



29 January 2021

## **Notification of Finland**

COUNCIL REGULATION (EU) 2017/1939 of 12 October 2017  
implementing enhanced cooperation on the establishment of  
the European Public Prosecutor's Office ('the EPPO')

According to Article 117 of Council Regulation (EU) 2017/1939 implement-  
ing enhanced cooperation on the establishment of the European Public  
Prosecutor's Office ('the EPPO'), Each Member State shall designate the  
authorities that are competent for the purposes of implementing this Regu-  
lation. Information on the designated authorities, as well as on any subse-  
quent change thereto, shall be notified simultaneously to the European  
Chief Prosecutor, to the Council and to the Commission. Finland herewith  
notifies that this information will be sent separately to the European Chief  
Prosecutor, to the Council and to the Commission by the Permanent rep-  
resentation of Finland to the EU, Brussels.

According to Article 117, Member States shall also notify to the EPPO an  
extensive list of the national substantive criminal law provisions that apply  
to the offences defined in Directive (EU) 2017/1371 and any other relevant  
national law. The EPPO shall ensure that the information received through  
these lists is made public. Finland herewith notifies that following national  
substantive criminal law provisions of the Criminal Code of Finland  
(39/1889) apply to the offences defined in Directive (EU) 2017/1371:  
Giving of bribes (Section 13 of Chapter 16),  
Giving of bribes to a member of Parliament (Section 14 a of Chapter 16),  
Tax fraud (Section 1 of Chapter 29),  
Subsidy fraud (Section 5 of Chapter 29),

Subsidy misuse (Section 7 of Chapter 29),  
Money laundering (Section 6 of Chapter 32),  
Fraud (Section 1 of Chapter 36),  
Acceptance of a bribe (Section 1 of Chapter 40),  
Acceptance of a bribe as a member of Parliament (Section 4 of Chapter 40),  
Abuse of public office (Section 7 of Chapter 40), and  
Misappropriation of EU funds as a Member of Parliament (Section 8a of Chapter 40).

Furthermore, According to Article 117, Member States that, in accordance with Article 30(3), intend to limit the application of points (e) and (f) of Article 30(1) to specific serious offences shall notify the EPPO of a list of those offences. Finland herewith notifies that, in accordance with Article 30(3) of the Regulation, Finland limits the application of point (e) of Article 30(1) to specific serious offences as follows.

According to Section 3, Chapter 10 of the Coercive Measures Act of Finland (806/2011) a criminal investigation authority may receive permission for telecommunications interception directed at a network address or terminal end device in the possession of or otherwise presumably used by a suspect in an offence, when there are grounds to suspect him or her of:

- (1) genocide, preparation of genocide, a crime against humanity, an aggravated crime against humanity, crime of aggression, preparation of crime of aggression, a war crime, an aggravated war crime, torture, violation of a prohibition against chemical weapons, violation of a prohibition against biological weapons, violation against a prohibition against anti-infantry mines;
- (2) endangerment of the sovereignty of Finland, incitement to war, treason, aggravated treason, espionage, aggravated espionage, disclosure of a national secret, unlawful gathering of intelligence;
- (3) high treason, aggravated high treason, preparation of high treason;
- (4) aggravated distribution of a sexually offensive picture depicting a child;
- (5) sexual abuse of a child, aggravated sexual abuse of a child, aggravated rape of child;
- (6) manslaughter, murder, homicide, preparation of an aggravated

offence directed against life or health as referred to in Chapter 21, section 6a of the Criminal Code and in accordance with sections 1, 2 and 3 of said Chapter;

(7) arrangement of aggravated illegal entry into the country, aggravated deprivation of liberty, trafficking in persons, aggravated trafficking in persons, kidnapping, preparation of kidnapping;

(8) aggravated robbery, preparation of aggravated robbery, aggravated extortion;

(9) aggravated concealment of illegally obtained goods, professional concealment of illegally obtained goods, aggravated money laundering;

(10) criminal mischief, criminal traffic mischief, aggravated sabotage, aggravated endangerment of health, a nuclear device offence, hijacking;

(11) an offence committed with terrorist intent, an offence committed with terrorist intent regarding a radiological weapon, preparation of an offence committed with terrorist intent, directing of a terrorist group, promotion of the activity of a terrorist group, provision of training for the commission of a terrorist offence, training for the commission of a terrorist offence if the seriousness of the offence requires imprisonment, recruitment for the commission of a terrorist offence, financing of terrorism, financing of a terrorist group if the seriousness of the offence requires imprisonment, or travelling for the purpose of committing a terrorist offence if the seriousness of the offence requires imprisonment, as referred to in Chapter 34(a), section 1, subsection 1, paragraphs 2-8 or subsection 2 of the Criminal Code;

(12) aggravated damage to property, aggravated damage to data;

(13) aggravated fraud, aggravated usury;

(14) aggravated counterfeiting;

(15) aggravated impairment of the environment; or

(16) an aggravated narcotics offence.

A warrant for telecommunications interception may be issued also when there are grounds to suspect a person of the following in connection with commercial or professional activity:

(1) aggravated giving of a bribe;

(2) aggravated embezzlement;

(3) aggravated tax fraud, aggravated assistance fraud;

(4) aggravated forgery;

- (5) aggravated dishonesty by a debtor, aggravated fraud by a debtor;
- (6) aggravated taking of a bribe, aggravated abuse of public office;
- (7) aggravated regulation offence;
- (8) aggravated abuse of insider information, aggravated market price distortion; or
- (9) an aggravated customs offence.

A warrant for telecommunications interception may also be issued if there are grounds to suspect someone of aggravated pandering in which especially large benefit is sought and the offence has been committed in an especially methodical manner or the offence is one referred to in Chapter 20, section 9a, subsection 1, paragraph 3 of the Criminal Code.

Director General



Ari-Pekka Koivisto

Senior Ministerial Adviser



Lauri Rautio

29.1.2021

## ASETUKSEN (EU) 2017/1939 EDELLYTTÄMÄ ILMOITUS

117 artikla

### *Ilmoitukset*

*Kunkin jäsenvaltion on nimettävä viranomaiset, jotka ovat toimivaltaisia tämän asetuksen täytäntöönpanemiseksi. Viranomaisten nimeämistä ja mahdollisia myöhempiä muutoksia koskevat tiedot on ilmoitettava samanaikaisesti Euroopan pääsyyttäjälle, neuvostolle ja komissiolle.*

Neuvoston asetuksen (EU) 2017/1939 tiiviimmän yhteistyön toteuttamisesta Euroopan syyttäjänviraston (EPPO) perustamisessa (EPPO-asetus) 13 artiklan 2 ja 3 kohdassa, 25 artiklan 2 ja 3 kohdassa, 27 artiklan 4 kohdassa, 39 artiklan 3 kohdassa sekä 40 artiklan 1 kohdassa tarkoitetuissa kuulemismenettelyissä kansallisena viranomaisena toimii valtakunnansyyttäjän toimisto.