

GUIDELINES FOR THE EXPEDITED PROCESSING OF TRADE REGISTER MATTERS, APPOINTMENT OF AN OFFICER IN CHARGE OF THE PROCESSING IN ADVANCE, AND CONSIDERATION OF INSIDER MATTERS

Processing order and exceptions

1. As a rule, the Finnish Patent and Registration Office (PRH) is obliged to process matters in order of their arrival. Exceptions are possible if the urgency of a matter is regulated by law or there is otherwise a weighty reason for expedited processing.
2. A written request must be submitted for expedited processing, and the reasons must be stated sufficiently clearly for the PRH to assess whether the matter is eligible for expedited processing. If the request does not include enough reasoning or detail, it will not be possible to assess whether the matter qualifies for expedited processing.
3. Expedited processing is possible if a longer registration time than stated in the request would cause the obliged entity or the stakeholders of the arrangement harm that is more significant than normal and that cannot be avoided, for example, by contractual arrangements or other measures available to the parties. The resulting harm, the causal connection to the delayed registration, and the party who suffers harm must be sufficiently specified in the request for expedited processing.
4. If the PRH considers that the matter is not eligible for expedited processing, it will not request additional clarification. Therefore, it is important to ensure that the request for expedited processing contains all the required details, clearly presented. The key grounds for expedited processing should be given at the beginning of the request in a clearly visible manner (for instance, in bold).

Appointment of an officer in charge of the processing in advance

5. For a particularly weighty reason, an officer in charge of the processing can be appointed for a notification or set of notifications before the notification is taken up for processing. This can apply to the following matters:
 - a. The matter is urgent, there are particularly weighty reasons for expedited processing, and there is a specific need to set the time and prepare for the practical arrangements of the matters to be filed with the register.
 - b. It is necessary to appoint an officer in charge of the processing in advance to ensure the confidentiality of the insider information contained in the notification.

6. The appointment of an officer in charge of the processing in advance can, as a rule, only apply to corporate transactions that are more complex than normal, such as arrangements involving multiple mergers and/or demergers, other arrangements involving several consecutive registrations, or capital matters that are particularly time-critical or contain insider information, or cross-border corporate transactions.

7. When an officer in charge of the processing has been appointed in advance for a notification or set of notifications, the practical arrangements for the processing (such as the schedule for submitting the documents required for the registration of the arrangement) will be separately agreed with the officer. The documents must be submitted to the officer within a reasonable time before the requested registration date and time, taking into account the urgency of the matter and the scope of clarification of the documents.

Insider matters

8. In requests related to the processing of notifications, it must be clearly stated if the notification contains insider information.

9. The PRH does not submit details about its individual processing officers to any project-specific insider list. The confidentiality of information is ensured through the PRH's internal arrangements. The non-disclosure obligation and prohibition on use laid down in section 23 of the Finnish Act on the Openness of Government Activities apply to the PRH's personnel.

10. Documents containing insider information are delivered directly to the officer in charge of the processing or in a different way, as instructed by the officer.

Other guidelines

11. The PRH cannot, as a rule, examine draft documents or the registrability of a notification that has not yet been taken up for processing. The notification can be examined only after it has been taken up for processing. The notification can be taken up for processing even if not all the documents are available.

12. Before the notification is taken up for processing, advice is provided within the limits set by section 8 of the Finnish Administrative Procedure Act.

13. The official work required for examining and registering the notification is primarily done only during office hours. However, registrations can also be made for the first and last day of the month, even if that day is a Saturday, Sunday or midweek holiday. In this case, the notification must be registrable during office hours on the day before the date of registration and when the PRH is open.