Public Meeting Act

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Amended by the following Acts
Passing Publication Entry into force
25.02.1999 RT I 1999, 31, 01.01.2000 425
19.06.2002 RT I 2002, 61, 01.08.2002 375
19.06.2002 RT I 2002, 63, 01.09.2002 387
19.04.2006 RT I 2006, 21, 01.06.2006 159
17.05.2006 RT I 2006, 26, 01.08.2006 191
19.06.2008 RT I 2008, 35, 01.01.2009 213
15.06.2009 RT I 2009, 39, 24.07.2009 262
26.11.2009 RT I 2009, 62, 01.01.2010 405
20.05.2010 RT I 2010, 29, 20.06.2010 151
27.01.2011 RT I, 23.02.2011, 3

Chapter 1
GENERAL PROVISIONS

§ 1. Purpose of Act

On the basis of section 47 of the Constitution of the Republic of Estonia, the purpose of the Act is to:
1) ensure the right of people to assemble peacefully and to conduct meetings in accordance with people’s fundamental rights, freedoms and obligations, and with the principles of a democratic state based on the rule of law;
2) impose restrictions on the organisation and conduct of public meetings, which are necessary for safeguarding national security, maintaining public order, upholding public morality, ensuring the safety of traffic and the safety of participants in the meeting, or for preventing the spread of an infectious disease.

§ 11. Application of Administrative Procedure Act
The provisions of the Administrative Procedure Act apply to administrative proceedings prescribed in this Act, taking account of the specifications of this Act.
[RT I 2002, 61, 375 – entry into force 01.08.2002]

§ 2. Public meeting

For the purposes of this Act, a public meeting is deemed to be a meeting, demonstration, political rally, picket, religious event, parade or other demonstration organised in the open air in a square or a park, on a road or in a street or other public place.

§ 3. Prohibited public meeting

It is prohibited to organise a public meeting which:
1) is directed against the independence and sovereignty of the Republic of Estonia or at changing the current state regime by force;
2) incites a breach of the territorial integrity of the Republic of Estonia by force;
3) incites hatred, violence or discrimination due to nationality, race, colour, sex, language, origin, religion, sexual orientation, political views, or property or social status;
4) incites a breach of public order, or infringes public morality.

§ 4. Organisation of public meeting during emergency situation and state of emergency

Organisation of a public meeting during an emergency situation and during a state of emergency is regulated by the Emergency Act and by the State of Emergency Act.

Chapter 2
REQUIREMENTS FOR ORGANISING PUBLIC MEETING

§ 5. Place prohibited for conducting public meeting

It is prohibited to conduct a public meeting:
1) at a border crossing point and closer than 300 metres to the state border;
2) on the territory of a structural unit of the Defence Forces and closer than 50 metres to it;
[RT I 2008, 35, 213 – entry into force 01.01.2009]
3) on a bridge, track and in a mine;
4) under a high voltage power line;
5) in an infectious disease spread area;
6) in a naturally dangerous place or in other place dangerous for people.

§ 6. Organiser of public meeting and public meeting steward

(1) A public meeting may be organised by a natural person, a legal person, or an association which is
not a legal person.

(2) A natural person organising a public meeting is the organiser of the public meeting. If a public meeting is organised by a legal person or an association which is not a legal person, the aforementioned is required to designate the organiser of the public meeting.

(3) In order to conduct a public meeting, an organiser is required to designate a steward or stewards or perform the duties of a steward himself or herself.

(4) An organiser of a public meeting and a public meeting steward shall be an adult with active legal capacity:
1) who is an Estonian citizen, or
2) who holds a long-term resident’s residence permit, or who is an alien staying in Estonia on the basis of a permanent right of residence.

[RT I 2006, 26, 191 – entry into force 01.08.2006]

§ 7. Obligation to give prior notice

(1) An organiser of a public meeting shall present, concerning holding a public meeting which requires
1) re-arrangement of traffic;
2) setting up a tent, stage, stand or other large-scale structure; or
3) use of sound or lighting devices,
a notice specified in section 8 of this Act no later than four working days, but no sooner than three months, before the day of holding the meeting:
1) to the rural municipality or city government on the administrative territory of which the public meeting is intended to be organised;
2) to a county government if the public meeting is intended to be organised on the administrative territory of several rural municipalities or cities of that county;
3) to the Government of the Republic if the public meeting is intended to be organised on the administrative territory of several counties.

(2) Concerning a meeting not specified in subsection (1) of this section, an organiser shall present a notice specified in section 8 of this Act to the police through a means of communication or directly at least two hours before the beginning of the meeting.


§ 8. Public meeting notice

(1) A public meeting notice shall set out:
1) the type of the meeting (demonstration, political rally, picket, religious event, parade or other demonstration);
2) the objective of the meeting;
3) the predicted number of participants;
4) the place of gathering;
5) the route (if any);
6) the place where the meeting will be conducted;
7) the date and time of the beginning and end;
8) the organiser’s given name and surname, year of birth, citizenship and place of residence in Estonia;
9) if the organiser is a legal person or an association which is not a legal person, also the name and address thereof;
10) information about sound and lighting devices used at the meeting;
10¹) information if a tent, stage, stand or other large-scale structure will be set up for holding the meeting;
11) confirmation that the organiser of the meeting is aware of the requirements arising from this Act;
12) a phone and fax number (if any) to communicate with the organiser.

(2) A public meeting notice shall be signed by the organiser.

(3) An organiser shall attach to a public meeting notice a traffic plan approved by the police if it is necessary to re-arrange traffic for conducting the public meeting. If a public meeting is intended to be organised on the administrative territory of several rural municipalities or cities of a county, a traffic plan shall also be submitted to the county government for approval.

(4) An organiser shall personally hand over a notice together with its annex to the official authorised for such purpose by the head of a governmental authority or by the head of an authority of a rural municipality or city government, at the same time presenting an identity document and a document proving that he or she is an Estonian citizen or holds an Estonian long-term resident’s residence permit or a permanent right of residence in Estonia.
[RT I 2006, 26, 191 – entry into force 01.08.2006]

(5) If a public meeting notice has been presented according to the requirements provided for in subsection 6 (4) of this Act and in subsections (1) through (4) of this section, the official of the governmental authority or of the rural municipality or city government shall accept the notice and immediately issue to the organiser a notice concerning registration of the public meeting notice.

(6) If a public meeting notice has not been presented according to the requirements provided for in subsection 6 (4) of this Act and in subsections (1) through (4) of this section, or if another meeting has been previously registered for the same time and the same place or the same route, the official of the governmental authority or of the rural municipality or city government has the right not to register the notice. The official shall immediately issue to the organiser a notice to that effect. Conducting a public meeting is prohibited if the public meeting notice has not been registered.

(7) The minister of the Interior, the Director General of the Police and Border Guard Board or a prefect may, by a decision, based on the need to ensure what has been provided for in section 3 or 5 of this Act, and if it is unavoidable:
[RT I 2009, 62, 405 – entry into force 01.01.2010]
1) prohibit a public meeting, or
2) prohibit a public meeting at the place or time set out in the notice, and make a proposal for organising the public meeting at another place or at another time.
A decision specified in subsection (7) of this section shall be announced to the organiser of the meeting against signature. If announcement against signature is not possible, the decision shall be announced to the organiser of the meeting by publication in a national newspaper within three days as of the registration of the notice.


(8) [Repealed – RT I 2002, 61, 375 – entry into force 01.08.2002]

§ 9. Notifying the police, medical institution and rescue service agency

An official authorised by the head of a governmental authority and of a local government authority is required to notify the relevant prefect, medical institution and rescue service agency of the time and place of conducting a meeting and of the route within one day as of the receipt of the public meeting notice.

[RT I 2010, 29, 151 – entry into force 20.06.2010]

§ 10. Record of public meeting notices

(1) A governmental authority and a local government authority shall register public meeting notices. The record of notices shall include the following information:
   1) the date of receipt of a notice and the notice registration number;
   2) the given name and surname, year of birth, citizenship and place of residence in Estonia of the organiser of the meeting;
   3) the name and address of the legal person or an association which is not a legal person organising the meeting;
   4) the type of the meeting;
   5) the objective of the meeting;
   6) the predicted number of participants;
   7) the place of gathering;
   8) the place where the meeting will be conducted;
   9) the route;
   9¹) information about sound and lighting devices used at the meeting;
   9²) information if a tent, stage, stand or other large-scale structure will be set up for holding the meeting;
   10) the date and time of the beginning and end;
   11) the approvals for ensuring the safety of the participants in the meeting.

(2) Information about the record of public meeting notices is public.

Chapter 3

REQUIREMENTS FOR CONDUCTING PUBLIC MEETING
§ 11. Obligations of organiser of public meeting

(1) An organiser of a public meeting is required to:
1) attend the meeting and ensure the peaceful conduct of the meeting;
2) ensure the safety of the participants in the meeting, and if necessary, cordon the dangerous places off by barriers;
3) abide by health protection requirements;
4) caution people who are breaching order;
5) stop a speaker if he or she is making statements directing the meeting toward activities prohibited by section 3 of this Act;
6) comply with orders given by the police and officials of a medical institution and a rescue service agency.

[RT I 2010, 29, 151 – entry into force 20.06.2010]

(2) An organiser is required to end a meeting prematurely if his or her caution is not complied with, and if:
1) the meeting is being directed toward activities prohibited by section 3 of this Act;
2) the meeting is becoming violent and is endangering public order or the life or health of people.

§ 12. Obligations of public meeting steward

A steward is required to meet the following requirements for conducting a public meeting:
1) to be present at the place where the public meeting is conducted;
2) to make to an attending police officer a proposal for removing from the meeting persons disregarding his or her orders;
3) to comply with orders given by the police and officials of a medical institution and a rescue service agency;

[RT I 2010, 29, 151 – entry into force 20.06.2010]
4) to wear a clearly visible badge with the word “KORRAPIDAJA” (steward).

§ 13. Obligations of participants in public meeting

Participants in a public meeting are required to:
1) behave peacefully at the meeting;
2) comply with orders given by the organiser of the meeting, a steward, police officers, rescue servants and medical staff.


§ 14. Police supervision over public meeting

(1) A police officer has the right to remove from a meeting persons who are breaching public order or with respect to whom there is reason to believe that they might be preparing for or commit a criminal offence.

(2) A police officer has the right to end a meeting if:
1) the activities at the meeting are prohibited pursuant to section 3 of this Act and the organiser of the
meeting fails to end the meeting by the police officer’s order;
2) the public meeting is taking place at a prohibited place, or if conducting the meeting is prohibited pursuant to subsections 8 (6) and (7) of this Act.

§ 14¹. Time-limit for reviewing complaint

Complaints concerning non-registration of a public meeting notice or concerning prohibition on conducting a public meeting shall be reviewed by an administrative court by way of simplified proceedings on the day of submission of the complaint or on the working day following the submission thereof.
[RT I, 23.02.2011, 3 – entry into force 01.01.2012]

Chapter 3¹
LIABILITY
[RT I 2002, 63, 387 – entry into force 01.09.2002]

§ 14². Violation of requirements for conducting public meeting
[RT I 2002, 63, 387 – entry into force 01.09.2002]

(1) Conducting a public meeting by disregarding the set requirements, or conducting a public meeting which is prohibited by law or a reasoned decision – is punishable by a fine of up to 200 fine units.

(2) The provisions of the General Part of the Penal Code and of the Code of Misdemeanour Procedure apply to the misdemeanours provided for in this section.
[RT I 2002, 63, 387 – entry into force 01.09.2002]

(3) The body conducting extra-judicial proceedings pertaining to the misdemeanours provided for in this section is a police authority.
[RT I 2009, 62, 405 – entry into force 01.01.2010]

Chapter 4
FINAL PROVISIONS

§ 15. – § 18. [Omitted from this text.]