

# STATUTES OF FINLAND

Published in Helsinki on 20 December 2017

**922/2017**

## **Act**

### **on the Supervisory and Insolvency Protection Fee Payable by Providers of Travel Service Combinations**

By decision of Parliament, the following is laid down:

#### Section 1

##### *Scope*

This Act lays down provisions on a supervisory and insolvency protection fee that must be paid to the State for supervision of the securities lodged by providers of travel service combinations and to cover the eventuality of provider insolvency.

#### Section 2

##### *Party liable for payment*

The parties liable for payment of the supervisory and insolvency protection fee are those traders required to lodge a security in accordance with Section 3 of the Act on Travel Service Combination Providers (921/2017).

#### Section 3

##### *Amount of the fee*

The fee consists of a fixed fee based on the amount of the security pursuant to Section 3 of the Act on Travel Service Combination Providers plus a percentage fee based on the turnover from sales of combined travel services.

The fixed part of the fee is determined on the basis of the maximum amount of the security calculated for the party liable for payment in the year preceding the payment year, as follows:

Amount of the security	Fee
Maximum EUR 10 000	EUR 405
Over EUR 10 000 and not exceeding EUR 50 000	EUR 945
Over EUR 50 000 and not exceeding EUR 200 000	EUR 1 350
Over EUR 200 000 and not exceeding EUR 1 000 000	EUR 2 025
Over EUR 1 000 000 and not exceeding EUR 3 000 000	EUR 2 700
Over EUR 3 000 000 and not exceeding EUR 10 000 000	EUR 3 375
Above EUR 10 000 000	EUR 4 050

RP 120/2017  
EkUB 16/2017  
RsV 112/2017

The percentage part of the fee is 0.024 % of the turnover from sales of travel service combinations for the previous closed fiscal period.

#### Section 4

##### *Competent authority*

The fee is determined and collected each calendar year by the Finnish Competition and Consumer Authority.

#### Section 5

##### *Payment of the fee*

The fee must be paid every calendar year by the date set by the Competition and Consumer Authority. The Competition and Consumer Authority shall send a decision on the fee to the party liable for payment no later than 30 days before its due date.

If the payment obligation expires in the middle of a calendar year, neither the fee nor any part thereof is repaid to the party liable for payment.

#### Section 6

##### *Correction in favour of the party liable for payment*

If an excessive fee was mistakenly charged to the party liable for payment, the decision concerning the fee shall be corrected, unless the matter has been resolved by a decision on appeal. A correction in favour of the party liable for payment can be made within one year from the beginning of the calendar year after the year in which the fee was charged.

#### Section 7

##### *Correction in favour of the payee*

Where, due to a clerical error or an equivalent error or because the issue was to some extent not examined, the party liable for payment was not charged the prescribed fee or a part of the fee, the decision concerning the fee shall be corrected, unless the matter has been resolved by a decision on appeal. A correction in favour of the payee can be made within one year from the beginning of the calendar year after the year in which the fee was charged or should have been charged.

## Section 8

### *Appeal*

Reassessment of a decision concerning a fee may be requested in accordance with the Administrative Procedure Act (434/2003).

The decision on the request for reassessment that is issued by the Competition and Consumer Authority may be appealed against to the Administrative Court as provided for in the Administrative Judicial Procedure Act (586/1996).

The decision of the Administrative Court may be appealed against to the Supreme Administrative Court only if the Supreme Administrative Court grants leave to appeal.

## Section 9

### *Collection of the fee*

The Act on the Enforcement of Taxes and Fees (706/2007) provides for direct enforceability without grounds for enforcement.

## Section 10

### *Obligation to provide information and estimated fee*

Providers of combined travel services must provide the Competition and Consumer Authority, on request, with the information necessary for charging the fee. Section 19(2) of the Act on Travel Service Combination Providers lays down provisions such as that on the obligation of providers of travel service combinations to provide on their own initiative the information necessary for determining the supervisory and insolvency protection fee.

If the information necessary for determining the fee has not been provided, then the fee is determined on the basis of an estimate. In such cases, the decision concerning the fee shall specify the basis for the estimate. Estimates are based on data from previous years.

## Section 11

### *Entry into force and transitional provision*

This Act shall enter into force on 1 July 2018.

For 2018 the parties liable for the payment shall be charged half of the annual supervisory and insolvency protection fee for which they are liable pursuant to this Act.

Helsinki, 14 December 2017

**President of the Republic**

**Sauli Niinistö**

Jari Lindström, Minister for Labour