

**AGREEMENT BETWEEN  
THE GOVERNMENT OF THE REPUBLIC OF FINLAND  
AND THE GOVERNMENT OF THE REPUBLIC OF ESTONIA  
ON POPULATION REGISTRATION**

In order to support the mobility and facilitate the registration of the population in their States, the Government of the Republic of Finland and the Government of the Republic of Estonia (hereinafter referred to as “*the Contracting Parties*”) have agreed as follows:

**Article 1**

**Scope of the Agreement**

1. Regardless of their citizenship, this Agreement shall apply to persons registered as residents in Finland or Estonia (hereinafter referred to as “*the states*”) who intend to migrate or have migrated to the other of the two states (hereinafter referred to as “*migrants*”). However, the Agreement shall not apply if the migrant’s state of origin has not received the notification referred to in Article 6 within three months of the date on which the migrant gave notification of his or her intended migration.
2. This Agreement shall also facilitate further exchange of data on persons who are citizens of the states or residents in either state.
3. This Agreement shall apply to personal data in the states’ population registers. Any obligation to exchange data will only apply to a state to the extent that the data is available in its population register.

**Article 2**

**Definitions**

For the purposes of this Agreement

a) the term “residence” means:

- i) permanent residence in Finland; and
- ii) registration of a residential address in the population register in Estonia.

b) a fixed-term stay of less than 12 months shall not usually be regarded as constituting residence as referred to in this Agreement;

c) the term “identification number” means:

- i) the personal identity code (*henkilötunnus/personbeteckning*) in Finland; and
- ii) the personal identification number (*isikukood*) in Estonia.

d) the term “identification number” also means any other such global identifier which by later legislation may be taken into use in parallel with or instead of the current identification numbers mentioned above;

e) the term “host state” means the state in which a person has settled after migrating from the other state.

f) the term “state of origin” means the state from which the person has migrated to the host state;

g) the definitions for “host state” and “state of origin” shall be valid while the person's actual residence status remains the same as it was at the time of immigrating to the state.

### **Article 3**

#### **Electronic exchange of data and purpose of data exchange**

1. The notifications specified in this Agreement may be transferred electronically between the register authorities of the two states.

2. Each state shall pay its own costs incurred in submitting and receiving data under this Agreement.

3. Each state may only use personal data received from the other state for the purposes of updating and correcting the data in its population register. However, after one state has made entries in its population register on the basis of personal data received from the other state, the data in the population register may be processed and disclosed pursuant to the state's legislation applicable to the processing and disclosure of data.

#### **Article 4**

##### **Obligations of migrant**

1. A person migrating from either state to the other shall notify the register authority of the host state about his or her migration within the time period specified in the legislation or regulations of that state.

2. In connection with this notification, the migrant must submit his or her former address and municipality of residence that were valid in the state of origin prior to migrating and any other information required by the host state. The migrant shall also present official documentation proving his or her:

- a) identity;
- b) citizenship status; and
- c) identification number in the state of origin.

3. The migrant must also prove that he or she is legally a resident in the host state pursuant to its national legislation. This Agreement does not alter or provide for an exemption from the preconditions for staying in the state or the responsibilities associated with this laid down in the legislation of either state.

#### **Article 5**

##### **Competence to make a decision on a person's place of residence**

1. The register authority of the host state shall decide whether or not the migrant shall be registered as a resident in the host state. This decision shall be made pursuant to the host state's legislation.

2. If the register authority of the host state decides that the migrant shall be registered as a resident in the host state, he or she shall be assigned an identification number as soon as possible following the same rules as those that apply to persons migrating to the host state from states other than Estonia or Finland.
3. The register authority of the state of origin shall record the migration in its register only after notification of registration has been received from the host state.
4. If the register authority of the state of origin disputes the actual circumstances on which the registration is based, it may confer with its counterpart in the host state on the case.

## **Article 6**

### **Notification of registration of migrant**

1. Once the register authority of the host state has made a decision on whether or not the migrant should be registered as a resident in the host state, it shall notify the person in question and the register authority of the state of origin of its decision.
2. The following personal data shall be included in the notification sent to the register authority of the state of origin:
  - 1) identification number in the state of origin;
  - 2) name;
  - 3) date of birth;
  - 4) place of birth;
  - 5) citizenships;
  - 6) gender;
  - 7) identification number in the host state;
  - 8) date on which the person migrated to the host state;
  - 9) municipality of residence and address of permanent residence in that municipality;
  - 10) local population register authority in the host state.

3. The data indicated in items 7-10 in paragraph 2 of this Article shall only be given if, under the decision, the person is registered as a resident in the host state.

4. If the host state register authority later cancels an earlier decision on registering a migrant, a notification shall be sent to the state of origin, including the data indicated in items 1, 2, 8 and 9 in paragraph 2 of this Article.

## **Article 7**

### **Submission of migrant's personal data**

1. Once the register authority of the state of origin has received notification that a migrant has been registered as a resident of the host state and has recorded this in its register, it shall submit the following personal data on the migrant to the register authority of the host state:

- 1) identification number in the host state and in the state of origin;
- 2) name;
- 3) date and place of birth;
- 4) gender;
- 5) citizenships;
- 6) marital status and the date on which the marital status changed;
- 7) name, date of birth and gender of the migrant's current spouse or partner in a registered partnership;
- 8) name, date and place of birth, and gender of each of the migrant's children aged under 18 years, and information on whether or not the migrant is the custodian of each child;
- 9) if the migrant is aged under 18 years, the name, place and date of birth, gender and identification number in the state of origin of each of the migrant's parents or custodians.

2. Only currently valid data shall be included in this notification; no historical data shall be submitted.

## **Article 8**

### **Further exchange of data**

1. The register authority of one state may disclose data on the other state's citizens or residents to the register authority of the other state to the extent permitted by data protection regulations applicable at the time.
2. The register authorities of the states shall separately agree upon the practical arrangements for the data exchange as well as the detailed list of information to be exchanged.
3. In data disclosures under this Article, identification numbers shall be used as the means for identifying persons.

## **Article 9**

### **Determination of state of residence after the Agreement enters into force**

1. The entry into force of this Agreement shall not affect the residence registration of any person who is registered as a resident only in either Finland or Estonia.
2. A person who is registered as a resident in both states when this Agreement enters into force shall, under the Agreement, remain registered as a resident only in the state which the person considers his or her state of residence due to family relations, livelihood or other similar circumstances and to which the person, due to the aforementioned circumstances, has his or her primary connections. If such a person's opinion on his or her state of residence cannot be determined, he or she shall remain registered as a resident in the state where his or her permanent address was last changed.
3. The determination of which state the person shall remain registered as a resident in shall be carried out by the register authority in the state where the person's permanent address was last changed. The authority in question shall inform the register authority of the other state of its decision.
4. The state of residence that has been determined shall retain the person's existing registration of residence. In the other state, the person shall be registered as having migrated to the determined state of residence as of the date of entry into force of this Agreement.

## **Article 10**

### **Information exchange to enable the determination of a person's state of residence**

1. To enable determination of the state of residence under Article 9, the register authority of each state shall submit to its counterpart in the other state the following personal data on those persons registered as a resident in its population register who may be likely to be a resident of both states:

- 1) identification number in both states;
- 2) name;
- 3) date and place of birth;
- 4) gender;
- 5) address;
- 6) date on which the address was registered.

2. The information mentioned in the previous paragraph shall be submitted on any person who, according to the state's population register, is:

- 1) a citizen of the other state; or
- 2) a citizen of any other state and:
  - a) has formerly been registered with a permanent address in the other state;
  - b) is or has formerly been registered with a temporary address in the other state;
  - c) was born in the other state; or
  - d) is known to have an identification number in the other state.

## **Article 11**

### **Entry into force**

1. This Agreement shall enter into force on the first day of the second month following the receipt of the last written notification by which the States have notified each other through diplomatic channels that the national legal requirements for the entry into force of the Agreement have been completed.

2. This Agreement may be amended by mutual written consent of the Contracting Parties. Any such amendments shall enter into force as stated in the first paragraph of this Article.

## **Article 12**

### **Termination**

Either Contracting Party may terminate this Agreement by sending a written notification to the other Contracting Party through diplomatic channels. Termination shall take effect six months after the date on which the other Contracting Party received the notification of termination.

2. If this Agreement is terminated, entries made in either state's population register based on data which has been exchanged under the provisions of this Agreement will continue to be considered reliable unless proven otherwise.

In witness whereof the undersigned being duly authorised thereto by their respective governments, have signed this Agreement.

Done in duplicate at ..... this ... day of ....., in the Estonian, Finnish and English languages, all texts being equally authentic. In case of divergence in interpretation, the English text shall prevail.

For the Government of the  
Republic of Estonia

For the Government of the  
Republic of Finland