

Act
on the Land Information System and Related Information Service
(453/2002)

Section 1

Objectives of the Act

The objective of this Act is to organise a national information service concerning real estate and other units of land and water areas based on information technology. This service is implemented by means of a centralised Land Information System which is intended for public use.

Section 2

Scope of application of the Act

This Act applies to the establishment and maintenance of the Land Information System as well as supply and use of the data included in the system.

Section 3

Data content of the Land Information System

The Land Information System comprises data referred to in the Cadastre Register Act (392/1995) and data entered into the land register as well as other data as laid down in other legislation.

Section 4

Recording of data into the Land Information System

The authority responsible for producing data which belongs to the data content of the Land Information Register is obliged to take care of the recording of such data into the Land Information System and updating of the information.

Section 5

Administration of the Land Information System

The National Land Survey of Finland is responsible for the establishment, administration, maintenance, information service and development of the Land Information System referred to in this Act.

To cover the costs due to the administration, maintenance information service and development the National Land Survey of Finland is entitled to a share of the revenue from the performance rendered

established by a decree of the Ministry of Agriculture and Forestry. Provisions on covering the costs due to the other measures of the Land Information System through revenue from the performance of the system and distribution of the revenue between authorities responsible for the system are also laid down by a decree of the Ministry of Agriculture and Forestry. Before issuing the decree the Ministry shall hear the main producers of information for the Land Information System.

Municipalities functioning as keepers of the Cadastre Register when this Act enters into force shall be entitled to a share to be established by a decree of the Ministry of Agriculture and Forestry of the revenue from the performance of the Land Information System in order to cover the costs of the National Land Information System.

Section 6

Supply of data as information service

The National Land Survey of Finland shall provide a free public access to the data included in the Land Information System and the possibility to take notes of the data at the Land Survey Office. Extracts, certificates and other documents are subject to charge, or these can be obtained through a technical user interface. Unless otherwise provided on special grounds, electronic copies of the data may be given subject to charge.

Extracts, certificates and other printouts as well as copied referred to in subsection 1 may be issued by municipalities, district courts, land survey offices and city administrative courts as well as, by a decision of the National Land Survey of Finland, other authorities with technical user interface to the Land information System.

Through a technical user interface, the National Land Survey of Finland may supply data from the Land Information System on behalf of an authority referred to in section 4 to a court of law, municipality, authorities responsible for the formation of real estate, population register authorities, notary, execution authority and tax authority as well as, based on an application, grant a licence for obtaining data through a technical user interface for community planning, real estate transaction, granting or control of credit or similar purpose related to real estate. Conditions concerning the search criterion, other use of the system and the related control may be included in the licence.

For transfer of personal data outside the European Union, the provisions of Chapter 5 of the Personal Data Act (523/1999) shall apply.

Identity number may be given only if it is or may be in the possession of the party requesting it by virtue of the Personal Data Act or other act. To identify a person the identity number may be given on a certificate supplied from the Land Information System which is needed for the realisation of a person's rights or obligations.

Section 7

Charges

The provisions laid down in section 6(1) of the Act on the Charge Criteria of State shall apply for charges collected on performance and information service from the Land Information System, unless other provisions apply to changes on a certain performance.

The amounts of the charges are laid down by a decree of the Ministry of Agriculture and Forestry. Before issuing the decree the Ministry shall hear the main producers of information for the Land Information System.

Authorities responsible for maintaining the Land Information System in accordance with section 4 have access to data from the Land Information System for official functions free of charge through the technical user interface.

Section 8

Liability for damages

A party suffering damages due to an error or shortcoming in data supplied from the Land Information System is entitled to compensation from the supplier of the data as laid down in this section.

The supplier of data is liable for damages due to an error or shortcoming in data from the Land Information System:

- 1) based on the Cadastre Register Act as laid down in section 11 of the Cadastre Register Act;
- 2) based on the land register as laid down in Chapter 7, section 4 of the Land Law Code (540/1995); as well as
- 3) based on other act or decree as laid down in the Damages Act (412/1974), unless otherwise provided for certain data.

The supplier of the data shall hear the producer of the data before deciding a matter concerning damages referred to in subsection 2 above.

If an error or shortcoming in data supplied from the Land Information System is due to an error or shortcoming in the data transferred to the system or neglect of obligation referred to in section 4 above, the relevant public body is responsible to compensate for the damages paid by the supplier of data.

If the error in the data included in the Land Information System is due to activity of the National Land Survey of Finland responsible for the administration of the system referred to in section 5(1), the National Land Survey of Finland is responsible for the damages to the supplier due to the said error as set out in subsection 2 above.

Section 9

Transfer of the right for compensation

If the party suffering the damage is entitled to compensation for a damage referred to in section 8 based on a contractual relationship or other special grounds, the right for compensation is transferred to the State or municipality as far as the State or municipality has paid compensation for damages by virtue of section 8.

The right of the State or municipality for compensation by virtue of subsection 1 starts from the date when the State or municipality paid the compensation for the party suffering the damage or is obliged to pay damages under a final decision of a court of law. In the case of the State the decision on the claim for damages is made by the relevant authority for the part of damages paid and in the

case of a municipality this decision is made by the municipal executive board. The claim for damages may be waived partly or in full if the claim is considered unreasonable in view of the amount of damages and other circumstances.

If more than one party is liable to pay to the State or municipality the amount of compensation paid by virtue of section 8 under the liability for damages or other grounds referred to in subsection 1, the parties concerned have a joint liability for the damages. However, the party which has not been ordered to pay a full compensation is liable for the ordered amount only. For the division of the compensation between the parties who have joint liability, the provisions laid down in Chapter 6, section 3 of the Damages Act shall apply.

Section 10

Further regulations

If necessary, the National Land Survey of Finland may issue further regulations on the technical procedure to be followed in maintaining the Land Information System, search criterion and other conditions concerning the use of the system and the related control.

Section 11

Further provisions

Further provisions on the application of this Act shall be issued by Government decree.

Section 12

Advisory Board

Provisions on duties and composition of the Advisory Board responsible for steering the implementation, maintenance and information service of the Land Information System shall be issued by Government decree.

Section 13

Entry into force

This Act enters into force on 1 January 2003.