Abstract
This report is from a study on permits for hydro power in Norway, narrated from the perspective of a Swedish legal scholar. The main focus is on the possibilities to update and amend granted permits, in order to adapt them to new and developing conditions in the environment and changes in the values of society. The author concludes that even though the applicable regulation is quite similar to the Swedish Environmental Code, differences between the two legal systems have a major impact. One such difference is that the Norwegian system for decision-making and appeal lies, in its entirety, within the administration – at least in practical terms – whereas the Swedish system is court-based. Another is that whereas provisions on compensation play a decisive role in determining the possibilities to update permits according to the Swedish Environmental Code, no such rights exist in Norway despite similarities in circumstances. The report concludes with some recommendations on how to construe environmental law so as to allow for permits to be adaptable to changes in the environment and social values, while still respecting the permit holder’s legitimate expectations to legal certainty.

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Så nära, och ändå så långt bort! En svensk betraktelse av norsk vattenrätt och frågan om tillstånds rättskraft

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