

Assembly Act

(530/1999; AMENDMENTS UP TO 893/2001 INCLUDED)

Chapter 1 — **General provisions**

Section 1 — *Objectives* (1257/1999)

The objectives of this Act are to guarantee the exercise of the freedom of assembly, as provided in the Constitution of Finland, as well as to lay down the necessary regulatory provisions on the arrangement of public meetings and public events.

Section 2 — *Scope of application*

- (1) This Act applies to public meetings and public events.
- (2) For the purposes of this Act, a *public meeting* is defined as a demonstration or other assembly arranged for the exercise of the freedom of assembly, open for participation or observation also to persons who have not been expressly invited to it. However, a demonstration arranged merely for the expression of the opinion of individual persons is not considered to be a public meeting.
- (3) For the purposes of this Act, a *public event* is defined as amusements, contests, performances and other comparable events that are open to the public, but not considered to be public meetings. If participation in an event requires an invitation or membership in a given organisation, the provisions of this Act on public events apply to it, unless the event, owing to the number of participants, the type of the event or other specific circumstances, is considered to be of a private nature.
- (4) This Act does not apply to official events arranged by public corporations, nor to the characteristic events of religious communities where these are arranged for the purpose of public worship in the community's own premises or in a comparable place.

Section 3 — *General principles governing the arrangement of an event*

- (1) A public meeting and a public event shall be arranged peacefully, without compromising the safety of the participants or bystanders and without infringing their rights. When arranging an event, care shall be taken that the assembly does not cause significant damage to the environment.
- (2) When arranging a public meeting or public event, no one shall without an acceptable reason be treated differently from others on the basis of personal circumstances.

Section 4 — *Duty of protection and promotion*

The public authorities shall promote the exercise of the freedom of assembly by protecting the right to assemble without hindrance and by providing for the necessities in the arrangement of public meetings.

Chapter 2 — **Public meetings**

Section 5 — *Right to arrange public meetings*

Public meetings may be arranged by private persons with full legal capacity, by corporations and by foundations. A person who is without full legal capacity but

who has attained 15 years of age may arrange a public meeting, unless it is evident that he/she will not be capable of fulfilling the requirements that the law imposes on the arranger of a meeting. Other persons without full legal capacity may arrange public meetings together with persons with full legal capacity.

Section 6 — *Right to participate in a public meeting*

Everyone has the right to participate in a public meeting.

Section 7 — *Duty of notification*

- (1) When a public meeting is to be arranged outdoors in a public place, the arranger shall notify the local police of the same orally or in writing at least six hours before the beginning of the meeting. Also a later notification may be considered valid, if the arrangement of the meeting does not cause significant disruption to public order.
- (2) A notification may be submitted also on a demonstration to be arranged outdoors in a public place, but intended merely for the expression of the opinion of individual persons. In this event, the provisions of this Act on a public meeting, except that in section 5, apply to the demonstration.

Section 8 — *Contents of the notification*

- (1) The notification on a public meeting shall contain the following information:
 - (1) the arranger of the meeting;
 - (2) the purpose of the meeting;
 - (3) the place of the meeting or the route of the procession;
 - (4) the time of beginning and estimated time of ending of the meeting;
 - (5) the persons appointed by the arranger to maintain order in the meeting; and
 - (6) the constructions and other special equipment to be used in the meeting.
- (2) In the notification, the arranger shall also nominate a contact person, who must be reachable by the police in matters relating to the arrangement of the meeting (*contact person*).

Section 9 — *Public meeting places*

A public meeting may be arranged outdoors in a public square, opening, street, and in another similar public place that is suitable for meetings, without the permission of the owner or holder. The owner or holder may restrict the use of such a place for meeting purposes, if it is to be anticipated that the arrangement of the meeting will cause unreasonable inconvenience to the owner or holder or unreasonable damage to the environment.

Section 10 — *Restrictions relating to the meeting place*

- (1) If several public meetings are notified to be arranged in the same place at the same time, and their simultaneous arrangement is not possible, the arranger who first submitted the notification shall have precedence, unless the meeting place is traditionally or contractually to be used for another meeting. In this event, the police may, after having negotiated with the contact persons, move the other meetings to be held at another time or to another place suitable in view of the purpose of the meeting.
- (2) If the arrangement of a public meeting in the notified place will compromise the safety of people, cause considerable damage to the environment or damage to property, cause unreasonable inconvenience to bystanders, traffic or an event pertaining to an international conference arranged by a public corporation or another event requiring similar security arrangements, the police may, after having negotiated with the contact person, move the meeting to another place suitable in view of the purpose of the meeting.
- (3) In addition, where the flow of the traffic so requires and after having negotiated with the contact person, the police may order the route of a procession to be altered so that the purpose of the procession is nevertheless not compromised by way of the route alteration.

- (4) The police may undertake the measures referred to in this section without negotiating with the contact person, if the contact person cannot be reached.

Section 11 — *Meeting equipment*

In a public meeting, banners, insignia, loudspeakers and other regular meeting equipment may be used and temporary constructions erected. In this event, the arranger shall see to it that no danger or unreasonable inconvenience or damage is thereby caused to the participants, bystanders or the environment.

Chapter 3 — **Public events**

Section 12 — *Arrangement of a public event*

- (1) A public event may be arranged by a person with full legal capacity, by a corporation and by a foundation. A person without full legal capacity may arrange a public event together with a person with full legal capacity.
- (2) A public event shall not be arranged during the twenty-four-hour period beginning at 6PM on the eve of Good Friday, Easter Sunday or Christmas, unless the police grant permission for the same upon request.

Section 13 — *Consent of the owner or holder*

- (1) The arranger of a public event shall obtain the consent of the owner or holder of the place of the event for it being used for this purpose.
- (2) Separate provisions apply to the duty to obtain the consent of the copyright holder for the performance in the event of a copyrighted work, as provided in the Copyright Act (404/1961).

Section 14 — *Notification*

- (1) The arranger shall notify the police of the arrangement of a public event in writing at least five days before the beginning of the event. The police may accept also a notification made later, if the arrangement of the event will not disrupt public order and if the late notification will not unreasonably hamper the performance of the statutory duties of the police.
- (2) However, no notification need be made on a public event which, owing to the low number of participants, the nature of the event or the place of the event, does not require measures for the maintenance of order or security nor for the prevention of inconvenience to the bystanders or damage to the environment, nor special traffic arrangements.
- (3) The provisions in section 8 on the notification on a public meeting apply to the contents of the notification on a public event. Where necessary, the police may require information also on other circumstances pertaining to the arrangement of the public event.

Section 15 — *Prohibition of a public event*

- (1) The police may prohibit the arrangement of a public event, if other measures are not enough and if it is evident that:
 - (1) the event is illegal or its arrangement essentially violates this Act or the orders issued by virtue of this Act,
 - (2) order and security cannot be maintained in the event,
 - (3) the arrangement of the event will endanger health or cause damage to property, or
 - (4) the arrangement of the event will cause significant inconvenience to bystanders or damage to the environment.

Section 16 — *Liability insurance*

If the arrangement of the event may cause damage to persons or property, the police may order it to be a prerequisite of the arrangement of the event that the arranger has adequate insurance cover for possible damages liability.

Chapter 4 – **Maintenance of order**

Section 17 – *General duties of the arranger and the chairperson*

The arranger of a public meeting and a public event shall see to the maintenance of order and security and to the compliance with the law in the event. If a chairperson is elected for a public meeting, that person shall be subject to the same duties.

Section 18 – *Persons maintaining order*

The arranger of a public meeting or a public event may appoint persons to maintain order; the provisions in the Maintenance of Order Act (533/1999) apply to the competence criteria, authority and duties of the persons maintaining order. However, the right to interrupt a public meeting or public event and the right to order the same to disperse are governed by the provisions in this Act.

Section 19 – *Duties of the police*

- (1) It is the duty of the police to safeguard the exercise of the freedom of assembly. In addition, the police shall see to it that the arranger and the chairperson fulfil their duties under this Act and, where necessary, undertake measures for the maintenance of order and security in a public meeting or a public event.
- (2) When in the performance of their duties, a police officer and a civil protection officer shall have free access to a public meeting and a public event.

Section 20 – *Orders and instructions of the police*

Where necessary, the police may, before or during the event, issue orders or instructions on the arrangement of a public meeting or a public event for the purpose of:

- (1) the maintenance of public order or security,
- (2) the prevention of damage to health, property or the environment or the reduction of the damage to the environment,
- (3) the safeguarding of the rights and interests of bystanders, and
- (4) the ensuring of the free flow of traffic.

Section 21 – *Interruption and dispersal of a public meeting*

- (1) The chairperson or the arranger of a public meeting shall interrupt the meeting or order it to disperse, if continuing the meeting would cause immediate danger to the safety of the people, property or the environment.
- (2) If other measures have not proven adequate, a senior police officer has the right to interrupt a public meeting or order it to disperse in situations referred to in paragraph (1) and in situations where the public meeting otherwise is being essentially unlawfully arranged.

Section 22 – *Prevention, interruption and dispersal of a public event*

- (1) Under circumstances referred to in section 15, the arranger of a public event shall cancel or interrupt the event or order it to disperse. Under the same circumstances, the police and the persons maintaining order have the right to prevent or interrupt the public event or order it to disperse, if other measures have not proven adequate.
- (2) The provision in paragraph (1) on a public event applies correspondingly to a performance or other programming forming a part of the public event.

Section 23 – *Prohibited objects and substances*

- (1) In a public meeting or a public event or in their immediate vicinity, no one shall keep a firearm, explosives, edged weapon or other comparable object or substance in his/her possession, where there is reason to believe that it could be used in the commission of a criminal offence against the life or health of another person.

- (2) The provision in paragraph (2) does not apply to weapons required for the performance of an office or a duty or forming a part of a uniform, nor to objects and substances needed for the programme of the event or a sporting competition.
- (3) The arranger and the police have the right to prohibit the possession of intoxicating substances in a public meeting or a public event.
- (4) For the maintenance of order and security, the arranger and the police may also authorise the persons maintaining order to inspect the participants in the event and their personal belongings, if this is necessary owing to the special nature of the event or if there is reason to believe that the participants are in possession of objects or substances prohibited under paragraph (1) or (3). The provisions in the Maintenance of Order Act apply to the inspection carried out by the person maintaining order.

Section 24 – *Removal of meeting equipment and constructions, clean-up*

The arranger of a public meeting or a public event shall see to it that the meeting equipment and constructions are removed after the event without undue delay, unless otherwise agreed with the owner or holder of the place. The provisions in the Waste Act (1072/1993) apply to the cleaning up of the litter in the meeting place.

Chapter 5 – **Sanctions**

Section 25 – *References to the Penal Code*

- (1) Chapter 11, section 9 of the Penal Code (39/1889) contains the penal provision for discrimination in the arrangement of a public meeting or public event.
- (2) Chapter 14, section 5 of the Penal Code contains the penal provision for violation of the political rights of another; section 6 of that chapter contains the penal provision for the prevention of an assembly.

Section 26 – *Assembly violation*

A person who deliberately or through gross negligence

- (1) fails to submit a notification referred to in section 7(1) or 14(1) and thus significantly compromises public order or security,
 - (2) arranges a public event in violation of a prohibition issued by the police in accordance with section 15,
 - (3) essentially breaches orders issued by the police in accordance with section 10, 16 or 20,
 - (4) essentially fails in the performance of a duty of the arranger or the chairperson, as referred to in section 17, 21(1) or 22, or
 - (5) breaches a prohibition provided in section 23 or issued under that section,
- shall be sentenced, unless a more severe penalty for the act has been provided elsewhere in the law, for an *assembly violation* to a fine.

Section 27 has been repealed.

Chapter 6 – **Miscellaneous provisions**

Section 28 – *Appeals*

- (1) A police decision made under this Act shall be subject to appeal as provided in the Act on Administrative Judicial Procedure (586/1996).
- (2) A decision made under this Act shall be enforced regardless of appeal, unless the appellate authority otherwise orders.

Section 29 – *Further provisions*

- (1) More detailed provisions on the arrangement of a public event may be issued by Decree.

- (2) The Ministry in charge of internal security may issue more detailed orders and instructions on the minimum terms of a liability insurance policy, as provided in section 16, as well as on the police orders and instructions on the arrangement of public events, as provided in section 20.

Chapter 7 – **Entry into force and transitional provisions**

Section 30 – *Entry into force*

- (1) This Act enters into force on 1 September 1999.
- (2) This Act repeals the following Acts, both as later amended:
 - (1) the Public Meetings Act (6/1907) and
 - (2) the Act on Public Amusements (492/1968).
- (3) Measures necessary for the implementation of this Act may be undertaken before its entry into force.

Section 31 – *Transitional provisions*

- (1) Applications for permits for the arrangement of a public amusement, filed before the entry into force of this Act, shall be considered as notifications on a public event under this Act.
- (2) Public events, for which a permit has been granted on the basis of the Act on Public Amusements before the entry into force of this Act, may be arranged subject to the terms of the permit without need for a new notification.
- (3) Separate provisions apply to the continued validity of an authorisation to work as a person maintaining order, issued on the basis of a Decree subject to the Act repealed above in section 30(2)(2).