

Issuer:	The Government of the Republic
Type of act:	Regulation
Type of text:	Original text, full text
Date of entry into force:	01.01.2012
Expiry of validity:	Currently valid
Publication citation:	RT I, 29.12.2011, 136

## **Statutes of the Ministry of Finance**

Adopted 22 December 2011 no. 177

The Regulation is established under subsection 42(1) of the [Government of the Republic Act](#).

### **Chapter 1 General Provisions**

#### **§ 1. The Ministry of Finance**

(1) The Ministry of Finance (hereinafter the Ministry) is a government office performing functions arising from the existing law and assigned to it by the Government of the Republic on a legal basis in the areas laid down in subsection 65(1) of the Government of the Republic Act.

(2) In the performance of its functions, the Ministry represents the state.

#### **§ 2. Accountability**

The Ministry is accountable to the Government of the Republic which directs and coordinates its activities and conducts official supervision thereof.

#### **§ 3. Execution of the Ministry's Documents**

(1) The Ministry has a seal with the small national coat of arms and blank document forms with its name, the design element of which is the image of the small national coat of arms.

(2) A department of the Ministry may have its own letterhead and seal if so is set out in the statutes of the department.

#### **§ 4. Location of the Ministry**

The Ministry is based in Tallinn. The postal address of the Ministry is Suur-Ameerika 1, 15006 Tallinn.

### **Chapter 2 The Ministry's Area of Activity and Functions**

#### **§ 5. The Ministry's Main Functions**

(1) The Ministry's main functions include advising of the Government of the Republic on matters of budget, taxation, macroeconomics, and financial and governance policy; making of proposals; and development and implementation of policy within its competence.

(2) The Ministry performs other functions assigned to it by laws, resolutions of the Riigikogu and decrees of the President of the Republic, and by the Government of the Republic.

## **§ 6. The Ministry's Area of Government**

(1) The Ministry's area of government includes coordination and implementation of the planning of the government's financial and resource management policy and the state fiscal policy; planning and implementation of the tax and customs policy; economic analysis and forecast; development of public service; processing of permits for granting state aid and exercise of supervision of the lawfulness and use of state aid; activity in connection with public procurements; official statistics; coordination of the application of the government's internal audit system and coordination of the organisation of the professional activity of internal auditors; state accounting; investment of state financial assets and obligations; keeping and placing of other person's money on the basis of the law; foreign aid and loans granted to the state and preparation of relevant draft legislation; and also exercise of supervision of internal and sworn auditors, associations of sworn auditors and the Board of Auditors.

(2) The competence of the government offices in the Ministry's area of government and of the state authorities administered by the Ministry regarding the functions in the Ministry's area of activity has been provided for in the statutes of such institutions.

## **§ 7. Institutions in the Ministry's Area of Government**

(1) Institutions in the Ministry's area of government are the Tax and Customs Board and the Statistics Estonia.

(2) State authorities administered by the Ministry are the Information Technology Centre of the Ministry of Finance and the State Support Services Centre.

(3) The Ministry embodies a Public Procurement Appeals Committee whose task is to hear appeals and applications for compensation of loss pursuant to the procedure provided for by the Public Procurement Act.

# **Chapter 3 Management of the Ministry**

## **§ 8. Management of the Ministry**

The Ministry is headed by the Minister of Finance (hereinafter the Minister).

## **§ 9. Competence of the Minister**

The Minister:

- 1) directs the Ministry and organises matters within the Ministry's area of government;
- 2) is responsible, as the head of the Ministry, for the execution of the Constitution, other laws regulating the Ministry's area of government, resolutions of the Riigikogu, decrees and decisions of the President of the Republic, and regulations and orders of the Government of the Republic;
- 3) decides on matters within the Ministry's area of government, unless it has been assigned by law or a regulation of the Government of the Republic to subordinate administrative agencies or officials;
- 4) represents the Ministry and issues authorisations for the representation of the Ministry;
- 5) represents the state, within the Ministry's area of government, in judicial proceedings; is allowed to issue general and special authorisations for the representation of the state in court; and has, within the Ministry's area of government, the right to authorise a contractual representative of the state in misdemeanour, civil, administrative and criminal proceedings;
- 6) is responsible for the application of the European Union law within the Ministry's area of government;
- 7) is responsible for establishing the positions of Estonia in European Union decision-making processes, and represents Estonia in the Council of the European Union in matters within the Ministry's area of government;
- 8) organises the representation of Estonia in the working groups of the Council of the European Union and in the committees, working groups and expert meetings of the European Commission within the Ministry's area of government;
- 9) appoints a representative of Estonia or presents candidates according to the Ministry's area of government to the institutions, agencies and offices of the European Union, unless this falls within the competence of the Government of the Republic;
- 10) exercises, pursuant to the procedure provided by law, official supervision of the lawfulness

and expedience of the activity of the Ministry's structural units, the government offices within the Ministry's area of government, the state authorities administered by the Ministry and the officials thereof, and if necessary, assigns the task of organising official supervision of the actions of the Ministry's officials to the Secretary-General of the Ministry;

11) ensures the application of the internal audit system and the organisation of the professional activity of internal auditors in the Ministry, in the government offices within the Ministry's area of government, and in the state authorities administered by the Ministry;

12) unless otherwise provided by law, appoints to and releases from office, on the proposal of the Secretary-General, the Director Generals of the government offices specified in subsection 7(1) of this Regulation, the Ministry's Deputy Secretaries-General and heads of departments, and applies to them incentives and imposes on them disciplinary punishments;

13) on the proposal of the Secretary-General, concludes, amends or cancels employment contracts with the heads of the state authorities administered by the Ministry, and cautions them in the case of violation of their obligations;

14) appoints to and releases from office advisers within the Ministry's staff but outside the structural units, and determines their functions and subordination;

15) approves, on the proposal of the Secretary-General, the Ministry's staff and the statutes of the structural units;

16) approves, on the proposal of the Secretary-General, the strategic development plan of the Ministry's area of government;

17) determines, on the proposal of the Secretary-General, the structure, administration procedure and work organisation of the government offices within the Ministry's area of government, and approves the statutes and staff;

18) adopts, on the proposal of the Secretary-General, resolutions on forming state authorities administered by the Ministry, approves their statutes, budgets, structure, administration procedure and work organisation;

19) determines the extent of and procedure for the official supervision of the Director Generals of the government offices within the Ministry's area of Government;

20) makes proposals to the Government of the Republic on the draft budget of the Ministry's area of government, decides on the use of budget funds, and is responsible for the purposeful and expedient implementation of the budget and for the purposeful use of the European Union grants and foreign aid;

21) approves, under the State Budget Act, the budgets of the government offices within the Ministry's area of government and of the state authorities administered by the Ministry, and verifies the implementation thereof;

22) decides on matters related to state assets governed by the Ministry;

23) decides on the organisation of public procurements for the acquisition of assets or ordering of services necessary for the performance of the Ministry's functions, and authorises the Secretary-General or a Deputy Secretary-General to perform acts related to public procurements;

24) establishes the internal procedure rules of the Ministry and the procedure for the use of the public seal;

25) establishes the accounting policies and procedures of the Ministry's area of government;

26) concludes contracts or authorises the Secretary-General or other persons for that purpose;

27) performs other tasks assigned to him or her by law, or by a regulation or order of the Government of the Republic, or by an order of the Prime Minister.

## **§ 10. The Minister's Legal Acts and Orders Related to Service**

(1) In directing the Ministry and for the organisation of the activity of the government offices within the Ministry's area of government and of the state authorities administered by the Ministry, the Minister adopts, pursuant to law, regulations and directives, and gives oral and written orders related to service.

(2) The regulations, directives and written orders of the Minister are executed and registered pursuant to the administration procedure of the Ministry.

## **§ 11. Secretary-General**

The Secretary-General directs the work of the Ministry's structural units, coordinates the activity of the government offices within the Ministry's area of government and of the state authorities administered by the Ministry, and organises the administration of the Ministry.

## **§ 12. Competence of the Secretary-General**

The Secretary-General:

1) directs directly the work of Deputy Secretaries-General and of the departments and advisers directly subordinate to the Secretary-General, and via the Deputy Secretaries-General, the work of other structural units of the Ministry;

- 2) coordinates the activity of the government offices within the Ministry's area of government and of the state authorities administered by the Ministry, and makes proposals to the Minister regarding their administration and work organisation;
- 3) coordinates the preparation of the development plan of the Ministry's area of government, and prepares the draft budget of the Ministry's area of government;
- 4) disposes, within the budget of the area of government approved by the Minister, of the Ministry's budget funds, and is responsible for the accurate and expedient implementation of the budget and for the efficient functioning of the Ministry;
- 5) appoints to and releases from office officials who are members of the Ministry's staff, except those who are appointed to and released from office by the Minister;
- 6) concludes and terminates employment contracts with non-staff public servants and with the Ministry's support staff;
- 7) approves, based on the statutes of the structural units and proposals made by the heads of the structural units, the job descriptions of the officials appointed to office by himself or herself, and if necessary, the work instructions of the support staff;
- 8) applies incentives to and imposes disciplinary punishments on the public servants employed in service by himself or herself, and cautions non-staff public servants or support staff employed under an employment contract in the case of violation of their duties;
- 9) reports to the Minister concerning the work of the Ministry's Deputy Secretaries-General and of the departments;
- 10) demands from the heads of the Ministry's structural units and of the government offices within the Ministry's area of government and of the state authorities administered by the Minister that they report on their activity;
- 11) keeps the Ministry's public seal;
- 12) makes proposals to the Minister on the administration of state assets, and organises the administration of state assets within the authorisations granted by the Minister;
- 13) organises public procurements, and concludes contracts within the authorisations granted by the Minister;
- 14) organises the drawing up of the statutes of the Ministry's structural units, of the government offices within the Ministry's area of government and of the state authorities administered by the Minister, and the drawing up of the Ministry's internal procedure rules, and presents these to the Minister for approval;
- 15) organises the administration of the Ministry and establishes the administration procedure of the Ministry;
- 16) represents the Ministry within his or her competence and the authorisations granted by the Minister;
- 17) signs or subscribes documents in accordance with the legislation, the administration procedure of the Ministry and the authorisations granted to him or her;
- 18) performs other tasks assigned to him or her by law, or by a regulation or order of the Government of the Republic, and by the Minister;
- 19) is responsible for the lawful, accurate and timely performance of the tasks assigned to him or her.

### **§ 13. The Secretary-General's Directives and Orders Related to Service**

- (1) The Secretary-General issues, within the competence provided by law and the statutes of the Ministry, directives for the coordination and organisation of the activity of the government offices within the Ministry's area of government and of the state authorities administered by the Ministry, for the employment in and release from service of the Ministry's public servants, for the management and coordination of the structural units' work, and for the organisation of the Ministry's administration, unless it has been provided by a legislation with higher authority than the directive of the Secretary-General.
- (2) In managing the Deputy Secretaries-General and the structural units, and in coordinating and organising the activity of the government offices within the Ministry's area of government and of the state authorities administered by the Ministry, the Secretary-General gives to the Deputy Secretaries-General and to the heads of the structural units and to the heads of the government offices within the Ministry's area of government and of the state authorities administered by the Ministry oral and written orders related to service.
- (3) The directives and written orders of the Secretary-General are executed and registered pursuant to the administration procedure of the Ministry.

### **§ 14. Substitution of the Secretary-General**

- (1) In the absence of the Secretary-General, the Minister assigns by a directive the duties of the Secretary-General to one of the Deputy Secretaries-General.

(2) In the absence of the Deputy Secretaries-General, the Minister assigns, by a directive, the duties of the Secretary-General to one of the heads of department.

## **§ 15. Competence of the Deputy Secretary-General**

The Deputy Secretary-General:

- 1) organises, via heads of department, the work of the departments subordinate to him or her;
- 2) organises the drawing up of draft legislation for the regulation of the area of which he or she is in charge, including ensures the harmonisation of the legislation of the Ministry's area of government with the legislation of the European Union;
- 3) organises the drawing up, approval and submission for decision of the positions to be presented for participating in the decision-making process of the European Union in the area of which he or she is in charge;
- 4) organises the expression of an opinion by the departments in his or her sphere of responsibility about drafts forwarded to the Ministry for approval;
- 5) coordinates the drawing up and implementation of the development plans and other strategic documents of the area of which he or she is in charge in accordance with other development plans and strategic documents related to the area;
- 6) coordinates, in the area of which he or she is in charge, the activity between the departments of the Ministry and a government office within the Ministry's area of government or a state authority administered by the Ministry, organises official supervision, and makes to the Secretary-General and the Minister proposals on the structure, work organisation, staff, administration etc. of the said institutions;
- 7) makes to the Secretary-General proposals on the preparation of the Ministry's budget, the use of budget funds, and the matters provided for in clauses 6)–8) of section 12 of this Regulation;
- 8) disposes of the Ministry's budget funds in the area of which he or she is in charge and within the authorisations granted by the Minister, and is responsible within his or her competence and the granted authorisations for the accurate and expedient implementation of the budget;
- 9) makes proposals in the process of preparing the development plan of the Ministry's area of government and the action plan of the Ministry, monitors adherence thereto by the departments subordinate to him or her, and reports thereof to the Secretary-General and the Minister;
- 10) makes proposals for the amendment of the statutes of the Ministry and of its structural units;
- 11) represents the Ministry within the authorisations granted by the Minister;
- 12) signs or superscribes documents of the area of which he or she is in charge in accordance with the statutes, the Ministry's administration and the authorisations granted to him or her;
- 13) supervises the performance of duties by the public servants subordinate to him or her;
- 14) makes to the Secretary-General proposals on the promotion of public servants directly subordinate to him or her, and for applying incentives to them and imposing disciplinary punishments on them;
- 15) performs other tasks assigned to him or her by law, or by a regulation or order of the Government of the Republic, or by the Minister or the Secretary-General;
- 16) is responsible for the lawful, accurate and timely performance of the tasks assigned to him or her.

## **§ 16. The Deputy Secretary-General's Orders Related to Service**

(1) In the performance of his or her tasks, the Deputy Secretary-General gives to the heads of departments directly subordinate to him or her oral and written orders related to service.

(2) The written orders of the Deputy Secretary-General are executed and registered pursuant to the administration procedure of the Ministry.

## **§ 17. Substitution of the Deputy Secretary-General**

In the absence of a Deputy Secretary-General, the Minister assigns, by a directive, his or her duties to another Deputy Secretary-General or a head of department.

## **§ 18. Head of Department**

The head of department:

- 1) directs the work of the department and ensures the performance of the tasks assigned to the department;
- 2) executes the orders related to service given to him or her;
- 3) gives instructions and orders to the public servants subordinate to him or her;
- 4) supervises the performance of duties by the public servants subordinate to him or her;

- 5) signs or superscribes documents prepared in the department in accordance with the statutes of the department and the Ministry's administration;
- 6) represents the department in the performance of its functions and gives on behalf of the department in matters within the competence of the department opinions and approvals to the management of the Ministry and other structural units;
- 7) makes proposals to the Deputy Secretary-General, the Secretary-General or the Minister for amendment of the department's structure, staff or work organisation, for determination of wages, supports and disciplinary punishments to the public servants, and for application of incentives;
- 8) makes proposals to the Deputy Secretary-General, the Secretary-General or the Minister on forming committees for resolving matters concerning the functions of the department;
- 9) signs, according to the statutes of the department, letters of informative content by which no financial or other obligations are assumed, and no rights are granted to or no obligations are imposed on persons outside the Ministry, unless otherwise prescribed by law;
- 10) is responsible for the lawful, accurate and timely performance of the tasks assigned to him or her and the department.
- 11) performs other tasks assigned by the Minister, the Secretary-General or a relevant Deputy Secretary-General.

## **Chapter 4**

### **Structure of the Ministry and Main Functions of Structural Units**

#### **§ 19. Department Directly Subordinate to the Minister**

Directly subordinate to the Minister is the Internal Audit Department which performs tasks related to the professional activity of internal auditors in the Ministry, in the government offices within the Ministry's area of government and in state authorities administered by the Ministry, and also in other institutions and persons if such obligation arises from the legislation or contracts; assesses and analyses the functioning of internal audit systems in the Ministry and in the area of government as a whole; makes proposals for the improvement of the internal audit system; organises and coordinates the performance of tasks related to the professional activity of internal auditors for the purpose of facilitating the enhancement of the activity of the Ministry and the institutions within its area of government, and the achievement of objectives.

#### **§ 20. Department Directly Subordinate to the Secretary-General**

Directly subordinate to the Secretary-General is the Financial Control Department, the area of activity of which includes the coordination and analysing of the application of the internal audit system of the institutions of executive power, and organisation of assessment thereof in the area of the professional activity of internal auditors or organisation thereof; also presentation of proposals for making the abovementioned more efficient; auditing of the activity of the institutions of executive power and, if necessary, of other persons financed from the state budget; auditing of persons granting and using European Union grants and foreign aid; and performance of the functions of an official cooperation partner of the European Anti-Fraud Office.

#### **§ 21. Sphere of Responsibility of the Deputy Secretary-General for State Fiscal Policy**

The Deputy Secretary-General for State Fiscal Policy is responsible for the development and implementation of the state fiscal policy, and for the organisation of expedient and purposeful use of the European Union and other foreign assistance.

#### **§ 22. Departments Subordinate to the Deputy Secretary-General of Fiscal Policies**

The departments subordinate to the Deputy Secretary-General for State Fiscal Policy are:

- 1) Budgeting Development Department which coordinates and organises long-term development of strategic management and budgeting methodology;
- 2) Structural and Foreign Assistance Department which coordinates and organises the use of European Union funds and other foreign assistance, including performs as a management authority, in the area of increasing administrative capability and technical assistance, the functions of an implementing agency and final beneficiary;
- 3) Fiscal Policy Department which prepares decisions of the Government related to macroeconomics and fiscal policy, positions of Estonia for participating in the process of coordinating the economic and fiscal policies of the European Union and of the budget of the

European Union, and draws up relevant strategy documents, including the state's budget strategy and stability programme;

4) Local Governments Financial Management Department which develops the principles and policy of financing and financial management of local governments, prepares relevant draft legislation, coordinates the application thereof, and analyses the fiscal policy of local governments;

5) State Budget Department which evaluates strategic development plans, draft legislation and cost claims; organises the preparation of state budget; monitors the use of state resources and assesses its efficiency and compiles relevant overviews; coordinates and organises strategic planning in the state and developments related thereto; and takes part in the preparation of development forecasts for the government sector and of economic as well as fiscal policy overviews.

## **§ 23. Sphere of Responsibility of the Deputy Secretary-General of Financial Policies and Foreign Relations**

The Deputy Secretary-General of Financial Policies and Foreign Relations is responsible for the development and implementation of the financial policy, for the organisation and completeness of the activity related to public and foreign relations in the Ministry, and for the participation of the Ministry and its area of government in the European Union decision-making process and international cooperation.

## **§ 24. Departments Subordinate to the Deputy Secretary-General of Financial Policies and Foreign Relations**

The departments subordinate to the Deputy Secretary-General of Financial Policies and Foreign Relations are:

1) Public Relations Department which informs the public of the activity of the Ministry and coordinates the communication between the Ministry and the public;

2) Entrepreneurship and Accounting Policy Department which develops policy; prepares draft legislation and coordinates the application thereof in the area of accounting, auditing, organisation of gambling, and money laundering and terrorist financing prevention; organises supervision of internal and sworn auditors and associations of sworn auditors; and coordinates the organisation of the professional activity of internal auditors in the institutions of executive power;

3) EU and International Affairs Department which coordinates the activity of the Ministry and its area of government in the participation of the European Union decision-making process and in international cooperation;

4) Financial Market Policy Department which develops policy; prepares draft legislation and coordinates the application thereof in the area of banking, securities market, investment funds, investment and other financial services, also organisation of financial stability and financial supervision, and financial markets and infrastructures related thereto;

5) Insurance Policy Department which develops policy; prepares draft legislation and coordinates the application thereof in the area of insurance, funded pension and other types of social security related to financial services.

## **§ 25. Sphere of Responsibility of the Deputy Secretary-General for Public Governance Policy**

The Deputy Secretary-General for Public Governance Policy is responsible for the development and implementation of the public governance policy, and for the correct payments of European Union grants and foreign aid; and coordinates, within his or her competence, the activity of the Statistics Estonia and the State Support Services Centre.

## **§ 26. Departments Subordinate to the Deputy Secretary-General for Public Governance Policy**

The departments subordinate to the Deputy Secretary-General for Public Governance Policy are:

1) EU Payments Department which ensures the correct financial management of European Union grants and foreign aid, including verifies the purposeful use, correctness and justification of the payments, prepares relevant draft legislation, organises reporting, and ensures the timely and full payment of European Union grants and foreign aid as well as co-financing by the state;

2) Economic Software Development Department which coordinates the development and maintenance of the state's economic software;

3) State Accounting Department which organises state accounting, including provides to other

ministries and their areas of government accounting services and preparation of annual accounts pursuant to law, and draws up accounting standards for state authorities;

4) Public Administration and Public Service Department which develops policy; prepares draft legislation and coordinates the activity of state authorities in the area of organisation of public administration, development of public service, personnel relations and official statistics;

5) Public Procurement and State Aid Department which develops policy; prepares draft legislation; advises persons and institutions; and coordinates the activity of state authorities in the area of public procurements and state aid; organises the activity of the public procurement register and the register of state aid and de minimis aid; exercises state supervision of the organisation of public procurements; applies enforcement powers of the state pursuant to the procedure and extent provided for in the Public Procurement Act; and serves as the extrajudicial body conducting proceedings of misdemeanours in the cases provided for in the Public Procurement Act;

6) State Treasury Department which provides cash services of the state budget; organises the management of state cash flows, investment of state money, acquisition of foreign funds for the state by organising issue of debt instruments, by borrowing or by other transactions; keeps and invests the money of other persons pursuant to law; issues loans; and exercises supervision of issued loans and of recipients of a loan arising from contracts related to state guarantees, and of carrying out of state land and assets privatisation contracts; and keeps relevant accounts;

7) State Assets Department which develops policy; prepares draft legislation; advises state authorities and coordinates their activity in the area of administration of state assets and ownership reform; and organises keeping account of state real estate and protection of state interests in legal persons governed by private law with state participation and in legal persons governed by public law; develops the state's real estate policy and coordinates the application thereof.

## **§ 27. Sphere of Responsibility of the Deputy Secretary-General for Tax and Customs Policy**

The Deputy Secretary-General for Tax and Customs Policy is responsible for the development and implementation of the tax and customs policy in the Ministry, and coordinates, within his or her competence, the activity of the Tax and Customs Board.

## **§ 28. Departments Subordinate to the Deputy Secretary-General for Tax and Customs Policy**

The Departments subordinate to the Deputy Secretary-General for Tax and Customs Policy are:

- 1) Tax Policy Department which develops the policy related to direct taxes, cross-border tax agreements, state fees and local taxes, and taxation and tax environment; prepares draft legislation of the area and cross-border tax agreements, and coordinates the application of relevant legislation;
- 2) Customs and Excise Policy Department which develops customs policy and policy related to value added tax, energy products tax, gambling tax and packaging tax, excise duties and other indirect taxes; prepares relevant draft legislation and coordinates the application of relevant legislation.

## **§ 29. Sphere of Responsibility of the Deputy Secretary-General for Support Operations**

The Deputy Secretary-General for Support Operations is responsible for the coordination of the development activity of the Ministry and its area of government, for the development and economical use of the resources necessary for the activity; and coordinates, within his or her competence, the activity of the Information Technology Centre of the Ministry of Finance.

## **§ 30. Departments Subordinate to the Deputy Secretary-General for Support Operations**

The departments subordinate to the Deputy Secretary-General for Support Operations are:

- 1) Development Department which coordinates the drawing up of the strategic development plan of the Ministry and its area of government and of the Ministry's action plan as well as coordinates development activities, monitors the application of the strategic development plan and the action plan, and organises the activity between the Ministry and the Information Technology Centre of the Ministry of Finance.
- 2) Financial Department which organises and coordinates, in the Ministry and its area of government, accounting and budgeting, monitoring of implementation of the budget, compilation of annual accounts and the use of foreign funds allocated to the Ministry; and performs



supervision of the use of foreign funds in the area of government;

3) Administrative Department which organises the management of state assets administered by the Ministry, coordinates public procurements in the Ministry and its area of government, organises the Ministry's administration and the work of assistant advisers, performs the functions of the Office of the Appeals Committee, and maintains archives;

4) Personnel Department which coordinates the development of the personnel and training policy based on the Ministry's development trends, and implementation thereof in the Ministry and in the institutions administered by the Ministry; coordinates the Ministry's internal communication; organises in the Ministry and its area of government personnel and payroll accounting; and processes personal data related to the personnel and payroll accounting of the Ministry and its area of government;

5) Legal Department which coordinates the Ministry's activity related to legislative drafting; ensures the conformity of the draft legal and administrative acts as well as contracts prepared in the Ministry with the Constitution and legislation of general application; organises the representation of the Ministry's legal interests and the representation of the state in court; advises the Ministry and the institutions within its area of government in legal matters.

### **§ 31. Detailed Competence and Structure of Departments**

(1) The detailed functions, rights and obligations of the departments shall be determined in their statutes.

(2) A department of the Ministry may include divisions according to the statutes of the department. The functions and competence of divisions shall be determined in the statutes of the department approved by the Minister. A department may include public servants who do not belong to any of the divisions, who are directly subordinate to the head of the department, and whose tasks shall be determined by the statutes of the department and by the job description.

(3) The rights and obligations of a deputy head of department or a head of division shall be provided for in the statutes of the department.

### **§ 32. Advisers to the Ministry**

The structure of the Ministry may embody advisers whose tasks and subordination shall be determined by job descriptions approved by the Minister.

## **Chapter 5 Committees Established in the Ministry**

### **§ 33. The Ministry's committees**

(1) The Minister may establish in the Ministry's area of government permanent or temporary advisory committees, councils and working groups (hereinafter committees) for the performance of the functions in the competence of the Ministry.

(2) The Secretary-General may establish temporary committees for the coordination of the work of the Ministry's structural units, the government offices in the Ministry's area of government and the state authorities administered by the Ministry.

(3) Committees shall be established by a directive of the Ministry or the Secretary-General determining the functions of the committee, the chairman and the members, the deadlines for the performance of the functions, and the servicing structural unit.

(4) If the chairman of a committee is not an official belonging to the administration of the Ministry or a head of department, the Minister or the Secretary-General shall appoint an official belonging to the administration of the Ministry or a head of department responsible for the work of the committee.

(5) The structural unit servicing a committee shall ensure the committee's administration and the taking of the minutes of the committee's meetings.

(6) Public servants of other government offices may be appointed members of a committee on the proposal of the head of the government office. Persons outside state public service may be

included in the work of a committee with their consent.

(7) Heads of departments are required to release the members of a committee from the performance of their duties for the duration of the committee's meetings, unless this harms the performance of the department's main functions.

(8) The chairman of a committee shall report to the Minister or the Secretary-General regarding the performance of the committee's functions, unless otherwise specified upon the establishment of the committee.

(9) A committee shall have the right to request data and documents necessary for work from the Ministry's structural units, from the government offices in the Ministry's area of government and from the state authorities administered by the Ministry.

### **§ 34. Other Committees**

(1) The provisions of section 33 of this Regulation shall extend to other committees established pursuant to law, unless otherwise provided by law and legislation established on the basis thereof.

(2) For the organisation of the administration of the government committees serviced by the Ministry, the Minister to whose area of government the task assigned to the committee belongs shall determine the relevant structural unit.

## **Chapter 6 Final Provisions**

### **§ 35. Repeal of Regulation**

The Government of the Republic regulation of 24 December 1999 no. 412 "Approval of the statutes of the Ministry of Finance" (RT I, 14.01.2011, 9) shall be repealed.

### **§ 36. Entry into Force of Regulation**

This Regulation enters into force on 1 January 2012.

Andrus Ansip  
Prime Minister

Jürgen Ligi  
Minister of Finance

Heiki Loot  
Secretary of State