

<b>Title</b>	<b>Questionnaire on the practical operation of the HCCH 2000 Protection of Adults Convention</b>
<b>Document</b>	<b>Prel. Doc. No 2 of September 2020</b>
<b>Author</b>	PB
<b>Agenda item</b>	TBD
<b>Mandate(s)</b>	C&R No 34 of the 2019 CGAP; C&D No 31 of the 2020 CGAP
<b>Objective</b>	<ul style="list-style-type: none"> <li>– To seek information as to the implementation and practical operation of the 2000 Convention in Contracting Parties;</li> <li>– To identify challenges or questions that have arisen in the practical operation of the 2000 Convention in Contracting Parties;</li> <li>– To seek information as to the implementation of the 2000 Convention in non-Contracting Party Members of the HCCH;</li> <li>– To assist with the preparation of a draft Country Profile under the 2000 Convention in advance of the SC;</li> <li>– To assist with the drawing-up of a draft Practical Handbook on the Operation of the 2000 Convention in advance of the SC; and</li> <li>– To obtain views and comments about other issues for discussion at the upcoming meeting of the SC.</li> </ul> <p>Replies to the Questionnaire should be provided <b>no later than 4 December 2020</b>.</p>
<b>Action to be taken</b>	For Approval <input type="checkbox"/> For Decision <input type="checkbox"/> For Information <input type="checkbox"/> For Action <input checked="" type="checkbox"/>
<b>Annexes</b>	
<b>Related documents</b>	<ul style="list-style-type: none"> <li>– Prel. Doc. No 1 of July 2019 – Questionnaire to assess the need to convene a possible meeting of the Special Commission in 2022 to review the practical operation of the <i>Convention of 13 January 2000 on the International Protection of Adults</i></li> <li>– Prel. Doc. 10 of December 2019 – Report on the planning for a first meeting of the Special Commission to review the practical operation of the HCCH 2000 Adults Convention</li> </ul>

## INTRODUCTION

### Objectives of the Questionnaire

This Questionnaire is being circulated in preparation for a possible meeting of the Special Commission (SC) on the practical operation of the *HCCH Convention of 13 January 2000 on the International Protection of Adults*<sup>1</sup> (hereinafter, the “2000 Convention”) to be held in The Hague in May / June 2022 (dates to be confirmed).

A first questionnaire was circulated in July 2019 to assess the need for a possible meeting of the Special Commission to review the practical operation of the 2000 Convention. Responses from 27 Members were collated and formed Prel. Doc. 10 of December 2019<sup>2</sup> for the attention of the 2020 Council on General Affairs and Policy (CGAP). The Conclusion & Decision<sup>3</sup> No 31 from that meeting reads as follows:

“CGAP noted the progress made in organising the first meeting of the SC on the practical operation of the 2000 Protection of Adults Convention, to be held in May / June 2022. CGAP noted the possible topics recommended by HCCH Members in their responses to the questionnaire on this matter and encouraged the PB to focus its preparations on those topics identified as being of high interest, including by developing a Practical Handbook and, resources allowing, a Country Profile.”

This Questionnaire is addressed primarily to Contracting Parties to the 2000 Convention, but certain questions (appearing in **grey highlights**) at the beginning of the Questionnaire and on powers of representation are also addressed to Members of the HCCH that are non-Contracting Parties.

After more than 10 years of operation of the 2000 Convention, the Questionnaire has the following broad objectives:

- a. To seek information as to the implementation and practical operation of the 2000 Convention in Contracting Parties;
- b. To identify challenges or questions that have arisen in the practical operation of the 2000 Convention in Contracting Parties;
- c. To seek information as to the implementation of the 2000 Convention in non-Contracting Party Members of the HCCH;
- d. To assist with the preparation of a draft Country Profile under the 2000 Convention in advance of the SC;
- e. To assist with the drawing-up of a draft Practical Handbook on the Operation of the 2000 Convention in advance of the SC; and
- f. To obtain views and comments about other issues for discussion at the upcoming meeting of the SC.

The Questionnaire is designed to facilitate an efficient exchange of information on these matters prior to the meeting of the SC and also assist with the drawing up of an agenda for the meeting.

---

<sup>1</sup> The text of the 2000 Convention is available at: < <https://assets.hcch.net/docs/c2b94b6b-c54e-4886-ae9f-c5bbef93b8f3.pdf> >.

<sup>2</sup> The text of Prel. Doc. No 10 of December 2019 is available at: < <https://assets.hcch.net/docs/d0d3112b-56c1-42d4-b19a-a04beee01dc7.pdf> >.

<sup>3</sup> The Conclusions and Decisions of CGAP 2020 are available at: < <https://assets.hcch.net/docs/70458042-f771-4e94-9c56-df3257a1e5ff.pdf> >.

### ***Scope of the Questionnaire***

The Questionnaire covers all the provisions of the 2000 Convention with the exception of the final clauses (Arts 53-59). Where relevant, reference is made to the *United Nations Convention of 13 December 2006 on the Rights of Persons with Disabilities* (hereinafter the “UNCRPD”) which the 2000 Convention may assist implementing for matters which may have cross-border implications.

In considering the questions that follow, Contracting Parties and non-Contracting Parties may find it useful to refer in particular to the new and revised edition of the Explanatory Report<sup>4</sup> (ER) on the 2000 Convention drawn up by Professor Paul Lagarde.

### ***Instructions for completion***

The Questionnaire is being sent to Central Authorities designated under the 2000 Convention as well as to National and Contact Organs. Central Authorities as well as National and Contact Organs are invited to co-ordinate as appropriate with competent authorities<sup>5</sup> in their respective States as well as stakeholders in this field (*e.g.*, guardians, curators and analogous institutions, notaries, lawyers, research / academic institutions, long-term care establishments, health care providers, financial institutions). For Contracting Parties to the Convention, Central Authorities are ultimately responsible for submitting the completed Questionnaire to the Permanent Bureau (PB).

In order to allow the PB to extract parts of the Questionnaire for a compilation and analysis of the responses, please use **this Word Version** of the document, and please **do not return a PDF version** of the completed Questionnaire.

We kindly request that replies to the Questionnaire be sent to the PB by e-mail to < secretariat@hcch.net > **no later than 4 December 2020** with the following subject matter captioned in the heading of the e-mail: “[name of State] Response to the 2000 Convention Questionnaire – 2022 Special Commission”. Any questions concerning the Questionnaire may be directed to < [secretariat@hcch.net](mailto:secretariat@hcch.net) >.

The PB intends, except where expressly asked not to do so, to place all replies to the Questionnaire on the HCCH website (< [www.hcch.net](http://www.hcch.net) >). Please therefore clearly identify any responses which you do not want to be placed on the website.

Thank you for your kind co-operation.

---

<sup>4</sup> The text of the Explanatory Report is available at: < <https://assets.hcch.net/docs/1509ab33-c2fe-4532-981c-7aa4dad9ba45.pdf> >.

<sup>5</sup> The term “competent authorities” is used in this Questionnaire to refer to the judicial or administrative authorities with decision-making responsibility under the 2000 Convention. Whilst in the majority of States Parties such “authorities” will be courts (*i.e.*, judicial), in some States Parties administrative authorities are responsible for decision making in Convention cases.

**QUESTIONNAIRE ON THE PRACTICAL OPERATION OF  
THE HCCH CONVENTION OF 13 JANUARY 2000 ON THE INTERNATIONAL PROTECTION OF ADULTS**

Wherever the responses to this Questionnaire make reference to domestic legislation, rules, guidance or case law relating to the practical operation of the 2000 Convention, **please provide a copy of the referenced documentation** in (a) the original language and, (b) wherever possible, accompanied by a translation into English and / or French.

<b>Name of State or territorial unit:</b> <sup>6</sup>	Finland
<i>For follow-up purposes</i>	
Date the Questionnaire was completed:	
Name of contact person:	Ms Maija Leppä
Name of Authority / Office:	Ministry of Justice, Central Authority
Telephone number:	+358-9-16067826
E-mail address:	central.authority@om.fi

Please note:

- Non-Contracting Parties to the 2000 Convention are requested to respond to all questions appearing under Part I as well as questions in Part II which numbers appear in **grey highlight**.
- Contracting Parties to the 2000 Convention are requested to complete all questions under Part II.

**PART I – QUESTIONS FOR NON-CONTRACTING PARTY MEMBERS OF THE HCCH**

1. Is your State considering joining the 2000 Convention?

- Yes  
 No, if possible please explain:  
[Please insert text here](#)

2. In considering how your State would implement the 2000 Convention, have you encountered any issues of concern?

- No  
 Yes, please explain:  
[Please insert text here](#)

3. Is your State considering joining the 2000 Convention with a view to implementing its obligations under the UNCRC, *e.g.*, Articles 12 and 16 of the UNCRC?

- Yes  
 No, please explain:  
[Please insert text here](#)

---

<sup>6</sup> The term "State" in this Questionnaire includes a territorial unit, where relevant.

## PART II – PRACTICAL OPERATION AND IMPLEMENTATION OF THE 2000 CONVENTION

### I – Significant developments in your State

1.1. Have there been any significant developments in your State regarding the legislation or procedural rules applicable in cases, including in international situations, of adults who, by reason of an impairment or insufficiency of their personal faculties, are not in a position to protect their interests? Where possible, please state the reason for the development in the legislation / rules (e.g., in connection with the implementation of the UNCRPD), and, where possible, the results achieved in practice:

- No  
 Yes, please describe:

1.2. Please provide a brief summary of any significant decisions concerning the interpretation and / or application of the 2000 Convention rendered by the competent authorities<sup>7</sup> in your State, including in the context of the UNCRPD and other relevant instruments:

1.3. Please provide a brief summary of any other significant relevant developments in your State since it became a Contracting Party to the 2000 Convention:

Finland is a party to the UNCRPD since 2016. The Convention came into force in Finland in June 2016.

### II – General operation information

2.1. Please indicate the number of cases handled by your Central Authority since the 2000 Convention came into force for your State:

In the Finnish Central Authority, there have been less than ten cases in total.

2.2. Please indicate, if possible, the names of the Contracting Parties involved in the cases referred to in question 2.1.:

There have been cases e.g. with Germany, France and Estonia.

2.3. Please indicate the month and year when the 2000 Convention came into force for your State:

03/2011

2.4. Please indicate the number of Full Time Equivalents (FTEs) employed at this moment by your Central Authority dedicated to the operation of the 2000 Convention:

There are two employees working with these matters among other Central Authority duties (e.g. 1980, 1996 and 2007 Conventions).

---

<sup>7</sup> The term “competent authorities” is used in this Questionnaire to refer to the judicial or administrative authorities with decision-making responsibility under the 2000 Convention. Whilst in the majority of States Parties such “authorities” will be courts (i.e., judicial), in some States Parties administrative authorities are responsible for decision making in Convention cases.

### III – Scope

3.1. Have competent authorities<sup>8</sup> in your State experienced any challenges, or have questions arisen, in determining the scope of the Convention under **Article 1** (meaning of “adults who, by reason of an impairment or insufficiency of their personal faculties, are not in a position to protect their interests”), **Article 2** (meaning of “adult”) or **Article 3** (meaning of “measures”)?

No

Yes, please describe:

**Article 1** (meaning of “adults who, by reason of an impairment or insufficiency of their personal faculties, are not in a position to protect their interests”), please specify:

[Please insert text here](#)

**Article 2** (meaning of “adult”), please specify:

[Please insert text here](#)

**Article 3** (meaning of “measures”), please specify:

[Please insert text here](#)

Other, please specify:

[Please insert text here](#)

3.2. Please indicate whether the following measures are available in your State and describe their fundamental features including the conditions that must be met for an adult to be subject to such measures (tick more than one box if applicable):

Guardianship, please describe:

[In Finland, the guardianship is governed by the Guardianship Services Act \(442/1999\).](#)

[Section 8 of the Act states that if an adult, owing to illness, disturbed mental faculties, diminished health or another comparable reason, is incapable of looking after his/her interests or taking care of personal or financial affairs in need of management, a court may appoint a guardian for him/her. Where necessary, a guardianship authority shall file a petition with a district court for the appointment of the guardian.](#)

[The guardian may be appointed if the person whose interests need to be looked after does not object to the same. If he/she objects to the appointment of the guardian, the appointment may nonetheless be made if, taking his/her state and need for a guardian into account, there is no sufficient reason for the objection.](#)

[The task of the guardian may be restricted to cover only a given transaction, matter or property.](#)

[In addition to a court, also a guardianship authority may appoint a guardian in situations specified in section 12 of the Act.](#)

[Section 18 of the Act states that if an adult is unable to take care of his/her financial affairs and his/her property, livelihood or other important interests are thereby endangered, and the appointment of a guardian is not alone sufficient to safeguard his/her interests, a court may restrict his/her competency by ordering that: \(1\) he/she may enter into given transactions or administer given property only in conjunction with the guardian; \(2\) he/she is not competent to enter into given transactions or to administer given property; or \(3\) he/she is declared incompetent.](#)

[No one shall be declared incompetent if the other options available under paragraph \(1\) are sufficient to safeguard his/her interests.](#)

[Also, the competency of a person shall not otherwise be restricted more than what is necessary for the safeguarding of the interests of that person. The restriction shall not be extended to transactions which an incompetent person is by law entitled to enter into. However, for important reasons, a court may](#)

---

<sup>8</sup> *Ibid.*

restrict the competency of a person to decide on the proceeds of his/her own work earned after the order has been issued.

- Curatorship, please describe:  
Please insert text here
- Analogous institution, please name and describe:  
Please insert text here

**3.3.** Please list and describe measures available under the law of your State that are not listed in **Article 3** but that would nevertheless fall under **Article 3** (e.g., “guardian *ad litem*”, “advanced health / medical decisions”, “*Betreuer*” (under German law), “*un placement sous sauvegarde de justice*” (under French law)):

3.4. While the formation, annulment and dissolution of marriage or any similar relationship, as well as legal separation are excluded from the scope of the 2000 Convention in accordance with **Article 4(1)(b)**, please list and describe the possible powers of representation between partners available in your State resulting from the effects of marriage, and similar relationships, that fall under the scope of the 2000 Convention “insofar as they are aimed at the protection of the ailing partner” (see paras 35 and 90 of the ER):

#### **IV – Jurisdiction**

4.1. Have competent authorities in your State experienced any challenges, or have questions arisen, in making a determination whether to exercise jurisdiction based on the “**habitual residence**” of the adult under **Article 5(1)**?

- No
- Yes, please specify:

The guardianship authority has reported that the determination of the habitual has been challenging especially in cases where the person often moves from one country to another, or there are other short term stays in different countries and the person is in need of protection.

4.2. Have competent authorities in your State experienced any challenges, or have questions arisen, in making a determination whether to exercise jurisdiction in the case of a “**change of the habitual residence**” of the adult under **Article 5(2)**?

- No
- Yes, please specify:

Please see reply to question 4.1.

4.3. Have competent authorities in your State experienced any challenges, or have questions arisen, in making a determination whether to exercise jurisdiction based on the “**presence**” of the adult under **Articles 6, 10 and 11**?

- No
- Yes, please specify:

Please see reply to question 4.1.

- 4.4. Have competent authorities in your State experienced any challenges, or have questions arisen, in making a determination whether to exercise jurisdiction based on the “**nationality**” of the adult under **Article 7**?

- No  
 Yes, please specify:

Please see reply to question 4.1.

- 4.5. Have competent authorities in your State experienced any challenges, or have questions arisen, in making a determination whether to transfer jurisdiction based on the “**interests**” of the adult under **Article 8**?

- No  
 Yes, please specify:  
[Please insert text here](#)

- 4.6. Have competent authorities in your State experienced any challenges, or have questions arisen, in making a determination whether to exercise jurisdiction based on the “**situation of the property**” of the adult under **Article 9**?

- No  
 Yes, please specify:  
[Please insert text here](#)

- 4.7. Have competent authorities in your State had experience with urgent measures of protection taken under **Article 10**?

- No  
 Yes, please describe in which situations a competent authority in your jurisdiction has applied **Article 10**:  
[Please insert text here](#)

- 4.8. Have competent authorities in your State had experience with temporary and limited measures of protection taken under **Article 11**?

- No  
 Yes, please describe in which situations a competent authority in your jurisdiction has applied **Article 11**:  
[Please insert text here](#)

- 4.9. Have competent authorities in your State had experience using the Measures of Protection Concerning an Adult recommended form<sup>9</sup> for the purpose of **Article 8** and the Information relating to Measures of Protection concerning an Adult recommended form<sup>10</sup> for the purpose of **Articles 7, 10 and 11**?

- No, please explain:

<sup>9</sup> The Measures of Protection Concerning an Adult recommended form is available at: <https://assets.hcch.net/upload/form35b.pdf>.

<sup>10</sup> The Information relating to Measures of Protection concerning an Adult recommended form is available at: <https://assets.hcch.net/upload/form35c.pdf>.



The guardianship authority reported a positive experience in using the form "Information related to measures of protection concerning of an adult" (Form 35C) to inform another Convention state of property of an adult in need of protection and to request the competent authorities of that Convention state to take action and evaluate the need for guardianship.

Yes

4.10. Has your State taken appropriate steps (e.g., guidelines, procedures, protocols) in accordance with **Article 30(a)** to facilitate communications between competent authorities of different Contracting States concerning the coordination of jurisdictions issues arising under **Articles 5-12**?<sup>11</sup>

No

Yes, please describe such guidelines, procedures or protocols and also provide a link or attach them, preferably translated into English or French:

[Please insert text here](#)

4.11. Have competent authorities in your State experienced any challenges, or have questions arisen, in applying the other articles in **Chapter II**?

No

Yes, please specify:

[Please insert text here](#)

## **V – Applicable law – General**

5.1. Have competent authorities in your State experienced any challenges, or have questions arisen, in applying or taking into consideration the law of another State with which the situation has a substantial connection in accordance with **Article 13(2)**?

No

Yes, please specify:

[Please insert text here](#)

5.2. Have competent authorities in your State experienced any challenges, or have questions arisen, in applying their own law, in accordance with **Article 14**, to the conditions of implementation of foreign measures, whether these are known or unknown to their own law?

No

Yes, please specify:

As an example, under the Finnish legislation, a permission of the competent guardianship authority is required in order to sell immovable property when a guardian is appointed for an adult. Practice has been challenging in cases where the property to be sold situates in Finland and the habitual residence of the adult is in another state. In some cases also the other state may require the authorisation based on its own law.

5.3. Have competent authorities in your State experienced any challenges, or have questions arisen, in applying **Article 17**?

<sup>11</sup> See, e.g., Direct Judicial Communications - Emerging Guidance regarding the development of the International Hague Network of Judges and General Principles for Judicial Communications, including commonly accepted safeguards for Direct Judicial Communications in specific cases, within the context of the International Hague Network of Judges available at: < <https://assets.hcch.net/docs/62d073ca-eda0-494e-af66-2ddd368b7379.pdf> >.

- No  
 Yes, please specify:  
[Please insert text here](#)

5.4. Please list and describe specific rules of representation of the adult which your State would regard as part of the mandatory law under **Article 20**:

[Please insert text here](#)

5.5. Have competent authorities in your State experienced any challenges, or have questions arisen, in applying the other articles in **Chapter III**?

- No  
 Yes, please specify:  
[Please insert text here](#)

### **VI – Applicable law – Powers of representation (including advance directives)**

In the following questions (questions 6.1. to 6.49.) references to powers of representation, as described in Article 15 of the 2000 Convention, mean, and are limited to, “powers of representation granted by an adult, either under an agreement or by a unilateral act, to be exercised when such adult is not in a position to protect his or her interest”. Such powers of representation are also known as “mandate in case of incapacity”, “self-determined guardianship”, “voluntary guardianship”, “living will”, “*mandat de protection future*”, “*mandat extrajudiciaire*”, etc.<sup>12</sup> In a great number of States, such powers of representation are private agreements. They may be witnessed, certified, notarised, or not be subject to any formal requirements. Several States provide for various forms of powers of representation. Any such powers of representation fall under the scope of the 2000 Convention. The availability of powers of representation under the law of Contracting Parties to the 2000 Convention will facilitate implementation of their treaty obligations. However, the absence of such powers should not stop States from becoming Contracting Parties.

Thus, powers of representation may or may not be *available* under the law of your State. Where they are, they may be available *in one or more forms* (see question 6.19. below). To achieve the desired effect, the use of any of these forms of powers of representation may be *optional or mandatory*. Furthermore, powers of representation may or may not be subject to *formal requirements* (such as being notarised, certified, or witnessed) to achieve validity and operability. In addressing the existence, extent, modification and extinction of such powers of representation for the purpose of Article 15, Section VI of this Questionnaire seeks to accommodate *all* these various possibilities with a view to obtaining a better understanding of powers of representation across HCCH Members. **If the actual position in your State does not fit easily within the alternatives offered, please use “other” at the end of any relevant question to explain the position of your State.** Responses to Section VI will be particularly relevant for drawing up a draft Country Profile and draft Practical Handbook on the operation of the 2000 Convention.

### **Availability of such powers of representation (as described above in the introduction to Section VI for the purposes of questions 6.1. to 6.49.) under your domestic law and related safeguards**

**6.1.** Does the law of your State provide for such powers of representation?

- Yes

<sup>12</sup> Such “powers of representation” under Art. 15 of the 2000 Convention are not to be confused with “general powers of attorney” or “ordinary powers of attorney” under civil or commercial law.

- No, if possible please explain or provide further background:  
[Please insert text here](#)

**6.2.** If yes to question 6.1., the following questions are designed to address the various possibilities outlined in the second paragraph of the Introduction to this Section VI (above) in relation to *formal requirements* that may be applicable in your State and their respective functions (in relation to each question, tick more than one box if applicable):

[In Finland, the powers of representation are regulated by law \(Laki edunvalvontavaltuutuksesta \(648/2007\)\).](#)

**6.2.1. Is it mandatory in your State to have such powers of representation notarised?**

- a. Powers of representation cannot be notarised
- b. Yes, it is mandatory
- b.1. Always mandatory
- b.2. Only mandatory for specific purposes, please specify:  
[Please insert text here](#)
- c. No, it is not mandatory, but it is an available option
- d. Please tick the relevant functions of this formal requirement
- d.1. To establish the capacity of the grantor at the time of granting the powers of representation
- d.2. To verify that the person signing the powers of representation is the grantor
- d.3. To witness the signature of the powers of representation by the grantor
- d.4. To verify that the powers of representation are in conformity with the law (including the conditions to be met by the designated representative)
- d.5. To verify that the powers of representation are understood by the grantor (Art. 12(4) UNCPRD)
- d.6. To verify that the powers of representation correspond to the wishes of the grantor (Art. 12(4) UNCPRD)
- d.7. To confirm the absence of undue influence (Art. 12(4) UNCPRD)
- d.8. Other, please specify:  
[Please insert text here](#)

**6.2.2. Is it mandatory in your State to have such powers of representation certified?**

- a. Powers of representation cannot be certified
- b. Yes, it is mandatory
- b.1. Always mandatory
- b.2. Only mandatory for specific purposes, please specify:
- c. No, it is not mandatory, but it is an available option
- d. Please tick the relevant functions of this formal requirement
- d.1. To establish the capacity of the grantor at the time of granting the powers of representation
- d.2. To verify that the person signing / who signed the powers of representation is / was the grantor
- d.3. To witness the signature of the powers of representation by the grantor
- d.4. To verify that the powers of representation are in conformity with the law (including the conditions to be met by the designated representative)
- d.5. To verify that the powers of representation are understood by the grantor (Art. 12(4) UNCPRD)

- d.6. To verify that the powers of representation correspond to the wishes of the grantor (Art. 12(4) UNCRPD)
- d.7. To confirm the absence of undue influence (Art. 12(4) UNCRPD)
- d.8. Other, please specify:  
[Please insert text here](#)

**6.2.3. Is it mandatory in your State to have such powers of representation witnessed?**

- a. Powers of representation cannot be witnessed
- b. Yes, it is mandatory
  - b.1. Always mandatory
  - b.2. Only mandatory for specific purposes, please specify:  
[Please insert text here](#)
- c. No, it is not mandatory, but it is an available option
- d. Please tick the relevant functions of this formal requirement
  - d.1. To establish the capacity of the grantor at the time of granting the powers of representation
  - d.2. To verify that the person signing the powers of representation is the grantor
  - d.3. To witness the signature of the powers of representation by the grantor
  - d.4. To verify that the powers of representation are in conformity with the law (including the conditions to be met by the designated representative)
  - d.5. To verify that the powers of representation are understood by the grantor (Art. 12(4) UNCRPD)
  - d.6. To verify that the powers of representation correspond to the wishes of the grantor (Art. 12(4) UNCRPD)
  - d.7. To confirm the absence of undue influence (Art. 12(4) UNCRPD)
  - d.8. Other, please specify:  
[Please insert text here](#)

**6.2.4. Is it mandatory in your State to have such powers of representation subject to another formal requirement?**

Please specify the name of the formal requirement:

- a. Powers of representation are not subject to another formal requirement
- b. Yes, it is mandatory
  - b.1. Always mandatory
  - b.2. Only mandatory for specific purposes, please specify:
- c. No, it is not mandatory, but it is an available option
- d. Please tick the relevant functions of this formal requirement
  - d.1. To establish the capacity of the grantor at the time of granting the powers of representation
  - d.2. To verify that the person signing the powers of representation is the grantor
  - d.3. To witness the signature of the powers of representation by the grantor
  - d.4. To verify that the powers of representation are in conformity with the law (including the conditions to be met by the designated representative)
  - d.5. To verify that the powers of representation are understood by the grantor (Art. 12(4) UNCRPD)
  - d.6. To verify that the powers of representation correspond to the wishes of the grantor (Art. 12(4) UNCRPD)
  - d.7. To confirm the absence of undue influence (Art. 12(4) UNCRPD)
  - d.8. Other, please specify:

Please insert text here

6.3. If yes to question 6.1., are such powers of representation in the form of a private agreement without any formal requirements (*e.g.*, notarised, certified or witnessed) available under the law of your State?

No, please explain:

[According to Act 648/2007, the power of representation always needs to be duly signed and witnessed by two witnesses.](#)

Yes

6.4. Have issues arisen in your State with regard to the existence of such powers of representation governed by the law of another State?

No

Yes, please explain:

[Please insert text here](#)

6.5. If no to question 6.1., does the law of your State prohibit such powers of representation, or contain provisions rendering them ineffective?

No

Yes, please explain:

[Please insert text here](#)

6.6. If no to question 6.1., does your State intend to legislate in the near future to provide for such powers of representation?

No, please explain:

[Please insert text here](#)

Yes

6.7. If yes to question 6.6., please indicate which form of powers of representation your State is likely to provide for (tick more than one box if applicable):

a. **notarised** powers of representation

b. **certified** powers of representation

c. **witnessed** powers of representation

d. **private agreements** without any formal requirements

e. Other form, please specify:

[Please insert text here](#)

### Designation of a representative under such powers of representation

6.8. Are there conditions / limitations (*e.g.*, to provide safeguards with regard to conflicts of interests) as to who can be designated as a representative under such powers of representation governed by the law of your State (*e.g.*, limitation to natural persons, or a further limitation to persons with specified relationships to the grantor)?

- No  
 Yes, please explain:  
[Limitation to natural persons](#)

**6.9.** Does your response to question 6.8. differ whether such powers of representation are subject to a formal requirement (*e.g.*, notarised, certified, witnessed) or not subject to any formal requirements?

- No  
 Yes, please explain:  
[Please insert text here](#)

**6.10.** Have issues arisen in your State with regard to the capacity of the person designated as a representative under such powers or representation governed by the law of another State?

- No  
 Yes, please explain:  
[Please insert text here](#)

### Supervision / control mechanisms of such powers of representation

**6.11.** Are such powers of representation governed by the law of your State subject to some supervision / control mechanisms / reporting (*e.g.*, a person or authority designated (on a mandatory or voluntary basis) under such powers or by operation of law to which the person designated as the representative is to report to)?

- No, please explain:  
[Please insert text here](#)  
 Yes, please explain:

[According to Act 648/2007, the guardianship authority supervises the designated representative.](#)

[Within a period of three months of a power of representation being confirmed, the designated representative must submit to the competent authority a property inventory on the grantor's property and debts that the power of representation mandates the designated authority to manage. The grantor cannot exempt the designated representative from the obligation to provide the guardianship authority with a property inventory. The property inventory will be drawn up on the basis of the situation at the time the power of attorney was confirmed. If the grantor subsequently receives property for which the designated representative has the right to represent the grantor \(e.g. becomes a shareholder in the estate\), the inventory on acquired property \(e.g. estate deed\) must be submitted within one month.](#)

[If the power of representation concerns the representation of the grantor in financial matters, the designated representative is obliged to keep a record of the grantor's assets and debts and the events of the financial year. However, the designated representative does not need to draw up a separate annual statement for the management of affairs to the authority, unless the grantor has entered a requirement for this into the power of representation.](#)

[If the power of representation concerns the representation of the grantor in non-financial matters, the designated representative is obliged to keep a record of the actions taken on behalf of the grantor.](#)

[In addition, the competent guardianship authority may request the designated representative to submit a statement on the performance of their duties if there are grounds for doing so.](#)

6.12. Does your response to question 6.11. differ whether such powers of representation are subject to a formal requirement (*e.g.*, notarised, certified, witnessed) or not subject to any formal requirements?

- No  
 Yes, please explain:  
[Please insert text here](#)

6.13. Have issues arisen in your State with regard to the control mechanism to which such powers of representation governed by the law of another State are subject to?

- No  
 Yes, please explain:  
[Please insert text here](#)

### Extent of such powers of representation

6.14. Are such powers of representation (and wishes expressed therein) governed by the law of your State legally binding on the designated representative?

- Yes  
 No, please explain:

[The designated representative must act in accordance with the interests of the grantor.](#)

6.15. Are there any limitations under the law of your State on such powers of representation that can be conferred upon a designated representative *e.g.*, are certain acts or categories of acts excluded such as disposal of specified categories of assets, gifts, personal and family matters, medical related decisions (generally, or particular categories such as those involving hospitalisation), etc.?

- No  
 Yes, please explain:

[.The designated representative is not competent to give a consent to marriage or adoption on the behalf of the grantor, nor to acknowledge paternity, consent to an acknowledgement of paternity, make or revoke a will or represent the ward in other matters of a comparably personal and individual nature.](#)

6.16. Are there particular powers and duties automatically given to such representatives (*e.g.*, powers and duties in relation to the tax affairs of the grantor)?

- No  
 Yes, please explain:  
[Please insert text here](#)

6.17. Are certain powers subject to a judicial or administrative decision in order for them to be either conferred or exercised?

- No  
 Yes, please specify the powers subject to such decision:

[According to section 19 of Act 648/2007, it can be stated in the power of representation that legal acts by the designated representative require an authorization by the competent authority.](#)

6.18. Are there particular matters which, in accordance with the law of your State, a designated representative cannot be authorised to do or decide on behalf of the grantor?

- No  
 Yes, in which case please specify the excluded powers:  
[Please see answer to question 6.15.](#)

6.19. Which of the following forms of document are available in your State to confer powers of representation (tick more than one if applicable)?

- a. A document simply conferring on the designated representative all powers that can by law be conferred.  
 b. A document containing "tick-box" lists of powers.  
 c. A document setting out, in the grantor's choice of words, all the powers that the grantor wishes to confer.  
 d. Separate documents for (a) health and welfare powers and (b) property and financial powers.  
 e. Separate listing in the same document of (a) health and welfare powers and (b) property and financial powers.  
 f. Other possibilities or combinations (please explain):

[The power of representation must be in writing. There are no other special requirements for the form of the document.](#)

6.20. Can advance health directives be included in powers of representation governed by the law of your State?

- Yes  
 No, please explain:

[Act on the Status and Rights of Patients \(785/1992\) contains provisions on the status and rights of patients in health and medical care. According to the Act the patient has to be cared in mutual understanding with him/her. A patient can express his/her will concerning treatment to be given to him/her in the future and the health care professionals have to respect the patient's will \(Sections 6-8\).](#)

[There are no formal requirements for the advanced health directive.](#)

6.21. Can advance medical directives be included in powers of representation governed by the law of your State?

- Yes  
 No, please explain:  
[Please see answer to question 6.20.](#)

6.22. Are such advance health / medical directives governed by the law of your State binding on medical professionals?

- Yes  
 No, please explain:

6.23. Do your responses to questions 6.14.-6.22. differ whether such powers of representation are subject to a formal requirement (e.g., notarised, certified, witnessed) or not subject to any formal requirements?



- No  
 Yes, please explain:  
[Please insert text here](#)

6.24. Have issues arisen in your State with regard to the scope of such powers of representation governed by the law of another State?

- No  
 Yes, please explain:  
[Please insert text here](#)

### Registration / filing of such powers of representation

6.25. Please indicate whether your State provides for the registration of such powers of representation and / or their filing with a competent authority:

- Yes, registration with a public registry  
 Yes, registration with a private registry (*e.g.*, national associations of notaries)  
 Yes, filing with a competent authority  
 No, please explain:

[There is no register for the powers of representation that have not yet been confirmed by the competent guardianship authority \(please see later the questions on coming into effect of the powers of representation\). Once the competent authority has confirmed the power of representation and it has entered into force, it will be registered in a national register \(see also answer to question 6.27\).](#)

6.26. Can / must such powers of representation governed by the law of your State be registered or filed with a competent authority before they come into effect?

- Yes, it is an option, please explain the effect of the registration and / or filing:  
[Please insert text here](#)  
 Yes, it is an obligation, please explain the effect of the registration and / or filing:  
 No, please explain:  
[Please insert text here](#)

6.27. Can such powers of representation governed by the law of **your** State be registered or filed with a competent authority after they come into effect?

- Yes, it is an option, please explain the effect of the registration and / or filing:  
[Please insert text here](#)  
 Yes, it is an obligation, please explain the effect of the registration and / or filing:

[A power of representation confirmed by the guardianship authority is registered, if it relates to representing the grantor in financial matters. In practice, the register contains information on the confirmation of the power of representation, the date of confirmation and the personal data of the grantor and the designated representative. The content of the power of representation is not registered. It is possible to ask an extract from the register to see that the power of representation is in force and has not expired.](#)

- No, please explain:

6.28. Can such powers of representation governed by the law of **another** State be registered or filed with a competent authority after they come into effect?

- Yes, it is an option, please explain the effect of the registration and / or filing:
- Yes, it is an obligation, please explain the effect of the registration and / or filing:

A power of representation, which concerns the representation of the grantor in financial affairs, is registered, even if it has not been confirmed by the Finnish guardianship authority, if the grantor is habitually resident in Finland. The designated representative needs to inform the Guardianship authority about the power of representation. If the grantor is not habitually resident in Finland, but the power of attorney relates to property in Finland, the Finnish guardianship authority can confirm the power of representation regarding that property and the power of representation will be registered. Please see reply to question 6.27 for more information regarding the register.

- No, please explain:  
Please insert text here

6.29. Do your responses to questions 6.25. and 6.28. differ whether such powers of representation are subject to a formal requirement (*e.g.*, notarised, certified, witnessed) or not subject to any formal requirements?

- No
- Yes, please explain:  
Please insert text here

#### Coming into effect of such powers of representation

6.30. Can such powers of representation governed by the law of your State come into effect at a moment determined by the grantor (*e.g.*, when certain conditions are met)?

- No, please explain:

The power of representation enters into force, when it is confirmed by the guardianship authority.

- Yes, please explain:  
Please insert text here

6.31. In the absence of an explicit coming into effect provision by the grantor, can such powers of representation governed by the law of your State come into effect on the sole decision of the person(s) to whom they are conferred?

- No, please any safeguards:  
Please see answer to question 6.32.
- Yes, please explain:  
Please insert text here

6.32. In the absence of an explicit coming into effect provision by the grantor, can such powers of representation governed by the law of your State come into effect upon the decision of a competent authority?

- No, please any safeguards:  
Please insert text here
- Yes, please explain:

The power of representation needs to be confirmed by the guardianship authority, in order to enter into force.

- 6.33. Please explain how the coming into effect of such powers of representation governed by the law of your State affect the legal capacity of the grantor:

It does not as such affect the legal capacity of the grantor.

- 6.34. Do your responses to questions 6.30.-6.33. differ whether such powers of representation are subject to a formal requirement (*e.g.*, notarised, certified, witnessed) or not subject to any formal requirements?

- No  
 Yes, please explain:  
 Please insert text here

- 6.35. Have issues arisen in your State with regard to the coming into effect of such powers of representation governed by the law of another State?

- No  
 Yes, please explain:  
 Please insert text here

- 6.36. Please share other information (*e.g.*, concerns, good practices) with regard to the coming into effect of such powers of representation governed by the law of your State (*e.g.*, the explicit provision (permitted by law) in the powers of representation that they come into effect immediately upon signature):

Please insert text here

### Confirmation of such powers of representation

- 6.37. Can a competent authority in your State confirm powers of representation?

- No  
 Yes, please indicate which authority can confirm and explain the effect of confirming or not confirming such powers of representation

The Digital and Population Data Services Agency or the State Department of Åland as the competent guardianship authorities confirm the power of representation. The power of representation enters into force, once confirmed by the guardianship authority.

- 6.38. If yes to question 6.37., can confirmation take place whether such powers of representation are governed by the law of your State or the law of another State?

- No, please explain:  
 Please insert text here  
 Yes, please indicate which authority can confirm and explain the effect of confirming or not confirming such powers of representation:

The Digital and Population Data Services Agency or the State Department of Åland as the competent guardianship authorities confirm the power of representation. If Finnish law is applied to the power of representation, it will only enter into force, once confirmed by the guardianship authority. If, based on article 15, foreign law is applied and the foreign law does not require any confirmation, the power of representation can be in force in Finland also without confirmation. This requires that the requirements

under the applicable foreign law are complied with. The designated representative can however ask for a confirmation.

**6.39.** If yes to question 6.37., can confirmation take place whether the powers of representation have come into effect or not?

- Yes  
 No, please explain:

The confirmation by the guardianship authority requires that the requirements prescribed by the foreign law applicable to the entry into force of the power of representation are fulfilled.

**6.40.** Do your responses to questions 6.37.-6.39. differ whether such powers of representation are subject to a formal requirement (e.g., notarised, certified, witnessed) or not subject to any formal requirements?

- No  
 Yes, please explain:  
[Please insert text here](#)

### Modifications of such powers of representation

**6.41.** Is it possible for the grantor or a competent authority to modify powers of representation governed by the law of your State after they have come into effect?

- No  
 Yes, please explain who can modify such powers of representation, for what purpose, in what form, and any related safeguards:

The grantor can give a new power of representation, which revokes the earlier power of representation, provided that the grantor understands the meaning of the revoking/cancellation. If the guardianship authority already has confirmed the power of representation, the guardianship authority needs to confirm the cancellation (Section 12 ).

**6.42.** Does your response to question 6.41. differ whether such powers of representation are subject to a formal requirement (e.g., notarised, certified, witnessed) or not subject to any formal requirements?

- No  
 Yes, please explain:  
[Please insert text here](#)

**6.43.** Have issues arisen in your State with regard to the modification of such powers of representation governed by the law of another State?

- No  
 Yes, please explain:  
[Please insert text here](#)

### Extinction of such powers of representation

**6.44.** Please explain the conditions for the extinction of powers of representation governed by the law of your State:

The power of representation expires, if the grantor revokes the power of representation, if the grantor dies or if the designated representative resigns. Also, if a guardian is appointed to the grantor, the power of representation expires as far as the guardian is responsible for the matters under the power of representation. If the guardianship authority has confirmed the power of representation, the extinction needs to be confirmed by the guardianship authority.

- 6.45. Does your response to question 6.44. differ whether such powers of representation are subject to a formal requirement (*e.g.*, notarised, certified, witnessed) or not subject to any formal requirements?

No  
 Yes, please explain:  
[Please insert text here](#)

- 6.46. Have issues arisen in your State with regard to the extinction of such powers of representation governed by the law of another State?

No  
 Yes, please explain:  
[Please insert text here](#)

#### **Other information concerning such powers of representation**

- 6.47. Please list and describe *ex lege* powers of representation resulting from a unilateral act or an agreement that arise by reference to a relationship or other status in connection with the adult (including but not limited to those arising from a contract of marriage, and similar relationships):

[Please insert text here](#)

- 6.48. Please provide any additional information with regard to such powers of representation (as described above in the introduction to Section VI) governed by the law of your State:

[Please insert text here](#)

- 6.49. Please provide any additional information with regard to issues that may have arisen in your State with regard to such powers of representation (as described above in the introduction to Section VI) governed by the law of another State:

[Please insert text here](#)

#### **VII – Recognition and enforcement**

- 7.1. Have competent authorities in your State experienced any challenges, or have questions arisen, in applying **Article 22** from the perspective of the requested State?

No  
 Yes, please specify:

- 7.2. Have judicial or administrative procedures, guidelines or protocols been adopted in your State to facilitate the application of **Article 23**?

No

- Yes, please describe and also provide a link or attach a copy, preferably translated into English or French:  
[Please insert text here](#)

7.3. Have competent authorities in your State experienced any challenges, or have questions arisen, in applying **Article 23** (e.g., in terms of procedure, formalities, time frames, etc.)?

- No  
 Yes, please specify:  
[Please insert text here](#)

7.4. Are you aware of any challenges, or have questions arisen, in applying **Article 25** in your State?

- No  
 Yes, please specify:  
[Please insert text here](#)

7.5. Please describe the “simple and rapid procedure” (see **Art. 25(2)**) in place in your State for declaring enforceable or registering for the purpose of enforcement measures of protection taken in another State Party and enforceable there, in particular:

a) Which authority declares enforceable or registers a measure of protection taken in another State Party?

[The jurisdiction in these matters is concentrated in one court, Helsinki district court.](#)

b) What time frames are applied to ensure that the procedure is rapid?

[There are no specific timeframes in the national legislation.](#)

c) Is legal representation required?

- No  
 Yes, please describe:  
[Please insert text here](#)

7.6. Are you aware of any challenges, or have questions arisen, in applying **Article 27** in your State?

- No  
 Yes, please specify:  
[Please insert text here](#)

7.7. Under **Article 27**, are **measures concerning the person** of adults who, by reason of an impairment or insufficiency of their personal faculties, are not in a position to protect their interests subject to *exequatur* in accordance with the law of your State?

- No  
 Yes, please list and describe such measures:  
[Please insert text here](#)

7.8. Please indicate how often measures referred to in question 7.7. are subject to *exequatur* under the law of your State in accordance with **Article 27**:

- Never  
 Rarely

- Sometimes
- Very often
- Always

7.9. Under **Article 27**, are **measures concerning the property** of adults who, by reason of an impairment or insufficiency of their personal faculties, are not in a position to protect their interests subject to *exequatur* in accordance with the law of your State?

- No
- Yes, please list and describe such measures:  
[Please insert text here](#)

7.10. Please indicate how often measures referred to in question 7.9. are subject to *exequatur* under the law of your State in accordance with **Article 27**:

- Never
- Rarely
- Sometimes
- Very often
- Always

7.11. Have competent authorities in your State experienced any challenges, or have questions arisen, in applying the other articles in **Chapter IV**?

- No
- Yes, please specify:  
[Please insert text here](#)

## **VIII – Co-operation**

8.1. With the understanding that services provided by Central Authorities under the 2000 Convention may vary, does your Central Authority provide assistance, either directly or through other authorities in your State, to an **individual habitually resident in your State** who made a request for assistance in connection with a matter falling under the scope of the Convention in a requested State? If so, please indicate the nature of the assistance provided.

- a. None
- b. Assistance in obtaining information on the operation of the 2000 Convention
- c. Assistance in obtaining information on the relevant laws and procedures and services available in the requested State
- d. Establishment of contact with the Central Authority and / or the competent authorities in the requested State to find out the kind of assistance such authorities could provide
- e. Transmission of a request to the Central Authority or to the competent authorities in the requested State
- f. Assistance in discovering the whereabouts of an adult
- g. Assistance in initiating judicial or administrative proceedings
- h. Assistance in providing or facilitating the provision of legal aid and advice
- i. Assistance in obtaining private legal counsel or mediation services, where needed in the requested State
- j. Ensuring separate legal representation for the adult in any proceedings
- k. Ensuring support for exercise of capacity in terms of Article 12(3) of the UNCRPD

- l. Referral to other governmental and / or non-governmental organisations for assistance
- m. Provision of regular updates on the progress of the application
- n. Other, please specify:

8.2. With the understanding that services provided by Central Authorities under the 2000 Convention may vary, does your Central Authority provide assistance, either directly or through other authorities in your State, to authorities from a requesting State on behalf of an **individual residing abroad** who made a request for assistance in connection with a matter falling under the scope of the Convention? If so, please indicate the nature of the assistance provided.

- a. None
- b. Assistance in providing information on the operation of the 2000 Convention
- c. Assistance in providing information on the relevant laws and procedures and services available in your State
- d. Establishment of contact with the competent authorities in your State to find out the kind of assistance such authorities could provide
- e. Transmission of a request to the competent authorities in your State
- f. Assistance in discovering the whereabouts of an adult in your State
- g. Assistance in initiating judicial or administrative proceedings in your State
- h. Assistance in providing or facilitating the provision of legal aid and advice in your State
- i. Assistance in obtaining private legal counsel or mediation services, where needed in your State
- j. Ensuring separate legal representation for the adult in any proceedings
- k. Ensuring support for exercise of capacity in terms of Article 12(3) of the UNCRC
- l. Referral to other governmental and / or non-governmental organisations in your State for assistance
- m. Provision of regular updates on the progress of the application
- n. Other, please specify:

8.3. Are you aware of any challenges, or have questions arisen, in applying **Article 29** in your State (*e.g.*, in relation to the timeliness of responses to requests)?

- No
- Yes, please specify:  
[Please insert text here](#)

8.4. With a view to facilitate the task of Central Authorities under **Article 29(2)**, please describe the type of information that would be useful to include in a Country Profile published on the HCCH website (*e.g.*, information with respect to the availability of certain measures under internal law (*e.g.*, in relation to **Art. 3(e)**), or the procedures applied under, *e.g.*, **Article 22, 23, 25, 30, 31 or 33**, or information on Central Authority services provided (see questions 8.1. and 8.2. above):

[Please insert text here](#)

8.5. How does your Central Authority (either directly or through public authorities or other bodies) take appropriate steps under **Article 31** to facilitate, by mediation, conciliation or similar means,



agreed solutions for the protection of the person or property of the adult in situations to which the 2000 Convention applies? Please explain:

- 8.6. Have authorities in your State experienced any challenges, or have questions arisen, in providing or obtaining information under **Article 32(1) or 34**?

No  
 Yes, please describe:  
[Please insert text here](#)

- 8.7. Have authorities in your State experienced placements in accordance with **Article 33** either as a requesting or a requested State?

No  
 Yes

- 8.8. Have authorities in your State experienced any challenges, or have questions arisen, in applying **Article 33** (e.g., has your State been requested to accept an adult under a certain type of placement or institutional care that is not available under your internal law, or was insufficient information provided to you as the requested State)?

No  
 Yes, please describe:  
[Please insert text here](#)

- 8.9. Please list and describe the procedures and conditions for the placement of an adult in your State in accordance with **Article 33**:

- 8.10. As a requested State, please describe the information you would expect to receive from a requesting State with regard to the placement of an adult in your State in accordance with **Article 33**:

- 8.11. Does your State impose charges, as provided under **Article 36(1)**, for the provision of services under **Chapter V** (Co-operation)?

No  
 Yes, for the following types of services (e.g., translation, legal assistance):  
[Please insert text here](#)

- 8.12. As a requesting State, have authorities in your State experienced any challenges, or have questions arisen, with regard to charges provided under **Article 36(1)**?

No  
 Yes, please explain:  
[Please insert text here](#)

8.13. Are you aware of any challenges, or have questions arisen, in applying any other provisions under **Chapter V** in your State?

- No  
 Yes, please describe:  
[Please insert text here](#)

8.14. Have judges in your State used direct judicial communications in cases falling under the 2000 Convention (where applicable, please consult your Member of the International Hague Network of Judges<sup>13</sup>)?

- No  
 Yes, please specify in relation to which specific matters (*e.g.*, transfer of jurisdiction (**Art. 8**), placement of a child (**Art. 33**)):

[In the Central Authority, we are not aware of experiences of direct judicial communication.](#)

### **IX – General provisions**

9.1. Has your State experienced any challenges, or have questions arisen, in relation to requests under **Article 38** for the delivery of a certificate indicating the capacity in which a person entrusted with protection of the adult's person or property is entitled to act and the powers conferred upon him or her?

- No  
 Yes, please describe:

[Certain powers and restrictions are directly governed by the law \(Guardianship Services Act \(442/1999\)\). Listing them in the certificate has proven to be challenging.](#)

9.2. Which authority(ies) designated by your State in accordance with **Article 38(3)** is competent to draw up the **Article 38(1)** certificate? Please specify:

[According to our national legislation, Digital and Population Data Services Agency and the State Department of Åland are the competent authorities in these matters.](#)

9.3. If possible, please indicate the number of certificates that have been delivered by authorities in your State since the 2000 Convention came into force for your State:

[Approx. 15](#)

9.4. Has your State experienced any challenges, or have questions arisen, in relation to the implementation and / or operation of **Articles 39 and 40**?

- No  
 Yes, please describe:  
[Please insert text here](#)

9.5. Which authority(ies) has your State designated in accordance with **Article 42** to which requests under **Article 8** are to be addressed? Please specify:

<sup>13</sup> The List of Members of the International Hague Network of Judges is available at: <https://assets.hcch.net/docs/665b2d56-6236-4125-9352-c22bb65bc375.pdf>.

If a request under article 8 is received, it will be handled by the Finnish authority competent in such a matter under the Finnish legislation, or the Municipality of Helsinki.

- 9.6. Which authority(ies) has your State designated in accordance with **Article 42** to which requests under **Article 33** are to be addressed? Please specify:

They will be addressed to the competent Finnish authority, depending on the subject matter of the request.

- 9.7. Please list international instruments to which your State is a Party in accordance with **Article 49** which contain provisions on matters governed by the 2000 Convention:

Between the Nordic countries, there is a Nordic Marriage Convention (Convention between Finland, Iceland, Norway, Sweden and Denmark containing rules of private international law regarding marriage, adoption and guardianship, Treaty Series 20/1931), which contains provisions on cooperation in the transfer of guardianship matters.

- 9.8. Have competent authorities in your State experienced any challenges, or have questions arisen, in applying the other Articles in **Chapter VI**?

No  
 Yes, please specify:

[Please insert text here](#)

### **X – Miscellaneous**

- 10.1. Is there any other comment that your State wishes to make relating to the practical operation of the 2000 Convention? If so, please specify:

- 10.2. Are there any particular issues that your State would like the Special Commission meeting to discuss in relation to the 2000 Convention? Please specify and list in order of priority:

- 10.3. Is your State of the view that having joined the 2000 Convention will assist with the implementation of its obligations under the UNCRPD *e.g.*, Articles 12 and 16 of the UNCRPD?

Yes  
 No, please explain:

[Please insert text here](#)