

## **Translation from Finnish**

**Legally binding only in Finnish and Swedish**

**Ministry of Economic Affairs and Employment, Finland**

## **Electrical Safety Act**

*(1135/2016)*

By decision of Parliament, the following is enacted:

### **Chapter 1**

#### **General provisions**

#### **Section 1**

##### **Objectives of the Act**

The objective of this Act is to ensure the safe use of electrical equipment and electrical installation, to prevent the harmful effects of electromagnetic disturbance arising from the use of electricity and to safeguard the rights of those that have suffered harm through the electrical current or magnetic field of electrical equipment or electrical installation. The objective of the Act is also to ensure conformity and free movement of electrical equipment.

This Act contains provisions on the requirements laid down for electrical equipment and electrical installations, demonstration of the conformity of electrical equipment and electrical installations, supervision of conformity, electrical work and its supervision, and the liability for damage of the possessor of electrical equipment and electrical installation.

This Act implements the Directive 2014/30/EU of the European Parliament and of the Council on the harmonisation of the laws of the Member States relating to electromagnetic compatibility (recast), hereafter referred to as the *EMC Directive*, and the Directive 2014/35/EU of the European Parliament and of the Council on the harmonisation of the laws of the Member States relating to the making available on the market of electrical equipment designed for use within certain voltage limits, hereafter referred to as the *Low Voltage Directive*.

#### **Section 2**

##### **Scope of application**

This Act applies to electrical equipment and electrical installations used for the generation, transmission, distribution or use of electricity, the electrical or electromagnetic characteristics of which may be hazardous or cause disturbance.

This Act also applies to radio equipment and communications networks in so far as they may cause danger to life, health or property, or harmful disturbance on which no provisions are laid down in the Information Society Code (917/2014) or in the provisions issued under it.

### **Section 3**

#### **Limitations on the scope of application**

This Act does not apply to:

1) placing on the market or putting into service of electrically operated machinery in so far as provisions on them are laid down in the Government Decree on the Safety of Machinery (400/2008);

2) medical devices and their accessories referred to in the Medical Devices Act (629/2010); however, this Act applies to these devices and their accessories when maintenance and repairs are carried out

3) damage that has resulted from an interruption in the transmission, distribution or supply of electricity, or the compensation for damage that has arisen as a result of irregularities in the distribution of electricity, or in other network services or electricity supply, referred to in section 97 of the Electricity Market Act (588/2013).

Further provisions on the application of the provisions contained in chapters 2–5 of this Act to electrical equipment and electrical installations, in so far as they concern the demonstration of conformity of products that are exclusively intended for military use, to the parties performing certification and periodic inspections, to notifications of electrical installations and responsible persons, to disclosure of information, and to supervision arrangements at sites where special protection is required because of national defence considerations, may be laid down by government decree. Steered by the Ministry of Defence, the Defence Command Finland supervises electrical safety at the sites referred to above in compliance with this Act.

## **Section 4**

### **Definitions**

For the purposes of this Act,

1) *electrical equipment* means the following items that require electricity for functioning or that are intended for the generation, transmission or measurement of electricity:

a) finished equipment;

b) installation materials;

c) a combination of equipment made available on the market as a single functional unit;

d) components or sub-assemblies that are intended for incorporation into equipment by the end-user;

2) *electrical installation* means a fixed installation or other similar functional unit consisting of electrical equipment and any other equipment, materials and structures;

3) *electromagnetic disturbance* means any electromagnetic phenomenon which may degrade the performance of electrical equipment or electrical installation; the disturbance may be electromagnetic noise, an unwanted signal or a change in the propagation medium;

4) *electromagnetic compatibility* means the ability of electrical equipment or electrical installations to function satisfactorily in its electromagnetic environment without introducing intolerable electromagnetic disturbance to other electrical equipment or electrical installations in that environment;

5) *electromagnetic environment* means all electromagnetic phenomena occurring in a given location;

6) *conformity assessment body* means a body that performs calibration, testing, certification and inspections, as well as other conformity assessment activities;

- 7) *economic operator* means the manufacturer of electrical equipment, the authorised representative, the importer and the distributor;
- 8) *technical documentation* means the documents on the characteristics of the electrical equipment that the manufacturer shall prepare in order to demonstrate the conformity of the electrical equipment;
- 9) *manufacturer* means any natural or legal person that manufactures electrical equipment or has electrical equipment designed or manufactured, and markets that equipment under his/her name or trade mark;
- 10) *harmonised standards* means the European standards that have been adopted on the basis of a request submitted by the European Commission so that the Union harmonisation legislation can be applied;
- 11) *technical specification* means a document that prescribes the technical requirements to be fulfilled by the electrical equipment or electrical installation;
- 12) *accreditation* means the accreditation defined in Article 2(10) of Regulation (EC) No 765/2008 of the European Parliament and of the Council setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93, hereafter referred to as the NLF Regulation;
- 13) *CE marking* means a marking by which the manufacturer indicates that the electrical equipment is in conformity with the requirements laid down in Union harmonisation legislation providing for its affixing;
- 14) *authorised representative* means any natural or legal person established within the Union that has received a mandate from a manufacturer to act on its behalf in relation to specified tasks;
- 15) *importer* means any natural or legal person established within the Union that places electrical equipment from a third country on the Union market;

16) *placing on the market* means the first occasion on which the electrical equipment is made available on the Union market;

17) *conformity assessment* means the process demonstrating whether the essential safety requirements relating to electrical equipment or electrical installation have been fulfilled;

18) *distributor* means any natural or legal person in the supply chain, other than the manufacturer or the importer, that makes electrical equipment available on the market;

19) *making available on the market* means the supply of electrical equipment in the course of a commercial activity for distribution, consumption or use on the Union market, whether in return for payment or free of charge;

20) *withdrawal* means any measure aimed at preventing electrical equipment in the supply chain from being made available on the market;

21) *recall* means any measure aimed at achieving the return of electrical equipment that has already been made available to the end-user;

22) *fixed installation* means an electrical installation that is a combination of several types of equipment or other devices, and that is assembled, installed and intended to be used permanently at a predefined location;

23) *possessor of distribution network* means a corporation or a plant that is in possession of a distribution network and engages in electrical network operations subject to a licence;

24) *authorised inspector* means a person who carries out inspections of electrical installations and who has been approved as an authorised inspector by the Electrical Safety Authority;

25) *authorised body* means a legal person that has been approved by the Electrical Safety Authority to carry out inspections of electrical installations;

26) *qualification assessment body* means a legal person that has been approved by the Electrical Safety Authority to assess the qualifications of a person applying for electrical qualification;

27) *operator* means a natural or legal person that performs construction, repair and maintenance work of electrical installations or repair and maintenance work of electrical equipment;

28) *electric damage* means damage arising from electrical equipment or electrical installations through electric current or magnetic field;

29) *immunity* means the ability of electrical equipment or electrical installations to perform as intended without degradation in the presence of electromagnetic disturbance;

30) *notified body* means a body designated by a European Union Member State and notified to the European Commission that has the right to carry out conformity assessments;

31) *Union harmonisation legislation* means any Union legislation harmonising the conditions for the marketing of electrical equipment.

## **Section 5**

### **The relation of the Act to other legislation**

Provisions on the minimum requirements for the accreditation of conformity assessment bodies, market surveillance, external border surveillance of products from third countries, and the CE marking of products are laid down in the NLF Regulation.

Provisions on lifts are laid down in the Lift Safety Act (1134/2016).

Provisions on the conformity of the equipment and protection systems intended for use in potentially explosive atmospheres are laid down in the Act on the Conformity of Equipment and Protection Systems Intended for Use in Potentially Explosive Atmospheres (1139/2016).

Provisions on market surveillance, external border surveillance referred to in Articles 27–29 of the NLF Regulation, surveillance authorities, and the appeals procedure are laid down in the Act on the Market Surveillance of Certain Products (1137/2016).

Provisions on the requirements for notified bodies, supervision of notified bodies and the appeals procedure are laid down in the Act on Notified Bodies Concerning Certain Product Groups (278/2016).

Provisions on occupational safety and health requirements are laid down in the Occupational Safety and Health Act (738/2002).

Provisions on compensation issues arising from an interruption in transmission, distribution or supply of electricity, and on compensation issues arising from irregularities in the distribution of electricity, in other network services or electricity supply are laid down in the Electricity Market Act.

Provisions on the placing of radio equipment on the market are laid down in chapter 30 of the Information Society Code.

## **Section 6**

### **General requirements for electrical equipment and electrical installations**

Electrical equipment and electrical installations shall be designed, constructed, manufactured and repaired, and maintained and used for their intended use so that:

- 1) they do not cause any danger to anybody's life, health or property;
- 2) they do not cause any unreasonable electrical or electromagnetic disturbance;
- 3) they are not easily disrupted by electrical or electromagnetic disturbance.

If the electrical equipment or electrical installation is not in conformity with the requirements laid down in subsection 1, it may not be placed on the market, transferred to other parties or put into service.

## **Chapter 2**

Requirements concerning electrical equipment

## **Section 7**

### **Demonstrating conformity of electrical equipment**

Anybody who places electrical equipment on the market must be able to demonstrate that the equipment fulfils the requirements laid down in section 6.

Anybody manufacturing or importing electrical equipment that will not be placed on the market but that will be transferred also for the use of other parties, must be able to demonstrate that the equipment fulfils the requirements laid down in section 6.

## **Section 8**

### **Scope of application of the requirements concerning electrical equipment**

Sections 9–28 of this Act apply to electrical equipment designed for use with a voltage rating of between 50 and 1,000 V for alternating current and a voltage rating of between 75 and 1,500 V for direct current.

Irrespective of the voltage, sections 9–28 of this Act also apply to electrical equipment the inherent nature of the physical characteristics of which is such that:

- 1) it is capable of generating or contributing to electromagnetic emissions which exceed a level allowing radio and telecommunication equipment and other equipment to operate as intended; or
- 2) its operations may be affected by unacceptable degradation in the presence of the electromagnetic disturbance normally consequent upon its intended use.

Further provisions on the restrictions to the scope of application concerning the requirements for electrical equipment are laid down by government decree.

## **Section 9**

### **Using electrical equipment for marketing purposes**

Economic operators may display electrical equipment or use electrical equipment for marketing purposes even if its conformity has not been demonstrated. In that case, the electrical equipment shall bear a visible marking indicating the name and date of the trade fair, demonstration or exhibition. The marking on the electrical equipment shall also clearly indicate that the equipment does not conform to requirements and is not put on sale until the manufacturer or the importer has brought it into conformity with the requirements. The demonstrations may only take place if



adequate measures have been taken to ensure electrical safety and avoid electromagnetic disturbance.

## **Section 10**

### **Making electrical equipment available on the market**

Electrical equipment may only be made available on the market if it fulfils the requirements laid down for it in this Act.

## **Section 11**

### **Restricting the placing on the market and use of electrical equipment**

The Electrical Safety Authority may restrict the placing on the market and use of electrical equipment if:

- 1) there is an existing or predicted electromagnetic compatibility problem at a specific site that must be solved; or
- 2) it is necessary for safety reasons to protect public telecommunications networks or receiving or transmitting stations when the equipment is used for safety purposes in well-defined spectrum situations.

The Electrical Safety Authority shall notify the European Commission and other Member States of the restrictions to the placing on the market and use of the electrical equipment.

## **Section 12**

### **Essential requirements for the electrical equipment**

The electrical equipment shall be designed and manufactured in accordance with good engineering practices so that, when properly installed and maintained and used for its intended use, it is electromagnetically compatible and does not endanger human health or safety, or livestock or property. The electrical equipment shall be protected against danger caused by the equipment and against dangers which may be caused by external effects on the electrical equipment.

Possessors of electrical networks may not impose safety requirements for electrical equipment that are stricter than the essential safety requirements laid down in this section or under this section as a condition for connection to the network, or for the supply of electricity to users of the electrical equipment.

Further provisions on the essential safety requirements for electrical equipment and essential requirements concerning electromagnetic compatibility are laid down by government decree.

### **Section 13**

#### **Obligation of the manufacturer to ensure conformity of the electrical equipment**

Before placing the electrical equipment on the market, the manufacturer must ensure and be able to demonstrate that the electrical equipment has been designed and manufactured in accordance with the essential safety requirements referred to in section 12 and the essential requirements concerning electromagnetic compatibility.

The manufacturer shall subject the electrical equipment to a suitable conformity assessment procedure and draw up the technical documentation to demonstrate that the electrical equipment conforms with the requirements.

The manufacturer shall draw up an EU declaration of conformity and affix the CE marking to the electrical equipment after the electrical equipment has been demonstrated to fulfil all applicable requirements. By drawing up the EU declaration of conformity, the manufacturer assumes responsibility for ensuring that the electrical equipment is in accordance with all essential requirements applying to the equipment.

The technical documentation and the EU declaration of conformity shall be in Finnish or in Swedish, or in another language approved by the Electrical Safety Authority.

The manufacturer shall keep the technical documentation and the EC declaration of conformity concerning the electrical equipment for a period of ten years after the electrical equipment has been placed on the market.

Further provisions on the conformity assessment procedure, technical documentation as well as the EU declaration of conformity and its content are laid down by government decree.

## **Section 14**

### **Obligation of manufacturers to ensure that series production remains in conformity**

The manufacturer shall ensure that serially produced electrical equipment fulfils the requirements laid down in this Act.

The manufacturer shall take into account the changes in equipment design or characteristics and changes in the harmonised standards or in other technical specifications by reference to which conformity of the equipment is declared.

To protect the health and safety of consumers, the manufacturer shall carry out sample testing of the electrical equipment made available on the market, if the manufacturer considers this appropriate because of the risks presented by the electrical equipment. The manufacturer shall investigate, and, if necessary, keep a register of complaints, of non-complying electrical equipment and electrical equipment recalls, and keep distributors informed of any such monitoring.

## **Section 15**

### **CE marking**

General principles concerning the CE marking are laid down in Article 30 of the NLF Regulation.

The manufacturer shall affix the CE marking to a finished electrical equipment fulfilling the requirements laid down in this Act before the electrical equipment is placed on the market. The CE marking shall be affixed visibly, legibly and indelibly to the electrical equipment. If it is not possible or warranted to affix the CE marking to the electrical equipment, it shall be affixed to the packaging of the electrical equipment and to the accompanying documents.

## **Section 16**

### **Markings on the electrical equipment, contact details, and the documents accompanying the electrical equipment**

The manufacturer shall ensure that the electrical equipment placed on the market bears the markings required under this Act and that the equipment bears the necessary instructions and safety information.

The electrical equipment shall bear a type, batch or serial number or other marking allowing its identification, or, where the size or nature of the electrical equipment does not allow it the required information shall be provided on the packaging or in a document accompanying the electrical equipment.

The manufacturer shall indicate its name, registered trade name or registered trade mark and its postal address. The details shall be indicated on the electrical equipment or, if this is not possible, on its packaging or in a document accompanying the equipment. The address shall indicate a single point at which the manufacturer can be contacted.

The safety information and instructions accompanying the electrical equipment shall contain the necessary instructions for using the equipment in a safe manner and in accordance with its intended use.

The markings, safety information and instructions of the electrical equipment as well as the documents accompanying the equipment shall be in Finnish and Swedish. They shall be clear, understandable and intelligible.

Further provisions on the requirements concerning the markings, information and instructions of electrical equipment are laid down by government decree.

## **Section 17**

### **Authorised representatives**

The manufacturer may, by a written mandate, appoint an authorised representative.

The manufacturer may not transfer the obligations laid down in section 13, subsections 1 and 2 to the authorised representative.

An authorised representative shall perform the tasks specified in the mandate received from the manufacturer. The mandate shall allow the authorised representative to do at least the following:

- 1) keep the EU declaration of conformity and the technical documentation at the disposal of the Electrical Safety Authority for ten years after the electrical equipment has been placed on the market;
- 2) further to a reasoned request from the Electrical Safety Authority, provide that authority with all the information and documentation necessary to demonstrate the conformity of the electrical equipment;
- 3) cooperate with the Electrical Safety Authority, at its request, on any action taken to eliminate the risks posed by the electrical equipment covered by the authorised representative's mandate.

## **Section 18**

### **Importer's obligations in connection with the placing of electrical equipment on the market**

The importer may only place on the market electrical equipment that fulfil the set requirements.

Before placing electrical equipment on the market, the importer shall ensure that:

- 1) the manufacturer has carried out the appropriate conformity assessment procedure for the electrical equipment referred to in section 13, subsection 2;
- 2) the manufacturer has drawn up the technical documentation;
- 3) the electrical equipment bears the CE marking;
- 4) the electrical equipment is accompanied by the required documents;
- 5) the electrical equipment bears the markings and is accompanied by the contact details referred to in section 16, subsections 2 and 3;
- 6) the electrical equipment is accompanied by the safety information and instructions referred to in section 16, subsection 4.

If the importer has reasons to suspect that the electrical equipment is not in conformity with the essential safety requirements provided in this Act or the essential requirements concerning electromagnetic compatibility, the importer may not place the electrical equipment on the market until it has been brought into conformity with the requirements. If the electrical equipment presents a risk, the importer shall notify the manufacturer and the Electrical Safety Authority of the matter.

## **Section 19**

### **Obligation of the importer to indicate its contact details**

The importer shall indicate its name, registered trade name or registered trade mark and its postal address. The details shall be indicated on the electrical equipment or, if this is not possible, on its packaging or in a document accompanying the equipment.

## **Section 20**

### **Obligation of the importer to keep documents and make them available**

The importer shall, for ten years after the electrical equipment has been placed on the market, keep a copy of the EU declaration of conformity at the disposal of the Electrical Safety Authority and ensure that the technical documentation is kept at the disposal of the Electrical Safety Authority, upon request.

## **Section 21**

### **Obligations of the distributor when the electrical equipment is made available on the market**

The distributor shall act with due care in order to ensure that the electrical equipment that it makes available on the market fulfils the requirements laid down in this Act.

Before making the electrical equipment available on the market, the distributor shall check that:

- 1) the electrical equipment bears the CE marking;
- 2) the electrical equipment is accompanied by the required documents;

3) the electrical equipment bears the markings and is accompanied by the contact details referred to in section 16, subsections 2 and 3 and section 19;

4) the electrical equipment is accompanied by the safety information and instructions referred to in section 16, subsection 4.

If the distributor has reasons to suspect that the electrical equipment is not in conformity with the essential safety requirements or the essential requirements concerning electromagnetic compatibility, the distributor may not make the electrical equipment available on the market until it has been brought into conformity with the requirements laid down in this Act. If the electrical equipment presents a risk, the distributor shall notify the manufacturer or the importer and the Electrical Safety Authority of the matter.

## **Section 22**

### **Obligation of importers and distributors to ensure the storage and transport conditions of the electrical equipment**

Importers and distributors shall ensure that the conformity of the electrical equipment is not endangered when it is under their responsibility during storage and transport.

## **Section 23**

### **Applying the obligations of the manufacturer to importers and distributors**

The importers and the distributors have the same obligations as the manufacturer if they place electrical equipment on the market under their own name or trade mark or modify equipment that has already been placed on the market in such a way that compliance with the requirements laid down in this Act may be affected.

## **Section 24**

### **Identification of economic operators**

Economic operators shall, on request, identify to the Electrical Safety Authority| any economic operator that has supplied them with electrical equipment or| any economic operator to whom they have supplied electrical equipment.

Economic operators shall be able to present the information referred to in subsection 1 for ten years after they have been supplied with electrical equipment and for ten years after they have supplied electrical equipment.

## **Section 25**

### **Obligations of economic operators in situations involving non-compliance**

If the manufacturer or the importer has reason to suspect that the electrical equipment that it has placed on the market is not in conformity with the requirements laid down in this Act, the manufacturer or the importer shall immediately take action to bring the equipment into conformity, to withdraw it or, if necessary, to recall it.

If the distributor has reasons to suspect that the electrical equipment that it has made available on the market is not in conformity with the requirements laid down in this Act, the distributor shall ensure that the necessary measures are taken to bring the electrical equipment into conformity, to withdraw it or to recall it.

Where the electrical equipment presents a risk, the economic operator shall immediately inform the competent national authorities of the EU Member States in which economic operator made the equipment available on the market, giving all details of the non-compliance and of any corrective measures taken.

When considered appropriate to protect the health and safety of consumers, the manufacturer and the importer shall carry out sample testing of electrical equipment made available on the market, investigate, and, if necessary, keep a register of complaints, of non-complying electrical equipment and electrical equipment recalls, and keep distributors informed of any such monitoring.

## **Section 26**

### **Obligation of the economic operators to disclose information and cooperate with the Electrical Safety Authority**

The economic operators shall, on request, provide the Electrical Safety Authority with the information and documents that are required for demonstrating conformity of the electrical equipment, in Finnish, Swedish or in another language approved by the Electrical Safety Authority.



The economic operators shall cooperate with the Electrical Safety Authority, at its request, on any action taken to eliminate the risks posed by the electrical equipment which they have placed on the market.

## **Section 27**

### **Electromagnetic compatibility requirements for electrical equipment intended for incorporation into a particular fixed installation**

Electrical equipment which has been made available on the market and which may be incorporated into a fixed installation is subject to the requirements concerning electromagnetic compatibility of electrical equipment.

The requirements concerning electromagnetic compatibility laid down in sections 11–25 do not apply to electrical equipment that is intended for incorporation into a particular fixed installation and that is otherwise not made available on the market. The documentation accompanying the electrical equipment shall identify the fixed installation and its electromagnetic compatibility characteristics and indicate the precautions to be taken for the incorporation of the electrical equipment into the fixed installation in order not to compromise the conformity of that installation. The documents shall contain the markings and contact details referred to in section 16, subsections 2 and 3 and section 19. The good engineering practices observed shall also be laid out in the documents.

The installer of the fixed installation shall ensure that the required documents are transferred to the possessor of the electrical installation. The possessor of the installation shall ensure that the documents are kept at the disposal of the Electrical Safety Authority for the duration of the installation operating life.

## **Section 28**

### **Presumption of conformity of electrical equipment**

Electrical equipment is considered to fulfil the essential safety requirements referred to in section 12 and the essential requirements concerning electromagnetic compatibility if it is in conformity with relevant harmonised standards or parts thereof the references of which have been published in the Official Journal of the European Union.

Electrical equipment may fulfil the essential safety requirements and the essential requirements concerning electromagnetic compatibility even if it is not in conformity with harmonised standards. In that case, it must be possible to demonstrate the conformity of the electrical equipment in a reliable manner.

Further provisions on the standards conferring the presumption of conformity of electrical equipment and their order of application are laid down by government decree.

## **Section 29**

### **Special requirements for plugs and socket outlets intended for household use**

Plugs and socket outlets for household use may be made available on the market, transferred to other parties or put into service only if they are in accordance with the standard applying to plugs and socket outlets in Finland.

Provisions in subsection 1 also apply to plugs and socket outlets that are structurally integrated into electrical equipment.

Economic operators that manufacture or import plugs or socket outlets into the Finnish market must ensure that a certificate proving that the plugs or socket outlets in question meet the requirements laid down in the standard referred to in subsection 1 is kept at the disposal of the Electrical Safety Authority.

## **Chapter 3**

### **Requirements concerning electrical installations**

## **Section 30**

### **Exceptions to the scope of application**

Sections 32–34 of this Act do not apply to electrical installations of communications networks, lifts, aircraft, land vehicles or watercraft.

## **Section 31**

### **Safety requirements for electrical installations**

Electrical installations shall be designed, constructed and repaired in accordance with good engineering practices in safety matters, considering the requirements laid down in section 6, subsection 1, paragraph 1.

In addition to the provisions in subsection 1, the electrical installation shall also fulfil the essential safety requirements. The essential safety requirements concern protection against electric shocks, fire, heat and other harmful effects, requirements concerning special equipment and special conditions, compatibility of different equipment, and other essential structural requirements. The requirements also apply to the necessary markings and documentation.

The conditions prevailing in Finland and the installation practices observed shall be considered when constructing electrical installations.

Further provisions on the essential safety requirements for electrical installations are laid down by government decree.

## **Section 32**

### **Fulfilment of safety requirements**

Electrical installations are considered to fulfil the essential safety requirements referred to in section 31 if the standards referred to in section 33 or publications the compliance of which with the essential requirements has been verified in accordance with section 33 are applied to the design, construction and repairs of the installation.

If necessary, fulfilment of the essential safety requirements for the electrical installation may, by way of derogation from subsection 1, be demonstrated in compliance with the provisions laid down in section 34.

## **Section 33**

### **Applicable standards and publications**

The Electrical Safety Authority publishes a list of the standards in compliance with which is considered to mean that the electrical installation is in conformity with the requirements laid down in this Act.

If there are electrical installations for which no standards have been drawn up, publications comparable with the standards, the correlation of which to the essential safety requirements has been approved in accordance with subsection 1, may apply.

The Electrical Safety Authority will update the list of standards when a standard is replaced with a new standard or a new issue of the standard is published. The electrical installation under construction at the time of the updating of the list may be completed and put into service in accordance with the previous standard within three years of the updating.

## **Section 34**

### **Derogating from standards**

The standards may be derogated from as necessary if the corresponding safety level can be achieved by other means.

The designer or installer of the electrical installation shall draw up a written report on the derogation before the construction or repairs of the electrical installation is started and the customer shall give its consent to the derogations. The report shall be drawn up so that the fulfilment of the requirements can be determined on the basis of it. The report may be supplemented with a statement by an authorised body or an authorised inspector.

Further provisions on the procedure concerning the derogations from the standards are laid down by government decree.

## **Section 35**

### **Changes in operational conditions**

The possessor of the electrical installation shall ensure that when there are changes in the manner in which the installation is used or in operational conditions, necessary measures are taken so that the safety of the electrical installation can be ensured in the changing conditions.

## **Section 36**

### **Connecting electrical installations together**

Anybody connecting electrical installations together shall ensure that the measure will not cause any danger or disturbance referred to in section 6. In order to ensure this, the possessors of the electrical installations that are to be connected shall provide each other with adequate technical information on the structure of their electrical installation.

### **Section 37**

#### **Scope of application of the requirements concerning electromagnetic compatibility of electrical installations**

Sections 38–41 of this Act apply to electrical installations the inherent nature of the physical characteristics of which is such that:

- 1) it is capable of generating or contributing to electromagnetic emissions which exceed a level allowing radio and telecommunication equipment and other equipment to operate as intended; or
- 2) its operations may be affected by unacceptable degradation in the presence of the electromagnetic disturbance normally consequent upon its intended use.

Further provisions on the restrictions to the scope of application concerning the requirements for electromagnetic compatibility of electrical installations are laid down by government decree.

### **Section 38**

#### **Using electrical installations for marketing purposes**

Electrical installations may be put on display or it may be used for marketing purposes even if it did not fulfil the requirements laid down in this Act. In that case, the electrical installation shall display a visible marking indicating the name and date of the trade fair, demonstration or exhibition. The marking on the electrical installation shall also clearly indicate that the electrical installation does not conform to requirements and is not put on sale until it has been brought into conformity with the requirements. The demonstrations may only take place if adequate measures have been taken to ensure electrical safety and avoid electromagnetic disturbance.

### **Section 39**

#### **Essential requirements concerning electromagnetic compatibility of electrical installations**

Electrical installations shall be designed and constructed in accordance with good engineering practices so that they are electromagnetically compatible when properly maintained and repaired. In fixed installations, consideration shall be given to the information on the intended use of the components, with a view to fulfilling the essential requirements laid down for the electrical installation.

The installer of the electrical installation shall document the applied engineering practices and transfer the documents to the possessor of the electrical installation. The possessor of the electrical installation shall keep the documentation at the disposal of the Electrical Safety Authority for inspections for as long as the electrical installation is in operation.

Further provisions on the essential requirements for electromagnetic compatibility of electrical installation and special requirements for fixed installations are laid down by government decree.

## **Section 40**

### **Presumption of conformity of electrical installation with regard to essential requirements concerning electromagnetic compatibility**

Electrical installation is considered to fulfil the essential requirements concerning electromagnetic compatibility referred to in section 39, if it is in conformity with relevant harmonised standards or parts thereof the references of which have been published in the Official Journal of the European Union.

Electrical installation may fulfil the essential electromagnetic compatibility requirements even if it is not in conformity with harmonised standards. In that case, it must be possible to demonstrate the conformity of the electrical installation in a reliable manner.

## **Section 41**

### **Putting electrical installations into service and restricting the putting into service**

Electrical installations may only be put into service if they fulfil the requirements laid down for them in this Act.

Before the electrical installation is put into service, the installer of the electrical installation shall ensure that the electrical installation has been designed and constructed in accordance with the safety requirements laid down in section 31 and the essential requirements for electromagnetic compatibility laid down in section 39.

The Electrical Safety Authority may restrict the putting into service and use of the electrical installation if:

- 1) there is an existing electromagnetic compatibility problem at a specific site that shall be solved or there are reasons to expect that such a problem arises at a specific site; or
- 2) it is necessary for safety reasons to protect public telecommunication network or receiving or transmitting station when the installation is used for safety purposes in well-defined spectrum situations.

The Electrical Safety Authority shall notify the European Commission and other Member States of the restrictions to the putting into service and use of the electrical installations.

## **Section 42**

### **Time of putting an electrical installation into service**

The electrical installation is considered to have been put into service when it is switched live for the purpose of service. However, electrical installation is not considered to have been put into service in situations of controlled use necessary for the test run or the commissioning inspection of the installation.

Electrical installation is considered to have been commissioned for its use when the site or station for which the electrical installation was constructed is put into its intended use or the operations for which the electrical installation was designed will start.

## **Section 43**

### **Commissioning inspection**

Electrical installation may only be put into service after it has been adequately established in a commissioning inspection that the installation does not cause any danger or disturbance referred

to in section 6. A commissioning inspection shall also be carried out on modifications and extensions of electrical installations. The commissioning inspection of the electrical installation is the responsibility of the installer of the electrical installation. If the installer neglects its obligations or is prevented from performing them, the possessor of the electrical installation is responsible for the inspection.

The installer of the electrical installation shall draw up an inspection record of the commissioning inspection for the use of the possessor of the electrical installation, with the exception of minor work. However, in such cases, too, the results of the electrical installation testing shall be made available to the possessor of the electrical installation, if necessary.

Further provisions on the content of the commissioning inspection record and the minor work of which no record is required are laid down by government decree.

## **Section 44**

### **Classification of electrical installations**

Electrical installations are classified in accordance with the requirements for certification and periodic inspections, and the requirements for their maintenance programme as follows:

1) Category 1 electrical installations:

a) electrical installations in residential buildings with more than two dwellings;

b) electrical installations in other than residential buildings, in which the overcurrent protector has a rated current of more than 35 amperes and that does not belong to categories 2 or 3;

2) Category 2 electrical installations:

c) electrical installations that include parts with rated voltage in excess of 1,000 V, with the exception of electrical installations that only contain electrical equipment in excess of 1,000 V that is fed with a rated voltage not exceeding 1,000 V, or similar installations;



d) electrical installation with a connection capacity of more than 1,600 kilovolt amperes; this connection capacity means the sum of connection capacity of the connections built for the property of the possessor of the electrical installation or for a group of properties.

3) Category 3 electrical installations:

e) distribution, transmission and other similar electrical network of the possessor of the network.

The classification of electrical installations does not apply to electrical installations of communications networks, lifts, aircraft, land vehicles or watercraft.

## **Section 45**

### **Certification inspection of electrical installations**

In addition to the commissioning inspection, a certification inspection shall also be performed on the electrical installation, if the installation belongs to category 1, 2 or 3. A certification inspection shall also be carried out on significant modification and expansion work of electrical installations.

The certification inspection of the electrical installation is the responsibility of the installer of the electrical installation. If the installer neglects its obligations or is prevented from performing them, the operator of the electrical installation is responsible for the inspection.

Further provisions on significant modification and extension work of electrical installations are laid down by government decree.

## **Section 46**

### **Time and content of certification inspection and the party performing the inspection**

The certification inspection shall be performed before the electrical installation is commissioned for its intended use or within a specific period after that. It shall be verified in the certification inspection, to the extent necessary and by means of spot checks or by other suitable means, that the electrical installation fulfils the requirements laid down for electrical safety and electromagnetic compatibility and that an appropriate commissioning inspection has been carried out on the electrical installation. The certification inspection shall always include any medical premises, potentially explosive atmospheres and premises with high risk of fire at the site.

The certification inspection may be performed by the authorised body or the authorised inspector referred to in section 75.

The party performing the certification inspection shall draw up an inspection certificate for the use of the possessor of the electrical installation and affix an inspection sticker to the main switchboard or a corresponding location. The possessor of the electrical installation shall keep the inspection certificate for at least ten years.

Further provisions on the timing of the certification inspection for different types of installations and the content of the inspection certificate and inspection sticker are laid down by government decree.

## **Section 47**

### **Responsibility of the possessor of the electrical installation for the safety of the electrical installation and electromagnetic compatibility**

The possessor of the electrical installation is responsible for the safety of the installation, for the servicing required for its maintenance and for ensuring that the installation meets the requirements laid down in this Act.

The possessor of the electrical installation shall ensure that the condition and safety of the installation is monitored and that all defects and inadequacies that are identified are eliminated as soon as necessary.

## **Section 48**

### **Servicing and maintenance programme for electrical installations**

The possessor of the electrical installation shall ensure that a maintenance programme ensuring electrical safety is drawn up for category 2 and 3 electrical installations. The possessor of the electrical installation is responsible for ensuring that the maintenance programme is observed. When the maintenance programme is drawn up, consideration shall be given to the needs arising from the operating environment of the electrical installation.

As regards other electrical installations, the programme can be replaced with operating and maintenance instructions for equipment and installations.

## **Section 49**

### **Periodic inspection of electrical equipment**

Periodic inspections shall be carried out on category 1 and 2 electrical installations every ten years, the with the exception of electrical installations in residential buildings.

If the residential building incorporates business premises or other premises that are mainly used for other than residential purposes where the overcurrent protector has a rated current of more than 35 amperes, a periodic inspection on the electrical installations in these premises shall be carried out every ten years.

On category 3 electrical installations, the periodic inspection shall be carried out every five years. The periodic inspections of the electrical installations are the responsibility of the possessor of the electrical equipment.

## **Section 50**

### **Content of the periodic inspection and the party performing the inspection**

It shall be verified in the periodic inspection, to the extent necessary and by means of spot checks or by other suitable means, that:

- 1) the electrical installation is safe to use, the maintenance is adequate to ensure safety, and the measures laid out in the maintenance programme have been carried out on the installation;
- 2) the tools, drawings, diagrams and instructions required for the use and maintenance of the electrical installation are available;
- 3) the appropriate inspection records on the extension and modification work carried out on the electrical installation are available.

The periodic inspection shall always include any medical premises, potentially explosive atmospheres and premises with high risk of fire at the site.

The periodic inspection may be performed by the authorised body or the authorised inspector referred to in section 75.

## **Section 51**

### **Inspection record and inspection sticker of periodic inspection**

The party performing the periodic inspection shall draw up an inspection report on the inspection for the use of the possessor of the electrical installation and affix an inspection sticker to the main switchboard or a corresponding location.

The possessor of the installation shall keep the inspection record and documentation proving that the inadequacies detailed in the record have been corrected, at least until the next periodic inspection.

Further provisions on the content of the inspection record and the inspection sticker are laid down by government decree.

## **Section 52**

### **Register of the possessor of distribution networks**

The distribution network possessor shall keep a register of connected electrical installations in its supply area. The register shall contain the information on the basis of which the type, installer, possessor or owner of the equipment can be appropriately established for the purpose of supervising electrical safety and investigating any accident.

## **Chapter 4**

### **Requirements for performing electrical and operational work**

## **Section 53**

### **Definition of electrical and operational work**

Electrical work means repairs and maintenance of electrical equipment and construction, repairs and maintenance of electrical installations.

Dismantling of electrical equipment or electrical installations is not considered electrical work if the equipment or installation has been made dead in a reliable and appropriate manner.

Operational work means operational actions of electrical installations and inspections of electrical installations.

## **Section 54**

### **Basic requirement for electrical work and operational work**

A person performing electrical or operational work shall be familiar or instructed with the task and the relevant electrical safety requirements.

## **Section 55**

### **Prerequisites for performing electrical work**

An operator may perform electrical work on the following conditions:

- 1) a person possessing adequate qualifications has been placed in charge of the work (electrical work supervisor);
- 2) the person performing and supervising the work independently has adequate qualifications or otherwise possesses adequate professional skills;
- 3) the tools necessary for performing the work and regulations governing electrical safety are available to the operator;
- 4) the Electrical Safety Authority has been notified of the activities before the start of the electrical work.

It shall be detailed in the notification referred to in subsection 1, paragraph 4 above how the requirements laid down in subsection 1 and section 58 are met. It shall be stated in the notification that the person designated as the electrical work supervisor has agreed to perform the task. The information referred to in section 86, subsection 2, paragraphs 1–3 shall also be given in the notification so that it can be entered into the register. The Electrical Safety Authority shall be

notified of the changes to the information kept in the register in writing within one month of the change. The notification may also be submitted electronically.

## **Section 56**

### **Exceptions to the prerequisites for performing electrical work**

The requirements laid down in section 55 above may be deviated from:

- 1) in electrical work on the power system of electric vehicles suitable for road use, if the person concerned is adequately familiar with the electrical system of the vehicle model in question and the dangers arising from electricity;
- 2) in work performed as part of the laying of underground cables that only includes the lowering of the cable in the cable trench and burying or ploughing it, if the person performing the work meets the requirements laid down in section 73 and the work is supervised by an operator who meets the prerequisites laid down in section 55 and who also has overall responsibility for the cable-laying work;
- 3) in minor one-off electrical work that is performed by a person possessing a certificate referred to in sections 66–71 qualifying him/her for the work in question;
- 4) in the construction of temporary electrical installations for teaching purposes, if the work is performed in a laboratory of an education institution and supervised by an electrically skilled person referred to in section 73;
- 5) in electrical work performed by an electrically skilled person referred to in section 73 and that is directed at the electrical installation in his/her dwelling or residential building that is owner-occupied or controlled by close relatives; such a skilled person shall possess a certificate of qualification issued by a qualification assessment body and a certification inspection shall be carried out on such work, with the exception of minor work.

The requirements laid down in section 55 above may be also be deviated from in the following work performed by ordinary persons:

- 1) removal and attaching of covers of installation boxes with a rated voltage not exceeding 250 V, installation, repairs and maintenance of single-phase plugs, lead wires, extension cords and interior lighting and similar work;
- 2) electrical work on AC voltage equipment with a rated voltage not exceeding 50 V or DC voltage equipment of 120 V;
- 3) repairs of electrical equipment constructed for one's own use if the work is part of a leisure time activity involving electrical equipment.

Further provisions on the electrical work and areas of work referred to in subsections 1 and 2 are laid down by government decree.

## **Section 57**

### **Designating an electrical work supervisor**

The operator shall designate an electrical work supervisor for electrical work before the work is started.

The new electrical work supervisor shall be designated within three months of the date on which the supervisor designated by the operator is replaced or is prevented from carrying out his/her duties for reasons other than short absence.

## **Section 58**

### **Requirements concerning the operator and the electrical work supervisor**

The electrical work supervisor shall be an operator or employed by an operator. One person may be designated as an electrical work supervisor for a maximum of three operators at the same time.

The operator shall ensure that the electrical work supervisor is given adequate operational power to manage and supervise the electrical work. The electrical work supervisor shall be in a position to carry out his/her job in a proper manner.

The electrical work supervisor shall be familiar with electrical safety requirements and keep his/her professional skills up to date.

## **Section 59**

### **Tasks of the electrical work supervisor**

The electrical work supervisor is responsible for ensuring that:

- 1) the electrical work is performed in accordance with this Act;
- 2) the condition of the electrical equipment and electrical installations is in accordance with the requirements laid down in this Act before they are put into service or transferred to other persons;
- 3) the persons performing the electrical work have the required professional skills and have received adequate instruction.

## **Section 60**

### **Electrical installations requiring a supervisor of operations**

The possessor of the electrical installation shall designate a supervisor of operations for operational work if:

- 1) the electrical installation includes parts with a rated voltage in excess of 1,000 V, with the exception of electrical equipment in excess of 1,000 V or comparable equipment that are fed with a rated voltage not exceeding 1,000 V; or
- 2) the electrical installation has a connection capacity in excess of 1,600 kilovolt amperes; this connection capacity means the sum of connection capacity of the connections built for the property of the possessor of the electrical installation or for a group of properties.

The possessor of the electrical installation shall designate the supervisor of operations within three months of the date on which the electrical installation is put into service.

The possessor of the electrical installation shall submit a notification of the electrical installation referred to in subsection 1 and the supervisor of its operation to the Electrical Safety Authority within three months of the date on which the electrical installation is put into service. It shall be detailed in the notification how the requirements laid down in section 61 are met. It shall be stated



in the notification that the person designated as supervisor of operations has agreed to carry out his/her task. A notification of essential changes concerning the electrical installation and the supervisor of operations shall be also submitted within one month.

The possessor of the electrical installation shall appoint a new supervisor of operations within three months of the date on which the supervisor of operations is replaced or prevented from carrying out his/her duties for reasons other than short absence.

## **Section 61**

### **Requirements concerning the possessor of the electrical installation and the supervisor of operations**

The supervisor of operations shall be a possessor of the electrical installation or employed by the possessor. A person employed by a corporation that has a maintenance agreement covering electrical installation with the possessor of the electrical installation may also work as a supervisor of operations. A person that is not employed by the possessor of the electrical installation may also work as a supervisor of operations if the electrical installation includes no more than three transformer substations with a rated voltage not exceeding 20 kV or separate switchgear assemblies that have a rated voltage in excess of 1,000 V and are comparable to a transformer substation.

The provisions of the Electricity Market Act apply to the service relationship of the supervisor of operations of the possessor of the distribution network.

The possessor of the electrical installation shall ensure that the supervisor of operations is given adequate operational power to manage and supervise the operational work. The possessor of the electrical installation shall also provide the supervisor of operations with the necessary information on the construction and repairs of the electrical installation and relevant inspections.

The supervisor of operations shall be familiar with electrical safety requirements and keep his/her professional skills up to date.

## **Section 62**

### **Tasks of the supervisor of operations**

The supervisor of operations is responsible for ensuring that:

- 1) the electrical installation is operated and maintained in accordance with this Act;
- 2) the condition of the electrical installation is in accordance with the requirements laid down in this Act when in operational use;
- 3) the persons performing the operational work have the required professional skills and have received adequate instruction.

### **Section 63**

#### **Simple repairs and maintenance work performed under the management of the supervisor of operations**

Notwithstanding the provisions of section 55, simple repairs and maintenance work comparable with operational work can be performed under the management of the supervisor of operations.

### **Section 64**

#### **Operational work that may be performed by ordinary persons and instructed persons**

Persons who are not electrically skilled may perform operational work on installations where the live parts are protected against touching.

Persons who have received task-specific and installation-specific training may also perform operational work on installations where the live parts are protected against unintentional touching and the risks are under control.

### **Section 65**

#### **Qualification assessment body and qualification certificates**

The electrical work supervisor and the supervisor of operations shall possess a certificate qualifying them for their task. Provisions on the qualification requirements for different tasks are laid down in sections 66–71.

The qualifications of the electrical work supervisor and the supervisor of operations is assessed by a qualification assessment body, which also issues them with a qualification certificate. The qualification assessment body shall issue a qualification certificate to a person that meets the electrical qualification requirements laid down in this Act.

The certificate referred to in section 56, subsection 1, paragraph 5 is also issued by the qualification assessment body.

The content and form of the qualification certificate referred to in subsections 1–3 is approved by the Electrical Safety Authority.

When requested, the qualification assessment body shall issue a certificate for electrically skilled work performed in Finland.

## **Section 66**

### **Electrical qualification 1**

The holder of electrical qualification 1 may work as an electrical work supervisor and supervisor of operations in all electrical and operational work.

To obtain electrical qualification 1, a person shall pass a suitable electrical safety examination and:

- 1) possess a suitable higher education degree in technical field, engineer's or technician's degree in power engineering, or similar degree; and
- 2) shall have worked at least two years after graduation and obtained adequate experience in the construction of electrical installations, and at least one year of the work shall have involved work familiarising the holder with the construction or supervision of operations of AC electrical installations in excess of 1,000 V or DC electrical installations in excess of 1,500 V.

## **Section 67**

### **Limited electrical qualification 1**

The holder of limited electrical qualification 1 may work as an electrical work supervisor in work involving AC electrical installations not exceeding 1,000 V and DC electrical installations not

exceeding 1,500 V, and as a supervisor of operations of electrical installations with a rated voltage not exceeding 20 kV.

To obtain limited electrical qualification 1, a person shall pass a suitable electrical safety examination and:

1) possess a suitable specialist vocational qualification of senior electrician or suitable specialist vocational qualification of a power network professional, or similar qualification; and

2) shall have worked at least six years after receiving the vocational qualification and obtained adequate experience in the construction of electrical installations, and at least two years of the work shall have involved work familiarising the holder with the construction or supervision of operations of AC electrical installations in excess of 1,000 V or DC electrical installations in excess of 1,500 V.

## **Section 68**

### **Electrical qualification 2**

The holder of electrical qualification 2 may work as an electrical work supervisor and supervisor of operations of AC electrical equipment and electrical installations not exceeding 1,000 V and DC electrical equipment and electrical installations not exceeding 1,500 V.

To obtain electrical qualification 2, a person shall pass a suitable electrical safety examination and:

1) possess a suitable higher education degree in technical field, engineer's or technician's degree in power engineering, or similar degree, and shall have acquired at least two years' work experience after graduation; or

2) possess a suitable vocational upper secondary qualification, further vocational qualification, specialist vocational qualification or similar earlier qualification and shall have acquired at least three years' work experience after receiving the qualification.

The work experience referred to in subsection 2 above shall involve adequately extensive work, in which the holder has been able familiarise himself/herself with the construction of electrical installations.

## **Section 69**

### **Electrical qualification 3**

The holder of electrical qualification 3 may work as an electrical work supervisor in repairs of electrical equipment intended to be connected with an AC network not exceeding 1,000 V or a DC network not exceeding 1,500 V.

Replacing a single component of electrical installations and the installation of a single feeder line of electrical equipment or set of electrical equipment intended to be repaired or connected to the network as new from the installation box or the building distribution board without any structural changes to the distribution board is considered repair work. The holder of electrical qualification 3 is not, however, qualified to be involved in the construction of other parts of electrical installations in a property.

To obtain electrical qualification 3, a person shall pass a suitable electrical safety examination and possess the adequate professional skills for electrical and operational work referred to in section 73.

## **Section 70**

### **Supplementary requirements for electrical qualifications**

The qualification assessment body may, on application, issue a limited certificate for the electrical work sector for which the applicant is qualified showing that the applicant has the qualifications referred to in section 69 if the applicant possesses a vocational upper secondary qualification, further vocational qualification, or a specialist vocational qualification for the sector, or a similar earlier qualification and has acquired at least one year's work experience in electrical work in the sector or has two years' work experience in the electrical work in question and adequate basic knowledge of the sector.

If the work experience of the person in question is less extensive than what is required under section 69, the qualification assessment body may issue a limited qualification certificate for the sector corresponding to the work experience.

Further provisions on the taking into account of work experience gained before completing mandatory studies are laid down by government decree.

## **Section 71**

### **Training and work experience acquired outside Finland**

When issuing the qualification certificate, the qualification assessment body shall take into consideration the training acquired outside Finland and the work experience in electrical work received outside Finland. Provisions on requesting an opinion from a university, a university of applied sciences or other educational institution to support the decision-making are laid down in section 4, subsection 2 of the Act on the Recognition of Professional Qualifications (1384/2015).

The qualification assessment body may also assess the qualifications of the person in question on the basis of a foreign qualification certificate or a similar document.

When issuing qualification certificates, the qualification assessment body shall observe the requirements provided in the Act on the Recognition of Professional Qualifications. When an application for a qualification certificate is submitted on the basis of professional experience, the qualification certificate issued by the qualification assessment body shall reflect the electrical work experience acquired by the applicant.

## **Section 72**

### **Electrical safety examinations**

The electrical safety examination referred to in sections 66–69 above means the examination demonstrating knowledge of the provisions, standards and instructions concerning the safety of electrical work.

The examination requirements and the content and form of the examination certificate are confirmed by the Electrical Safety Authority. The Electrical Safety Authority is also responsible for organising the examinations and supervising the level and grading of the examinations.

The certificate issued for passing the electrical safety examination is valid for five years.

## **Section 73**

## **Electrically skilled person**

A person who has received instruction in electrical and operational work corresponding to his/her training and work experience and meets the following requirements is considered to possess adequate professional skills for supervising and performing such work:

- 1) suitable higher education degree in technical field and six months' work experience in electrical work;
- 2) suitable electrical engineer's or technician's degree and six months' work experience in electrical work;
- 3) suitable vocational upper secondary qualification, further vocational qualification, specialist vocational qualification or a similar qualification obtained before that and six months' work experience in electrical work;
- 4) suitable vocational upper secondary qualification or a similar qualification obtained before that and one year's work experience in electrical work; or
- 5) six years' work experience in electrical work and adequate basic knowledge of the sector.

The work experience referred to in subsection 1 above shall be of such nature that it helps the person in question to become familiar with the electrical and operational work in question.

The person providing the instruction referred to in subsection 1 shall meet the qualification requirements referred to in subsections 1 and 2.

In electrical and operational work on similar type of electrical equipment, or on electrical installations similar to electrical equipment, a person with two years' work experience in the electrical work in question and adequate basic knowledge of the sector, or suitable electrical training and one year's work experience in the electrical work in question is, notwithstanding the provisions of subsection 1, also considered to possess adequate professional skills for performing such work independently.

## **Section 74**

## **Further provisions on the content of vocational qualifications and work experience**

Further provisions on the content of the suitable vocational qualification referred to in sections 66–70 and 73 or training supplementing it are laid down by government decree.

Further provisions on the definition of the work experience required under sections 66–68 are laid down by government decree.

### **Section 75**

#### **Authorised inspector and authorised body**

An authorised inspector or an authorised body may carry out certification and periodic inspections on electrical installations, as provided in this Act.

### **Section 76**

#### **Approval of qualification assessment bodies, authorised bodies and authorised inspectors and registration notification**

The Electrical Safety Authority approves, on application, a qualification assessment body, an authorised body and an authorised inspector after it has determined that the prerequisites for the approval are met.

The approval decision specifies the area of competence, tasks and the sector of the body and the authorised inspector, confirm the arrangements related to supervision of the body and the authorised inspector, and, if necessary, lay down other requirements, restrictions and conditions applicable to the operation of the body and the authorised inspector in order to ensure the appropriate performance of duties. The decision may be valid for a limited period or until further notice. The approval of an authorised inspector is valid for five years at a time.

Qualification assessment bodies, authorised bodies and authorised inspectors shall submit a notification to the Electrical Safety Authority so that an entry into the register, as referred to in section 86, can be made. Qualification assessment bodies and authorised bodies shall include in the notification the information referred to in section 86, subsection 4 and authorised inspectors shall include in the notification the information referred to in section 86, subsection 3. Qualification assessment bodies, authorised bodies and authorised inspectors shall submit a notification to the



Electrical Safety Authority of essential changes to the information referred to above within six months of the change.

Further provisions on the content of the application concerning the approval of qualification assessment bodies, authorised bodies and authorised inspectors and the content of the registration notification may be laid down by government decree.

## **Section 77**

### **Prerequisites for the approval of qualification assessment bodies and authorised bodies**

A body may be approved as a qualification assessment body or an authorised body on the condition that:

- 1) the body acts in an impartial and neutral manner when carrying out its tasks as a qualification assessment body or an authorised body;
- 2) the body has an adequate number of skilled employees that possess good technical and professional training and adequately extensive experience in the tasks providing familiarisation in the activities;
- 3) the employees of the body responsible for the inspections possess a qualification certificate that would permit them to work as electrical work supervisors for the installers of the inspected electrical installation, and the inspectors meet the requirements for independent work laid down in section 73;
- 4) the body has at its disposal the equipment, tools, and systems required for performing its work;
- 5) the body has an impartially assessed and supervised system for ensuring the quality of its work with regard to electrical safety and appropriate instructions for the work and for monitoring it;
- 6) considering the extent and nature of the work, the body has adequate liability insurance for compensating the damage arising from the work.

The party applying for approval as a qualification assessment body and an authorised body shall demonstrate that it meets the prerequisites laid down in subsection 1 by undergoing an assessment by the accreditation unit of the Finnish Safety and Chemicals Agency (FINAS Accreditation Service) or an assessment by any other accreditation entity that is party to a mutual recognition agreement between inspection agencies of accreditation bodies.

Qualification assessment bodies and authorised bodies may use external testing, inspection and other services. In that case, the bodies shall ensure that the parties providing the services also meet the prerequisites laid down in subsection 1. The bodies are responsible for the work they order from their subcontractors. The bodies shall keep the documents concerning the qualification assessment of their subcontractors at the disposal of the Electrical Safety Authority. The bodies shall, without delay, submit a notification of their subcontractors to the Electrical Safety Authority so that they can be entered into the register. The information referred to in section 86, subsection 4, paragraph 5 shall be included in the registration notification.

## **Section 78**

### **Prerequisites for the approval of authorised inspectors**

An inspector may be approved as an authorised inspector on the condition that:

- 1) the inspector carries out his/her inspection tasks in an independent and impartial manner;
- 2) the inspector possesses adequate professional skills and experience as well as a qualification certificate that would permit him/her to work as the electrical work supervisor for the installer of the inspected electrical installation;
- 3) the inspector has at his/her disposal the equipment, tools, and systems required for performing the work;
- 4) the inspector is able to demonstrate in a reliable manner how he/she will ensure the quality of his/her work with regard to electrical safety;
- 5) considering the extent and nature of the activities, the inspector has adequate liability insurance for compensating the damage arising from the work.

## **Section 79**

### **Obligations of the bodies and authorised inspectors**

Qualification assessment bodies, authorised bodies and authorised inspectors shall follow developments in regulations and standards in their sectors, and work in cooperation with other bodies and authorised inspectors in their sectors in so far as is necessary to ensure uniformity of operating methods.

Qualification assessment bodies, authorised bodies and authorised inspectors shall submit a report on their operations to the Electrical Safety Authority each year.

Qualification assessment bodies, authorised bodies and authorised inspectors shall notify the Electrical Safety Authority of all changes that have an impact on the fulfilment of the prerequisites for approval.

## **Section 80**

### **Liability for acts in office and principles of good governance**

The personnel of the qualification assessment bodies and authorised bodies as well as the authorised inspectors are subject to criminal liability for acts in office when carrying out the public administrative duties referred to in this Act.

When carrying out the public administrative duties referred to in this Act, qualification assessment bodies, authorised bodies and authorised inspectors shall observe the provisions laid down in the Act on the Openness of Government Activities (621/1999), the Administrative Procedure Act (434/2003), the Act on Electronic Services and Communication in the Public Sector (13/2003), and the Language Act(423/2003). Provisions on liability for damages are laid down in the Tort Liability Act (412/1974).

## **Section 81**

### **Withdrawal of approval of a body and authorised inspector**

If an authorised body, an authorised inspector or a qualification assessment body, or a subcontractor of the body referred to in section 77, subsection 3, acts in violation of provisions or regulations, fails to meet relevant requirements or observe the conditions and restrictions laid out

in a decision, the Electrical Safety Authority shall specify a sufficient time limit for the body or the authorised inspector in question to take corrective action.

The Electrical Safety Authority shall withdraw the approval it has granted if the body or the authorised inspector has not corrected the essential or serious inadequacies, violations or negligence within the specified time limit.

## **Section 82**

### **Requirements for electrical work safety**

The Occupational Safety and Health Act shall be observed in electrical work, operational work and work close to electrical installations that may cause an electric shock or arc. The essential safety requirements laid down in this Act that apply to the designation of the person responsible for safety at the work site, instructions and advice, tools used in the work, working methods, use of warning markings and the prevention of employees and outsiders from entering the dangerous area shall also be observed in the work.

The essential safety requirements referred to in subsection 1 above apply to work performed by ordinary persons referred to in section 56, subsection 2, as appropriate, so that an adequate level of electrical work safety can be ensured.

Further provisions on the essential safety requirements referred to in subsection 1 are laid down by government decree.

## **Section 83**

### **Fulfilment of the safety requirements**

The work is considered to meet the essential safety requirements referred to in section 82 if it is performed by applying the standards or publications referred to in section 84.

If necessary, fulfilment of the safety requirements may, by way of derogation from subsection 1, be demonstrated in compliance with the provisions laid down in section 85.

## **Section 84**

### **Applicable standards and publications**

The Electrical Safety Authority publishes a list of the standards that, when complied with, are considered to ensure that electrical work safety is in accordance with the essential safety requirements laid down in this Act.

If there are working methods or electrical installations for which no standards have been drawn up, publications comparable with the standards, the correlation of which to the essential requirements has been approved in accordance with subsection 1, may apply.

## **Section 85**

### **Derogating from standards**

The standards may be derogated from as necessary if the corresponding safety level can be achieved by other means.

A written report on the derogations shall be prepared before the electrical work or operational work. The report shall be drawn up so that the fulfilment of the requirements can be determined on the basis of it. The introduction of a derogation shall be approved in writing by the electrical work supervisor or the supervisor of operations.

Further provisions on the procedure concerning the derogations from standards are laid down by government decree.

## **Section 86**

### **Register of the Electrical Safety Authority and public information service**

The Electrical Safety Authority keeps a register of operators, authorised inspectors, authorised bodies and qualification assessment bodies so that their activities can be supervised and it can be ensured that the parties requesting electrical work services can ensure that the work is performed in an appropriate manner. The information kept in the register shall be removed without delay when it is no longer necessary for supervising the activities.

The following information on the operators is entered into the register:

- 1) name and personal identity code of a natural person, company name, any auxiliary company name, business identity code, the address where the operations are carried out, and other contact details;
- 2) company name and any auxiliary company name of a legal person, business identity code, the address where the operations are carried out, and other contact details;
- 3) name, personal identity code and other contact details of the electrical work supervisor;
- 4) registration code;
- 5) the sanctions imposed on the operator and the electrical work supervisor under section 95.

The following details of the authorised inspectors are entered into the register:

- 1) name and personal identity code of a natural person, company name, any auxiliary company name, business identity code, the address where the operations are carried out, and other contact details;
- 2) scope of the authorisation;
- 3) registration code;
- 4) withdrawal of approval of the authorised inspector.

The following information on the authorised bodies and qualification assessment bodies is entered into the register:

- 1) company name, any auxiliary company name, business identity code, the address where the operations are carried out, and other contact details;
- 2) scope of the authorisation;
- 3) registration code;

4) withdrawal of the approval of the body;

5) name of the subcontractor of the body, personal identity code, company name, any auxiliary company name, business identity code, the sector, the address where the operations are carried out, and other contact details.

Notwithstanding the provisions of section 16, subsection 3 of the Act on the Openness of Government Activities, the Electrical Safety Authority may, over an electronic information network, publish the name, company name, office address, business identity code, registration code and the name of the electrical work supervisor of an operator that has submitted the notification referred to in section 55; the name and company name of an authorised inspector; and the company name, office address, business identity code, registration code and the scope of the authorisation of an authorised body and a qualification assessment body (public information service).

Information from the public information service may only be retrieved as individual searches, using the name of the registered operator, operating authorisation of the operator or the name of an electrical work supervisor or municipality as the search criterion. The Electrical Safety Authority shall immediately remove the details of an operator and electrical work supervisor from the public information service if the operator or the electrical work supervisor has ended its activities or if the Electrical Safety Authority has prohibited the operator or the electrical work supervisor from carrying out its activities. The Electrical Safety Authority shall remove the details of an authorised inspector, an authorised body and a qualification assessment body from the public information service immediately after the approval has been withdrawn or the activities have ended.

## **Chapter 5**

### **Supervision**

#### **Section 87**

##### **Steering of supervision**

The Ministry of Economic Affairs and Employment is responsible for steering the supervision of compliance with the provisions laid down in this Act.

#### **Section 88**

##### **Supervisory authority**

Supervision of compliance with this Act is the responsibility of the Electrical Safety Authority. The Finnish Safety and Chemicals Agency (Tukes) acts as the Electrical Safety Authority.

## **Section 89**

### **The right of the Electrical Safety Authority to obtain information**

The Electrical Safety Authority has the right to obtain the information essential for supervision from economic operators, operators, electrical work supervisors, possessors of electrical installations and supervisors of operations. The right to obtain information also applies to information essential for supervision that, as information concerning private business or professional activities, financial situation or health of private individuals or otherwise, is secret information under the Act on the Openness of Government Activities when in the possession of the authorities.

Notwithstanding secrecy provisions, the Electrical Safety Authority also has the right to obtain the information essential for supervision from authorised bodies, authorised inspectors and qualification assessment bodies.

## **Section 90**

### **Obtaining information from the authorities and disclosing secret information**

Notwithstanding the secrecy obligation and other restrictions concerning access to information, the Electrical Safety Authority has the right to obtain information essential for supervision and for investigating the causes of electrical accidents from other authorities.

Notwithstanding secrecy provisions, the Electrical Safety Authority may disclose information on the financial situation of private individuals or corporations, business or professional secrets or personal circumstances of private individuals it has obtained as part of its supervisory duties, to the following parties:

- 1) to prosecutors for the consideration of charges and to the police and other pre-trial investigation authorities for preventing and investigating offences;



2) to rescue authorities, occupational safety and health authorities, environmental protection authorities and consumer protection authorities, if disclosing the information is essential for ensuring that these authorities can perform their duties;

3) to competent authorities in other states and to international bodies so that obligations based on the legislation of the European Union or international agreements binding on Finland can be met.

## **Section 91**

### **Right to perform inspections**

For supervising compliance with this Act, the Electrical Safety Authority has the right to perform inspections and enter the location where the electrical equipment or electrical installations are manufactured, constructed, repaired, serviced, stored and sold, as well as the location where the electrical equipment or electrical installation operated. The inspections shall be performed in accordance with the provisions laid down in section 39 of the Administrative Procedure Act.

The inspection referred to in subsection 1 may only be extended to cover premises for permanent residential use if there are reasonable grounds to suspect that the electrical equipment or electrical installation located in the premises causes serious disturbance to radio communications, power distribution or communications networks or electrical equipment or electrical installation connected to them and there are reasons to suspect that the electrical safety provisions referred to in section 117, subsection 1, paragraphs 1–3, 8, 18, 21 or 22 have been violated and the inspection is essential for protecting human lives, safety or business activities.

## **Section 92**

### **Inspecting non-compliant electrical installations**

If the Electrical Safety Authority has reasonable grounds to suspect that an electrical installation does not meet the requirements laid down in section 31 or 40, it has the right to have the electrical installation inspected or order the possessor of the electrical installation to have the electrical installation inspected.

If the Electrical Safety Authority has the electrical installation inspected or has other similar examination carried out and the electrical installation is found not to comply with the requirements laid down in section 31 or 40, the Electrical Safety Authority may oblige the possessor of the

electrical installation to compensate for the costs arising from the inspection or the examination. If it is found out in the inspection or examination that the non-compliance has arisen from the measures of the installer of the electrical installation, the Electrical Safety Authority may oblige the installer to compensate for the costs arising from the inspection or the examination.

## **Section 93**

### **Using outside experts**

The Electrical Safety Authority has the right to use outside experts in the investigation, testing and assessment of compliance. The outside experts may assist the Electrical Safety Authority by participating in the inspections performed under this Act, and investigate and test electrical equipment and electrical installations.

The outside experts shall possess the expertise and qualifications required for the tasks.

When performing tasks referred to in this section, the outside experts are subject to criminal liability for acts in office. Provisions on liability for damages are laid down in the Tort Liability Act.

The outside experts do not have the right laid down in section 91, subsection 2 to extend the supervisory measures to premises for permanent residential use.

## **Section 94**

### **Measures concerning non-compliant electric equipment or electrical installations and its maintenance and use taken by the Electrical Safety Authority**

If the electrical equipment or electrical installation does not comply with the provisions laid down in this Act or it is not maintained or used in accordance with this Act, the Electrical Safety Authority may order the possessor of the electrical equipment or electrical installation to correct the inadequacies and negligence within a specified time or prohibit the use of the electrical equipment or electrical installation. If necessary, the Electrical Safety Authority may demand that the electrical equipment or electrical installation be disconnected from the power network. The Electrical Safety Authority may not, however, prohibit the use of the electrical installation of the possessor of the distribution network if the prohibition would cause unreasonable harm to consumers of electricity.

If it is technically appropriate to disconnect the electrical installation from the network in the electrical installation of the network company supplying power to the installation, the network company shall perform the disconnection when requested to do so by the Electrical Safety Authority.

## **Section 95**

### **Enforcement measures**

If an operator fails to observe this Act or the provisions or regulations issued under it the Electrical Safety Authority shall request the operator to correct the inadequacy within a specified time. If an electrical work supervisor or a supervisor of operations fails to observe this Act or the provisions and regulations issued under it when performing their task, the Electrical Safety Authority may issue him/her with a warning. If the inadequacies or negligence are of serious or fundamental nature and no corrective measures have been taken despite a request or a warning, the Electrical Safety Authority may prohibit the operator, electrical work supervisor or supervisor of operations from performing their duties, for a limited period or until further notice, partially or in full.

The Electrical Safety Authority shall immediately notify the operator of the warning it has issued to the electrical work supervisor or the prohibition under which the electrical work supervisor may not perform his/her duties, and the possessor of the electrical installation of the warning it has issued to the supervisor of operations or the prohibition under which the supervisor of operations may not perform his/her duties.

If the cases referred to in subsection 1 involve serious inadequacies, the Electrical Safety Authority may order that, for a specific period, certification inspections shall be carried out on all electrical installations of the operator that are of more than small size.

## **Section 96**

### **Notice of a conditional fine and notice of enforced compliance**

The Electrical Safety Authority may make the prohibition or order it has issued under this Act more effective by issuing a notice of a conditional fine or the threat of having the inadequacy corrected at the expense of the party that has failed to observe the prohibition or order. Provisions on the notice of a conditional fine and the notice of enforced compliance are laid down in the Act on Conditional Fines (1113/1990).

## **Section 97**

### **Measures concerning non-compliant activities taken by an authorised inspector or an authorised body**

If, in connection with an inspection, an authorised inspector or an authorised body notices that the use of the electrical equipment or electrical installation causes imminent danger, it shall notify the possessor of the electrical equipment or electrical installation of this in writing, and request the operator to terminate the use of the electrical equipment or electrical installation and to disconnect it from the network. The authorised body or the authorised inspector that performed the inspection shall, without delay, send a copy of the notification to the Electrical Safety Authority, which shall take the necessary measures.

If an authorised inspector or an authorised body discovers serious inadequacies when performing a certification inspection or a periodic inspection it shall request the electrical installation subject to the inspection to be inspected again in a follow-up inspection. The possessor of the electrical installation shall commission the follow-up inspection within three months of the issuing of the inspection order. Only for well-justified reasons may the inspection be ordered from a party that did not perform the original inspection.

Authorised inspectors and authorised bodies shall, on an annual basis, provide the Electrical Safety Authority with the names of the installers of the sites that have undergone follow-up inspections after being subject to certification inspections and a summary of the electrical installations that have been ordered to undergo follow-up inspections.

If it is found out in an inspection that there are defects or inadequacies in the electrical equipment or electrical installation that make it less safe to use, the authorised inspector or the authorised body shall notify the possessor of the electrical equipment or electrical installation of this.

## **Section 98**

### **Executive assistance by the police**

The police are obliged to provide the Electrical Safety Authority with executive assistance in the supervision of compliance with this Act and in its enforcement. Provisions on the obligation of the

police to give executive assistance are laid down in chapter 9, section 1 of the Police Act (872/2011).

## **Chapter 6**

### **Damage and inconvenience**

#### **Section 99**

##### **Liability that does not depend on the degree of negligence**

The possessor of the electrical equipment or electrical installation causing damage shall, irrespective of the level of negligence, provide compensation for the electric damage, unless otherwise provided in this chapter.

#### **Section 100**

##### **Limitations to liability**

Under this Act, the possessor of electrical equipment or electrical installation is not liable for electric damage if:

- 1) the electric damage has been caused to other electrical equipment or electrical installation, which has a rated voltage in excess of 400 V; or
- 2) the electric damage has been caused by electrical equipment or electrical installation belonging to the internal electricity supply of a property or by electrical equipment or electrical installation connected to such equipment or installation that has a rated voltage not exceeding 400 V.

#### **Section 101**

##### **Adjustment of compensation for electric damage**

If the party suffering the damage has contributed to the damage, or if another factor not related to the electrical equipment or electrical installation or to its use has also contributed to the damage, the amount of compensation for damage may be adjusted as is considered reasonable.

The compensation for bodily harm to which the person suffering the damage has contributed may only be decreased if the person suffering the damage or, in the case where a person liable to

provide maintenance has deceased, the deceased, has contributed to the damage otherwise than by minor negligence.

## **Section 102**

### **Applying the Tort Liability Act**

When the compensation for damage is determined, the provisions laid down in chapter 5, chapter 6, sections 2 and 3, and chapter 7, section 3 of the Tort Liability Act shall be observed.

## **Section 103**

### **Liability of the owner of the electrical equipment or electrical installation**

The owner of the electrical equipment or electrical installation that has transferred the equipment or installation to another person for operational purposes, is liable for electric damage in the same way as the possessor of the equipment or installation, however, up to the value of the equipment or installation. The possessor of the equipment or installation shall compensate the owner for the sum paid by the latter, unless a court decides that the owner is liable for the damage.

## **Section 104**

### **Statute of limitations for the compensation**

The request for compensation for electric damage under this Act shall be submitted within two years of the event causing the damage.

## **Section 105**

### **Compensation for damage under other acts**

This Act does not restrict the right of the party suffering the damage to receive compensation for electric damage on the basis of an agreement or the Tort Liability Act, the Product Liability Act (694/1990) or any other act.

## **Section 106**

### **Invalid terms of agreement**

The condition contained in the agreement on connection between the possessor of the distribution network and the consumer of electricity connected to the operator's network by a rated voltage not exceeding 400 V that restricts the right of the party suffering the damage to compensation under this Act, is invalid.

The condition contained in an agreement other than that referred to in subsection 1 and made before the discovery of the damage, that restricts the right of the party suffering the damage to compensation under this Act for bodily harm or for damage caused to property intended for private use or for consumption, and used principally for this purpose by the party suffering the damage, is invalid.

## **Section 107**

### **Right of recovery from the party causing the damage**

The owner or possessor of electrical equipment or electrical installation who has paid compensation under this Act has the right to claim the sum from the party who caused the damage on the grounds concerning the liability for damages of the latter.

## **Section 108**

### **Disturbance or danger caused by electrical installation**

If the electrical installation causes disturbance or is dangerous to other electrical installations or its use, or causes through such installation disturbance or is dangerous despite the fact that both sets of electrical installation comply with relevant regulations and with good engineering practices, the owner of the installation that has been constructed later shall take the measures necessary to eliminate the disturbance or danger related to his/her installation, unless otherwise provided in subsection 2.

If, by modifying or supplementing the technical structure of the installation constructed earlier, the disturbance or danger can be eliminated at a substantially lower cost than what would arise from the measures referred to in subsection 1 and this can be done without excessively harming the functioning of the installation, the owner of the installation constructed earlier shall modify or supplement his/her installation as necessary.

## **Section 109**

## **Liability for compensation by the owner of electrical installation**

The owner of the electrical installation constructed later is liable for the costs of the measures referred to in section 108, subsection 2. When the costs are determined, the benefit or disadvantage caused to the owner of the installation constructed earlier, as a result of a change in the performance or the operational costs of the installation arising from the measure, shall be taken into consideration.

### **Section 110**

#### **Time of constructing an electrical installation**

Of two sets of electrical installation or two parts of the installation, the one the construction of which was commenced later is considered a set or part of installation constructed later. If the mode of operation or the technical structure of the installation or its part is modified so that the installation or its use causes disturbance or is dangerous, as referred to in section 108, or so that the installation becomes markedly more susceptible to disturbance or danger, it is considered, however, that in this respect the installation was constructed at the time the modification was made.

### **Section 111**

#### **Resolving disputes in situations involving the elimination of disturbance and danger**

If the owners of electrical installation are unable to agree on the measures necessary to eliminate the disturbance or danger referred to in sections 108–110, the case will be decided by the Electrical Safety Authority, unless otherwise agreed.

### **Section 112**

#### **Danger or disturbance caused by electrical equipment**

The provisions of sections 108–111 on electrical installations, also apply to single electrical equipment.

### **Section 113**

#### **Moving or modifying finished electrical installations**



If, after the start of the construction of an electrical installation or its part, a road or other route, railway, airport, gas, water or other similar pipe, building or other structure is or will be constructed in the vicinity of the installation, and if, for reasons of general safety or protection of the electrical installation, the installation shall be moved or modified, the owner of the electrical installation is liable to undertake the necessary modifications. However, the owner of the road or other route, airport, pipe, building or structure is liable to pay the costs of such measures.

## **Section 114**

### **Reporting an accident and accident investigation**

The police, rescue authorities, occupational safety and health authorities and the possessor of a distribution network of a distribution area shall report to the Electrical Safety Authority seriously dangerous situations and accidents causing serious bodily harm, property damage or environmental damage involving electrical equipment or electrical installation.

Bodily harm shall be considered serious if it results in death or serious health damage. Other than minor property or environmental damage shall be considered serious property or environmental damage. A dangerous situation shall be considered serious if it has caused clear danger of serious bodily harm or clear danger of serious property or environmental damage.

The Electrical Safety Authority shall investigate accidents referred to in subsection 2 causing serious damage if the Electrical Safety Authority is of the view that this is necessary for establishing the cause of the accident, or for preventing future accidents. The Electrical Safety Authority also has the right to investigate other accidents and seriously dangerous situations that have been caused by electricity, if this is necessary for establishing the cause of the accident, or for preventing future accidents.

Provisions on the obligation to report accidents or dangerous situations to the Safety Investigation Authority are laid down in section 16 of the Safety Investigation Act (525/2011).

## **Chapter 7**

### **Miscellaneous provisions**

## **Section 115**

### **Certificates of conformity issued by notified bodies**

A notified body shall issue the manufacturer with an EU-type examination certificate or certificate of conformity if the electrical equipment or electrical installation meets the requirements laid down in this Act.

The notified body shall keep copies of the certificates referred to in subsection 1 and additions to them as well as the technical documentation, including the documents supplied by the manufacturer, until the expiry of the validity of that certificate.

Further provisions on the EU-type examination certificate and the certificate of conformity and their content are laid down by government decree.

## **Section 116**

### **Refusal or withdrawal of certificate by a notified body**

If a notified body discovers that the electrical equipment or electrical installation is not in conformity with the essential safety requirements laid down for it, it shall request the manufacturer to take corrective measures and it may not issue the manufacturer with a certificate of conformity.

If, after issuing the certificate, the notified body concludes that the electrical equipment or electrical installation is no longer in conformity with the requirements, it shall request the manufacturer to take corrective measures and, if necessary, suspend or withdraw the certificate. If no corrective measures are taken or they do not have the required effect, the notified body shall restrict, suspend or withdraw the certificate, as appropriate.

## **Section 117**

### **Penal provisions**

Anyone who, on purpose or through negligence, violates

1) the obligation laid down in section 7, subsection 1 to only place on the market electrical equipment complying with the provisions laid down in section 6;

- 2) the obligation laid down in section 7, subsection 2 to only manufacture or import electrical equipment complying with the requirements laid down in section 6;
- 3) the manufacturer's obligation laid down in section 13, subsection 1 to ensure that the electrical equipment has been designed and manufactured in accordance with essential safety requirements and essential requirements concerning electromagnetic compatibility;
- 4) the manufacturer's obligation laid down in section 13, subsection 2 to carry out a suitable conformity assessment on the electrical equipment or to draw up technical documentation for demonstrating conformity of the electrical equipment;
- 5) the manufacturer's obligation laid down in section 13, subsection 3 to draw up the EU declaration of conformity for the electrical equipment or to affix the CE marking to the electrical equipment;
- 6) the manufacturer's obligation laid down in section 14, subsection 1 to ensure that serially produced electrical equipment are in conformity with the requirements;
- 7) the manufacturer's obligation laid down in section 16, subsection 1 to ensure that electrical equipment placed on the market is accompanied by required markings, instructions and safety information;
- 8) the importer's obligation laid down in section 18, subsection 1 to only place on the market electrical equipment that are in conformity with the requirements;
- 9) the importer's obligation laid down in section 18, subsection 2 to ensure that the manufacturer has performed the conformity assessment and drawn up the technical documentation, the CE marking has been affixed to the electrical equipment, and the electrical equipment is accompanied by the required documents, markings, contact information, safety information and instructions;
- 10) the importer's obligation laid down in section 18, subsection 3 to notify the manufacturer and the Electrical Safety Authority of the risk presented by the electrical equipment;

- 11) the distributor's obligation laid down in section 21, subsection 2 to check that the electrical equipment bears the CE marking, that it is accompanied by the required documents, markings, contact details, safety information and instructions;
- 12) the distributor's obligation laid down in section 21, subsection 3 to report risks to the manufacturer or the importer and the Electrical Safety Authority;
- 13) the manufacturer's or the importer's obligation laid down in section 25, subsection 1 to take corrective measures;
- 14) the distributor's obligation laid down in section 25, subsection 2 to ensure that corrective measures will be taken;
- 15) the obligation of the economic operator laid down in section 25, subsection 3 to report risks;
- 16) the obligation of the possessor of the electrical installation laid down in section 35 to ensure the safety of the electrical installation during its use or when operational conditions change;
- 17) the obligation laid down in section 36 to ensure that connecting electrical installations together does not pose risks;
- 18) the obligation of the installer of the electrical installation laid down in section 41, subsection 2 to ensure before the installation is put into service that the installation has been designed and constructed in accordance with relevant safety requirements and essential requirements concerning electromagnetic compatibility;
- 19) the obligation of the installer of the electrical installation laid down in section 43, subsection 1 to carry out a commissioning inspection on the electrical installation;
- 20) the obligation of the installer or possessor of the electrical installation laid down in section 45 to ensure that the certification inspection is performed;
- 21) the obligation of the possessor of the electrical installation laid down in section 47, subsection 1 to ensure the safety and electromagnetic compatibility of the electrical installation;

22) the obligation of the possessor of the electrical installation laid down in section 47, subsection 2 to ensure that defects and inadequacies of the electrical installation are eliminated;

23) the obligation of the possessor of the electrical installation laid down in section 48, subsection 1 to ensure that a maintenance programme for the electrical installation is drawn up and that it is observed;

24) the obligation of the possessor of the electrical installation laid down in section 49 to ensure that the periodic inspections are performed;

25) the operator's obligation laid down in section 55, subsection 1 to ensure that the prerequisites for electrical work are in place;

26) the obligations of the electrical work supervisor laid down in section 59;

27) the obligation of the possessor of the electrical installation laid down in section 60, subsection 3 to submit a notification of the electrical installation and the supervisor of its operations to the Electrical Safety Authority;

28) the obligations of the supervisor of operations laid down in section 62;

29) the obligation laid down in section 82 or under it to observe essential safety requirements;

30) the prohibition or order laid down under section 94 or 95 shall be sentenced for a violation of electrical safety provisions to a fine, unless a more severe punishment for the act is laid down elsewhere by law.

Anybody violating a prohibition or obligation ordered under this Act for which a notice of a conditional fine has been issued, may not be sentenced to a punishment for the same offence under subsection 1.

Provisions on violations concerning CE markings are laid down in the Act on the Violations concerning CE markings (187/2010).

## **Section 118**

## **Appealing against a decision of the Electrical Safety Authority**

An administrative decision made by the Electrical Safety Authority in accordance with this Act may be appealed against, as laid down in the Administrative Judicial Procedure Act (586/1996). A decision by an Administrative Court may only be appealed against if the Supreme Administrative Court grants a leave to appeal.

Regardless of appeal, the decisions made by the Electrical Safety Authority shall be complied with, unless otherwise ruled by the appeals authority.

However, the decision concerning the issuing of a notice of a conditional fine, and the issuing of a notice of enforced compliance or enforced suspension, and the decision concerning the ordering of the enforcement of the decisions may be appealed against, as laid down in the Act on Conditional Fines.

### **Section 119**

#### **Appealing against a decision by a notified body, a qualification assessment body, an authorised body or an authorised inspector**

A decision made by a notified body, a qualification assessment body, an authorised body or an authorised inspector under this Act is open to a rectification request, as laid down in the Administrative Procedure Act.

A decision on the rectification request may be appealed against to an Administrative Court, as laid down in the Administrative Judicial Procedure Act. A decision by an Administrative Court may only be appealed against if the Supreme Administrative Court grants a leave to appeal.

Regardless of appeal, the decision made by a notified body, qualification assessment body, authorised body or authorised inspector shall be complied with, unless otherwise ruled by the appeals authority.

### **Section 120**

#### **Advisory Committee for Electrical and Lift Safety**

The Advisory Committee for Electrical and Lift Safety appointed by the government for three years, assists the Ministry of Economic Affairs and Employment and the Electrical Safety Authority in the development and monitoring of the provisions of this Act and the Lift Safety Act.

Further provisions on the composition and tasks of the Committee are laid down by government decree.

## **Section 121**

### **Entry into force**

This Act enters into force on 1 January 2017.

This Act repeals the «Electrical Safety Act» (410/1996), hereafter referred to as the act to be repealed.

## **Section 122**

### **Transitional provisions**

Electrical equipment and electrical installations that have been placed on the market before the entry into force of this Act and the conformity of which has been ensured in accordance with the provisions in force at the entry into force of this Act, may remain on the market at the entry into force of this Act. The certificates of conformity of this electrical equipment and electrical installation will remain in force.

It is not necessary to modify the electrical installation constructed before the entry into force of this Act in accordance with this Act if the installation does not cause any danger to anybody's life, health or property.

The scope of the qualification certificates and exemptions granted before the entry into force of this Act will not be affected.

Operators that have submitted a notification of electrical work to the Electrical Safety Authority under the act to be repealed or have been granted an extension under the transitional provisions of the Electricity Act (319/1979) may continue their operations as before.

The certification rights of an electrical contractor granted under the act to be repealed will remain in force until the date laid out in the granting decision; however, they will expire five years from the entry into force of this Act, at the latest.

By way of derogation from section 72, subsection 3, the electrical safety examination certificates issued before 31 May 2010 will remain in force for ten years.

Authorised bodies, qualification assessment bodies and authorised inspectors approved before the entry into force of this Act may, without any separate approval procedure, continue as authorised bodies, qualification assessment bodies and authorised inspectors referred to in this Act, on the conditions laid out in the approval decision. Authorised inspectors approved before the entry into force of the Act are also considered to meet the requirements concerning the qualification certificate referred to in section 78, paragraph 2, if it is stated in the approval decision that they are adequately qualified for the task.

However, if as a result of this Act, the interval between periodic inspections of electrical installation is shortened, the next periodic inspection of the installation can be carried out in accordance with the previous inspection interval.

The provisions in force at the time of the entry into force of this Act will apply when administrative decisions issued before the entry into force of this Act are appealed against.

The Advisory Committee for Electrical Safety appointed by the Ministry of Economic Affairs and Employment on 22 October 2014 will continue its work until the end of its term. After the entry into force of this Act, the Advisory Committee for Electrical Safety means the Advisory Committee for Electrical and Lift Safety, as laid down in this Act.

If there are any references to the act to be repealed in any other act or any provision issued under it or in a decision issued under the act to be repealed, the reference under the scope of this Act shall be considered to refer to the corresponding provision in this Act and correspondingly, the reference under the scope of the Lift Safety Act shall be considered to refer to the corresponding provision in the Lift Safety Act.