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Riigi Teataja Act

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RT I 2010, 19, 101
Entry into force 01.06.2010

Amended by the following acts

Passed	Published	Entry into force
06.06.2012	RT I, 29.06.2012, 1	01.04.2013, in part 01.01.2014
19.06.2014	RT I, 29.06.2014, 109	01.07.2014, the ministers' official titles have been replaced on the basis of subsection 4 of § 107 ³ of the Government of the Republic Act starting from the wording in force as of 1 July 2014.
11.02.2015	RT I, 12.03.2015, 1	01.01.2016
13.04.2016	RT I, 06.05.2016, 1	01.01.2017
08.02.2017	RT I, 03.03.2017, 1	01.07.2017
24.10.2018	RT I, 10.11.2018, 2	20.11.2018, in part 01.01.2019

§ 1. Riigi Teataja

(1) The *Riigi Teataja* is the official online publication of the Republic of Estonia, which publishes legislation and other documents (hereinafter *legislation*).

(2) The *Riigi Teataja* is also a database forming part of the state's information system.

§ 2. Publication of original texts

(1) Legislation shall be published in the *Riigi Teataja* as official original texts in four parts.

(2) The following legislation shall be published in the first part of the *Riigi Teataja* titled "Legislation of General Application":

- 1) an Act along with a reference to the resolution of the President of the Republic on proclaiming the Act;
- 2) a decision of a referendum;
- 3) a decree of the President of the Republic;
- 4) a draft act and a draft resolution submitted to a referendum;
- 5) a regulation of the Government of the Republic, a regulation of a minister and a decree of the Governor of Eesti Pank;

[RT I, 06.05.2016, 1 - entry into force 01.01.2017]

6) an administrative contract entered into by a ministry, the State Chancellery and other state authorities to regulate an unlimited number of cases;

7) a judgment of the Constitutional Review Chamber of the Supreme Court or the Supreme Court *en banc*, containing a decision on the constitutionality of legislation of general application published in the *Riigi Teataja*.

(3) The following legislation shall be published in the second part of the *Riigi Teataja* titled "International Agreements and Other Legislation Concerning Foreign Relations":

1) an Act on the entry into or termination of an international agreement along with a reference to the resolution of the President of the Republic on proclaiming the Act;

2) an international agreement made in Estonian or its translation into Estonian, if the text of the international agreement is available only in foreign languages, and in at least one foreign language serving as the basis for interpretation. An international agreement shall be published along with the Act discussing the entry into the international agreement or, if it has been published in the Official Journal of the European Union, a reference

and a link to the international agreement or to the order of the Government of the Republic where it was decided to enter into the international agreement;

3) a notice of the Ministry of Foreign Affairs concerning the entry into force and expiry of an international agreement and, where necessary, other information concerning the international agreement;

4) an order of the Government of the Republic concerning foreign relations;

5) a resolution of the President of the Republic concerning appointment and removal of a diplomatic representative.

(4) The following legislation shall be published in the third part of the *Riigi Teataja* titled “Legislation of Specific Application by the Riigikogu, the President of the Republic and the Government of the Republic and Other Documents”:

1) a resolution, statement, declaration and address of the Riigikogu;

2) a resolution and directive of the President of the Republic, except a resolution on proclaiming an Act and on reviewing an appeal for pardon of a convicted offender;

3) an order of the Government of the Republic;

4) an order of the Prime Minister whose publication in the *Riigi Teataja* has been provided for in the Government of the Republic Act;

5) a directive of a minister whose publication in the *Riigi Teataja* has been provided by law;

5¹) a decision of the Commander of the Defence Forces or of a commander authorised by the Commander of the Defence Forces as well as that of the commander of an international organisation or foreign armed forces authorised by the Commander of the Defence Forces if the publication thereof in the *Riigi Teataja* is provided by law;

[RT I, 12.03.2015, 1 - entry into force 01.01.2016]

6) a resolution and report of the Governing Council of Eesti Pank on the activities of Eesti Pank;

7) a resolution of the Board of the Riigikogu concerning the assumption of office as a member of the Riigikogu by an alternate member of the Riigikogu and the termination of their authority, approval of the membership of a standing committee of the Riigikogu, and registration and approval of the membership of the factions of the Riigikogu;

8) a decision of the National Electoral Committee;

9) a notice of the National Electoral Committee concerning the postponement or cancellation of a referendum;

10) a notice concerning the assumption of office by the Government of the Republic or a minister;

11) an overview for the Riigikogu by the Chief Justice of the Supreme Court, the Auditor General and the Chancellor of Justice;

12) the budget, management report and audited annual accounts of the Estonian Health Insurance Fund;

13) a guideline of the Estonian Accounting Standards Board;

14) a notice of the Estonian Internal Security Service published in the *Riigi Teataja* on the basis of the Procedure for Registration and Disclosure of Persons who Have Served in or Cooperated with Intelligence or Counter-intelligence Organisations of Security Organisations or Military Forces of States which Have Occupied Estonia Act;

15) [Repealed – RT I 29.06.2012, 1 – entry into force 01.01.2014]

(5) Regulations of rural municipality and city councils and governments shall be published in the fourth part of the *Riigi Teataja* titled “Regulations of Local Authorities”, which may be denoted with the abbreviation “KO”.

(6) Legislation not specified in subsections 2 to 5 of this section may be published in the *Riigi Teataja* by a decision of the Riigikogu, the Government of the Republic or the publisher of the *Riigi Teataja*.

§ 3. Publication of consolidated texts

(1) The official consolidated texts of the following legislation made on the basis of the original text and containing any and all amendments shall be published in the *Riigi Teataja* along with the original text:

1) an Act;

2) a decree of the President of the Republic;

3) a regulation of the Government of the Republic, a regulation of a minister and a decree of the Governor of Eesti Pank;

[RT I, 06.05.2016, 1 - entry into force 01.01.2017]

4) a resolution of the Riigikogu;

5) an order of the Government of the Republic;

6) a regulation of a rural municipality and city council and government (hereinafter *local authority*).

(2) Upon publication, the publisher of the *Riigi Teataja* shall add the details of the term of validity to the consolidated text.

§ 4. Restrictions of publication

(1) The following shall not be published in the *Riigi Teataja*:

1) legislation subject to publication in the Official Journal of the European Union, including an international agreement;

2) legislation containing state secrets and access restrictions;

3) an order of the Government of the Republic that is delivered to a person pursuant to the procedure provided for in the Administrative Procedure Act if such delivery obligation has been specified in the order and there is no public interest for publishing it in the *Riigi Teataja*;

(2) Concerning a regulation containing state secrets the part of the regulation not subject to state secrecy or a notice containing at least the title, date of adoption and number of the regulation shall be published in the *Riigi Teataja*.

(3) In published legislation the publisher of the *Riigi Teataja* may, at the request of a person and upon approval of the issuer or submitter of the legislation, replace personal names with initials or characters for the purposes of protection of privacy if there is no public interest in the continued publication of the personal data in the *Riigi Teataja*.

§ 5. Other information published in *Riigi Teataja*

Links to other legislation and databases containing legal information may be added to legislation published in the *Riigi Teataja* and explanatory memoranda and other procedural information of legislation of general application issued by the state and data related to legislation may be made available.

§ 6. Translation of legislation published in *Riigi Teataja*

(1) Translation of legislation published in the *Riigi Teataja* and publication of the translations shall be organised by the Ministry of Justice to the extent determined by the minister in charge of the policy sector.

(2) Translations shall be made available in the *Riigi Teataja*.

(3) The following shall be within the competence of a sworn translator:

- 1) translation of an Act into a foreign language;
- 2) translation of an international agreement published in the *Riigi Teataja* into Estonian.

(4) The ministry that organised translation of the legislation to be published in the *Riigi Teataja* and not specified in subsection 3 of this section shall send the translations to the Ministry of Justice and the latter shall decide their publication.

§ 7. Availability and use of *Riigi Teataja*

(1) The *Riigi Teataja* shall be available on the Internet free of charge.

(2) Free access to the *Riigi Teataja* shall be ensured in the Estonian National Library, public libraries and in rural municipality and city governments.

(3) Legislation published in the *Riigi Teataja* can be found on the basis of the date of publication, classification and other information as well as using a text search.

(4) The publisher shall assist users in the search for legislation published in the *Riigi Teataja*.

§ 8. Publisher of *Riigi Teataja*

(1) The *Riigi Teataja* shall be published by the Ministry of Justice.

(2) The publisher of the *Riigi Teataja* shall organise the publication of legislation and ensure the availability, reliability and user-friendliness of the *Riigi Teataja*.

§ 9. Submission of legislation for publication, terms of publication and preservation

(1) The authorised representative of the issuer of legislation shall submit the legislation for publication in the *Riigi Teataja*, taking into account the instructions of the publisher of the *Riigi Teataja*. The authorised representative of the issuer of the legislation shall be liable for the conformity of the submitted legislation to the signed legislation.

(2) Legislation shall be submitted for publication not later than on the working day following its signature or, in the case of an Act, following the proclamation of the Act. A regulation of a local authority shall be submitted for publication not later than on the third working day following its signature.

(2¹) An order of the Government of the Republic on increased defence readiness, a resolution of the *Riigikogu* on declaration of a state of war, ordering mobilisation and demobilisation and approval of and termination of approval of increased defence readiness, the decision of the President of the Republic on declaration of a state of war and ordering mobilisation, as well as an administrative decision made by the Government of the Republic, the Prime Minister, the chief of internal defence and the Commander of the Defence Forces or a commander of an international organisation or foreign armed forces authorised by the Commander of the Defence Forces for the purpose of organisation of increased defence readiness, settlement of a state of war, and mobilisation and demobilisation is submitted for immediate publication.

[RT I, 12.03.2015, 1 - entry into force 01.01.2016]

(2²) An order related to the declaration and termination of an emergency situation by the Government of the Republic, a change of the circumstance of an emergency situation and resolution of an emergency that caused the declaration of the emergency situation is submitted for publication immediately.

[RT I, 03.03.2017, 1 - entry into force 01.07.2017]

(3) Consolidated texts shall be prepared and submitted for publication by:

1) the Ministry of Justice – Acts, decrees of the President of the Republic, resolutions of the *Riigikogu*, regulations and orders of the Government of the Republic, and ministers' regulations;

[RT I, 10.11.2018, 2 - entry into force 01.01.2019]

2) [repealed -RT I, 10.11.2018, 2 - entry into force 01.01.2019]

3) Eesti Pank – decrees of the Governor of Eesti Pank;

4) [repealed -RT I, 06.05.2016, 1 - entry into force 01.01.2017]

5) a local authority – regulations of the local authority.

(4) A consolidated text shall be drawn up and submitted for publication by the date communicated by the publisher of the *Riigi Teataja*, but not later than on the date preceding the publication of the original text.

(5) The Ministry of Foreign Affairs shall submit a notice on an event affecting the validity of an international agreement before the occurrence of the event or, if it is not possible, promptly upon receiving information about the event.

(6) Legislation shall be published within seven working days following submission for publication. Consolidated texts shall be published on the same date as the original text on the basis of which the consolidated texts were drawn up.

(6¹) An instrument specified in subsection 2¹ of this section is published not later than on the day following the day of submission.

[RT I, 12.03.2015, 1 - entry into force 01.01.2016]

(6²) The order specified in subsection 2² of this section is published not later than on the day following the day of submission of the order.

[RT I, 03.03.2017, 1 - entry into force 01.07.2017]

(7) The publisher of the *Riigi Teataja* may suspend the publication of legislation that contains mistakes or does not comply with the requirements and demand that new legislation be submitted. In such an event the term of publication shall be suspended until the receipt of compliant legislation.

(8) The publisher of the *Riigi Teataja* shall permanently preserve the following:

1) electronically, legislation submitted for publication and published legislation;

2) on paper, the original texts of published Acts.

[RT I, 10.11.2018, 2 - entry into force 20.11.2018]

(9) By a regulation the minister in charge of the policy sector may establish the procedure for submission of legislation for publication, preservation of original texts on paper and drawing up consolidated texts.

§ 10. Correction of mistakes

(1) The publisher of the *Riigi Teataja* may correct an obvious inaccuracy contained in legislation or data submitted for publication or in published legislation or data.

(2) If published legislation does not comply with the legislation submitted for publication, the *Riigi Teataja* shall correct any obvious inaccuracy, informing the submitter of the legislation thereof.

(3) If published legislation conforms to the legislation submitted for publication, an obvious inaccuracy may be corrected by the publisher of the *Riigi Teataja* on its own initiative or at the request of the issuer of the legislation, provided that the correction of the mistake does not influence persons' rights or obligations. The publisher of the *Riigi Teataja* informs the issuer of the legislation of the correction made. Where necessary, the publisher of the *Riigi Teataja* seeks the issuer's consent to make the correction.

[RT I, 10.11.2018, 2 - entry into force 20.11.2018]

(4) If a published consolidated text does not conform to the original text serving as the basis for drawing up the consolidated text, the publisher of the *Riigi Teataja* shall be informed of the mistake and the publisher shall check the existence of the mistake and correct it or inform of the absence of the mistake.

(5) Upon correction of published legislation, a notation containing the date and time of correction shall be added to the document.

§ 11. Publication of *Riigi Teataja* paper

(1) If the online publication of the *Riigi Teataja* or online publication of legislation is impeded, the *Riigi Teataja* may be published on paper. Once the impediments have been removed, the legislation published on paper shall be published in the online publication.

(2) The *Riigi Teataja* may be issued on paper as a special publication if state authorities, nationwide associations of local authorities or legal persons in public law have ordered a consolidated text or a collection of consolidated texts. The client shall bear the expenses of publication of the special publication.

§ 12. Publication of legislation in other publications and on websites

(1) Legislation published in the *Riigi Teataja* may be published in other publications and on websites with the note that the official text has been published in the *Riigi Teataja* and adding a reference or link to the web address of the *Riigi Teataja*.

(2) Legislation published in the *Riigi Teataja* shall not be published on the websites of state authorities and local authorities, but links through which the legislation can be accessed in the *Riigi Teataja* shall be added.

§ 13. *Ametlikud Teadaanded*

(1) The *Ametlikud Teadaanded* is an official online publication and database of the Republic of Estonia, which is published by the Ministry of Justice.

(2) Notices, invitations, summons and announcements (hereinafter *notice*) concerning which there is an obligation to publish provided by an Act, a regulation of the Government of the Republic or a regulation of a minister, but the publication of which in another publication has not been prescribed, shall be published in the *Ametlikud Teadaanded*.

(3) The reading, via the public user interface available on the Internet, of notices published in the *Ametlikud Teadaanded* shall be free of charge, while a fee may be charged for other services.

(4) By a regulation the minister in charge of the policy sector shall establish the statutes of the *Ametlikud Teadaanded*, including:

- 1) the procedure for maintenance of the database and giving notices;
- 2) the terms of termination of publication and deletion by notice types, unless the terms have been provided by law;
- 3) the procedure for accessing the notices whose publication has been terminated;
- 4) the Minister of Justice may establish a list of the services of the *Ametlikud Teadaanded* for which a fee may be charged and which enable sending automatic notifications, inquiries or automatically processed data, the terms and conditions of provision of services and the fees of up to 6 euros per notification or inquiry.

(5) A notice that has been given pursuant to the established procedure and for which a state fee has been paid, if provided by the State Fees Act, shall be published within one working day after submission of the notice for publication or on a later date specified in the publication.

(6) A notice shall be published unamended, indicating the date of publication of the notice. The submitter of the notice shall be liable for the correctness of the notice submitted for publication.

(7) The issuer of the *Ametlikud Teadaanded* may correct any obvious inaccuracy contained in a notice.

(8) The publisher of the *Ametlikud Teadaanded* may refuse publication of a notice or delete a published notice if the state fee payable for the publication or the notice has not been paid or there is no legal ground for publication of the notice.

(9) Upon submission of a notice, the submitter of the notice shall determine the term of termination of publication of the notice, taking into account the need for achievement of the goal of publication, if it is known upon submission of the notice and if it is shorter than the term established on the basis of clause 2 of subsection 4 of this section. The publication of the notice shall be terminated automatically upon expiry of the term.

(10) If the term of termination of publication is not known at the time of submission of a notice, the submitter shall inform the publisher of the *Ametlikud Teadaanded* of the expiry of the term.

(11) The person concerned may request that the submitter of a notice terminate the publication of the notice whose goal of publication has been achieved. The submitter of the notice shall inform the publisher of the *Ametlikud Teadaanded* of termination of publication.

(12) The submitter of a notice may request that the notice be corrected or deleted, indicating the reason thereof. The publisher of the *Ametlikud Teadaanded* may refuse correction or deletion, giving the reasons for the refusal. In the event of correction or deletion a certificate of the publisher shall be added to it.

(13) A competent authority and a person having a legitimate interest have the right to access notices whose publication has been terminated.

§ 14. Transition provisions

(1) Publication of all regulations of local authorities and their consolidated texts in the *Riigi Teataja* shall commence no later than on 1 January 2013.

(2) Until 31 December 2010 the State Chancellery shall publish the *Riigi Teataja* and organise the publication of the consolidated texts of the regulations and orders of the Government of the Republic provided for in clause 1 of subsection 3 of § 9 of this Act.

(3) The functions of publication of the *Riigi Teataja* shall be transferred from the State Chancellery to the Ministry of Justice on 1 January 2011 along with the budget. The officials of the structural unit of the State Chancellery engaged in the publication of the *Riigi Teataja* shall continue their service under the Ministry of Justice as of 1 January 2011.

(4) Until the date specified in the decision of the Council of the European Union concerning declaring invalid the exception established with regard to the Republic of Estonia on the basis of article 140 (2) of the Treaty on the Functioning of the European Union, the fee to be established on the basis of clause 4 of subsection 4 of § 13 of this Act may be up to 100 kroons.

§ 15.–§ 41.[Omitted from this text]

§ 42. Entry into force

(1) This Act enters into force on 1 June 2010.

(2) Subsections 3 and 5 of § 22, subsections 1 and 2 of § 36 subsections and § 40 enter into force on the next day after the publication of this Act in *Riigi Teataja*.

(3) Clause 2 of subsection 3 of § 6 and § 38 enter into force on 1 January 2014.

(4) Section 22, except clauses 3 and 5, enter into force on 1 January 2013.

(5) Subsection 2 and clause 1 of subsection 3 of § 6, subsections 4, 9 and 10 of § 13 and clauses 3 and 4 of § 36 enter into force on 1 January 2011.