Code of Judicial Procedure

Chapters 30-31

Extract from full text available at http://www.finlex.fi/en/laki/kaannokset/1734/en17340004

Chapter 30 — Appeal from the Court of Appeal to the Supreme Court (104/1979)

General provisions

Section 1 (104/1979)
Appeal of a judgment and order of the Court of Appeal lies to the Supreme Court.

Section 2 (104/1979)
(1) In order to appeal a decision of the Court of Appeal, leave of appeal shall be requested from the Supreme Court if the appeal concerns a case that the Court of Appeal has decided as the appellate level or a decision given in connection with such a case. (666/2005)
(2) In a case which the Court of Appeal has decided as the court of first instance, appeal shall be made without requesting leave to appeal.

Section 3 (104/1979)
(1) Leave to appeal may be granted only if it is important to bring the case before the Supreme Court for a decision with regard to the application of the law in other, similar cases or because of the uniformity of legal practice; if there is a special reason for this because of a procedural or other error that has been made in the case on the basis of which the judgment is to be reversed or annulled; or if there is another important reason for granting leave to appeal.
(2) Leave to appeal may be granted to apply only to a part of the decision of the Court of Appeal. In this event, leave to appeal may be limited to
(1) part of the decision of the Court of Appeal, or
(2) an issue, the deciding of which is necessary in order to guide legal practice or otherwise in respect of the grounds of the leave of appeal. (666/2005)
(3) If leave of appeal is granted in a limited manner pursuant to subsection 2(2), the Supreme Court may in other respects base its decision on the circumstances noted in the decision that is the subject of the appeal. (666/2005)
(4) If leave of appeal is granted in part, the question of the granting of leave of appeal in other respects can be transferred for consideration in connection with the appeal. (666/2005)

Appeal in a case heard by the Court of Appeal as an appellate court

Section 4 (104/1979)
Appeal instructions shall be annexed to the decision of the Court of Appeal. The instructions shall indicate on what grounds leave to appeal may be granted under law and how the person requesting leave to appeal is to proceed in order to have the appeal heard by the Supreme Court.

Section 5 (104/1979)
(1) The deadline for requesting leave to appeal and lodging the appeal is 60 days from the date on which the decision of the Court of Appeal was made available to the parties.
(2) Under threat of forfeiting his or her right to be heard, the applicant shall at the latest on the deadline date deliver to the registry of the Court of Appeal his or her letter of appeal, addressed to the Supreme Court and containing the request for leave and the appeal.

(3) The documents showing the circumstances to which the applicant refers as his or her grounds shall be annexed to the letter of appeal.

Section 6 (104/1979)
(1) The request for leave shall mention the basis for the request, as referred to in section 3, as well as the reasons for which the applicant considers that such a basis exists. In addition, the decision of the Court of Appeal which the applicant wishes to appeal shall be indicated.
(2) The following shall be indicated in the appeal:

(1) in what respects a change of the decision of the Court of Appeal is requested;
(2) what changes of the judgment of the Court of Appeal are requested; and
(3) the grounds for the requested changes.

(3) The letter of appeal shall also indicate the name, occupation and domicile of the applicant, as well as his or her postal address, or that of his or her attorney, to which the notifications in the case may be sent. If the postal address changes, notice of the new address shall be given in writing to the registry of the Supreme Court. The letter of appeal shall be signed by the applicant or, if he or she did not draw it up, by the person who drew it up. The person who drew up the letter of appeal shall also indicate his or her occupation and domicile.

Section 7 (104/1979)
(1) The appellant may not refer to circumstances and evidence other than that which had been presented to the court of first instance or the Court of Appeal, unless the appellant can establish a probability that he or she could not have referred to the circumstance or evidence in a lower court or that he or she otherwise had justified cause not to do so.
(2) If the appellant wants to present new evidence in support of the appeal, he or she shall indicate the evidence and what he or she intends to prove with and for what reason the evidence has not been presented earlier.

Section 8 (104/1979)
(1) If a letter of appeal to be delivered to the registry of the Court of Appeal has arrived in time at the Supreme Court and there is reason to assume that its delivery to the Supreme Court is the result of an error, the party shall not for this reason forfeit his or her right to be heard. The letter shall be sent without delay from the Supreme Court to the registry of the Court of Appeal.
(2) The Court of Appeal shall forward the letter of appeal and its annexes to the Supreme Court. At the same time the dossier in the case and a copy of the judgment of the Court of Appeal shall be sent to the Supreme Court.

Section 9 (104/1979)
(1) If a request for leave to appeal or an appeal delivered in time has not been drawn up in the manner provided or if the documents to which the applicant refers have not been annexed to it, the Supreme Court shall exhort the applicant to remedy the deficiency before a deadline set by the Supreme Court, unless the supplementation is unnecessary with regard to the hearing of the case.
(2) For a special reason, an applicant whose request for leave to appeal or appeal is incomplete even after having been supplemented in the manner referred to in subsection 1 may be reserved a new opportunity to supplement it.
(3) If the exhortation is not heeded and if the letter of appeal is so incomplete that it is unsuitable as the basis for deciding the case, the leave for appeal shall be dismissed without considering the merits.

Section 10 (104/1979)
The Supreme Court shall, if necessary, request a written response to the appeal from the opposing party. If leave to appeal is granted, a response shall always be requested from the opposing party, unless this has already been done in connection with the hearing of the request for leave to appeal.

Section 11 (104/1979)
(1) The following shall be indicated in the response to the appeal:
(1) the case to which the response pertains;
(2) the opinion of the respondent of the claims of the appellant and the grounds thereto; and
(3) the circumstances and evidence to which the respondent wishes to refer.
(2) The response shall also indicate the name, occupation and domicile of the defendant, as well as his or her postal address, or that of his or her representative, to which the notifications in the case can be sent. If the postal address changes, notice of the new address shall be given in writing to the registry of the Supreme Court. The response shall be signed by the defendant or, if he or she did not draw it up, by the person who drew it up. The person who drew up the response shall also indicate his or her occupation and domicile.
(3) Also a copy of the response and the annexed documents shall be supplied. The copies shall be sent from the Supreme Court to the appellant by post.

Section 12 (104/1979)
(1) The provisions of section 7 apply to the respondent.
(2) The Supreme Court may, if necessary, reserve the respondent an opportunity to supplement the response before a deadline.

Appeal in a case heard by the Court of Appeal as the court of first instance

Section 13 (104/1979)
(1) Appeal instructions shall be annexed to the decision of the Court of Appeal, indicating how a person dissatisfied with the decision is to proceed in order to have the appeal heard by the Supreme Court and how to respond to an appeal.
(2) The deadline for filing an appeal is 30 days from when the decision of the Court of Appeal was handed down or made available to the parties. (666/2005)
(3) The provisions of section 5, subsection 2 and 3 and section 6, subsection 2 and 3 apply correspondingly to the lodging and contents of an appeal. (666/2005)

Section 14 (666/2005)
(1) The provisions in section 8, subsection 1 apply correspondingly to the delivery of the letter of appeal directly to the Supreme Court.
(2) The Court of Appeal shall without delay deliver the letter of appeal with its annexes to the Supreme Court. At the same time the dossier in the case and a copy of the judgment of the Court of Appeal shall be sent to the Supreme Court.

Section 15 (666/2005)
(1) The party opposing the appellant shall be exhorted to submit a written response to the appeal within the deadline set by the Supreme Court. In connection with the exhortation, service of the appeal and the attached documents shall be made. In addition the Supreme Court may order what issues should be addressed in particular in the response. The provisions of section 11 apply to the submission of the response.
(2) No response shall be requested if the appeal is dismissed without considering its merit or if it is rejected as obviously ill-founded.

Section 16 (104/1979)
The provisions in sections 8 and 12 apply correspondingly to the supplementation of the appeal and the response.

Section 17 (104/1979)
If the appeal has been supplemented on the exhortation of the Supreme Court and the contents of the supplement may affect the decision in the case, the Supreme Court shall request a response from the opposing party.

Appeal procedure in the Supreme Court

Section 18 (104/1979)
For a special reason, the Supreme Court may take into consideration an additional account which a party has delivered to the Supreme Court after the deadline, unless its presentation is prohibited under section 7 or 12.

Section 19 (104/1979)
If the Supreme Court takes into consideration an additional account referred to in section 18 or if the Supreme Court on its own motion has obtained an account which may affect the decision in the case, the Supreme Court shall request a written explanation from the party in question, unless this is manifestly unnecessary.

Section 20 (104/1979)
(1) Where necessary, the Supreme Court shall hold an oral hearing where the parties, witnesses and expert witnesses may be heard and other information admitted. The oral hearing may be restricted to a part of the case on appeal.
(2) The parties shall be notified of the purpose for which the oral hearing is being held. (666/2005)

Section 21 (104/1979)
(1) The parties may be invited to the oral hearing under threat that the case may be heard and decided regardless of their absence. However, the provisions in chapter 12 of this Code and in chapter 8 of the Criminal Procedure Act on the obligation of a party to appear in the continued hearing of the case apply to a party whose hearing in person is deemed necessary by the Supreme Court. In the invitation, the party shall be notified of the threat under which he or she is to appear in the oral hearing. (690/1997)
(2) If a party who has been obliged to appear under threat of a fine is absent or a person who has been ordered brought to the court cannot be found or the invitation to the oral hearing cannot be served on the party, the case may, where necessary, be decided regardless of the absence of the party. In this event, the threat of a fine shall not be ordered enforceable.

Section 21a (666/2005)
The case shall be decided on the basis of the written trial documents, unless an oral hearing is held in the case. If an oral hearing is held, also the documentation presented in it shall be taken into consideration.

Supplementary provisions

Section 22 (472/1986)

A decision of a Court of Appeal for which leave to appeal is required shall be enforced in the manner provided for the enforcement of a final judgment. The right of the applicant to withdraw the amount recovered through enforcement is provided in chapter 6, section 1, subsection 2 of the Enforcement Act.

Section 23 (104/1979)
Where necessary, the Supreme Court may order, before deciding a case on appeal, that the decision of the Court of Appeal is not to be enforced for the time being or its enforcement is to be stayed.

Section 24 (104/1998)
(1) An invitation to an oral hearing shall be served on the recipient in the same way as provided in chapter 26, section 28 regarding an invitation to the main hearing at the Court of Appeal. (666/2005)
(2) An exhortation to submit a response or a written account as well as an exhortation to supplement a request for leave to appeal, an appeal or a response may be sent by post to the address last supplied by the party, unless another method of service is deemed necessary.
[section 25 has been repealed.]

Section 26 (104/1979)
A judgment of the Supreme Court may be drafted without including a recital and it may be annexed to the decision of the Court of Appeal.

Section 27 (104/1979)
A judgment and decision of the Supreme Court shall be dated on the day from which it is available to the parties. However, a decision by which a request for leave to appeal is rejected or dismissed without considering the merits may be dated on the day it was presented by the referendary, as provided in the Rules of Procedure of the Supreme Court. It may be provided in the Rules of Procedure that also a decision which is to be annexed to a letter of appeal may be dated on the day it was presented, as may be a decision by which a case has not been finally decided or of which notice is given only by letter.

Chapter 30a – Appeal for a precedent (650/2010)

Section 1 (650/2011)
(1) A decision of the District Court may be appealed to the Supreme Court instead of to the Court of Appeal (*appeal for a precedent*) if the Supreme Court grants leave for appeal.
(2) Appeal for a precedent is not allowed if the party opposing the appellant has not consented in writing or orally to this at the District Court. Such consent may be withdrawn by notifying the District Court of this revocation within the period of time set for declaring intent to appeal.

Section 2 (650/2011)
The Supreme Court may grant leave for an appeal for a precedent only if, in view of the application of the law in other similar cases or of the uniformity of legal praxis it is important to submit the matter for a decision by the Supreme Court. If leave for appeal is not granted, the decision of the District Court remains final.

Section 3 (650/2011)
(1) An appellant who wants to appeal for a precedent shall state this when declaring his or her intent to appeal and shall at the same time present the consent of the opposing party referred to in section 1(2). If no consent has been given or it has been lawfully withdrawn, the declaration of intent to appeal shall be accepted as a declaration referred to in chapter 25, section 5.
(2) The appellant and the opposing party of the appellant shall be notified immediately of acceptance of the declaration of intent to appeal for a precedent, and of what proceedings are to be followed in the appeal.

Section 4 (650/2011)
(1) If the declaration of intent to appeal is not accepted, this may be subjected to a complaint to the Supreme Court. The letter of complaint shall be delivered to the registry of the District Court within thirty days of the date on which the decision of the District Court was handed down or made available to the parties. If the Supreme Court deems that the declaration of intent to appeal had been done lawfully, it shall if necessary set a new period for appeal.
(2) If the declaration of intent to appeal for a precedent is accepted, an opposing party who is of the view that he or she has not consented to the appeal for a precedent may file a complaint to the Supreme Court regarding the acceptance. The letter of complaint shall be delivered to the registry of the District Court within the period provided in subsection 1. If the Supreme Court deems that the consent had not been given lawfully, the matter shall be returned to the District Court for the issuing of a new decision on the acceptance of the declaration of intent to appeal.

Section 5 (650/2011)
The opposing party of the appellant may appeal the decision of the District Court in accordance with chapter 25, section 14a if the Supreme Court grants him or her leave for appeal for a precedent on the basis of section 2 of the present chapter. The counter-appeal shall lapse if the Supreme Court does not grant the appellant leave for appeal for a precedent.

Section 6 (650/2011)
(1) In addition, what is provided in chapter 25 on appeal from the District Court to the Court of Appeal, and in chapter 30 on appeal from the Court of Appeal to the Supreme Court where the Court of Appeal has decided a matter as the appellant level, shall apply where appropriate in the appeal referred to in the present chapter.
(2) The period for appeal for a precedent is thirty days from the date on which the decision of the District Court was handed down or made available to the parties. The letter of appeal addressed to the Supreme Court shall be delivered to the registry of the District Court.

Chapter 31 — Extraordinary channels of appeal (109/1960)

Complaint

Section 1 (109/1960)
(1) On the basis of a complaint on the basis of procedural fault, a final judgment may be annulled:
(1) if the court had no quorum or if the case had been taken up for consideration of the merits even though there was a circumstance on the basis of which the court should have dismissed the case on its own motion without considering the merits;
(2) if an absent person who had not been summoned is convicted or if a person who had not been heard otherwise suffers inconvenience on the basis of the judgment;
(3) if the judgment is so confused or defective that it is not apparent from the judgment what has been decided in the case; or

(4) if another procedural error has occurred in the proceedings which is found or can be assumed to have essentially influenced the result of the case.

(2) Deciding the main claim in a court that does not have territorial jurisdiction is not a basis referred to in subsection 1 to annul a final judgment. (135/2009)

Section 2 (109/1960)

(1) If a person wants to file a complaint on the basis of procedural fault, he or she shall deliver the letter of complaint to the proper Court of Appeal or, if it pertains to a judgment of a Court of Appeal or the Supreme Court, to the Supreme Court.

(2) If the complaint is based on the circumstances mentioned in section 1(1) or (4), the complaint shall be filed within six months of the date when the judgment became final. In the case referred to in section 1(2), the period shall be calculated from when the person filing the complaint received notice of the judgment.

(3) If a law enforcement or supervisory body competent in the supervision of international human rights obligations notes a procedural error in the consideration of a case, a complaint may regardless of subsection 2 be made within six months of the date when the final judgment of the supervisory body in question was given. (666/2005)

Section 3 (109/1960)

(1) The letter of complaint shall indicate the grounds for the complaint as well as the evidence on which the complaint rests. The judgment against which the complaint is filed, as well as the written evidence to which reference is made shall be annexed to the letter.

(2) Chapter 15, section 1(4) provides for the obligation to use an attorney or counsel. The complainant shall be reserved an opportunity to obtain the services of an attorney or counsel who fulfils the requirements, unless this is manifestly unnecessary. (718/2011)

[subsection 2, which has been appended by the Act of 718/2011, enters into force on 1 January 2013.

Section 4 (109/1960)

(1) If the judgment against which the complaint is filed is not annexed to the letter of complaint or if the letter is so deficient that the case cannot be decided on its basis, the complainant shall be exhorted to remedy the deficiency before a deadline, under threat that otherwise the complaint will be dismissed without considering its merit. The exhortation may be sent by post to the address supplied by the complainant. (104/1979)

(2) If the complaint is not immediately dismissed without considering its merit or dismissed as manifestly ill-founded, a written response shall be requested from the opposing party or from another person whose right is affected by the complaint, unless this is manifestly unnecessary. If necessary, also a statement or account of the judge in question shall be requested.

(3) Where necessary, it may be ordered before the case is finally decided that the judgment is not to be enforced for the time being or its enforcement is to be stayed for the duration of the proceedings in the Supreme Court.

Section 5 (104/1979)

If further information is deemed necessary before the case can be decided, the court shall undertake measures to obtain the necessary information. The provisions on an oral hearing in the Court of Appeal and in the Supreme Court in other cases apply to the holding of an oral hearing in case of a complaint.

Section 6 (109/1960)

If it is found that a procedural fault has occurred, the judgment shall be annulled in full or for the part necessary and, if the case is to be retried, it shall be returned to the court where the

procedural fault had occurred. In this event, the Supreme Court shall also order the deadline and manner for the bringing of the case to a retrial.

Reversal of a final judgment

Section 7 (109/1960)
(1) A final judgment in a civil case may be reversed:

(1) if a member or official of the court or a representative or counsel of a party has, in connection with the case, been guilty of criminal conduct that may be assumed to have influenced the result of the case;

(2) if a document that has been used as evidence was false or its contents did not accord with the truth and the person who presented the document was aware of the same, or if a party heard under affirmation or a witness or expert witness has deliberately given a false statement and it may be assumed that the document or the statement has influenced the result;

(3) if reference is made to a circumstance or piece of evidence that has not been presented earlier, and its presentation would probably have led to a different result; or

(4) if the judgment is manifestly based on misapplication of the law.

(2) A judgment shall not be reversed on the grounds referred to in subsection 1(3), unless the party can establish a probability that he or she could not have referred to the fact or piece of evidence in the court that passed the judgment or on appeal, or that he or she has had another justified reason not to do so.

Section 8 (109/1960)
A final judgment in a criminal case may be reversed to the benefit of the defendant:

(1) if a member or official of the court, the prosecutor or a representative or counsel of a party has, in connection with the case, been guilty of criminal conduct that may be assumed to have influenced the result of the case;

(2) if a document that has been used as evidence was false or its contents did not accord with the truth and the person who gave the document was aware of this, or if a party heard under affirmation or a witness or expert witness has deliberately given a false statement and it may be assumed that the document or the statement has influenced the result;

(3) if reference is made to a fact or piece of evidence that has not been presented previously, and its presentation would probably have led to the acquittal of the defendant or to the application of less severe penal provisions to the offence, or there are compelling reasons, with consideration to what is referred to here and to what otherwise is found, to reconsider the question of whether or not the defendant had committed the offence for which he or she has been convicted; or

(4) if the judgment is manifestly based on misapplication of the law.

Section 8a (360/2003)
A final judgment on a confiscatory sanction in a criminal case may be reversed to the benefit of the defendant:

(1) if the conditions referred to in section 8(1), (2) or (4) exist;

(2) if reference is made to a fact or piece of evidence that had not been presented previously, and its presentation would probably have led to rejection of the request for confiscation or to the imposition of an essentially lighter confiscatory sanction, or there are otherwise compelling reasons, with consideration to what is referred to here and to what otherwise is found, to reconsider the question of the confiscatory sanction; or

(3) if the charge for the offence on the basis of which the confiscatory sanction was imposed has subsequently been rejected as unproven, or otherwise as a result of the rejection of the charges there would not have been grounds for imposing the confiscatory sanction.

Section 9 (109/1960)
(1) A final judgment in a criminal case may be reversed to the detriment of the defendant:

(1) if the circumstances referred to in section 8(1) or (2) exist and can be assumed to have influenced the acquittal of the defendant or the fact that he or she has been sentenced in accordance with essentially less severe penal provisions than what should have been applied; or

(2) if the case relates to an offence which, in accordance to the normal penalty scale, may be punished by more than two years of imprisonment or which may result in dismissal from office, and reference is made to a fact or a piece of evidence which has not been presented previously and its presentation would probably have led to the conviction of the defendant for the offence or to the application of essentially more severe penal provisions. (622/1974)

(2) The judgment may not be reversed on the grounds referred to in subsection 1(2), unless a probability is established that the party could not have referred to the fact or piece of evidence before the court which passed the judgment or on appeal, or that he or she had another justified reason not to do so.

Section 9a (755/1997)
A final judgment in a criminal case may be reversed also if, in the sentencing, another sentence has been taken into account as provided in chapter 7, section 6 of the Criminal Code, and the latter sentence has thereafter been annulled or the underlying charge has been fully or partially dismissed, or the sentence has undergone another essential alteration.

Section 9b (1290/2003)
A final judgment in a criminal case may be reversed also if Finland has requested the extradition of a person for enforcement of a joint sentence of imprisonment imposed under chapter 7 of the Criminal Code, and the extradition is not possible on the basis of all of the offences which resulted in the joint sentence of imprisonment, or if the request for extradition has been rejected in respect of one of the offences. In such an event the Supreme Court shall impose a sentence separately for those offences on the basis of which extradition is possible or for which the request is granted, and for the other offences. The sentences thus imposed may not together be greater than the original joint sentence of imprisonment.

Section 9c (1290/2003)
(1) A final judgment on a confiscatory sanction in a criminal case may be reversed to the detriment of the respondent:

(1) if the circumstances referred to in section 8(1) or 8(2) exist and can be assumed to have influenced the fact that a confiscatory measure had not been imposed or that it had been imposed essentially more lightly than how it should have been imposed; or

(2) if reference is made to a fact or a piece of evidence that had not been presented previously, and its presentation would probably have led to the imposition of a confiscatory measure or to the imposition of an essentially more severe confiscatory sanction.

(2) The judgment may not be reversed on the grounds referred to in subsection 1(2), unless a probability is established that the party could not have referred to the fact or piece of evidence

before the court which passed the judgment or on appeal, or that he or she had another justified reason not to do so.

Section 10 (109/1960)
(1) A request for the reversal of a judgment in a civil case and to the detriment of the defendant in a criminal case or in the case referred to in section 9c to the detriment of the respondent in a criminal case shall be made within one year of the date on which the requester became aware of the circumstance upon which the request is based or, if the request is based on the criminal conduct of another, on the date on which the pertinent judgment became final. However, the period referred to above shall not be calculated from a date earlier than when the judgment whose reversal is requested became final. If the request in a civil case is based on the circumstance referred to in section 7, subsection 1(4), the period shall be calculated from when the judgment became final. (1290/2003)
(2) A request for the reversal of a judgment in a civil case may no longer be made after five years have passed from the time when the judgment became final, unless compelling reasons are presented in support of the request.

Section 11 (109/1960)
If a person has been treated in a trial as someone else or under a false name, the final judgment may be reversed in order to rectify the error without regard to a time limit. In this event, a judgment in a criminal case may be reversed regardless of the provisions of section 9, and it may also be rectified immediately to the detriment of the defendant, where the error had been due to him or her.

Section 12 (109/1960)
(1) A request for the reversal of a final judgment shall be filed with the Supreme Court, subject however to section 14a. (666/2005)
(2) The request shall be made in writing, indicating the grounds for the request as well as the evidence on which the request is based. The judgment the reversal of which is requested as well as the written evidence to which reference is made in the request shall be annexed to the request.
(3) If the request is based on grounds referred to in section 7, subsection 1(3) or section 9, subsection 1(2), the requester shall state why no reference had been made in the trial to the fact or piece of evidence in question.

Section 13 (109/1960)
The provisions in section 3(2) and sections 4 and 5 on a complaint apply, in so far as appropriate, to the hearing of the request.
[section 13 has been amended by the Act of 718/2011, which enters into force on 1 January 2013. The present wording is as follows:
The provisions in section 4 and 5 on a complaint apply, in so far as appropriate, to the hearing of a request for reversal.

Section 14 (109/1960)
(1) If the request for the reversal of a final judgment is upheld and it is deemed necessary to retry the case, the Supreme Court shall order the deadline, the court and the manner in which the case is to be brought for a retrial. However, the Supreme Court shall have the right to immediately rectify the judgment, if the case is found to be clear and the request does not concern the reversal of a judgment in a criminal case to the detriment of the defendant.
(2) If the case is to be retried on the initiative of a party and this party fails to heed what he or she is to do in this respect or fails to appear in court where the first hearing of the case has been ordered to take place, the reversal shall lapse.

Section 14a (666/2005)
(1) Notwithstanding the provisions of section 12, reversal of a final judgment shall be requested from the court which gave the judgment in question, if the request concerns:

(1) reversal or rectification of the judgment in a criminal case on the grounds that a person has been treated as someone else or under a false name;

(2) annulment of a sanction imposed for absence, due to the existence of a lawful excuse; or

(3) reversal or rectification of the judgment pursuant to section 9a.

(2) If the request referred to in subsection 1 is admitted, the court may at the same time rectify the judgment.
(3) In addition to what is provided in section 3 – 5, the provisions in chapter 8 on the consideration of non-contentious civil cases apply as appropriate in the hearing of the request by the District Court.

Section 15 (360/2003)
If a claim for damages or another claim under private law is presented in a criminal case, the provisions on the reversal of a judgment in a civil claim apply in this respect to the issue of the reversal of the judgment. If the judgment is reversed in respect of the charge or a confiscatory sanction, the judgment may, regardless of what has been provided above, be reversed also in respect of a claim under private law

Section 16 (109/1960)
The provisions above in this chapter on a final judgment apply correspondingly to a legal decision that is comparable to a final judgment.

Granting a new deadline

Section 17 (109/1960)
A person who, due to a valid excuse, was unable to declare his or her intent to appeal, to lodge an appeal, to lodge an appeal against a judgment by default, or to undertake another action in a trial before the deadline, or who otherwise presents compelling reasons in support of his or her application may, on an application, be granted a new deadline.

Section 18 (666/2005)
(1) An application for a new deadline shall be made in writing to the Supreme Court within 30 days of the termination of the excuse referred to in section 17 and, at the latest, within one year of the deadline.
(2) The application shall be made to the Court of Appeal if the application refers to a new deadline in carrying out a measure in the District Court or appeal of a decision made by the District Court. In other cases the application shall be made to the Supreme Court. The application shall be made to the Supreme Court also when the application refers to a case where a decision of the District Court is appealed directly to the Supreme Court.
(3) The provisions in section 3(1) and sections 4 – 5 on a complaint apply, in so far as appropriate, to the application and the hearing thereof. (718/2011)
[subsection 3 has been amended by the Act of 718/2011, which enters into force on 1 January 2013. The present wording is as follows:
(3) The provisions in sections 3 – 5 on a complaint apply, in so far as appropriate, to the application and the hearing thereof.