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## Small claims

Finland



Finland

### FINDING COMPETENT COURTS/AUTHORITIES

The search tool below will help you to identify court(s)/authority(ies) competent for a specific European legal instrument. Please note that although every effort has been made to ascertain the accuracy of the results, there may be some exceptional cases concerning the determination of competence that are not necessarily covered.

#### Article 25 1 (a) Competent courts

The Helsinki District Court (*Helsingin käräjäoikeus*) has jurisdiction to give a judgment in the European Small Claims Procedure.

The Finnish- and Swedish-language contact details of the District Court are available on line at <https://oikeus.fi>, a website maintained by the Ministry of Justice.

#### Article 25 1 (b) Means of communication

The form referred to in Article 4(1) of the Regulation may be sent directly to the Registry of the Helsinki District Court by post, fax or e-mail, as provided for in the [Electronic Services and Communication \(Public Sector\) Act](#).

#### Article 25 1 (c) Authorities or organisations providing practical assistance

As part of the Finnish Competition and Consumer Authority (*Kilpailu- ja kuluttajavirasto*), the [European Consumer Centre Finland](#) (*Euroopan kuluttajakeskus Suomessa*) provides assistance and general information on the scope of application of the European Small Claims Procedure, as well as general information as to which courts and tribunals are competent to render a judgment in the European Small Claims Procedure.

In Finland, the parties may receive legal aid from State resources under the conditions laid down in the [Legal Aid Act](#). The Act fulfils the requirements of Council Directive 2003/8/EC to improve access to justice in cross-border disputes by establishing minimum common rules relating to legal aid for such disputes.

#### Article 25 1 (d) Means of electronic service and communication and methods for expressing consent for thereof

In Finland the procedure is subject to Chapter 11 of the Code of Judicial Procedure on the service of notices in proceedings and to the [Act on Electronic Services and Communication in the Public Sector](#).

In accordance with Section 3, subsection 3 of Chapter 11 of the Code of Judicial Procedure, procedural documents may be sent as an electronic message in the manner identified by the addressee. The party may also provide the court with an electronic address for service to which documents served during court proceedings may be sent.

The acknowledgement of receipt may be sent to the court as an electronic message, for example as an attachment to an e-mail.

In practice, the means of electronic communication used in court proceedings are e-mail and fax.

There is no legal obligation to accept electronic service or communication.

Finland has no specific procedural rules for accepting in advance the use of electronic means.

#### Article 25 1(e) Persons or professions, obliged to accept service of documents or other written communications by electronic means

N/A

#### Article 25 1 (f) Court fees and the methods of payment

In accordance with Section 2, subsection 6 of the [Act on Court Fees 1455/2015](#), a fee of EUR 86 is charged for adversarial court proceedings in a district court under the procedure set out in Regulation (EC) No 861/2007 of the European Parliament and of the Council establishing a European Small Claims Procedure.

In the case of appeal proceedings, a fee is charged as in national proceedings under the Act on Court Fees.

In Finland, the fee for court proceedings is charged once the case has been closed. As a rule, an invoice, i.e. a remittance form for payment of the fee, is sent to the party in question.

#### Article 25 1 (g) Appeal procedure and courts competent for an appeal

An appeal against a judgment given in the European Small Claims Procedure may be made to the Helsinki Court of Appeal (*Helsingin hovioikeus*), as provided for in Chapters 25 and 25a of the Code of Judicial Procedure (Appeal from the District Court to the Court of Appeal).

Under Section 5 of Chapter 25 of the Code of Judicial Procedure, a party who wishes to appeal a decision of the District Court is required to declare an intention to appeal, under threat of forfeiting their right to be heard. A declaration of an intention to appeal must be filed, at the latest, on the seventh day after the day on which the decision of the District Court was handed down or made available to the parties.

Under Section 11 of Chapter 25 of the Code of Judicial Procedure, when a declaration of an intention to appeal has been filed and accepted, the party concerned is provided with appeal instructions that are annexed to a copy of the decision of the District Court. The deadline for lodging the appeal is 30 days from the day on which the decision of the District Court was handed down or made available to the parties (Section 12 of Chapter 25 of the Code of Judicial Procedure). The party must deliver the appeal document to the registry of the District Court at the latest before the end of office hours on the last day for lodging the appeal. An appeal that is out of time will be ruled inadmissible.

When a decision of the District Court is appealed, leave for continued consideration is required from the Court of Appeal pursuant to Chapter 25a of the Code of Judicial Procedure.

An appeal against a decision by the Court of Appeal must be brought before the Supreme Court (*korkein oikeus*) as provided for in Chapter 30 of the Code of Judicial Procedure. The deadline for requesting leave to appeal and lodging the appeal is 60 days from the date on which the decision of the Court of Appeal was made available to the parties. The request for leave to appeal addressed to the Supreme Court must be delivered to the registry of the Court of Appeal that issued the judgment.

#### Article 25 1 (h) Review of the judgment procedure and courts competent to conduct such a review

The final judgment shall be reviewed again by the court that issued the judgment that became final. The review shall be carried out in accordance with the provisions of Chapter 31, Sections 3 to 5 and 14a of the Code of Judicial Procedure concerning extraordinary appeals.

#### Article 25 1 (i) Accepted languages

Finnish, Swedish and English.

## Article 25 1 (j) Authorities competent for enforcement

In Finland the bailiff (*ulosottomies*) is the competent authority for the enforcement of judgments given in the Small Claims Procedure. The initiation of enforcement is governed by Chapter 3 of the [Enforcement Code 705/2007](#). The bailiff in the respondent's place of residence or domicile or another local enforcement authority is competent to act. The bailiff is also competent for the purpose of applying Article 23. It is the district bailiff (*kihlakunnanvouti*) who decides on the measures referred to in that article.

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