

ANNUAL REPORT

2004



THE SUPREME ADMINISTRATIVE
COURT OF FINLAND



ANNUAL REPORT 2004

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FUNCTIONING SOCIETY AS A PRECONDITION FOR THE PROTECTION OF CITIZENS BY LAW

The protection of citizens by law does not only mean the application of laws and ensuring that all use of public powers be based on law, but rather ensuring the legal basis for mental and material wellbeing as well as justice in general. The administrative courts play a crucial role in this respect. Thus, the resources of administrative courts contribute to the general development of society.

The decisions subject to appeal to administrative courts only represent the tip of the iceberg. Whereas the Supreme Administrative Court decides approximately 4,000 cases and the regional administrative courts some 20,000 cases each year, the first-instance administrative authorities decide millions of cases that are important for the persons concerned. Thus, the guarantees of access to administrative courts and the increased possibilities for the correction of errors by the first-instance authorities themselves are of great importance for ensuring the protection of citizens by law.

The decisions of administrative courts often have far-reaching social and even economic effects. In the State budget for the year 2005, particular attention has been paid to the length of proceedings in courts and to the quality requirements of the administration of justice as well as to the development of criteria for their assessment. The working methods of administrative courts have been developed, and efforts will be made to make them more efficient, with a view to ensuring a reasonable length of proceedings. In the same way as earlier, the statistics given in the present annual report cover more than 200 categories of cases.

When the mere monitoring of the courts' caseload is replaced with systematic analysis, it is also necessary to assess law reforms and their effects on the future needs of resources. As examples of recent reforms affecting the courts' caseload, one could mention the new energy market, communications market and public procurement laws, the tax reform, the environmental permits required of large industries under the new Environmental Protection Act (86/2000), the Emissions Trading Act (683/2004) and Directive 2000/60/EC establishing a framework for Community action in the field of water policy. The greatest problem in the field of social welfare and health care might be that there is a risk of increasing legal problems as the average age of the population goes up. The increasing international aspects of the legal system affect all categories of cases, and already today do questions of EU law arise in approximately one third of cases.

The legislation plays a key role in the development of the rule of law. More attention should be paid to the resources required by the implementation of new legislation already at the stage of its preparation. For the purpose of ensuring the protection of citizens by law, it is important to assess the effects of new legislation on different sectors of administration and to ensure that the legislative reforms work.

Functioning administration is one of the preconditions for the protection of citizens by law. In Scandinavian welfare society, public duties are being performed in nearly all sectors. International researchers speak of two different administrative traditions. The first one is the tradition of democratic governance, according to which good governance serves common needs and welfare. The other tradition is that of effective governance, the objectives of which are limited to enhancing productiveness. The tradition of democratic governance is closer to Finland and can also clearly be seen in the new Administration Act (434/2003) as principles meant to enhance interaction.

It is also important to remember, in this context, sections 21 and 124 of the Constitution of Finland, the first one providing for the requirements of good governance and the other one restricting the privatisation of the performance of public duties. According to the latter provision, a transfer of responsibility for the performance of public duties to a non-governmental entity must not jeopardise fundamental rights, the protection of citizens by law or other requirements of good governance. Thus, there is no obstacle to the privatisation of services but in any reform, attention must be paid to the principles of the rule of law.

The guarantees of access to justice are inherent in the protection of citizens by law. One of the fundamental principles relating to access to justice, as also established in the existing Constitution and in the Administrative Judicial Procedure Act, is a general right of appeal. The right of appeal must be understood as a right belonging to the citizens instead of viewing it from the perspective of the courts' caseload. Therefore, in the Supreme Administrative Court, leave to appeal is only required in certain clearly defined categories of cases.



The effects of EU legislation on the work of the courts were discussed at the Seminar between the supreme jurisdictions of Estonia, Latvia, Lithuania, Sweden and Finland in Helsinki on 19 to 20 April 2004.

The effective protection of citizens by law always requires that the cases are thoroughly examined. The principle of active management of proceedings, underlined in the administrative judicial procedure, is meant to ensure that no case is decided on the basis of inadequate evidence. This way the decisions, when they are also transparently and profoundly reasoned, correspond to the facts of the case.

The present annual report contains an overview of the cooperation between administrative courts, which aims at developing working methods, exchange of information and know-how. At the same time, it is possible to meet the general objectives set for the development of the State's budgetary system. This way the adequacy of the resources of courts and access to justice may be understood as necessary conditions for maintaining the people's wellbeing and the competitiveness of the country.

ACTIVITIES IN 2004

NEW CASES

A total of 3,719 new cases were filed with the Supreme Administrative Court in 2004. Of these, 3,479 were appeals or requests for leave to appeal and 240 were petitions, the largest group being requests for the annulment of judgment.

NEW CASES BY AUTHORITY

Millions of administrative decisions are made each year by state and local authorities, by the Evangelical-Lutheran Church and by the Orthodox Church, against which appeal may be lodged with an administrative court, usually a regional administrative court. In 2004, the regional administrative courts, including the Administrative Court of the Åland Islands, decided a total of 21,214 cases. There were 21,157 new cases lodged with these courts.

In respect of the decisions of certain administrative authorities, including those of the Government and Ministries, appeal is made directly to the Supreme Administrative Court without prior appeal to a regional administrative court. However, such appeal may only be founded on the illegality of the decision. There were 100 appeals made against decisions of the Government or a Ministry to the Supreme Administrative Court in 2004.

NEW CASES BY CATEGORY

The largest categories of cases of appeal and of requests for leave to appeal were the building, planning, environmental, water rights, traffic and roads cases (26%), tax cases (21%), and social welfare and health care cases (19%). Other significant groups included cases concerning immigration and asylum (11%) and local government (7%). There were no significant changes in the numbers of new cases in individual categories.



Justice Esa Aalto is interviewed for Tampere Radio during an on-site inspection arranged in Tampere on 8 December 2004.

DECIDED CASES

In 2004, the Supreme Administrative Court issued a final decision in 3,848 cases. Of these, 3,621 were cases of appeal and requests for leave to appeal. The remaining 227 decided cases were petitions. In 68 per cent of the decided cases, the challenged decision was upheld, and in 15 per cent of the cases the statement of reasons was changed, whereas in 12 per cent of the cases the challenged decision was either amended or it was referred back to the lower authority for reconsideration, and 5 per cent of the cases were declared inadmissible.

Approximately 60 per cent of the decided 3,621 cases of appeal or request for leave to appeal in 2004 were final decisions on the merits of the case.

The average length of proceedings in respect of the decided cases was 11.9 months.

The number of appeals against decisions of the afore-mentioned administrative courts, made to the Supreme Administrative Court, was 3,135 in 2004, which constituted 84% of all the new cases.

However, in respect of specific subject-matters, appeal shall be made to a specialised court, such as the Market Court and the Insurance Court. Before the appeal, a request for review is often made to the authority which made the original decision. In cases concerning competition restrictions and procurements, appeal against the decision of the Market Court may be lodged with the Supreme Administrative Court. In 2004, the Market Court decided 263 cases, of which 245 concerned public procurement and 5 competition restrictions. The number of new cases was 356. The number of appeals lodged with the Supreme Administrative Court against decisions of the Market Court was 63. As for the decisions of the Insurance Court, extraordinary appeal is, pursuant to the Insurance Court Act, in most cases made to the Supreme Administrative Court. In 2004, the Insurance Court decided 10,234 cases. The number of new cases was 11,411. Five requests for the annulment of a judgment of the Insurance Court were made to the Supreme Administrative Court in 2004.

PENDING CASES

At the end of 2004, there were 3,167 cases pending before the Supreme Administrative Court.

NO GENERAL SYSTEM OF LEAVE TO APPEAL

The majority of the categories of cases handled by the Supreme Administrative Court are not subject to the requirement of leave to appeal. As a rule, therefore, the parties have a right to appeal, and the Supreme Administrative Court issues a decision on merits.

The most important categories of cases where, under the applicable law, a request for leave to appeal must be filed, concern taxation, immigration and asylum, and subsistence allowance. Leave to appeal may, however, be granted on various grounds, and not exclusively because of a need to issue a precedent. In 2004, the Supreme Administrative Court decided 1,406 cases of request for leave to appeal, of which 17 per cent were admitted.

ORAL HEARINGS AND ON-SITE INSPECTIONS

In order to establish the facts of a case, the Supreme Administrative Court may arrange an on-site inspection or an oral hearing if necessary. In 2004, the Supreme Administrative Court held two oral hearings and arranged two on-site inspections.

REFERENCES FOR A PRELIMINARY RULING TO THE COURT OF JUSTICE OF THE EUROPEAN COMMUNITIES

In 2004, the Supreme Administrative Court submitted two references for a preliminary ruling to the Court of Justice of the European Communities. In the years 1995 to 2004, a total of 37 references for a preliminary ruling have been submitted by the Finnish courts, of which twelve originate from the Supreme Administrative Court. The references for a preliminary ruling submitted by the Supreme Administrative Court can be found in the Finlex database.

LEGAL OPINIONS

The Supreme Administrative Court provides each year, upon request, several opinions on questions of law, particularly on issues concerning legal remedies and administrative legislation. The opinions are published in the Court's yearbook. In 2004, opinions were given, among others, on the amendment of the provisions on taxation procedure, a committee report concerning the Water Act, the personnel structure of administrative courts, the amendment of the Stock Market Act, a committee report on the development of the judiciary, the training of judges, and the report of a working group preparing the reform of the system of energy market control.



In the session of the second chamber, (from left to right), Judicial Secretary Minna Saarikoski as the referendary in the case, Justice Matti Halén, Justice Heikki Kanninen, Justice Tuulikki Keltanen, Justice Ahti Rihto as the president, and Justice Raimo Anttila.

PUBLICATION OF PRECEDENTS

Since 1918, the most important cases of the Supreme Administrative Court have been published in the Court's yearbook. Those cases have relevance for the application of law in similar cases or involve otherwise a significant interest.

The aforementioned precedents, which will be included in the yearbook, are published on the Court's web site (<http://www.kho.fi> and <http://www.hfd.fi>) already on the date of their issue. Furthermore, precedents issued by the Supreme Administrative Court are available in the Finlex database of Finnish legislation (<http://www.finlex.fi>) maintained by the State, of which the oldest ones were given as early as in 1944.

In 2004, the Supreme Administrative Court published 124 precedents in the yearbook. On the Court's web site, brief summaries were also published of certain other cases.

The Supreme Administrative Court has also published on its website yearly lists of brief Swedish summaries of precedents given in Finnish. In 2004, a decision was made to change the practice so that there is a direct link from each precedent to its Swedish summary. The new practice is applied to precedents issued since 2002. At the same time, efforts are made to accelerate the publication of the Swedish summaries. The creation of the links from the precedents to the Swedish summaries was started at the end of the year.

PUBLICATIONS

In 2001, the Supreme Administrative Court introduced a new series of research publications, with a view to enhancing research in the field of administration of justice. The fourth and fifth publications in the series, 'Decisions of the Supreme Administrative Court on industrial property rights' and 'Decisions of the Supreme Administrative Court on planning cases under the Land Use and Building Act between 1 January 2000 and 30 June 2003' were issued in 2004.

INTERNATIONAL COOPERATION

The Supreme Administrative Court participates in both regional and worldwide cooperation between supreme administrative jurisdictions. The Association of the Councils of State and Supreme Administrative Jurisdictions of the European Union (Association des Conseils d'Etat et des Juridictions administratives suprêmes de l'Union européenne) and the International Association of Supreme Administrative Jurisdictions (Association Internationale des Hautes Juridictions Administratives) serve as forums for discussion and exchange of information, and compile information on the case law of the participating courts. In addition, the Supreme Administrative Court participates in cooperation coordinated by the Venice Commission of the Council of Europe (European Commission for Democracy through Law). The work of the Venice Commission aims at upholding the three underlying principles of Europe's constitutional heritage: democracy, human rights and the rule of law. One of the areas in which the Commission works is cooperation with the constitutional courts and other supreme jurisdictions of the member States of the Council of Europe. In April 2004, the Supreme Administrative Court hosted the Annual Seminar between the Constitutional Courts, Supreme Courts and Supreme Administrative Courts of Estonia, Latvia, Lithuania, Sweden and Finland. The seminar is held alternately in the different participating states. Apart from the aforementioned multilateral cooperation, the Supreme Administrative Court had also bilateral cooperation with several courts of other countries in 2004.

VISITS TO THE SUPREME ADMINISTRATIVE COURT

The Supreme Administrative Court is regularly visited by the representatives of various Finnish courts and authorities, including the Constitutional Law Committee of Parliament, the Office of the Chancellor of Justice, the Insurance Court and the Market Court in 2004. There are also representatives and delegations of courts and other authorities from several countries visiting the Court every year. In 2004, such visits were made for example from Sweden, Russia, Thailand, China and Sri Lanka. The Supreme Administrative Court also welcomes several groups of university students every year to visit the Court.

ON CASES CONCERNING ENVIRONMENTAL PROTECTION IN ADMINISTRATIVE COURTS

The aim of the Environmental Protection Act (86/2000), which entered into force in March 2000, is to prevent the pollution of the environment. The Act applies to all activities of private and public corporations and natural persons that pose a risk of environmental pollution, including discharge of harmful substances into water, air or soil, as well as noise and vibration caused by such activities. Instead of the earlier sector-specific permit system, the new Environmental Protection Act implements an integrated approach to the environment. The system of simultaneous processing of permits, where all interested parties are heard, constitutes the core of the Environmental Protection Act, and is used to limit authorised emissions and their effects on the environment and to prevent their harmful impact, often with detailed and technical permit conditions.

The Environmental Protection Act is based on the idea of protecting the environment taken as a whole, in accordance with the so-called IPPC Directive of the European Community (Council Directive 96/61/EC concerning integrated pollution prevention and control). However, as an act of general application, the Environmental Protection Act covers a considerably wider scope of activities than the IPPC Directive which only requires an integrated approach to the issue of permits for energy industries, production and processing of metals, mineral industry, chemical industry, waste management and certain other activities such as the rearing of poultry or pigs, provided that these activities exceed a certain relatively high capacity. Permits and other requirements concerning various activities have also been made necessary by certain other EC directives concerning the environment. Many of them only apply to a specific sector of activities. The Finnish Environmental Protection Act in fact implements tens of directives. Therefore it may often be necessary to take the requirements of Community law into account in the application of national provisions of law. Part of the provisions are, however, purely national.

Although the environmental legislation of the European Community has brought with it limit values for emissions and for the quality of the environment, which are applicable as such, the conditions set for permits are still largely based on a case-by-case environmental impact assessment. Such permit conditions may for example concern the management of fish stocks or the monitoring of emissions and their environmental impact. When conditions are set for the permit, the compensation for environmental damage is at the same time provided for to the extent that the pollution of water bodies is concerned.

Apart from permit decisions, important decisions are also made in connection with administrative enforcement and notification procedures. Decisions defining responsibility for the treatment of polluted soil are also covered by the provisions of the Environmental Protection Act. In respect of some types of projects covered by the Environmental Protection Act, its provisions are applied together with those of the Water Act in the so-called joint processing of permits. Such projects may for example concern fish farming.

Permit decisions under the Environmental Protection Act and other administrative decisions are made by the municipal environmental authority, the regional environment centre or the environmental permit authority, depending on the nature and extent of the project for which a permit is applied for. Appeal against such decisions is always made to the regional administrative court having jurisdiction over the case, which in all cases under the Environmental Protection Act and the Water Act is Vaasa Administrative Court. In these cases, the decisions are made by three judges and two expert members having competence in environmental issues and technology. Appeal against the decision of the regional administrative court is made to the Supreme Administrative Court where the case is decided by five judges and two expert members.

In cases concerning environmental permits, the appeal lodged with the Supreme Administrative Court often concerns the authorised emission level or the conditions limiting the effects of emissions, and not so often the question of whether the permit should be granted or not. Thus, the appellants before the Supreme Administrative Court include those carrying out harmful activities and those suffering damage, as well as authorities or environmental organisations acting for public good. It is often necessary to decide several issues in respect of the same permit, which may even be of a very different nature. The relations between parties in cases concerning environmental permits are typically complex and the procedure can hardly be described as being a two-party procedure.

The appeal lodged with an administrative court may concern the conditions for the granting of a permit or the authorised emission level for each emission component, including also the authorised noise level, but also many other issues such as the period of validity of the permit, obligations relating to the management of fish stocks, the monitoring of emissions and their impacts and, where appropriate, the compensations ordered to be paid by the polluter to those suffering damage from water pollution. Thus, the right of appeal is of great importance for the protection of the rights of many different persons. Many of the projects subject to appeal also involve significant economic or social interests. The appeal is always made in accordance with the provisions of the Administrative Judicial Procedure Act, which makes the necessary adjustments to the permit decision possible without referring it back to new consideration that would delay the proceedings.

In 2004, there were 99 new cases lodged with the Supreme Administrative Court under the Environmental Protection Act, and in addition eight such cases where both the Environmental Protection Act and the Water Act were applied in the so-called joint processing of permits. Typical activities subject to appeal have included stone crushing and quarrying, animal husbandry, shooting ranges, motor-racing tracks, harbours, fuel stations, waste management installations, incineration plants, discharge of sewage, fish farming and peat production. So far, the cases decided by the Supreme Administrative Court have not significantly included those concerning the environmental permits for large industries falling under the scope of application of the IPPC Directive. The existing environmental permits of such industries must be replaced with permits issued in the joint processing under the new Environmental Protection Act within a certain transitional period. Thus, it is likely that the share of such significant and at the same time demanding cases will increase in the Supreme Administrative Court in near future.

Appeal cases are usually decided in accordance with the provisions of law that were in force at the time when the original administrative decision was made. Therefore, the legislation that was repealed upon the entry into force of the new Environmental Protection Act must still be applied in part of the cases pending before the Supreme Administrative Court. In cases concerning environmental permits issued in the Åland Islands, the environmental legislation of the Åland Islands is applied. Such cases come to the Supreme Administrative Court from the Administrative Court of the Åland Islands.

ON CASES CONCERNING CAR TAX

Car tax has been levied in Finland since 1958. Because the cars were manufactured outside Finland, the car tax was attached to the imports of cars into the Finnish territory and to the collection of customs duties in that connection. Upon the accession of Finland to the European Union, the taxation carried out at the national borders, based on import, had to be changed for the reason that there are no customs borders within the Union. Thus, instead of import, the registration or use of the car in Finland was made the legal basis of tax liability. In that connection, no significant changes were made to the basis or level of the tax. The tax was still based on the customs value of the car.

The car taxes have not been harmonised within the European Union but the Member States may decide on the method of taxation and the tax level. In most Member States, there is no car tax equivalent to the one levied in Finland, but cars and their use are generally subject to various types of consumption taxes. There have been no particular problems in the taxation applied to new cars. However, the taxes imposed on used cars imported from other Member States of the Union proved contrary to the principle of non-discrimination in the Treaty establishing the European Community, as stated in the preliminary ruling requested by the Supreme Administrative Court from the Court of Justice of the European Communities. After the issue of the judgment, the national legislation has been amended in order to change the situation.

The number of appeals concerning car tax has remained at a rather high level in the Supreme Administrative Court. In 2004, a total of 115 decisions were given in car tax cases. The number seems particularly large when it is compared with the number of decisions (91) given on value added tax, considering that the car tax is only a specific tax connected with the use of property whereas the value added tax is a general consumption tax. Of all the decisions concerning taxation in 2004, the share of decisions on car tax was 15 per cent, which may be considered disproportionate with regard to the minor significance of car tax in the whole system of taxation. The same disproportion can be seen in the fact that the Supreme Administrative Court has requested and received two preliminary rulings concerning car tax from the European Court of Justice, whereas the total number of preliminary rulings requested in tax cases is only three so far.

The main reasons for the large number of cases concerning car tax are the high level of taxation, the unclear legislation, and the tension between national legislation and the requirement of non-discrimination under the Treaty establishing the European Community. In recent years, a new type of car tax cases has also appeared, concerning taxes on so-called constructed vehicles. In this respect, the unclear wordings of the Car Tax Act and other provisions of law applied to taxes on vehicles, as well as the usually unreasonably high amount of taxes, create problems.

Apart from the Supreme Administrative Court, car tax cases also keep Helsinki Administrative Court busy, as it is the only regional administrative court examining appeals concerning car tax. In Helsinki Administrative Court, there have been hundreds of appeals concerning the requirement of non-discriminatory taxation and the taxation of imported private cars upon transfer of residence, to which the judgments of the European Court of Justice were related, decided and partly still pending. For the same reason the customs authorities have corrected or will have to correct the taxation of approximately 30,000 cars.

ON CASES CONCERNING SUBSISTENCE ALLOWANCE

Subsistence allowance is a last-resort financial benefit, which is part of social welfare and the purpose of which is to ensure the welfare of the person and family concerned and to enhance their independent living. This benefit is now provided for in the Subsistence Allowance Act (1412/1999) passed in 1997, whereas the applicable provisions were earlier included in the Social Welfare Act (710/1982) which is an act of general application in the field of social welfare. The provisions on appeal against decisions concerning subsistence allowance are still included in the latter Act.

A decision of a local social welfare board concerning subsistence allowance may be appealed against to the regional administrative court having jurisdiction over the case. The decision of the administrative court may be further appealed to the Supreme Administrative Court, provided that the latter grants leave to appeal. The possibility for leave to appeal, instead of the earlier prohibition on appeal, has existed since 1999. Although the number of appeals to the Supreme Administrative has increased in social welfare cases to some extent, no comparable increase has taken place in cases concerning subsistence allowance. The number of requests for leave to appeal has been somewhat more than 200 every year and it has been gradually decreasing. It was 273 in 2001, whereas there were only 211 requests for leave to appeal filed in 2004. The basic part of the subsistence allowance for a person living alone is 378.54 euro in group I municipalities. Most appeals concern the question of what kind of expenses may be taken into account as expenses giving entitlement to the basic part of the subsistence allowance and what expenses may be taken into account as the applicant's and his or her family's income.

The right to subsistence allowance, where necessary, is a fundamental right belonging to all. Considering that the subsistence allowance may usually be granted for one month at a time, the individual decisions often involve rather small financial interests. However, the decisions of the Supreme Administrative Court are of great importance, guiding the administration of justice and administrative practices in a large number of individual cases. The Supreme Administrative Court may need to decide on various questions of general importance, which are most often related to the coordination of different systems of services and benefits.

The Supreme Administrative Court has granted leave to appeal relatively seldom. This is partly explained by the fact that leave to appeal may only be granted in cases concerning subsistence allowance where it is necessary to issue a precedent, and partly by the high quality of the decisions of regional administrative courts.

In 2004, the most important decisions of the Supreme Administrative Court concerned the granting of subsistence allowance for the costs incurred from the use of private-sector health care services. These cases concerned the questions of whether a knee operation, dental care and psychotherapy provided by private medical centres could give entitlement to subsistence allowance. In the said decisions, the Supreme Administrative Court underlined the primacy to be given to public health care services in the provision of services in the fields of public health, special medical care and mental health care. When health care costs are compensated for by means of subsistence allowance, it is usually required that the services used have been public health care services. The costs of private health care services may, according to the decisions of the Supreme Administrative Court, only be taken into account in the granting of subsistence allowance in exceptional cases, i.e. where the need for special treatment or the urgency of the care have required resorting to private services. In the said cases, subsistence allowance was not granted to compensate for the health care costs concerned.

COOPERATION BETWEEN ADMINISTRATIVE COURTS

In 2004, the Supreme Administrative Court undertook to further develop the existing cooperation between administrative courts.

The administrative court system has undergone strong changes in the past few years. The regional Administrative Courts of Helsinki, Hämeenlinna, Kouvola, Kuopio, Oulu, Rovaniemi, Turku and Vaasa – the jurisdictions of which are based on those of the earlier county administrative courts and Water Court of Appeal – were created in 1999. The activities of these courts are regulated by the Administrative Courts Act (430/1999).

The new Constitution of Finland entered into force in 2000, reaffirming the traditional division into two branches of courts. The branch of administrative courts

According to the Constitution of Finland, the Supreme Administrative Court shall supervise the administration of justice within its own sector, i.e. in other administrative courts. The Supreme Court has the same duty in respect of the administration of justice in criminal and civil law cases. The supervisory function acquires its real substance through the cooperation between administrative courts. The purpose of supervision is not to intervene in the independent administration of justice by the lower courts but to ensure that the administrative court system works efficiently as a whole.

Extensive amendments made to the State Budget Act and Decree entered into force in the spring of 2004. It is likely that administrative courts will, more clearly than earlier, be treated as an entity of their own in the state budget in future years.

The establishment of the administrative court system, the supervisory duty of the Supreme Administrative Court as set forth in the Constitution, and the reform of the state accounting obligations were the grounds for that the Supreme Administrative Court launched a project in the spring of 2004, for the purpose of analysing the cooperation between administrative courts and the possibilities for developing the supervision of the administration of justice by the administrative courts. A steering group was set up for the said project, chaired by Pekka Hallberg, President of the Supreme Administrative Court, and having as its other members Pirkko Ignatius and Pekka Vihervuori, Justices of the Supreme Administrative Court, and Liisa Sahi, Hannu Renvall and Heikki Jukarainen, chief judges of Helsinki, Turku and Oulu Administrative Courts. The author of this article worked for the steering group in the capacity of a project manager.

The preparation of the project started with discussions between the representatives of different interested parties in June 2004. As part of the cooperation project, the Supreme Administrative Court arranged an Administrative Courts Day in the main building of the University of Helsinki on 15 November 2004. All judges and referendaries from the Supreme Administrative Court, regional administrative courts, the Market Court and the Insurance Court were invited and 340 of them participated. The Supreme Administrative Court has in earlier years arranged a smaller event in the Court's own building.

The aforementioned project was part of the cooperation that has existed between administrative courts for decades already. Thus, the project did not create an entirely new type of cooperation but rather aimed at finding ways to increase, systematise and intensify the cooperation in future years. A memorandum was written of the project and it was published on the Supreme Administrative Court's website in December 2004. The memorandum describes the elements of the yearly cooperation.

The cooperation between administrative courts also serves as a tool to improve the protection afforded by courts to the rights of natural and legal persons, including private and public corporations and administrative authorities. As the cooperation contributes to improved quality of the administration of justice, it also enhances the purpose given for the provisions of law by the legislature (Parliament). At the same time it is possible to ensure the effective use of the financial resources allocated by Parliament to administrative courts. Furthermore, the cooperation between the administrative courts helps society understand, bit by bit, that it is important to invest in administrative courts. An effectively functioning administrative court system, with sufficient resources, improves the capacities and competitiveness of Finnish society.

consists of the Supreme Administrative Court and the regional administrative courts. That of general courts of law includes the Supreme Court, the courts of appeal and the district courts. In addition to the Supreme Administrative Court and the regional administrative courts, the administrative judicial procedure is applied by two special courts: the Market Court and the Insurance Court. The Market Court Act (1527/2001) entered into force in 2002 and the new Insurance Court Act (132/2003) in the following year. However, both courts have also jurisdiction over certain categories of cases to which the Code of Judicial Procedure is applied instead of the Administrative Judicial Procedure Act.

**Administrative
Courts Day, 15
November 2004.**



ORGANISATION AND PERSONNEL

The Supreme Administrative Court has three chambers. The first chamber focuses, among others, on cases concerning building and planning, environment and water rights, the second chamber on cases concerning taxation and competition, and the third chamber on cases concerning social welfare, health care and immigration and asylum. The chambers do not, however, exclusively handle cases concerning these subject-matters but may examine any types of cases falling within the Court's jurisdiction. Such exceptions may be made e.g. during holidays or for the reason of absences because of sickness.

The cases before the Supreme Administrative Court are decided by chambers composed of five judges. In cases referred to in the Water Act and the Environmental Protection Act as well as in cases concerning certain intellectual property rights such as patents, the chamber is composed of the judges and two expert members having competence in the relevant field. Cases involving a significant interest may be decided by a composition of all the judges of the Chamber, or be subject to the Court's plenary review. When refusing leave to appeal, a chamber may be composed of three judges.

The judges of the Supreme Administrative Court include the President and twenty justices. The President of the Supreme Administrative Court since 1993 is Mr Pekka Hallberg, Doctor of Laws and Doctor of Political Science. The Supreme Administrative Court has approximately 40 referendaries and 40 other employees. They are headed by the Secretary General, Mr Sakari Vanhala. Apart from the permanent personnel, there are expert counsellors working on a part-time basis and, when necessary, temporary personnel.



The library and information services of the Court are at the responsibility of Notary Satu-Maarit Tarkkanen and Secretary Marjut Jaatinen.

PERSONNEL OF THE SUPREME ADMINISTRATIVE COURT ON 31 DECEMBER 2004

President
Pekka Hallberg

Justices
Ahti Rihto
Ilmari Ojanen
Olof Olsson
Esa Aalto
Pirkko Ignatius
Lauri Tarasti
Raimo Anttila
Tuulikki Keltanen
Marita Liljeström
Olli Nykänen
Pekka Vihervuori
Marjatta Kaján
Heikki Kanninen
Kari Kuusiniemi
Niilo Jääskinen
Ilkka Pere
Ahti Vapaavuori
Irma Telivuo
Jukka Mattila

Expert Counsellors on the Environment
Pertti Vakkilainen
Pentti Hannonen
Ilkka Hirsto
Heikki Kiuru
Pertti Seuna
Pertti Eloranta
Janne Hukkinen
Juha Kämäri

Chief Engineering Counsellors
Pentti Uuspää
Allan Johansson
Matti Kleimola
Kenneth Holmberg

*In addition
Tapani Jokinen served
as a Chief Engineering
Counsellor until 30
November 2004.*

*The President is chairman
of the first chamber. On
31 December 2004,
the second chamber*

*was chaired by Justice
Ahti Rihto and the third
chamber by Justice Ilmari
Ojanen.*

Secretary General
Sakari Vanhala

Referendary Counsellors
Marianne Båsk
Ilpo Havumäki
Paula Tenkanen
Marina Äimä
Matti Metsäranta
Tuulia Riikonen
Hannu Ranta (on leave)
Leena Halila (on leave)
Eila Rother

Senior Judicial Secretaries
Kai Träskelin
Kari Honkala
Marja-Terttu Savolainen
Anne Niemi (on leave)
Marjo Snellman
Anneli Tulikallio
Marja Ihto
Kristina Björkvall
Riitta Mutikainen
Marja-Liisa Judström
Liisa Tähtinen
Arja Niemelä

Judicial Secretaries
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Kari Nieminen
Irene Mäenpää
Marja Leena
Kempainen
Hannele Klemettinen
Mikko Rautamaa
Leo Kaasinen
Riitta Kreula
Marita Eeva
Päivi Pietarinen
(on leave)
Satu Heikkilä
(on leave)
Petri Leinonen
Petteri Leppikorpi

Jaana Moilanen
(on leave)
Anne Nenonen
Elisabeth Vuorenhela
(on leave)

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Minna Pulkkinen
Tuula Pääkkönen
Irmeli Rautaharkko
Minna Saarikoski

Temporary Referendary
Maunu Korpela

Head of the Information Service
Timo Ahvenniemi
(on leave)

Information Officer
Virpi Koivu

Data Service Lawyer
Pekka Tuominen

Data Expert
Marja Halttunen
(on leave)

Registrar
Eeva Väänänen-Silén

Notaries
Vuokko Kantanen
Paula Kilponen
Carita Rostiala
Marjatta Räsänen
Satu-Maarit
Tarkkanen
Soili Tolvanen
Ritva Vähämaa

Budget Officer
Marja Klaavo

Data Analyst
Minna Ronkainen

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Kaarina Tallberg
Elina Tukiainen
Eila Viitaniemi

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Raija Vuori

Head of the Caretaker Service
Kari Joutsenlahti

Chief Office Caretakers
Anssi Kaikko
Timo Rousku
Tapani Ruostela

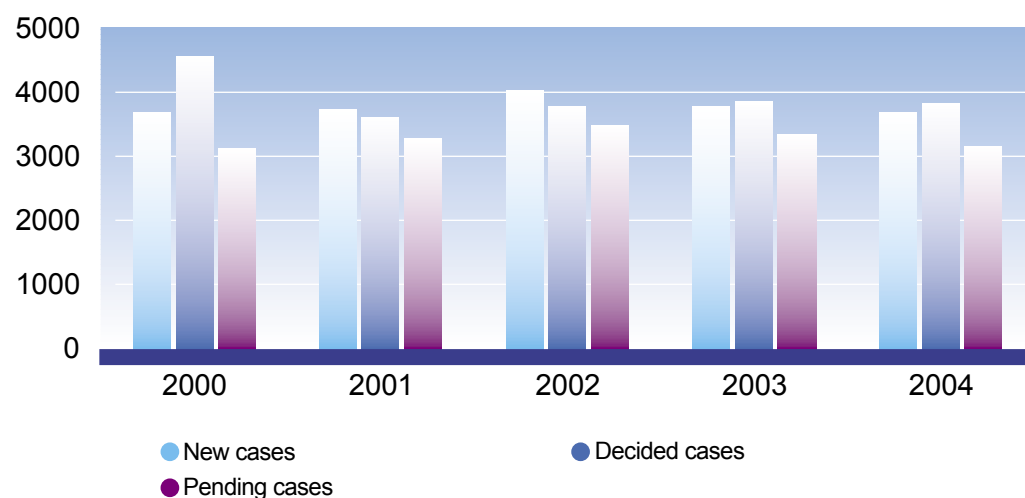
Project Secretary
Jani-Matti Isoviita

*Of the Court's
personnel, Justice
Hannu Koskinen retired
on 1 May 2005, Justice
Pirkko Lundell on 1
August 2004 and
Justice Ismo Talikka on
1 September 2004.*

CASES 1989–2004

	New cases	Decided cases	Pending cases
1989	5285	5377	3024
1990	5219	5068	3183
1991	5435	5520	3108
1992	7118	5434	4807
1993	7147	6132	4903
1994	6523	7302	4059
1995	4807	5909	2948
1996	4377	4526	2756
1997	3910	3852	2772
1998	4904	3565	4441
1999	4372	4701	4094
2000	3691	4574	3183
2001	3752	3612	3281
2002	4036	3778	3486
2003	3806	3879	3372
2004	3719	3848	3167

DEVELOPMENT OF THE COURT'S CASELOAD 2000–2004



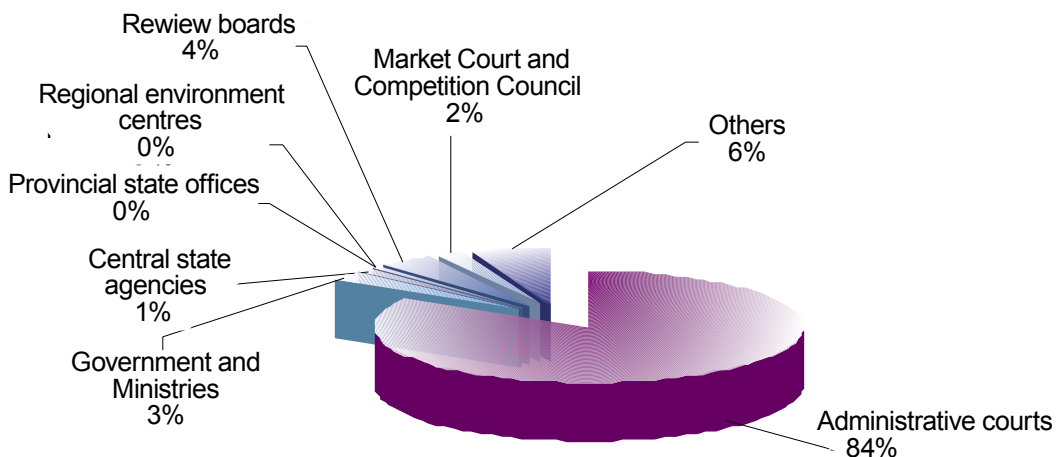
NUMBERS OF CASES BY SUBJECT-MATTER 2001–2004

	Number				Percentage share			
	2001	2002	2003	2004	2001	2002	2003	2004
Appeals								
Taxation	803	819	747	750	23	22	22	21
Building and planning	457	568	496	451	13	15	14	13
Civil service	181	160	51	143	5	4	1	4
Immigration and asylum	228	391	399	392	7	10	11	11
Social welfare	460	439	495	476	13	12	14	14
Local government	131	158	207	110	4	4	6	3
Traffic and roads	108	62	103	112	3	2	3	3
Environment and water rights	228	317	289	333	7	9	8	10
Health care	193	158	184	170	6	4	5	5
Others	657	652	540	542	19	18	16	16
Total number of appeals	3446	3724	3511	3479	100	100	100	100
Petitions								
Annulment of judgments	216	231	229	190	71	74	78	79
Restoration of lapsed time	52	41	33	30	17	13	11	13
Others	38	40	33	20	12	13	11	8
Total number of petitions	306	312	295	240	100	100	100	100
Total number of all cases	3752	4036	3806	3719				

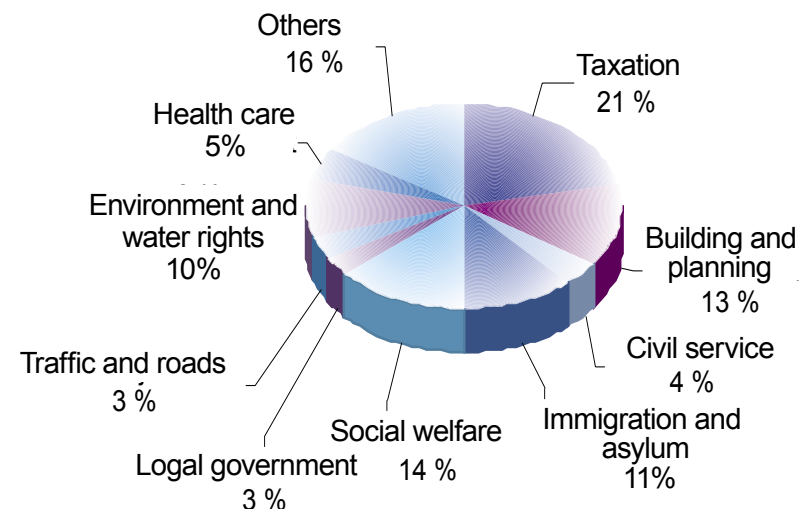
NEW CASES BY SOURCE AUTHORITY IN 2000–2004

	2000	2001	2002	2003	2004
Administrative courts	2605	2798	3119	3091	3112
Government and Ministries	213	160	163	83	100
Water Court of Appeal	0	1	1	0	0
Central state agencies	100	105	96	101	52
Provincial state offices	26	47	40	27	3
Regional environment centres	133	109	59	39	8
Review boards	192	216	194	146	152
Market Court and Competition Council	41	45	64	57	63
Others	381	271	300	262	229
Total	3691	3752	4036	3806	3719

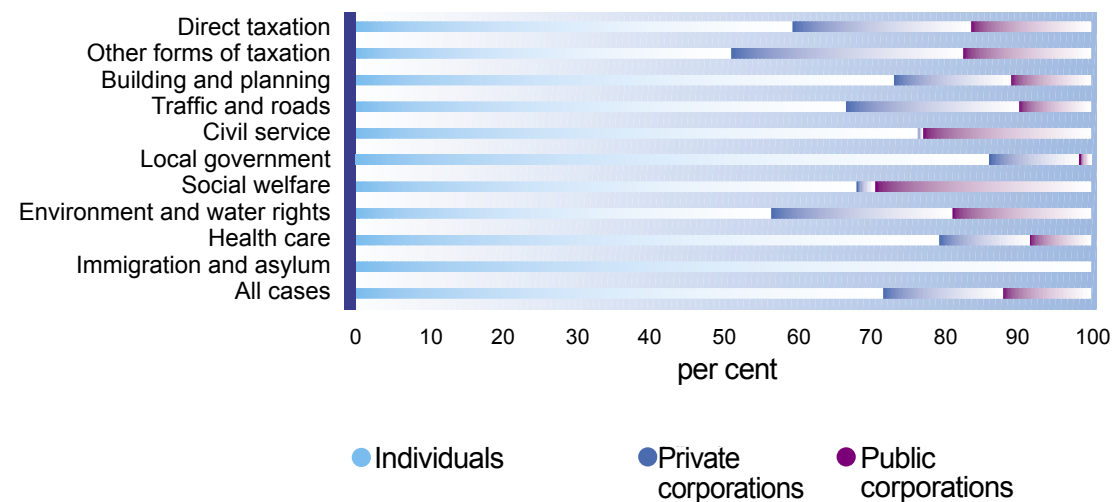
NEW CASES BY SOURCE AUTHORITY IN 2004



NEW APPEALS BY SUBJECT-MATTER IN 2004



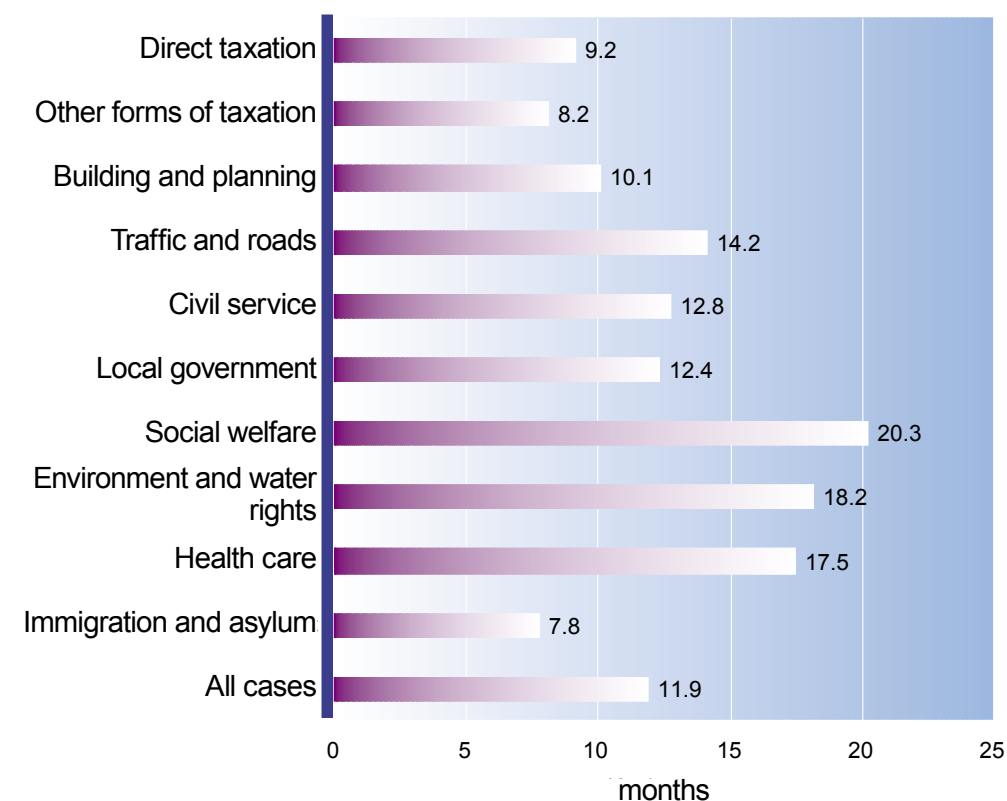
NEW CASES BY APPELLANT IN 2004



PENDING CASES AT THE END OF 2004 BY YEAR OF ARRIVAL

	2001	2002	2003	2004	Pending at the end of the year
Appeals		24	422	1584	2030
Requests for leave to appeal	5	12	110	810	937
Annulment of judgments		1	33	140	174
Restoration of lapsed time	0		2	12	14
Procedural complaints	0		2	7	9
Other petitions	0	0	1	2	3
Total	5	37	570	2555	3167

AVERAGE LENGTH OF PROCEEDINGS IN DECIDED CASES IN 2004

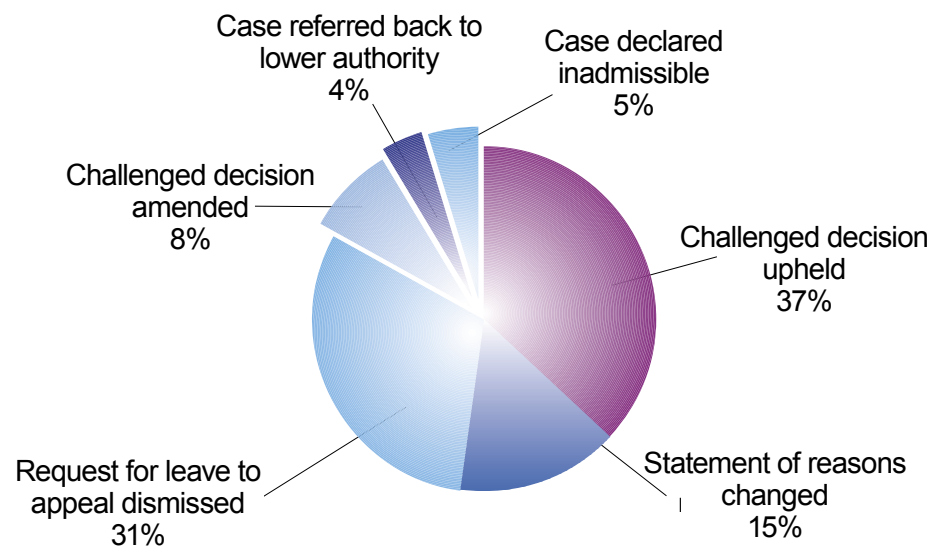


OUTCOME OF DECIDED CASES

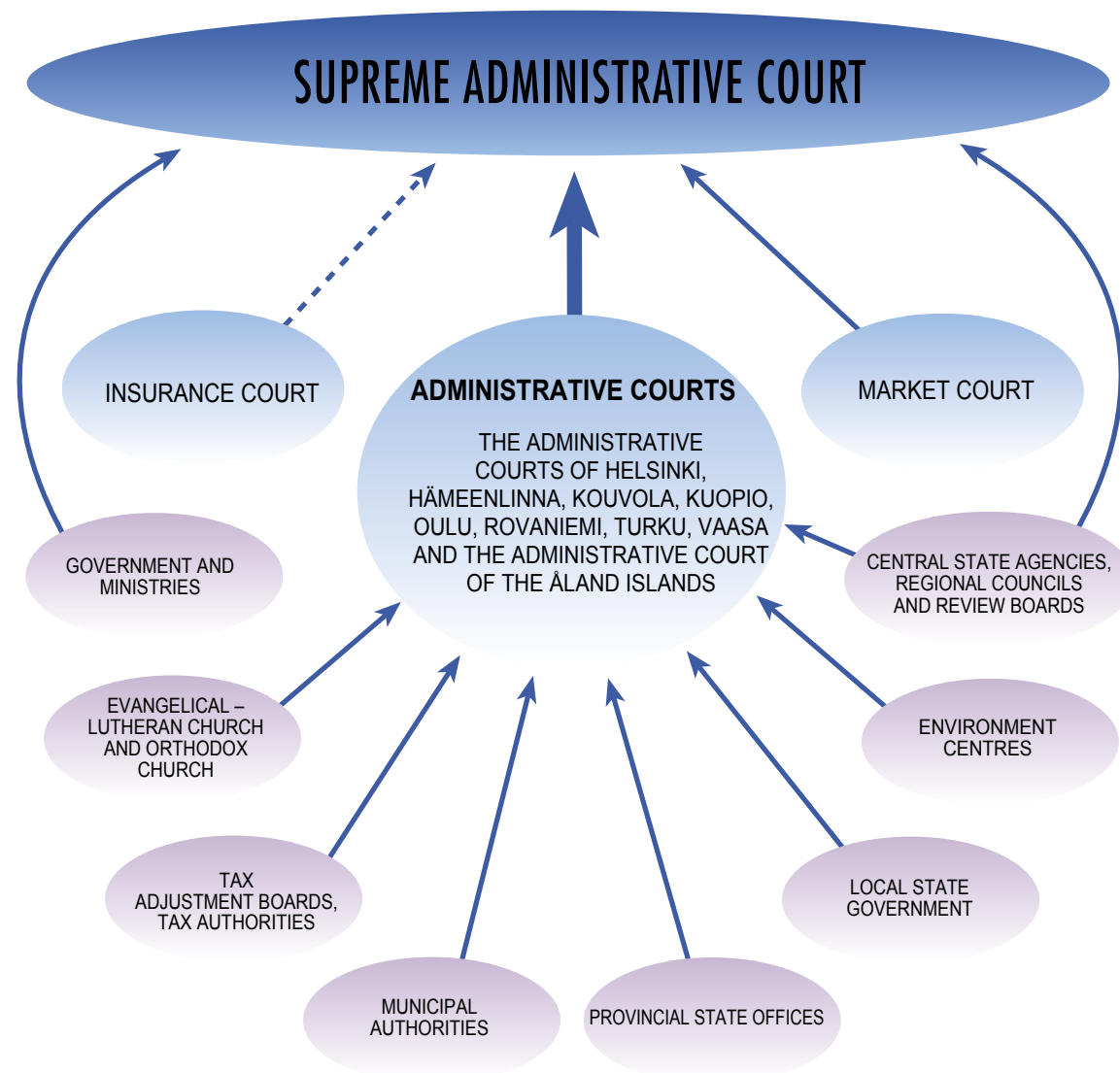
	(Percentage share)							
	1997	1998	1999	2000	2001	2002	2003	2004
1. Challenged decision is upheld (including conclusions and statement of reasons)	29.5	26.6	27.3	33	27.5	27.6	29.8	29.2
2. Challenged decision is upheld but the statement of reasons is changed	19.3	16.0	24.3	26.4	17	15.5	14.1	15.3
3. Challenged decision is amended	9.4	8.8	8.5	4.9	8.1	7.6	6.4	8.1
4. Request for leave to appeal is dismissed	20.8	28.2	22.1	17.2	26.1	30.4	32.2	30.7
5. Case is referred back to the lower authority for reconsideration	7.6	4.8	5.5	6	5.6	4.7	3	3.9
6. Extraordinary appeal is admitted	1.2	0.9	1.1	0.7	0.8	0.5	0.7	0.3
7. Extraordinary appeal is dismissed	4.9	6.6	5.0	4.7	6.1	6	6.1	5.5
8. Case is referred to the Government	0.3	0.2	0.1	0	0	0	0	0
9. Case is referred to another authority	0.3	0.7	0.3	0.3	0.2	0.6	0.4	0.1
10. Case lapses					2	1.2	2.1	2.3
11. Case is declared inadmissible	6.7	7.2	5.8	6.8	6.6	6.3	5.2	4.6

OUTCOME OF DECIDED CASES IN 2004

Challenged decision upheld	1427
Statement of reasons changed	588
Request for leave to appeal dismissed	1183
Challenged decision amended	323
Case referred back to lower authority	151
Case declared inadmissible	177
	3849



ADMINISTRATIVE APPEAL SYSTEM



WORKING STATISTICS OF THE SUPREME ADMINISTRATIVE COURT IN 2004

	Pending cases	New cases	Decided cases	Challenged decision upheld	Challenged decision amended	Decision referred back to lower authority	Case declared inadmissible	Case lapsed	Removed from the docket	Pending on 31 December 2004
A. By subject-matter										
State elections	1	2	2	2						1
Cases under the Nationality Act	35	17	29	17	2	9		1		23
Citizens' rights	2	2	3	3						1
Other governmental functions		1								1
Exemption from charges	2	7	5	3		1	1			4
Restitution and damages	2	6	4	4						4
Access to documents	39	54	48	40		3	5		2	43
Data protection	7	8	6	6						9
Discretionary and other state subsidies	5	6	4	3			1			7
Guardianship	5	25	3	3						27
Passports	1	2	3	3						3
Population register	5	3	5	3			1	1		3
Given name and family name	8	2	6	5		1				4
Granting of public legal aid, designation and reward of legal counsel	35	22	36	23	10		2	1	3	18
Change and withdrawal of a decision on public legal aid	1	3	1	1						3
Costs of legal proceedings	3	12	7	5	2				1	7
Inheritance by the state	1		1	1						
Prison administration	3	3	3	2			1			3
Other administrative law cases	4	17	8	6	2					13
Åland Islands if not in other categories	7	5	6	4	1		1		1	5
Local elections	1	2	1	1						2
Division into municipalities	2	2	3	3						1
Competence of municipalities	4	3	2	1				1		5
Finances of municipalities	13	7	11	11						9
Local regulations and service fees		5								5
Election of local authority officials	30	40	26	24			1	1		44
Employment (local authority officials)	32	31	27	17	7			3		36
Remuneration, working hours and annual leave (local authority officials)	14	2	10	7	3					6
Other personnel cases (local authorities)	13	23	8	5	2		1			28
Other local government cases	54	115	63	50	6		4	3	1	105
Employment (Church)	15	8	10	10						13
Other personnel cases (Church)	8	3	5	4			1			6
Other Church law cases	17	13	16	8	1	2	3	2		14
Sámi Parliament elections	1		1	1						
Other cases concerning the Sámi		2								2
Residence permits on the basis of family reunification	67	83	112	99		9	3	1	1	37
Other residence permits	48	45	68	56	2	7	2	1	1	24
Expulsion	33	29	46	36	3	4	1	2		16
Refusal of entry	17	18	26	18	2		6			9
Asylum	136	225	210	182	5	18	2	3	3	149
Asylum (accelerated procedure)		7	1	1						6

	Pending cases	New cases	Decided cases	Challenged decision upheld	Challenged decision amended	Decision referred back to lower authority	Case declared inadmissible	Case lapsed	Removed from the docket	Pending on 31 December 2004
Alien's passports	4	8	7	5		1		1		5
Other cases under the Aliens Act	7		7	5	1		1			
Regional plans	7	5	7	4	2	1				5
Local master plans	152	53	149	108	18	2	13	8	1	55
Local detailed plans	61	86	93	84	4	1	3	1	1	53
Detailed shore plans	30	18	36	28	5		2	1		12
Prohibitions and restrictions on land use and building	1	1	2	2						
Building ordinances	10		8	7	1					2
Plot division		4	3	3					1	
Streets and other public areas	10	6	13	11			2			3
Reminders to build		1	1	1						
Expropriation of land		1	1					1		
Building permits	69	77	101	87	10		1	3	1	44
Action permits	18	22	21	19	1	1				19
Decisions relating to areas requiring planning	27	40	43	38	2		1	2		24
Maintenance of buildings, maintenance of the environment		2	1	1						1
Demolition permits	3	4	5	2	2	1				2
Permits for landscape work	1	1	1	1						1
Encumbrances	2		2	2						
Location of community infrastructure equipment	7	3	10	10						
Deviation from regulations	106	125	171	148	17	2		4	2	58
Building inspections	25	29	40	34	4		1	1		14
Other land use and building cases	18	10	22	19	2			1		6
Public roads	26	8	29	25	2		2			5
Private roads		1								1
Expropriation/redemption	7	4	5	4				1		6
Rights of pre-emptive purchase	6	3	6	4	2					3
Other real property cases	1	3	2	2						2
Environmental permits (forestry)		3								3
Environmental permits (metal industry)	2	1								3
Environmental permits (production of energy)	8	5	1	1						12
Environmental permits (chemical industry)	1		1	1						
Environmental permits (mining)	21	3	19	16	1	1	1			5
Environmental permits (production of food and fodder)		2								2
Environmental permits (waste management)	21	12	15	13	1	1				18
Environmental permits (fuel stations)	8	10	6	4	2					12
Environmental permits (quarrying and crushing of stone)	26	12	21	12	2	5	1	1		17
Environmental permits (sewage)	8	3	4	1	1	2				7
Environmental permits (cowsheds)	20	20	21	12	9					19
Environmental permits (fur farming)		2								2

	Pending cases	New cases	Decided cases	Challenged decision upheld	Challenged decision amended	Decision referred back to lower authority	Case declared inadmissible	Case lapsed	Removed from the docket	Pending on 31 December 2004
Environmental permits (motor tracks, vessel traffic)	7	5	6	4	2					6
Environmental permits (treatment of polluted soil and groundwater)	1	2							1	2
Other environmental permits	30	8	22	17	2	2	1			16
Notification of events causing noise	2	3	1		1					4
Supervision and administrative enforcement under the Environmental Protection Act	6	8	8	5			3			6
Charges and compensations under the Environmental Protection Act	1									1
Other cases under the Environmental Protection Act	1		1				1			
Waste charges		3	2	2						1
Organised waste disposal services	35	10	42	37	1	1	2	1		3
Other cases under the Waste Management Act	1	5	3	3						3
Health inspections	11	9	10	10						10
Prevention of oil pollution		1								1
Hazardous and dangerous substances	6		2	2						4
Off-road traffic and motorboat traffic	3	5	1	1						7
Other environmental protection cases	3	2	4	3			1			1
Hydraulic engineering	32	31	21	16	4	1				42
Use of hydroelectric power	1	2	1	1						2
Ship routes and other vessel traffic areas	4	3								7
Ditching	4	5	2	2						7
Organisation of watercourses	2	3	2	2						3
Regulation of watercourses	4	15								19
Groundwater and water treatment systems	21	10	18	4	14					13
Sewage systems	9	4	10	8		2				3
Charges and compensations under the Water Act	6	1	5	5						2
Supervision and administrative enforcement under the Water Act	10	14	7	5	1	1				17
Other cases under the Water Act	23	4	17	16			1			10
Administrative enforcement in the joint processing of permits under the Environmental Protection Act and the Water Act		1	1	1						
Joint processing of permits (fish farming)		3	1	1					1	1
Joint processing of permits (peat production)		3								3
Joint processing of other permits under the Environmental Protection Act and the Water Act		2								2
Natura	75	27	73	29		2	40	2	2	27
Cases under the Nature Conservation Act	9	17	12	10	2				1	13
Conservation of fauna	3	5	6	6						2
Extraction of land resources	29	39	24	21		1	1	1	1	44
Conservation of buildings	1	9	8	7			1			2
Other conservation cases	1	5	4	2			2			2

	Pending cases	New cases	Decided cases	Challenged decision upheld	Challenged decision amended	Decision referred back to lower authority	Case declared inadmissible	Case lapsed	Removed from the docket	Pending on 31 December 2004
Outdoor recreation		3	2	2						1
Camping	1		1	1						
State-subsidised housing		2								2
Other housing cases	2									2
Granting of subsistence allowance	126	209	231	216	6	2	6	1	2	102
Recovery of subsistence allowance	21	2	12	8	4					11
Public care of children	93	129	96	82	6	4	3	1	2	124
Other child welfare cases		4								4
Guarantees of child maintenance	1	4	1	1						4
Services for persons with disabilities	9	2	8	4	3			1		3
Handicap services	113	101	109	85	4	10	4	6	1	104
Care of intoxicant abusers	2	2	1	1						3
Support for the home care of persons with disabilities	2	3								5
Children's daycare		1								1
Compensation for the costs of child welfare	35	14	22	18			2	2	1	26
Compensation for the costs of other social welfare	1	3	1	1						3
Social welfare service fees		4								4
Other social welfare cases	29	24	21	14	4		2	1	1	30
Public health	3		2	2						1
Psychiatric treatment orders	80	142	127	120		1	5	1	2	93
Restriction of the right of self-determination in mental health care cases	3	1	3	3						1
Other mental health care cases		1	1	1						
Health care professionals	17	9	10	8	1			1		16
Food safety	4	4	3	1	2				1	4
Compensation for the costs of health care	1	20	1		1					20
Health care service fees		2								2
Other health care cases	24	6	19	12	2		3	2		11
Medicine licences and price control	3	3								6
Other cases concerning medicines	3		1	1						2
Pharmacies		13	3	3						10
Management of companies	8	18	7	2	1		1	3		19
Private legal persons	3	5	3	3						5
Trade register	1	4	2			1	1			3
Patents, utility models, integrated circuits	31	16	17	11	2	4				30
Industrial designs and trademarks	35	20	39	22	1	14		2		16
Other cases concerning legal persons and industrial rights		4	1					1		3
Financial market control	2		1	1						1
Insurance	1	2								3
Mining	5	6	3	1	1			1	1	7
Real estate agencies	6	4	4		1	2		1		6
Hotel and catering industry, liquor licences and alcohol retailing	9	11	11	7	1		3			9

	Pending cases	New cases	Decided cases	Challenged decision upheld	Challenged decision amended	Decision referred back to lower authority	Case declared inadmissible	Case lapsed	Removed from the docket	Pending on 31 December 2004
Competition law	20	3	14	8	6					9
Public procurement	63	60	43	33	7	2		1		80
Other trades cases	11	8	4	4						15
Agricultural production control (including national subsidies)	7	20	11	11					1	15
Forestry	4	1	2	2						3
Conservation of flora		1								1
Reindeer herding	3		2	2						1
Hunting and fishing	14	20	9	5	3		1			25
Other agricultural and forestry cases	43	9	37	32	1	2	1	1		15
European Social Fund (ESF)	1	2	1	1						2
European Regional Development Funds (ERDF)	1	2	1					1		2
European Agricultural Guidance and Guarantee Fund (EAGGF-Guidance Section)		13	6	5				1		7
Financial Instrument for Fisheries Guidance (FIG)		3	1				1			2
Driver's licences and permits for professional transport	14	20	15	10		4	1			19
Driving schools		1								1
Professional motor traffic	28	28	20	15		4		1		36
Railway traffic, shipping, aviation	2	4	1	1						5
TV licences	7	19								26
Communications market inspection fees		1								1
Other data communications cases	3	26	2	1		1				27
Seafarers, pilots, etc.	4	3	4	2	1			1		3
Inspection and registration of vehicles	5	3	6	6						2
Orders to compensate for unpaid traffic insurance fees	1	4	1		1					4
Parking tickets	1	2	1				1			2
Excess freight charges	3	1	3	1			1	1		1
Other traffic cases	3	1								4
Taxes on earned income	204	342	260	202	46	6	5	2	3	282
Taxes on capital	4	4	4	4						4
Taxes on corporate income	60	134	77	71	3	1	2			117
Taxation of agriculture and forestry	2	4	3	3						3
Taxes withheld at source	7	3	5	5						5
Advance rulings of the Central Tax Board	18	17	20	12	7		1		1	14
Advance rulings of the Tax Office		12	1	1						11
Adjustment of tax withholding and preassessment	1	1	1	1						1
Prepayment of taxes and social security payments	35	28	32	25	5	1	1			31
Real estate tax		37	18	18					1	18
Other taxes on income and capital	15	1	14	12	2					2
Value added tax	54	69	62	48	9	3	1	1	1	60
Advance rulings of the Central Tax Board (VAT)	11	8	13	8	5					6

	Pending cases	New cases	Decided cases	Challenged decision upheld	Challenged decision amended	Decision referred back to lower authority	Case declared inadmissible	Case lapsed	Removed from the docket	Pending on 31 December 2004
Advance rulings of the Tax Office (VAT)	9	6	11	10	1					4
Registration of liability to pay value added tax	2	6	5	5						3
Appeals concerning car tax	96	35	110	106	3		1			21
Preliminary rulings concerning car tax	1	1	2	1	1					
Car tax refund	1	5	3	3						3
Fuel tax	2	2	4	3						
Customs items	1		1	1						
Appeals concerning customs procedure	1	4	2	1		1				3
Excise duties	12	13	11	11						14
Inheritance and gift taxes	31	37	58	47	8	1	1	1		10
Stamp duties	2	2	3	3						1
Asset transfer tax	3	16	9	8	1					10
Waste tax		1								1
Other taxes and duties		2								2
Tax assessment procedure		4								4
Tax collection		3								3
Other cases under tax legislation		6								6
School education	17	22	20	14	4	1		1		19
Vocational education	4	1	3	1		2				2
Polytechnics		1	1				1			
Universities	1	1	1	1						1
Other cases relating to education	2		2		1	1				
Employment (state officials)	26	37	32	28	1		2	1		31
Remuneration, working hours and annual leave (state officials)	15	2	11	10			1			6
Other cases relating to state officials	12	26	21	17	1	1	2		2	15
Wage security and other guarantees of income	14	3	13	10	1	1	1		1	3
Industrial safety	2	2	3	3						1
Alternative civilian service		4	3	1			2			1
Other employment cases	14	11	13	11			2		1	11
Pensions	11	4	4	2		2			6	5
Fire and rescue services, civil defence	5	1	6	5	1					
Firearms	11	27	14	13				1		24
Public order, public entertainment	1	3	1	1						3
Other cases	6	6	10	9			1			2
Total	3350	3719	3848	3107	323	154	177	87	54	3167
B. By category of appeal										
Appeals	2171	2101	2215	1693	216	100	138	68	26	2030
Requests for leave to appeal	976	1378	1406	1221	100	49	24	12	12	937
Annulment of judgments	168	190	176	153	5	5	11	2	8	174
Restoration of lapsed time	22	30	33	28			1	4	5	14
Procedural complaints	7	9	6	4			2		1	9
Other petitions	6	11	12	8	2		1	1	2	3
Total	3350	3719	3848	3107	323	154	177	87	54	3167

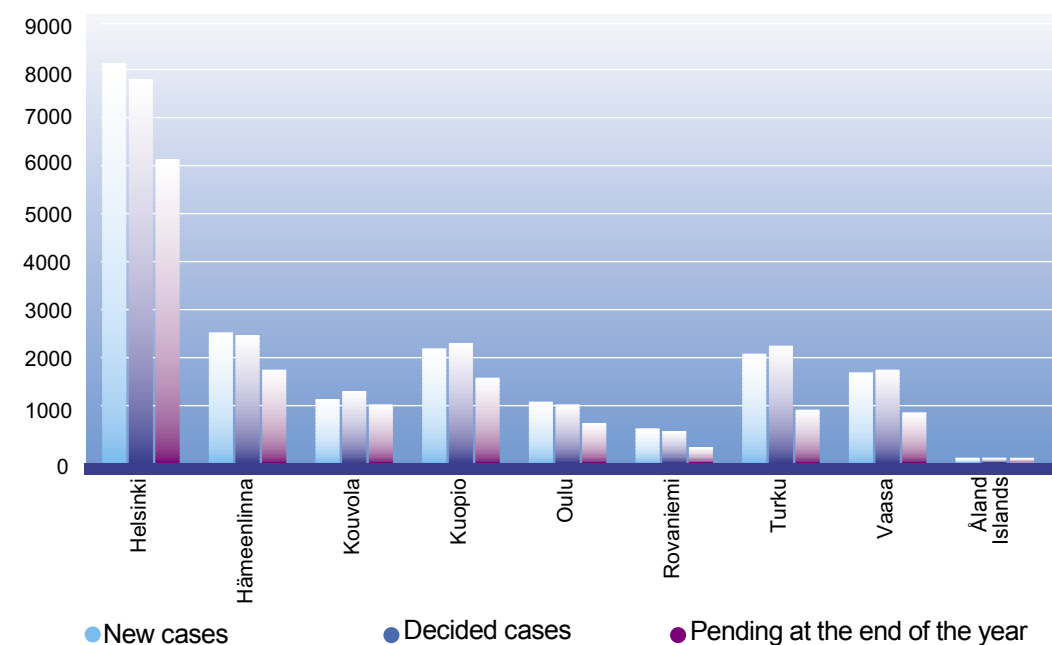
CASES REFERRED BY THE ADMINISTRATIVE COURTS 2001–2004

	2001	2002	2003	2004
Administrative Courts				
Helsinki	1014	1233	1166	1200
Turku	452	443	431	415
Hämeenlinna	343	348	342	362
Vaasa	298	362	367	357
Kouvola	127	169	197	186
Kuopio	245	243	246	298
Oulu	173	206	168	181
Rovaniemi	120	87	124	113
Åland Islands	18	23	47	23
Total	2790	3114	3088	3135

	2001	2002	2003	2004
County administrative courts				
Uusimaa	6	0	2	0
Turku and Pori	0	1	0	0
Häme	0	0	0	0
Kymi	0	0	0	0
Mikkeli	0	0	0	0
Kuopio	0	0	1	0
Pohjois-Karjala	0	0	0	0
Vaasa	2	3	0	0
Keski-Suomi	0	0	0	0
Oulu	0	1	0	0
Lapland	0	0	0	0
Total	8	5	3	0

CASES BEFORE THE ADMINISTRATIVE COURTS IN 2004

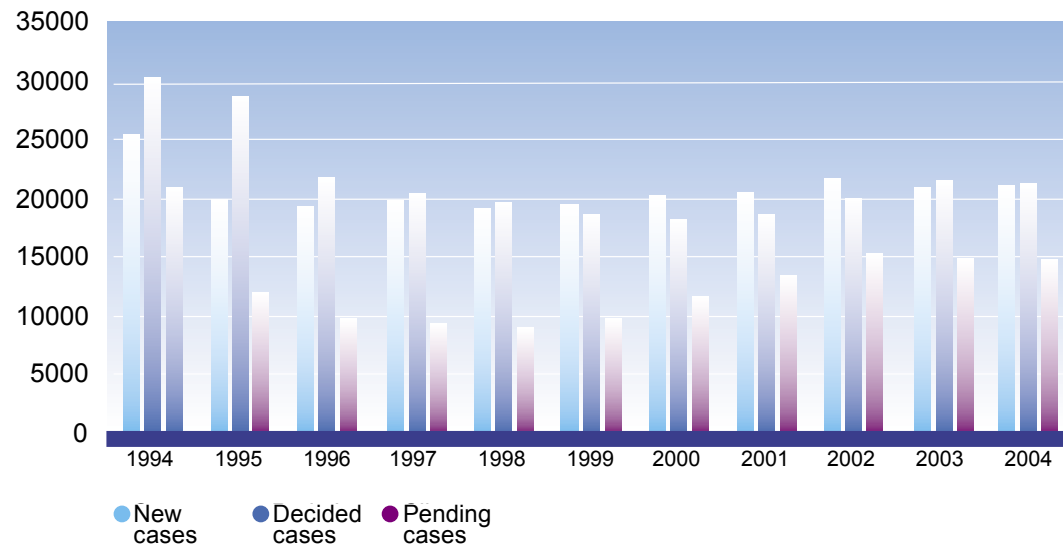
	Pending at the beginning of the year	New cases	Decided cases	Removed from the docket	Pending at the end of the year	Change +/-
Helsinki	6065	8317	8016	44	6322	257
Hämeenlinna	1896	2720	2664	17	1935	39
Kouvola	1414	1360	1520		1254	-160
Kuopio	1922	2402	2504	2	1818	-104
Oulu	803	1287	1258	3	829	26
Rovaniemi	338	739	701	1	375	37
Turku	1318	2310	2481	12	1135	-183
Vaasa	1132	1914	1957	31	1058	-74
Åland Islands	43	108	113		38	-5
Total	14931	21157	21214	110	14764	-167



DEVELOPMENT OF THE CASELOAD OF ADMINISTRATIVE COURTS IN 1994–2004

	1994	1995	1996	1997	1998	1999
New cases	25428	19954	19423	20021	19122	19550
Decided cases	30276	28677	21766	20388	19476	18654
Pending cases	20895	12151	9730	9305	9014	9794

	2000	2001	2002	2003	2004
New cases	20315	20488	21801	20929	21157
Decided cases	18282	18552	19954	21370	21214
Pending cases	11555	13429	15292	14825	14764



The Annual Report 2004 of the Supreme Administrative Court is available in Finnish, Swedish, English and French.

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