Republic in a presidential meeting of the Government. The Ombudsman has the right to attend these meetings and presentations.

Section 112 - Supervision of the lawfulness of the official acts of the Government and the President of the Republic

If the Chancellor of Justice becomes aware that the lawfulness of a decision or measure taken by the Government, a Minister or the President of the Republic gives rise to a comment, the Chancellor shall present the comment, with reasons, on the aforesaid decision or measure. If the comment is ignored, the Chancellor of Justice shall have the comment entered in the minutes of the Government and, where necessary, undertake other measures. The Ombudsman has the corresponding right to make a comment and to undertake measures.

If a decision made by the President is unlawful, the Government shall, after having obtained a statement from the Chancellor of Justice, notify the President that the decision cannot be implemented, and propose to the President that the decision be amended or revoked.

Section 113 - Criminal liability of the President of the Republic

If the Chancellor of Justice, the Ombudsman or the Government deem that the President of the Republic is guilty of treason or high treason, or a crime against humanity, the matter shall be communicated to the Parliament. In this event, if the Parliament, by three fourths of the votes cast, decides that charges are to be brought, the Prosecutor-General shall prosecute the President in the High Court of Impeachment and the President shall abstain from office for the duration of the proceedings. In other cases, no charges shall be brought for the official acts of the President.

Section 114 - Prosecution of Ministers

A charge against a Member of the Government for unlawful conduct in office is heard by the High Court of Impeachment, as provided in more detail by an Act.

The decision to bring a charge is made by the Parliament, after having obtained an opinion from the Constitutional Law Committee concerning the unlawfulness of the actions of the Minister. Before the Parliament decides to bring charges or not it shall allow the Minister an opportunity to give an explanation. When considering a matter of this kind the Committee shall have a quorum when all of its members are present.

A Member of the Government is prosecuted by the Prosecutor-General.

Section 115 - Initiation of a matter concerning the legal responsibility of a Minister

An inquiry into the lawfulness of the official acts of a Minister may be initiated in the Constitutional Law Committee on the basis of:

- (1) A notification submitted to the Constitutional Law Committee by the Chancellor of Justice or the Ombudsman;
- (2) A petition signed by at least ten Representatives; or
- (3) A request for an inquiry addressed to the Constitutional Law Committee by another Committee of the Parliament.

The Constitutional Law Committee may open an inquiry into the lawfulness of the official acts of a Minister also on its own initiative.

Section 117 - Legal responsibility of the Chancellor of Justice and the Ombudsman

The provisions in sections 114 and 115 concerning a member of the Government apply to an inquiry into the lawfulness of the official acts of the Chancellor of Justice and the Ombudsman, the bringing of charges against them for unlawful conduct in office and the procedure for the hearing of such charges.

2. SUPERVISION OF THE GOVERNMENT AND THE PRESIDENT OF THE REPUBLIC

The Chancellor of Justice supervises the legality of decisions made at the government plenary sessions as well as presidential sessions at which the President of the Republic makes decisions.

In the preparatory phase of decision-making, the Chancellor of Justice

- upon request, provides the President of the Republic, the Government and the ministries with information and statements on legal issues related to the decisions of the President of the Republic and the government plenary session
- inspects the documents presented to the Government and the President in advance.

The Chancellor of Justice is present at events concerning decision-making, including:

- government plenary sessions
- presidential sessions
- cabinet evening sessions and negotiations.

If necessary, the Chancellor of Justice will notify that the decision-making is unlawful. However, the Chancellor of Justice does not have the right to obstruct decision-making. If the notice is

ignored, the position of the Chancellor of Justice is recorded in the Government minutes and, if necessary, he may take other measures.

After the decision-making process, the Chancellor of Justice will check the minutes and process any complaints concerning the decisions. In addition, the Chancellor of Justice may, on his own initiative, examine a decision in which there is reason to suspect an erroneous procedure. The Chancellor of Justice also investigates complaints concerning the official duties of the Government and the President.

The Chancellor of Justice may inform the Constitutional Law Committee that the committee should examine the lawfulness of a minister's official duties. The Chancellor of Justice may report to the Parliament that the President of the Republic has committed an offence referred to in the Constitution of Finland in his official duties, and as a result, the Parliament may decide to prosecute the President of the Republic.

Review of presentation agenda

The documents from the government plenary session and the presidential session are reviewed weekly. In the sessions, decisions are made on issues including legislative proposals, adoption of laws, government decrees, appointments to office, government communications to Parliament related to EU affairs, and treaties.

The review of documents focuses on legal issues concerning competence, procedure and decision-making conditions. Rapporteurs at the ministries correct any ambiguities, errors or deficiencies detected in the presentation agenda in the review.

Supervision of bill drafting

The Chancellor of Justice supervises the bill drafting process in all its stages. However, the Chancellor of Justice does not participate in the actual drafting of a bill.

During the bill drafting process, the Chancellor of Justice

- issues statements on drafted bills and performs a preliminary review of them at the request of the Ministry or on his own initiative
- supervises compliance with feedback given in statements and inspections
- reviews all legislative proposals submitted by the Government at the latest when they are presented to the government plenary session
- issues expert statements at the request of parliamentary committees.

Supervision of appointments to office

The Government appoints Permanent Secretaries and Directors General to the ministries and a large share of the heads of the agencies operating under the ministries. The Government also appoints other public officials in executive positions and particularly many public officials in senior expert positions in ministries. The President of the Republic appoints, among others, judges and Defence Forces officers, and appoints heads of foreign missions.

The Chancellor of Justice inspects in advance the documents concerning the appointments to be processed at the government plenary session and at the presidential session. The Chancellor of Justice supervises other appointments afterwards mainly based on complaints.

The supervision of appointments to office involves reviewing the lawfulness of the procedure for filling the public office and the grounds for the proposal for the appointment. The supervision includes reviewing the following issues:

- the public office has been open for public application
- the qualification requirements for the public office are followed
- applicants are compared equally and without discrimination
- the appointment is justified by objective factors relevant to the duties of the public office
- discretion is exercised appropriately from the perspective of the performance of the duties and it is not exceeded.

The Chancellor of Justice does not take a position on which of the top candidates should be appointed.

The rapporteur presenting the appointment is responsible for ensuring that the appointment has been lawfully prepared and justified with the correct information. The party making the appointment is responsible for the lawfulness of the decision. The rapporteur is also responsible for the lawfulness of the decision, unless they have expressed disagreement with the decision.

3. SUPERVISION OF THE ACTIVITIES OF AUTHORITIES

The Chancellor of Justice supervises that courts of law, other authorities and public officials, and other employees or bodies assigned to perform public duties comply with the law and fulfil their assigned obligations.

The Chancellor of Justice is entitled to receive any necessary information from authorities and other public bodies for the purpose of ensuring the legality of their actions. This right to access information also extends to confidential information.

The main means of supervision include processing complaints, legality oversight visits and the Chancellor's initiatives.

Complaints

The Chancellor of Justice will investigate a complaint if, based on it, there is reason to suspect that an authority or other person or body performing a public duty has acted unlawfully. A complaint may also be investigated if the Chancellor of Justice finds it necessary for some other reason. The Chancellor of Justice may transfer the handling of a complaint to a competent authority, if there are grounds for such an action based on the nature of the matter. In such cases, the complainant will be notified about the transfer.

[Read more about complaints and processing them.](#)

Legality oversight visits and inspections

The Chancellor of Justice has the right to carry out inspections at the premises of the authorities, institutions and other operating units under his supervisory authority.

The legality oversight visits are precautionary measures. They can be used to:

- obtain information about the legality of the procedures and conduct of authorities
- examine the uniformity and integrity of the practices in the application of legislation
- promote interaction and information exchange with subjects of the oversight measures
- receive information about any shortcomings and problems in legislation
- obtain information about possible structural problems in official activities.

Chancellor's initiatives

The Chancellor of Justice may take up a matter on his own initiative. The initiatives are particularly focused on structural problems that may, for example, prevent or hinder access to legal services or the realisation of rights. Structural problems include shortcomings in regulation, instructions, oversight, the training or resourcing of public officials or the use of public resources as well as management practices and operating methods of public authorities, and information systems.

Which consequences may the supervision measures have?

As a consequence of the supervision measures, the Chancellor of Justice may:

- order the conduct of a pre-trial investigation
- in case of a serious unlawful conduct, prosecute the parties concerned
- issue a reprimand to the official concerned

- present views on the requirements of law or good governance or aspects that promote the realisation of basic and human rights
- provide the party concerned with information on procedures in accordance with the law and good governance
- recommend that the party concerned compensate for the damage caused or, in exceptional cases, also apply for the dismissal of a final decision or judgment
- make a proposal for changing inadequate or contradictory regulation.

4. SUPERVISION OF COURTS OF LAW AND PROSECUTORS

Supervision of courts of law

The independence of the courts is one of the necessary structural prerequisites of legal protection and the main principles of the fundamental provisions of a democratic rule of law. In Finland, the independence of the courts is safeguarded under the Constitution of Finland and the Charter of Fundamental Rights of the European Union as well as the founding treaties of the European Union and international conventions on human rights.

The supervision of the legality of the courts of law by the Chancellor of Justice is based on respecting the independence of the courts. The Chancellor of Justice's task of the supervision of legality laid down in the Constitution significantly safeguards the independent and undisturbed operation of the courts and other legal protection bodies.

Due to the independence of the courts, the supervision of courts of law mainly focuses on court proceedings and practices, such as the promptness of proceedings or the conduct of a judge.

The supervision of court decisions may only concern manifestly inadequate grounds, obvious excess of discretionary power or some other obvious unlawfulness of the decision, such as deviating from the form of punishment provided in law or sentencing for an offence where the statute of limitations has expired. The Chancellor of Justice does not interfere in the interpretation of law a court makes within the limits of its discretionary power or carry out a new review of evidence.

The Chancellor of Justice does not investigate matters that are still pending before a court or that can still be appealed. The Chancellor of Justice does not have the right to change a court ruling or order a re-trial.

The Chancellor of Justice supervises the activities of courts mainly by the same means as other official activities. The following means are used to supervise the legality of courts:

- processing complaints
- inspections
- Chancellor's initiatives
- processing of notifications made by the judicial authorities
- review of penalty judgments.

Possible consequences correspond to the consequences applied to the supervision of the activities of other public authorities. Only the Chancellor of Justice and the Parliamentary Ombudsman have the power to prosecute a judge for an offence in office.

Supervision of prosecutors

The supervision of courts of law and prosecutors has many similarities. It is typical that the conduct of both the court and the prosecutor are criticised in the same complaint. In addition to complaints, the appropriateness of the practice of a prosecutor is often investigated at the Chancellor's initiative in connection with the review of penalty judgments or investigation of suspected offence in office by a judge.

Prosecutors' activities are mainly supervised by the same means as other official activities:

- processing complaints
- inspections
- Chancellor's initiatives
- processing of notifications made by the judicial authorities.

Possible consequences correspond to the consequences applied to the supervision of the activities of authorities. The Chancellor of Justice can investigate the legality of a prosecutor's actions, but cannot conduct a new prosecution. A complaint on a prosecutor's actions may also be submitted to the Prosecutor General who may, as the supreme prosecutor, take over a case from a lower prosecutor for reconsideration.

Appointment of judges

The independence of the courts is one of the necessary structural prerequisites of legal protection and the main principles of the fundamental provisions of a democratic rule of law.

The Chancellor of Justice's task of the supervision of legality laid down in the Constitution significantly safeguards the independent and undisturbed operation of the courts and other legal protection bodies.

The Chancellor of Justice contributes to safeguarding the appropriate procedure in the appointment of judges and its use for purposes permitted under law. In addition to legal provisions, the supervision of legality by the Chancellor of Justice acts as a guarantee of independence in the appointment procedure for judges.

In the appointment of judges, the Government proposes an opinion on the appointment, and the President of the Republic makes the decision on the appointment. In practice, the opinion of the Government is based on a proposal by the Judicial Appointments Board, the Supreme Court or the Supreme Administrative Court nearly without an exception.

The Chancellor of Justice will ensure the legal accuracy and appropriateness of the proposals originating from the Judicial Appointments Board or the courts of law as well as the presentation by the Ministry as the Ministry of Justice presents its opinion to the Government.

The Chancellor of Justice inspects in advance the documents concerning the appointments to be processed at the government plenary session and at the presidential sessions. In connection with the appointment of judges, the Chancellor of Justice also ensures that the Government or the President of the Republic do not misuse their powers.

The Ministry of Justice may not intervene in the appointment on grounds that are inappropriate for the functioning of an independent judicial system or cause distrust in the objective, impartial and professional operation of the courts. If discretion is exercised in a problematic manner in a proposal for an appointment, there is a legitimate reason for the Ministry to reopen the matter for processing by the Judicial Appointments Board or a court of law. This enables the implementation of the recommendations by the European Council on the independence of the courts of law, under which the majority of those involved in decisive discretion on the careers of judges should be judges.

However, the Ministry may correct clear errors in the proposal for an appointment if these involve no suspicion of inappropriate exercise or contempt of discretionary powers by the Judicial Appointments Board and a supreme court. Rapporteurs at the ministries are responsible for ensuring the appropriateness of the proposal for an appointment.

If the Ministry presents justified reasons for deviating from the proposal by the Judicial Appointments Board, the Supreme Court or the Supreme Administrative Court, the Chancellor of Justice aims to return the case for processing at the Judicial Appointments Board or the relevant court of law.

[Read more general information about the supervision of appointments to office.](#)

Processing of notifications made by the judicial authorities

Notifications of suspected offences in office by a judge

Courts of Appeal, the police and prosecutors submit notifications of suspected offences in office by a judge to the Chancellor of Justice, who will assess whether the notifications give rise to taking measures pertaining to the criminal procedure or supervision of legality. Under the Constitution of Finland, only the Chancellor of Justice or the Parliamentary Ombudsman have the power to prosecute a judge for an offence in office. However, most notifications of suspected offences in office by a judge are referred for assessment by the Chancellor of Justice.

Under the Courts Act, the courts of appeal are obligated to inform the Chancellor of Justice on the matters that have come to their knowledge that may lead to a charge for an offence in public office being brought in a court of appeal.

The Chancellor of Justice has asked the police to submit notifications of any suspected offences in office by a judge under investigation by the police. The prosecutor is also required to inform the Chancellor of Justice of any cases or notifications concerning a suspected offence in office by a judge referred to the prosecutor. The aim is that the Chancellor of Justice will be informed of any reports of offences without delay and may address the matter in his role as a prosecutor or guardian of the law as appropriate. The police are responsible for conducting the pre-trial investigation and ensuring its completion as normal. If the police will not conduct the pre-trial investigation or the Chancellor of Justice will not prosecute the case, the Chancellor of Justice will further assess whether the conduct of the court nevertheless gives rise to taking other supervision of legality measures.

Notifications of suspected offences in office by prosecutors

The Chancellor of Justice processes notifications by the authorities of suspected offences in office by prosecutors. In cases concerning an offence in office committed by a prosecutor, the Chancellor of Justice, the Parliamentary Ombudsman or a prosecutor appointed by them will prosecute the matter.

The Chancellor of Justice has asked the police to submit notifications of any suspected offences in office by a prosecutor under investigation by the police. The aim of this obligation to notify is that the Chancellor of Justice will be informed of any reports of offences without delay and may address the matter in his role as a prosecutor or guardian of the law as appropriate. The police are responsible for conducting the pre-trial investigation and ensuring its completion as normal.

If the police will not conduct the pre-trial investigation or the Chancellor of Justice will not prosecute the case, the Chancellor of Justice will further assess whether the conduct of the court nevertheless gives rise to taking other supervision of legality measures.

Review of penalty judgments

The review of penalty judgments is a special duty that only the Chancellor of Justice carries out in Finland. Penalty judgments imposed by the district courts are checked by random sampling. The review process concerns judgments to imprisonment.

The review of penalty judgments is based on a sample pre-determined by the Deputy Chancellor of Justice and made in the Ritu criminal sentencing application maintained by the Legal Register Centre, to which the Office of the Chancellor of Justice has user rights. The review process is manual and concerns the information of the operative part of the judgment at the initial phase. The review may detect errors in individual judgments. The Office of the Chancellor Justice does not have access to systems or technical tools that would automatically detect errors.

It is not possible to detect all errors made in enforcing the law in a system based on random sampling. However, the system effectively highlights any recurring and general errors and, in some cases, serious one-off errors.

As a consequence of an observed error, the Chancellor of Justice may issue a reprimand, a statement or, in more serious cases, an order to initiate actions against the relevant official. In practice, issuing a statement is the most usual consequence. In addition, an error may in some cases lead to submitting a proposal for the revision of the judgment to the Supreme Court. Such a proposal is usually made when the error is considered to have caused harm or damage to the defendant.

Penalty judgments are selected for the review process based on random sampling from a dataset consisting of the operative parts of judgments submitted to the Legal Register Centre. The judgments are reviewed to ensure that certain, absolute requirements laid down in law are met. The dataset influences on a case-by-case basis what kinds of errors are ultimately detected in the judgments.

5. SUPERVISION OF ADVOCATES, PUBLIC LEGAL AID ATTORNEYS AND LICENSED LEGAL COUNSELS

The Chancellor of Justice does not investigate the activities of individual advocates, public legal aid attorneys and licensed legal counsels and cannot impose disciplinary sanctions on them. The supervision of their activities is primarily the responsibility of the Disciplinary Board operating in connection with the Finnish Bar Association and the Legal Counsel Board. The Chancellor of Justice mainly supervises that the operations of the Disciplinary Board and the Legal Counsel Board are appropriate. A complaint on the activities of advocates, public legal aid attorneys and licensed legal counsels may be directly submitted to the Disciplinary Board.

[See the Disciplinary Board website for more information about its activities.](#)

If a complaint is made directly to the Chancellor of Justice regarding the work of an advocate, public legal aid attorney or licensed legal counsel, the Chancellor of Justice may refer such a complaint to the Disciplinary Board. However, the Chancellor of Justice will not forward complaints that are unspecified or clearly unfounded. The Chancellor of Justice may initiate a case in the Disciplinary Board if he finds that an advocate, public legal aid attorney or licensed legal counsel has neglected their duty.

The Disciplinary Board and the Legal Counsel Board submit all their decisions to the Chancellor of Justice. The Chancellor of Justice reviews the decisions and may appeal them to the Helsinki Court of Appeal. The appeal period is 30 days from the arrival of the decision at the Office of the Chancellor of Justice.

The Chancellor of Justice investigates complaints concerning the proceedings of the Disciplinary Board and the Legal Counsel Board.

6. WHISTLEBLOWER PROTECTION

The protection of whistleblowers safeguards people who report certain types of misconduct. In this case, “whistleblower” refers to a person who, in the course of their work, discovers a breach of European Union or national law concerning public procurement, financial services, food safety, or consumer protection, for example, and reports the breach via a reporting channel. Reporting these breaches is important to prevent threats and serious harm to public interest.

Whistleblower protection allows people to safely report breaches without their identity being compromised. The whistleblower’s identity remains confidential information in the subsequent processing of their report.

Whistleblower protection is based on the national Act on whistleblower protection (“Whistleblower Act”) and [the European Union’s whistleblower directive](#).

Whistleblower protection prohibits retaliation against whistleblowers. For example, an employer may not worsen a whistleblower’s terms of employment, dismiss them, or lay them off because of their report.

There are three general requirements for receiving whistleblower protection:

- At the time of the report, the whistleblower must have a legitimate reason to believe that their information about a breach is true.
- The information about a breach must be included in the scope of the Whistleblower Act.
- The whistleblower must be reporting a breach they have discovered in the course of their work.

What breaches may be reported?

Breaches of European Union or national law may be reported, if they

- are punishable offenses
- may result in a penalty fee, or
- may seriously endanger the realisation of public interest.

Reports may be made about breaches in the following sectors:

- Public procurement (excluding defence and security spending)
- Financial services, products, and markets
- Prevention of money laundering and terrorist financing
- Product safety and conformity
- Traffic safety
- Environmental protection
- Radiation and nuclear safety
- Food and feed safety and animal health and welfare
- Public health (as defined by Article 168 of the Treaty on the Functioning of the European Union)
- Consumer protection
- Privacy and personal data protection
- Network and information system security.

In addition, the following may be reported:

- Violation of rules concerning European Union fund management or expenditure implementation or European Union income or fund collection

- Violation of rules concerning the granting, use, or recovery of grants or state aid
- Violation of competition rules
- Violation of tax rules for businesses and corporations or arrangements made to obtain a tax advantage
- Violation of legislation enacted to protect consumers.

As an exception to the scope, the Act does not apply to violations of the Medicines Act with regard to a private person bringing their personal medication into a country, social welfare service housing and 24-hour service housing, certain provisions of the Act on the Medical Use of Human Organs, Tissues and Cells, and certain provisions of the Act on Cross-Border Health Care. For further information, [see section 2, subsection 2 on the exceptions to the scope.](#)

Intentionally reporting false information is a punishable act and may result in liability for damages.

Who can receive whistleblower protection?

The Whistleblower Act provides protection for people who report breaches they have discovered in the course of their work.

The whistleblower may be

- An employee or public servant
- A self-employed person
- A shareholder
- A member of the board of a corporation or foundation or the managing director
- A volunteer worker
- A trainee.

Whistleblowers may also report a breach that occurred during the negotiations preceding their hiring or in the course of an already discontinued employment relationship. Reports may be filed even if the negotiations did not result in the person's hiring.

In addition, the protection extends to persons who assist the whistleblower in their reporting or are connected to the whistleblower and risk post-report retaliation because of their work or station. For example, the above could be a shop steward, trusted representative, health and safety representative, other employee representative, or the whistleblower's contractual partner, colleague, or relative.

Who receives the reports?

If a breach is discovered in an organisation, the report should primarily be sent through the organisation's internal reporting channel. In some cases, the report may be made through the centralised external reporting channel of the Office of the Chancellor of Justice or directly to the competent authority.

The Office of the Chancellor of Justice forwards the reports it receives through its external reporting channel to the competent authority who investigates the report and takes the necessary measures.

7. CENTRALISED EXTERNAL REPORTING CHANNEL – THE OFFICE OF THE CHANCELLOR OF JUSTICE

The Office of the Chancellor of Justice acts as a centralised external reporting channel for whistleblower protection.

Breaches may be reported through the Office's centralised external reporting channel, if

- The three general requirements of whistleblower protection are met. [Read the requirements](#)
- The whistleblower cannot use their internal reporting channel
- The whistleblower has a legitimate reason to believe that their internal report has not resulted in measures within the time prescribed or that it is ineffective, or
- The whistleblower has a legitimate reason to believe that they may face retaliation due to their report.

Reports are forwarded to the competent authority or ministry

The Office of the Chancellor of Justice does not investigate reports and instead forwards them to the competent authority. "Competent authority" refers to the public authority whose statutory duty is to supervise compliance and breaches and process the related reports. If no competent authority exists, the report is forwarded to the ministry whose administrative domain it concerns. The forwarding is expedited if the report concerns a direct and serious breach against health, safety, or security.

The Office of Chancellor of Justice does not forward reports that are clearly excluded from the scope of whistleblower protection. These reports are also not processed as complaints by the Office of the Chancellor of Justice.

Investigations are carried out by the competent authority or ministry

The competent authority or ministry considers whether the report and whistleblower are covered by the Whistleblower Act. The competent authority or ministry investigates the report and takes the measures it deems necessary to intervene with the breach.

The competent authority or ministry will inform the whistleblower of the measures taken.

8. NEW SPECIAL TASKS FOR THE CHANCELLOR OF JUSTICE – THE DIVISION OF TASKS OF THE SUPREME GUARDIANS OF THE LAW REFORMED

The legislative reform on the division of work between the supreme guardians of the law entered into force on 1 October 2022. The reform will specify the division of tasks between the Chancellor of Justice and the Parliamentary Ombudsman.

In the reform, the Chancellor of Justice received new special tasks related to legality supervision:

- the development of automated administrative systems and general grounds for maintenance
- the organisation of anti-corruption activities
- supervision related to public procurement, competition and state aid.

The supervision of the legality of the activities of the Government and the President of the Republic remains a key duty of the Chancellor of Justice. The Chancellor of Justice also supervises the activities of advocates, public legal aid attorneys and licensed legal counsels, which falls outside the Ombudsman's area of responsibility.

As a result of this reform, many tasks related to supervising the implementation of the rights of the individual will be centralised to the Parliamentary Ombudsman. The processing of complaints is a key part of the Ombudsman's supervisory duty.

[Read more about the differences in the tasks of the Chancellor of Justice and Parliamentary Ombudsman and the tasks centralised to the Parliamentary Ombudsman.](#)

Automation of public administration

The Chancellor of Justice supervises the development and functioning of automated public administration systems from the viewpoint of the general prerequisites for the realisation of the rights of public administration clients. Public administration increasingly utilises automated systems in the processing and resolution of administrative matters and the organisation of e-services. Authorities deal with matters and provide solutions by utilising different information systems and their automated features. The supervision of legality by the Chancellor of Justice focuses on supervising the general prerequisites for automation in that the requirements laid down in the Constitution of Finland on legal protection and good governance and the protection of privacy are met.

In practice, the supervision may focus on issues such as:

- significant errors and shortcomings that have occurred in the development of the systems
- the implementation of the consultation of the clients of the administration in automated processing and decision-making concerning administrative matters
- the appropriate organisation of legal responsibility
- overall realisation of the rights of the clients.

Anti-corruption activities

The Chancellor of Justice monitors the organisation of anti-corruption activities in the activities of the authorities and the management of public duties. The monitoring is particularly concerned with the adequacy of anti-corruption efforts and also includes supervising that measures taken to prevent and combat corruption are appropriate. This task is particularly concerned with the supervision of the systems and structures of the activities of the authorities instead of the investigation of individual cases of corruption unless these have a more general, structural significance.

Supervision related to public procurement, competition and state aid

Public procurement includes the procurement of goods, services and construction projects carried out by the central government, wellbeing services counties, municipalities, unincorporated state enterprises and other procurement units determined in procurement legislation outside their organisation. Public procurement must comply with national procurement laws and the EU's procurement directives.

The Chancellor of Justice monitors compliance with the regulation concerning public procurement, competition and state aid from the perspective of the general legal prerequisites of the

activities. This supervision aims to prevent recurrent negligence in complying with regulations and other systemic errors. The appropriate practices, overall implementation of competition and uniform state aid together with the EU's legal order form an interlinked whole. In practice, the related supervision of legality may concern the preparation of general public administration policies, plans and budgets or the drafting of statutes in the operation of the Government.