



# Everyman's right

Legislation and practice



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# Foreword

Finnish nature is mostly made up of forests, wetlands, and lakes and rivers. Finland is a sparsely populated country, where roaming is made easy by an extensive road network and the concept of everyman's right. Finnish nature and everyman's right play a significant role in people's right to roam, the recreational use of natural areas, nature-based tourism, and the collection of natural products.

It is advisable for all persons exercising everyman's right, as well as landowners, to be aware of the responsibilities and opportunities that come with this right.

The scope of everyman's right is much wider in Finland compared to other countries.

**Helsinki, 24 May 2013**  
**Ministry of the Environment**

## **Everyman's right in a nutshell**

- applies to anyone living or staying in Finland
- no need to obtain a permit or permission to enjoy everyman's right
- cannot be prevented without just cause
- always free of charge
- exercising the right must not cause more than minor damage or disturbance
- using an area based on everyman's right is not affected by land ownership
- does not cover yards, cultivated fields and other areas under special use.

# Out and about

Everyone is basically entitled to walk, ski, cycle or ride freely in natural areas, as long as this causes no damage or no more than minor harm to property or nature. This right does not cover private yards.

There is no public right of way through fields and other cultivated areas during the growing season, to prevent damage. In winter, crossing fields is allowed. The use of maintained outdoor recreation routes and ski trails is based on everyman's right.

Birds and other animals must not be disturbed during the breeding season.

Right of way and temporary stay based on everyman's right may only be limited by official prohibition enforced by public authorities. Such authorities include the Finnish Defence Forces, Metsähallitus, Centres for Economic Development, Transport and the Environment (ELY Centres), port authorities or airport operators.



## Prohibition notices

### **Nature Conservation Act, Chapter 5, Section 36**

No sign prohibiting trespassing, mooring and landing or otherwise restricting free public access is to be erected on land or water insofar as there are no legal grounds for doing so.

# Domestic privacy and public peace

Intentional invasion of domestic privacy is prohibited by law. For example, unlawfully entering domestic premises or disturbing the domestic privacy of another by making noise is considered an invasion of domestic privacy. Areas deemed protected domestic premises include homes, holiday homes, tents, mobile homes and houseboats, as well as private yards and all buildings directly connected to the yard area. There is no public right of way through other people's yards.

Premises and areas where public peace is protected, in a similar way to domestic privacy, include industrial and agricultural production plants and their yard areas.

# Temporary stays and camping out

Everyman's right allows everyone freedom to temporarily stay and camp out overnight in a tent, vehicle or boat, as long as this causes no damage or disturbance to the landowner.

The landowner should be consulted if you plan to stay or camp for a longer period, because of the greater risk of damage or disturbance. As a rule, camping is not permitted on public beaches. Public recreation areas usually offer campsites or direct campers to special areas. Disturbing public order is prohibited in public places, such as parks and beaches.



Building on someone else's property, and digging to the extent that the appearance of the land is permanently changed, are prohibited.

### **Criminal trespass**

#### **The Criminal Code of Finland, Chapter 28, Section 11**

##### **A person who without authorisation**

1. takes possession of, moves or hides movable property in the possession of another,
2. takes his or her way across the yard of another or uses the land in the possession of another through construction, excavation or another similar manner, or
3. takes possession of land or a building or a part thereof that is in the possession of another,

shall be sentenced, unless a more severe penalty for the act is provided elsewhere in the law, for criminal trespass to a fine or to imprisonment for at most three months. However, an act causing only minor inconvenience is not deemed to constitute criminal trespass.

## Nature Conservation Areas

Everyman's right comes with restrictions in nature conservation areas, such as national parks, nature reserves and protected areas for birds. National parks are important natural attractions and travel destinations. Nature reserves are the most strictly protected areas. Possible restrictions on public access in nature conservation areas are indicated with signs.

# Fruits of the forest

As long as they are not protected species, flowers, wild berries and mushrooms may be picked freely wherever everyman's right applies. This also applies to the gathering of dry twigs and branches, cones and acorns found on the forest floor. Some restrictions apply to the collection of naturally growing products in nature conservation areas. Mosses and lichens must not be collected from other people's property without the landowner's permission.

Soil materials, such as gravel and rocks, are covered by land ownership, and their collection is subject to the landowner's permission. Small amounts of rock can be removed in order to uncover a mineral deposit. It is prohibited to pick protected plants.

## **Public rights**

### **Act amending Chapter 28, Section 14, of the Criminal Code**

The provisions in this chapter do not apply to the gathering, on the land of another, of dry twigs from the ground, cones or nuts that have fallen to the ground or wild berries, mushrooms, flowers or other similar natural products, with the exception of lichen and moss.



# Examples of protected plants

Government Decree amending the Nature Conservation Decree (714/2009) (incomplete list)

## Plants protected nationwide

Varieties of red water-lilies	<i>Nymphaea</i>
Northern wolfsbane	<i>Aconitum septentrionale</i>
Spring pasqueflower	<i>Pulsatilla vernalis</i>
Eastern pasqueflower	<i>Pulsatilla patens</i>
Lesser butterfly-orchid	<i>Platanthera bioflia</i>
Glacier buttercup	<i>Ranunculus glacialis</i>
Greater meadow-rue	<i>Thalictrum aquilegiifolium</i>
Subspecies of the lesser meadow-rue	<i>Thalictrum kemense</i>
Subspecies of the sand pink (white)	<i>Dianthus arenarius subsp. borussicus</i>
Common rockrose	<i>Helianthemum nummularium</i>
Lapland rosebay	<i>Rhododendron lapponicum</i>
Lady's slipper orchid	<i>Cypripedium calceolus</i>
Marsh helleborine	<i>Epipactis palustris</i>
Dark-red helleborine	<i>Epipactis atrorubens</i>
Red helleborine	<i>Cephalanthera rubra</i>
False musk orchid	<i>Chamorchis alpina</i>
Subspecies of the small white orchid	<i>Pseudorchis albida subsp. straminea</i>
Elder-flowered orchid	<i>Dactylorhiza sambucina</i>
Calypso orchid	<i>Calypso bulbosa</i>
White adder's-mouth orchid	<i>Microstylis monophyllos</i>
Flecked marsh orchid, a subspecies of the early marsh orchid	<i>Dactylorhiza incarnata subsp. cruenta</i>

## Protected in the area south of the Oulu subregion

Subspecies of the early marsh orchid	<i>Dactylorhiza incarnata subsp. incarnata</i>
Narrow-leaved marsh orchid	<i>Dactylorhiza traunsteinen</i>

## Protected in the Oulu subregion and Lapland

Wood anemone	<i>Anemone nemorosa</i>
A Corydalis species	<i>Corydalis intermedia</i>
Yellow iris	<i>Iris pseudacorus</i>



## Trees and shrubs

Cutting or damaging standing trees, dead or alive, is prohibited. In addition, permission from the landowner must be obtained for gathering twigs, bark, cones, or any other parts of standing trees. Permission from the landowner is also required for the recovery of fallen trees. Everyman's right covers the gathering of twigs, leaves, needles, birch bark, or bark that has fallen to the ground. The right also covers the removal of bracket fungi, if it can be done without harming the tree, with the exception of the chaga mushroom, because its removal may harm the tree.



## Lighting fires

Campfires or other open fires may not be lit without permission from the landowner. If there is an obvious risk of a forest fire, open fires must not be lit in or near a forested area, even with the landowner's permission. There is no need to obtain permission to use a camping stove or a similar portable fire source, which is free standing, because they are not considered open fires. The person who lit the fire will be held liable for any loss, if the fire spreads and causes damage.

At campsites and in recreation areas, special places for lighting fires are usually provided, and fires must not be lit elsewhere.

### **Open fire**

#### **Rescue Act, Chapter 2, Section 6**

Campfires or other open fires may not be lit if, because of drought, wind or other reasons, the conditions are such that there is manifest risk of a forest fire, grass or other fire.

Open fires may not be made on someone else's land without the landowner's permission.

Regional rescue authorities may, on reasonable grounds, prohibit the making of open fires in their rescue service regions or parts of them for a specific period of time. Information on the decision shall be provided to the necessary extent.

## Littering

Littering is prohibited. The discharge of liquid waste into the environment is also considered an act of littering. The prohibition on littering covers all public and private areas. The person responsible for littering must clean up any littered area.

### **Prohibition on littering**

#### **Waste Act, Chapter 8, Section 72**

No waste or discarded machine, device, vehicle, vessel or other object may be abandoned in the environment, and no substance may be emitted in a manner which may cause unclean conditions, disfigurement of the landscape, a decline in amenities, risk of injury to humans or animals, or any other comparable hazard or harm (*prohibition on littering*).

### **Obligation of person leaving litter to clean up**

#### **Waste Act, Chapter 8, Section 73**

A person responsible for littering has the obligation to remove the object or substance from the environment and otherwise clean up the littered area.

# Dogs and cats

Dog walking is allowed on other people's land if the dog is kept on a lead or in the immediate vicinity of the handler so that it can be easily leashed. The landowner or the holder of hunting rights to the land may give permission to allow a dog to be unleashed. However, all dogs more than five months old must be kept on a lead or in the immediate vicinity of the handler between 1 March and 19 August, which is the time when game animals are raising their young.

Dogs may be unleashed with the permission of the landowner in yards and gardens, and in special areas fenced off for dogs. Dogs may not be unleashed on fitness trails, and must be kept away from public beaches, children's playgrounds, market squares, sports fields and maintained ski tracks.

Dog fouling can be unhealthy and unhygienic, as well as unpleasant. Dog owners and dog handlers must ensure that dog mess is disposed of safely and does not disturb others.

The same obligations apply to dog team handlers.

Cats may only roam freely in their owner's yard or garden.



# Horse riding

Everyman's right covers horse riding. However, horse riding can cause wear and tear on the terrain and road surfaces. If riding activities are likely to cause more than minor harm or damage to trees or roads, the landowner must approve the activities beforehand. Standard outdoor recreation routes are usually unsuitable for horse riding, as hooves cause wear and tear on the road surface. Under the Public Order Act, riding a horse on an exercise track or other similar running track, a ski track maintained for public use and a sports field is prohibited.



## Organised activities

Outdoor activities and events that may be defined as private can be organised under everyman's right, if they do not cause more than minor disturbance. Permission from the person who owns or holds the rights to the venue must be obtained when organising public events. In addition, the organiser is responsible for notifying the police of the event.

## Right to use structures

The right to use permanent structures, such as piers, cooking shelters or buoys, is determined by the owner of the structure. Possible restrictions on use are usually posted near or on the structure in question. If no sign with restrictions on use is posted, a pier may be used or a bird-watching tower accessed, if they are not located in someone's private yard.

## Driving and other road use

Everyone is allowed to use public roads. Under everyman's right, walkers, cyclists and horse-riders have right of way along private roads (such as a road to a cottage or on a forest road).

Use of private roads for passage by motor vehicles or vehicles transporting horses may be restricted in some areas. In such cases, vehicular access is prevented with a boom barrier or prohibited by a traffic sign. Permission must be obtained from road partners or the private road cooperative for the use of a private road for activities which significantly increase road maintenance costs.

## Driving off road

Driving off road is prohibited on other people's land without the landowner's permission.

Parking a vehicle on the side of the road is allowed, because, in general, the vehicle cannot be left on the road. However, a car parked on the side of the road must not cause unreasonable hindrance or prevent other road-users from passing the site.

# Snowmobiles

Driving a snowmobile off road requires the landowner's permission. The use of snowmobiles is permitted on frozen water bodies and along designated routes.

Drivers of snowmobiles must be over fifteen years old and they must wear a safety helmet. Normal road traffic laws apply on snowmobile routes, where drivers must have a valid T-class licence. Snowmobile drivers must keep off public roads, except to cross roads or bridges. The maximum speed limit for snowmobiles is 60 km/h for driving off road and on designated routes, and 80 km/h for driving on frozen water bodies.

## **Driving a motor vehicle off road Off Road Traffic Act, Chapter 2, Section 5**

To avoid risks and damage when driving a motor-powered vehicle off road, care and precautions must be taken depending on the conditions.

Motor vehicles must be used in such a manner as to avoid causing damage or harm to nature and the surrounding environment, property and natural sources of livelihood, and also to avoid causing unnecessary disturbance near people's homes and the overall environment.



# Water activities



Everyone in Finland has free access to most bodies of water, even when they are frozen in winter. Another person's water area may be used for temporary mooring. The use of water bodies must not involve unnecessary disturbance. It is permitted to use water for cooking and cleaning.

Fishing nets and traps must be passed by at a sufficient distance and people fishing from boats or on shore must not be unduly disturbed. The continuous use of noisy motor boats is prohibited near shores where people live. A registered boat or similar watercraft may only be driven by a person over 15 years old.

## **Passage in a water body** **Water Act, Chapter 2, Section 3**

Unless otherwise provided by law, everyone has the right, without inflicting unnecessary damage, harm or disturbance, to

1. move in a water body and on its ice-covered surface;
2. anchor in the water body on a temporary basis;
3. float timber in the water body;
4. swim in the water body; and
5. temporarily move traps and other movable objects in a main channel or public channel that hinder passage or timber floating, as well as such movable objects outside the channel that unreasonably hinder passage or prevent timber floating.

## Provisions on passage in a water area Water Traffic Act, Chapter 2, Section 5

Everyone using a watercraft for passage through a water area shall take the necessary care and precautions depending on the conditions and, unless there is a compelling reason not to do so, shall act in such a way so as not to hinder or interfere with the movement of others in the water area and shall not cause danger or harm to others or danger or significant or unnecessary harm or disturbance to nature and the surrounding environment, fishing activities, general recreational use of natural areas, or to other public or private interests.

The operator of a watercraft shall observe water traffic regulations and the rules, prohibitions and restrictions indicated by water traffic signs and signal lights.

People boating on a body of water may go ashore to rest and refresh themselves wherever everyman's right applies. Birds and other animals must not be disturbed during the breeding season. Landing may be prohibited in areas used by the Finnish Defence Forces and in nature conservation areas during the nesting season of birds.





# Fishing

Everyman's right allows angling and ice fishing free of charge in most inland waters and the sea. However, angling and ice fishing are prohibited in rapids and fast-flowing sections of watercourses where salmon and whitefish are found, and in certain other protected waters.

Lure fishing with a single rod is possible without the permission of the owner of the water area or the holder of the fishing rights upon payment of the regional lure fishing fee and the national fishing management fee. People under 18 and over 65 are allowed to fish free of charge.



Casting and trolling with more than one rod, fly-fishing and other forms of lure fishing, using nets or fish traps, and fishing for crayfish are subject to a permit and the payment of a fee. In addition to the national fishing management fee, permission from the owner of the water area or the holder of the fishing rights is required, or some other right to fish is necessary.

Fishermen are obliged to stop their boat if the fisheries authority signals them to do so. The fisheries authority is entitled to check that fishermen have the right to fish.

Anyone who goes fishing must be aware of the scope of the fishing rights that apply.

# Hunting

Hunters are required to obtain permission from the landowner or the holder of the hunting rights to the land, with a few exceptions. There are separate hunting seasons for each game species, and these are to be strictly observed. All hunters in Finland pay an annual game management fee.

Residents of Lapland and parts of the Oulu subregion have the right to hunt on state-owned land.

Hunting must not cause danger or harm to people or property. The deliberate prevention, hindrance or disturbance of legal hunting is prohibited. Game birds and animals must not be deliberately disturbed. Exercising everyman's right does not usually cause a disturbance to hunters.



# Everyman and the landowner

Everyman's right applies on land and in water areas which are owned by another person. Each person taking advantage of everyman's right is responsible for not damaging other people's property or hindering landowners' activities related to their land use. A landowner may not prevent another person from enjoying everyman's right without legal grounds.

There may be differences of interpretation between landowners and people exercising their rights when it comes to harmful activities and permission needed. Taking other people into consideration is important, and differences of opinion can usually be resolved through amicable discussion. The police may be called upon to resolve more serious conflicts; after all, monitoring compliance with the law is their duty.

The extent to which private persons may resort to using force is strictly limited. Under the law on enforcement measures in Finland, there are provisions on when taking the law into one's own hands is permitted (for example, to retrieve stolen property), on the general right to apprehend (a criminal offender), and on the use of force.

In situations involving a dispute, the use of force, illegal threats and taking the law into one's own hands is prohibited and punishable by law.

# Everyman's right in brief

## You may

- walk, ski or cycle freely, except in other people's yards and other land areas under specific use (such as fields and other cultivated areas)
- stay or set up camp temporarily in areas accessible under everyman's right (at a reasonable distance from homes)
- pick wild berries, mushrooms and flowers
- go angling and ice fishing
- use bodies of water for passage and other activities; this also applies to ice-covered water areas in winter

## You may not

- cause disturbance or damage to other people or the environment
- disturb game animals or birds during the breeding season
- cut down or damage standing trees
- collect moss, lichen, soil materials or fallen trees
- violate the privacy of people's homes
- drop or leave litter
- drive motor vehicles off road without the landowner's permission
- fish or hunt without the relevant permits



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