

Päiväys/Datum/Date November 14, 2011
Dnro/Dnr/Ind.No. TRAFI/19846/00.04.01.01/2011
Viite/Referens/Ref Your request for information dated Sep. 23, 2011

Access Info Europe
Lydia Medland
Lydia@access-info.org

Decision of the Finnish Transport Safety Agency

By your e-mail of September 23, 2011, you have requested specific information on certain aircraft identified by registration. On October 28, 2011, you reminded the Agency about the issue and asked for reasons why the consideration of the request has been delayed.

To investigate the issue, we have examined our files in accordance with your request and concluded that your request, in many parts, refers to such information that the Agency does not have.

As regards the information available to the Agency, we have considered your request for information in the light of the Act on the Openness of Government Activities (621/1999), section 24(1)(2) (whether the information concerns the relationship of the state of Finland with the authorities of a foreign state) and section 24(1)(20) (e.g. whether the documents contain information on a professional secret). The Agency asked for guidance from the Ministry of Transport and Communications and Ministry for Foreign Affairs in this issue. Consequently, it was revealed that the request for information also relates to a case under consideration in the Ministry for Foreign Affairs, for which reason the Finnish Transport Safety Agency forwarded the issue to the Ministry for Foreign Affairs for a decision by virtue of section 15 of the Act on the Openness of Government Activities. The Ministry later decided to deliver the information.

The authority responsible for civil aviation regulatory duties in Finland during the period in question has granted one permission for the following non-scheduled flight: N88ZL, charter, OAIK-EFHK, Sept. 20, 2004, Principal Air Services.

The data was collected from flight permission statistics kept manually by the Finnish aviation authority during the years in question. Even though the permission has been issued, the authority does not have any factual information on whether the flight was flown as specified in the application. To decipher the airport codes, you can use e.g. the website <http://www.airlinecodes.co.uk/aptcodesearch.asp>.

Considering the above described actions and procedures, the decision on your request for information could not be given earlier. We have provided above all information that the Finnish Transport Safety Agency can give about this issue. In addition, the Ministry for Foreign Affairs has delivered information related to your request through a press release: <http://www.formin.fi/public/default.aspx?contentid=233565&nodeid=15145&contentlan=2&culture=en-US>. The Finnish Transport Safety Agency therefore considers that no further action is necessary for the Agency's part with regard to this issue.



Dr Matti Tupamäki
Department Director
Air Transport



Johan Skjäl
Head of Unit
Air Transport Policy

Attachment Instructions for appeal

INSTRUCTIONS FOR APPEAL

Appellate authority

This decision **may be appealed** to the Helsinki Administrative Court.

Appeal period

The appeal shall be lodged **within 30 days of being served with notice of the decision**, not including the date of service. If the last day of the appeal period falls on a public holiday, Saturday, Sunday, Independence Day, May 1st, Christmas Eve or Midsummer's Eve, the appeal period will be extended until the following working day.

If the decision is sent by mail as a regular letter, the addressee is deemed to have received service in seven days from the sending of the letter, unless otherwise proven. However, an authority is deemed to have received service of a decision on the date of arrival of the letter. If the decision has been sent in electronic form, the service of the decision is considered effected when the addressee or his/her proxy has retrieved the document from the server designated by the Finnish Transport Safety Authority. Otherwise the date of service is indicated by the certificate of service or acknowledgement of receipt. In the case of a proxy service, service is deemed to have been effected on the third day after the date indicated on the certificate of service, unless otherwise proven.

Contents of the appeal and appendices

The appeal shall be lodged in writing. **The appeal document shall include:**

- the name and domicile of the appellant and the postal address and telephone number where notices relating to the case can be served on the appellant,
- the decision that is being appealed,
- the specific parts of the decision that are being appealed and the amendments demanded, and
- the grounds on which the appeal is based.

The appeal document must be signed by the appellant or other author of the document personally. If the appeal document is signed only by its author, it must also state the author's name and domicile, including a clarification of the authority of the proxy where necessary. An electronic appeal document does not have to be signed, if the document includes sender information and there is no uncertainty about the originality or integrity of the document.

The following documents must be attached to the appeal:

- the Finnish Transport Safety Agency's decision, either the original or a copy,
- a certificate of service or other document proving the service of the decision,
- any other documents to which the appellant refers in support of his/her claim, and
- the proxy's power of attorney, unless he/she is a lawyer or legal-aid counsel.

Delivery of appeal documents

The appeal shall be delivered to the appellate authority by the appellant or his/her proxy. Sending the appeal by post, electronically or through a messenger will be at the sender's own risk. The appeal documents shall be delivered in good time, so that they arrive at the Administrative Court's registry before the end of office hours on the last day of the appeal period.

Charges collected by the Administrative Court are laid down in the Act on the Charges for the Performances of the Courts and Certain Organs of Judicial Administration (701/1993). The Administrative Court will provide more detailed information on the fees charged by it.

Contact details for Helsinki Administrative Court

Postal and visiting address: Ratapihantie 9, 00520 HELSINKI

Telephone: +358 (0)10 36 42000 (exchange), +358 (0)10 36 42069 (registry), +358 (0)100 86 311

Fax: +358 (0)010 36 42079

E-mail: helsinki.hao(at)oikeus.fi

APPEAL CONCERNING THE CHARGE COLLECTED FOR THE DECISION

If the person liable to pay finds that an error has been made when imposing the charge for this decision, he or she may file a claim for rectification to the Finnish Transport Safety Agency within six months of the imposing of the charge. In making the claim for rectification the instructions above shall be followed, as applicable.

