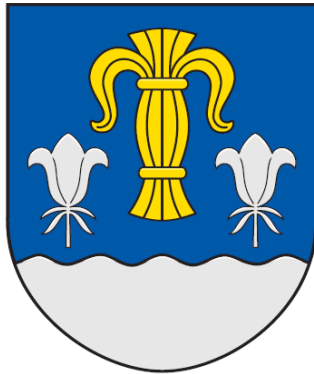


Administrative sanctions - orders and execution measures - in case of environmental infringements

The Finnish concept



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AEAJ workshop
Riga 7.-8.9.2017

System in case of infringement

- Administrative
 - 1. informal: guidance, orders
 - 2. formal: decision of adm. compulsion (+ right to appellation on adm. courts path) – also ELD process
 - Cases of severe risk: immediate act of authority
 - Less severe cases: order + penalty payment
- Criminal
 - Police investigation > prosecutor > district court (+ appellation on general courts path)
- Civil: damages
 - Mainly district court
 - Non-criminal basis & water concerned > administrative path

Regulation

- acts, government decrees: provisions of proceedings in case of infringements
 - Environmental Protection Act 2014
 - Water Act 2011
 - Nature Protection Act 1996
 - General adm acts
- administrative guidance on surveillance
 - Ministry of Environment 9/2014, 2/2016
 - detailed guidance of proceedings for adm authorities

Actual trends

- Recent years 2 (conflicting?) different trends affecting environmental legislation
- A general political trend: to make the permit system more simple and easier in favour of companies and their business
- More strict regulation and ministry guidance on how to act in case of infringements
 - One order > if not obeyd > adm compulsion