**CONTRACT TEMPLATE**

Recommendation for common procedures in overhead line and underground cable projects

Number/code

# LINE OWNER

Name Address

Project

# LAND OWNER

Name Address
Telephone number
Email address

Property identifier leased [ ]

Property identifier leased [ ]

Property identifier leased [ ]

Property identifier leased [ ]

Property identifier leased [ ]

# TENANT/TITLEHOLDER

Name Address
Telephone number
Email address

The above-mentioned line owner and land owner and, if necessary, the titleholder have drawn up the following mutual contract on the reduction of usufruct of the above-mentioned property by the land owner and on the fee to be paid on it for the purpose of network construction and maintenance. This contract template is based on section 161 of the Land Use and Building Act (1999/132). The project shall be implemented so that the greatest possible account is taken of the views of the land owner in the planning and implementation stage and that the project will cause the least amount of harm or loss to the property. The harm and loss caused will be remedied or replaced in full.

# 1 General rights and obligations of the line owner

Taking into account the wishes of the land owner and the titleholder, where possible, the line owner is entitled to

*Overhead line:*

1. build and maintain at the above-mentioned property the lines, transformer and switching substations, poles and the equipment and structures attached to them, overhead lines and aerial cables presented in the enclosed calculation of compensation and/or in the appendix map. The line owner is entitled to add new lines and other structures to existing poles if the harm caused to the land owner will not be increased
2. carry out minor modifications to the planned locations of the above-mentioned lines, stations and structures that may be required as a result of control measurements
3. move about in the line area and in existing access routes when carrying out the planning, marking, construction, maintenance and operation of lines, stations and structures, however, minimising any harm caused by the movement. With the exception of urgent fault repairs, moving on fields during the period of unfrozen ground must be agreed with the land owner or titleholder in advance.
4. remove trees, bushes and branches from the area required by construction work in connection with network construction. Trees and bushes planted in yard areas must be protected where possible
5. keep line areas free of trees and, when necessary, also of bushes and branches, in a way required by the operational security of the lines and the electrical safety legislation and standards
6. remove trees that have fallen or bent onto the lines from outside the line area or other trees that pose an evident risk to the security of the distribution network.

*Underground cable:*

1. implement the line route to the property in accordance with the appendix map
2. install the cables, transformer and switching substations, protections and any marking devices, distribution and branching cabinets, other corresponding parts and the related protections and any marking devices required for power distribution as described in the appendices
3. remove trees, bushes and branches from the area required by construction work in connection with network construction, when necessary. Trees and bushes planted in yard areas must be protected where possible.
4. move about in the line area and in existing access routes when carrying out the planning, marking, construction, maintenance, servicing, operation or other necessary measures on cables and structures, however, minimising any harm caused by the movement. With the exception of urgent fault repairs, moving on fields during the period of unfrozen ground must be agreed with the land owner or titleholder in advance.

**2 Planning of the line area**

The location and width of the line area and other matters in construction agreed in advance are specified in the appendix to this contract.

Details of the width required by the construction work, the depth of laying the cables, setting up of protective ribbons, placing of soil material, the areas to be taken into account such as subsurface drains, culverts and other lines, an estimate of the time of construction, the location of storage areas for building materials and timber, and other essential matters can be entered in the appendix. The appendix shall be drawn up at the land owner’s request together with the land owner and/or titleholder.

The line owner is obliged to locate the underground cable at a sufficient depth taking into account the terrain conditions in accordance with the electrical safety legislation and standards so that it is safe to move on top of the cable with heavy construction machinery. As a rule, cables are installed at a depth of at least 0.7 m. If in exceptional situations a cable is installed closer to the surface of the ground, it shall be protected in the way required by the standards. Alternatively, the line owner shall build crossing points at his/her own cost at locations agreed with the land owner or titleholder.

The line owner is obliged to erect the overhead lines in accordance with electrical safety legislation and standards so that it is safe to pass under them on the field with normal farm machinery.

**3 Line owner’s obligation to provide information**

1. The line owner shall appoint for the duration of construction work a contact person or organisation, with whom any inspections are carried out in advance and/or retrospectively. The line owner shall notify the start time of the work to the land owner/titleholder, where possible, before the construction work is started.
2. The line owner shall inform the land owners of the clearing of the line area well in advance of carrying out the measures, where possible. Efforts shall always be made to notify the land owner of the felling of merchantable timber.
3. With respect to measures to be carried out outside the line area with the exception of urgent cases, the line owner shall agree with the land owner on measures and grounds for compensation well in advance.
4. The line owner shall notify the land owner/titleholder of urgent measures carried out on the field or outside the line area after the measures have been carried out, and any damage shall be assessed.

# 4 Operation in the line area and in its immediate vicinity

1. The land owner is entitled to utilise the line area. When utilising the area, the land owner must comply with the effective electrical safety legislation and standards. However, the growing of trees and saplings in the overhead line area shall be agreed on separately with the line owner.
2. Construction operations and the keeping of open depots and equipment in the vicinity of the line are restricted by the provisions in the Land Use and Building Act and the electrical safety legislation and standards. Structures shall not be attached to poles and other network structures without the line owner’s permission. The authorities and the line owner will provide more detailed instructions on the conduct in the above-mentioned cases.
3. In order to protect the structures in the line network, the land owner shall notify the line owner well in advance of any logging, blasting, drainage and other comparable works carried out by him/her, due to which the network may be in danger of being damaged.
4. The line owner is obliged at the land owner’s request to indicate the location of the line owner’s underground cable in the terrain and to provide instructions concerning the protection of the network.
5. The line owner shall offer help in tree felling without charge, if necessary. Help in felling does not refer to the felling work itself but, for example, supervision of electrical safety. The land owner shall notify the line owner of the need for help in felling well in advance before starting the felling work.
6. When performing the above-mentioned works in the vicinity of the network structures, the land owner shall act in such a way that persons or network structures will not suffer injury or damage. In the event of injury or damage, issues related to liability shall be assessed on a case-by-case basis.

# 5 Compensation for the location

The line owner shall pay the amount of compensation specified in further detail in the attached calculation of compensation. The compensation shall be paid as a lump sum after two (2) months at the latest after the construction work has started.

# Compensation in total EUR

If the compensation is not paid within the prescribed period, the line owner shall pay interest on late payment in accordance with the Interest Act.

**6 Harm and damage**

The line owner is obliged to restore any harm and damage caused in connection with network construction or in connection with maintenance and operation measures. As part of the restoration, the line owner shall ensure that large stones that have risen onto the soil surface during the construction work will be taken away. If restoration is not possible, the line owner shall compensate to the land owner/titleholder for the harm and damage caused in connection with the network construction, maintenance or operation measures. The implementation of restoration work and payment of compensation shall be agreed separately.

The line owner shall pay for or build a new timber storage area or compensate for the harm caused if an existing storage area cannot be utilised due to network location. Details concerning the storage areas are agreed, where possible, before signing the contract and recorded in the appendix of the contract.

Damages are paid within one (1) month of agreeing on the compensation.

The line owner shall agree directly with third parties on compensating for harm and damage caused in connection with network construction or maintenance or operational measures.

# 7 Removal of trees

In connection with the line construction work, trees are stacked in the way agreed with the land owner and they remain the property of the land owner. If the trees remain with the line owner, they are compensated in full.

All trees, branches and bushes felled in or outside the line area after the line has been built shall remain the property of the land owner and are to be removed by the land owner unless otherwise agreed.

**8 Moving of structures**

The land owner may have network structures moved to a location approved by the line owner. The land owner is responsible for the moving costs unless it is reasonable to assume that the line owner is responsible for the moving costs either in full or in part. The move shall be carried out by the line owner.

# 9 Land owner’s notification obligation to the new owner or usufructuary

The land owner is obliged to notify the contents of this contract to a usufructuary. When handing over their ownership or usufruct, the land owner undertakes to notify the new owner or usufructuary of the rights of the line owner based on this contract and to have them recorded in the deed of transfer or lease agreement.

A subsequent owner or titleholder of the property shall be bound by this contract and the compensation paid in accordance with section 161 of the Land Use and Building Act (1999/132).

# 10 Transfer of usufruct of poles

The line owner is entitled to transfer the usufruct of the poles to another line owner. No separate compensation shall be paid to the land owner for the transfer. The land owner shall be notified of the name and address of the usufructuary and the period of usufruct, where possible. Thus, the line owner who has obtained usufruct is entitled to move about in the line area and the existing access routes when carrying out planning, construction and maintenance tasks, however, minimising any harm caused by the movement.

# 11 Transfer of contract

The line owner is entitled to transfer this contract to a third party. No separate compensation shall be paid to the land owner for the transfer. If the line owner transfers the rights and obligations based on this contract further, they shall notify the land owner of the transfer. The notification can be made in person or via the media.

# 12 Entry into force of the contract

This contract shall enter into force as soon as the land owner and the line owner have signed it, and it will remain in force until the network structures have been decommissioned. The line owner is obliged to remove the overground parts of the line and to restore the area to a condition that is suitable for its previous method of use. Thus, the usufruct of the line area will be released back to the land owner.

# 13 Expiry of the contract

This contract shall expire if the construction has not been started or compensation paid within two (2) years of drawing up the contract. If the start of construction work is delayed for a specific reason not attributable to the line owner, the period of validity of the contract shall be extended by one (1) year.

# 14 Date and signatures

The contract has been drawn up in identical copies for all contracting parties, one for each party.

We accept the above contract and the attached documents:

 day month 20\_\_\_\_\_\_

# LAND OWNER LINE OWNER

**APPENDICES**

Calculation of compensation

Appendix map

Another appendix