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Finland
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FINLAND
RECENT DEVELOPMENT IN ENVIRONMENTAL LAW
2008/2009

(some current issues, not complete list)

Environmental protection

Proposal of the government (HE 228/2008) on implementing the directive 2004/35/EC on environmental liability with regard to the prevention and remedying of environmental damage was finally given to the parliament. The proposal includes new Act on "environmental liability with regard to the prevention and remedying of environmental damage", and changes to Nature Conservation Act, Water Act and Environmental Protection Act.

Water

Draft for the proposal of the government on new Water Act was published in 29 January 2009. The Water Act (264/1961) in force is relatively old and it based on different kind of circumstances. The new Act is not revolutionary and it based on the old. There has been relatively lively discussion on the fundamental permitting rules of the Act. The draft does not include debatable section that would give government special exception permit. The former draft included this kind of rule, so called Vuotos rule. Name - Vuotos - comes from large marsh area in Lapland. There has been plan to reform this Vuotos area to huge artificial lake which would be needed for hydro power purposes. Large parts of Vuotos (Kemihäärän suot) are Natura 2000 areas.

Waste

Revise of current Waste Act (1072/1993) begun in 2008, dead line for the working group is May 2010 and dead line for new will be according to directive December 2010.

Land use planning

The amendment (1129/2008) of Land Use Planning and Building Act (132/1999) which includes "leave to appeal" system concerning local plans came into force 1 January 2009. In practice the change is not that substantial, but from principal point of view it is significant, because it "breaks" the tradition that in planning issues appeal up to the Supreme Administrative Court is open for all cases.

Energy

Act (1005/2008) on implementing EuP directive (2005/32/EC establishing a framework for the setting of ecodesign requirements for energy-using products etc.) came into force 1 January 2009.

Mining

Draft for the proposal of the government on new Mining Act was published in 8 October 2008. The Ministry of Employment and the Economy got about 100 opinions on this proposal from all field of administration, courts, organisation (trade, environment, etc.) and even private persons. This illustrates the discussion related to mining issues Finland. The new act is really important matter. One of the reasons for discussion is large areas that mining companies reserved for uranium research purposes according to Mining Act (503/1965) in force.