

SUMMARY OF GOODS INSPECTION REGULATIONS, valid from 1 Jan. 2015

According to section 7 of the Goods Inspection Regulations, the goods inspector shall give the parties to the goods inspection a copy of the part of the Goods Inspection Regulations that deals with a goods inspection (part A, without interpretation instructions), i.e. the so-called Summary of the Goods Inspection Regulations. The complete regulations on goods inspection, including the interpretation instructions, are available on the website of Finland Chamber of Commerce at kauppakamari.fi/tavarantarkastus (in Finnish).

PART A: GOODS INSPECTION

Chapter 1. Position of a goods inspector

1 § Duties of a goods inspector

It is the duty of a goods inspector, as a technical expert, to perform inspections and assessments of goods, products and work performances in the sector (authorisation group) to which Finland Chamber of Commerce has assigned him. The duty is personal. A goods inspector must perform his duties in an impartial, independent, careful and reliable manner. Above all, he is not allowed to take orders or enter into engagements that would diminish his impartiality or affect the contents of his statements, nor to use his position or duties for pursuing any unjustified advantage. In his capacity as inspector, the goods inspector does not have the right to act as arbitrator, consultant or in any other position in which his impartiality, independence or reliability may be jeopardised.

2 § Disqualification of a goods inspector

A goods inspector is disqualified to perform an inspection, if his connection with the case or relationship with a party is such that it is deemed to reduce his reliability.

3 § Professional secrecy obligation of a goods inspector

A goods inspector does not have the right to disclose any information obtained in a professional capacity to third parties. The inspector has the right to provide information to the parties involved in the goods inspection only to the extent that it is directly related to the inspection in question. The inspector may not use information he has obtained in a professional capacity to the detriment of anyone or for his personal or another person's gain.

Chapter 2. Carrying out a goods inspection

4 § Goods inspection assignment

The party requesting the inspection and the inspector agree on the performance of an inspection. The goods inspector must make certain that the assignment is defined in sufficient detail to be properly performed. The inspector shall decide on the time for the inspection with the requester, taking into account as far as possible, the suitability of the time for all parties concerned. If a party to the inspection denies the impartiality or expertise of the nominated inspector for a valid reason, the inspector must show his

suitability and qualifications for the inspection to the parties before beginning or concluding the inspection. The goods inspector makes the decision on accepting an assignment. Several inspectors or experts may accompany the inspector, if required by the extent or demands of the assignment, subject to agreement with the party requesting the inspection. The convening inspector is responsible for the due performance of the inspection.

5 § Refusal to accept an inspection assignment

The inspector shall refuse to accept an inspection assignment, if he considers himself to be disqualified or if the inspection concerns a matter where his expertise is insufficient or if a party to the inspection has sufficient grounds to question the inspector's impartiality or expertise for the assignment. The inspector is responsible for giving notice of his disqualification. A person who has been authorised as inspector is obliged to accept inspection assignments. The inspector has the right to refuse to perform an inspection for an acceptable reason, however. The inspector must inform the party requesting inspection of the reason for the refusal.

6 § Notification of an inspection

The inspector shall notify the known parties directly concerned of the time, place and nature of the inspection. If it is not possible to give notice by reasonable means and without excessive delay of the inspection, an exception may be made from this requirement. The inspector shall determine which parties are directly involved in the inspection. The party requesting inspection and the inspector may also agree that the requester takes care of notification. The inspector remains responsible for giving notice, however. The parties have the right to be present during the inspection and to express their opinions and provide the inspector with written material related to the matter.

7 § Goods inspection

The goods inspector is in charge of the goods inspection. The inspection shall be carried out in an impartial, careful and reliable manner and without delay, in a way appropriate to the case. Prior to the goods inspection, the goods inspector shall explain to the parties the role of the inspector as impartial expert and explain the extent of the assignment. The goods inspector shall, either in advance or at the goods inspection, provide the parties with the part of the Goods Inspection Regulations that deals with the goods inspection (part A, without interpretation instructions). The inspector must present the certificate issued by Finland Chamber of Commerce, the HTT card, at the inspection. An expert who has been called in is, in principle, obliged to record the health and security hazards that he has observed. A goods inspector shall, if necessary, give instructions and advice on measures that must be taken to prevent damage.

8 § The inspector's right to obtain information

The inspector shall be provided with all the information and material that in his view is necessary for carrying out the inspection. If the inspector is not provided with the above-mentioned information, he has the right to refrain from the inspection or its completion. If the missing information is not of such significance as to prevent the inspection, the inspector must note any shortcomings in his inspection report.

9 § Inspection report

The goods inspector shall produce a report of the inspection using a form approved by Finland Chamber of Commerce. The report shall reflect in detail the requirements of the form's headings and show everything that has a bearing on the matter. If an assessment is requested on the repair costs of damaged, defective or faulty goods and the inspector feels that such assessment can be made, the assessment shall be entered in the report. The inspector shall date and sign the inspection report and provide it with the HTT stamp.

10 § Delivery of the inspection report

The parties of the inspection are provided with copies of the inspection report. One copy is sent to the Goods Inspection Board of Finland Chamber of Commerce and the goods inspector shall keep one copy. When the inspection has been completed, the inspector shall deliver the inspection report to the parties and to Finland Chamber of Commerce without delay or as agreed. An inspection is completed at the close of the inspection proceedings or at a later date, when laboratory results or other pertinent materials have been received by the inspector.

11 § Goods inspection fee

A goods inspector has the right to charge the party requesting an inspection a reasonable fee. The inspector shall issue the party requesting the inspection a specified bill for the fee and expenses. Finland Chamber of Commerce shall set a fee for each separate inspection (the costs incurred by Finland Chamber of Commerce). The fee appears on the inspector's bill and is transferred by the inspector to Finland Chamber of Commerce.

12 § Filing the inspection report

An inspector must file his inspection reports with appendices for no less than three years from the date they were drawn up. Finland Chamber of Commerce files the inspection reports, including appendices, for 8 years from the date of the report.

13 § Measures after the inspection

If all parties give their written consent, the inspector may, after drawing up the inspection report and delivering it to the parties, act as expert in repair or other corresponding work. In such a case, the person who earlier acted as goods inspector must inform the parties of the fact that while functioning as expert he does not have the role of a goods inspector and that the Goods Inspection Regulations do not apply to subsequent operations. A copy of the written consent shall be sent to the Goods Inspection Board.

Chapter 3. Supervision of goods inspectors

14 § Complaints on goods inspections

The Goods Inspection Board supervises the operations of goods inspectors in accordance with their rules and regulations, both on their own initiative and through the complaints procedure. The expert units of the Goods Inspection Board independently investigate written complaints concerning irregularities of form and substance of an inspection and

issue the relevant decisions. Those whose rights are concerned in the goods inspection have the right to submit a complaint. The parties to a complaint are the party lodging the complaint and the goods inspector.

The party lodging the complaint shall submit a written complaint to the Goods Inspection Board. There are no formal rules for the complaint, but we recommend that the complaint contain:

- the name of the party lodging the complaint, possible representative and contact information,
- the name of the goods inspector who carried out the inspection and the number of the inspection report,
- description of the relevant goods inspection and the irregularity or fault that occurred,
- the account number of the complaining party for a possible refund of the complaint fee,
- relevant appendices.

An expert unit of the Goods Inspection Board provides the concerned goods inspector with the opportunity to submit his statement in writing. The expert unit gains or request additional information deemed necessary from the parties. The expert unit makes its decision on the basis of the written statements. If the expert unit finds that a goods inspector has violated the provisions of the Regulations, it shall give the inspector a warning or, in minor cases, a reprimand. If the violation is serious, the authorisation of the goods inspector shall be cancelled. If the expert unit cancels the authorisation of a goods inspector, the goods inspector may appeal to the Goods Inspection Board within 30 days of receiving the decision of the unit. For other parts, the decisions of the units are final. If it is evident that an expert unit of the Goods Inspection Board is not competent to deal with an issue, that issue shall not be handled. All parties directly concerned will be so informed. The decision on a complaint will be delivered to the party who has lodged the complaint and the goods inspector. On request, Finland Chamber of Commerce may also send the decision to other parties that have an interest in the goods inspection that was the object of the complaint. Apart from the above, information about complaints is only given to external parties in the form of general statistics on the number of complaints and the penalties imposed. No information on disciplinary sanctions for individual inspectors is given to anyone else than the parties concerned in the complaint.

15 § Period of complaint

A complaint becomes pending with the Goods Inspection Board when the Board receives the letter of complaint. A complaint may also be delivered electronically. A complaint on the operations of a goods inspector must be made within three months of the signing of the goods inspection report. In special cases, an expert unit of the Goods Inspection Board may decide to handle a matter after the period of complaint has expired. In this case, the party lodging the complaint must present exceptionally serious grounds for handling the complaint in their letter of complaint. Acting against the goods inspection regulations is not as such sufficient grounds for ignoring the standard three-month period of complaint.

16 § Complaint fee

The party lodging a complaint shall pay a complaint fee when submitting the complaint to the Goods Inspection Board. Finland Chamber of Commerce decides the size of the fee. If

the complaint made against a goods inspector is justified, the complaint fee will be refunded. If the complaint has only been justified in part, the Goods Inspection Board will consider the extent to which the complaint fee will be refunded. If the complaint made against the goods inspector is justified, wholly or in part, and the complaint fee has been refunded to the party who lodged the complaint, the goods inspector shall reimburse Finland Chamber of Commerce for the costs of the case in the amount of the complaint fee.