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## **Act on Environmental Permit Authorities**

By decision of Parliament, the following is decreed:

### **Chapter 1**

#### **General provisions**

##### **Section 1**

###### **Sector and status**

The environmental permit authorities are regional permit authorities under the Water Act (264/1961) and the Environmental Protection Act (86/2000).

The environmental permit authorities fall within the administrative sector of the Ministry of the Environment. The Ministry of the Environment develops the operations of the environmental permit authorities in cooperation with the Ministry of Justice. Further provisions on this cooperation will be issued by decree.

The number, operating areas, names and locations of the environmental permit authorities will be laid down by Government Decision.

##### **Section 2**

## **Sphere of competence**

The environmental permit authorities handle matters which fall within their sphere of competence by virtue of:

- 1) the Water Act;
- 2) the Environmental Protection Act;
- 3) the Fishing Act (286/1982), the Act on Prevention of Marine Pollution (1415/1994), the Act on ratification of certain clauses of the agreement with the Soviet Union on the release of water of Lake Saimaa and River Vuoksi and on application of the agreement (1331/1991) and the Dam Safety Act (413/1984); or
- 4) other legislation.

## **Chapter 2**

### **Staff**

### **Section 3**

#### **Offices and officeholders**

Each environmental permit authority has the official post of Director, who acts as head of the authority, and official posts of environmental counsellor and presenting official (?).

Meetings of the environmental permit authority are chaired by the Director or an environmental counsellor. The Director is in charge of the management and effectiveness of the environmental permit authority in accordance with further provisions to be issued by decree.

An environmental permit authority may also have part-time environmental counsellors or presenting officials appointed for a fixed term if this is made necessary by the number or nature of the matters to be handled by the environmental permit authority, or if other special cause exists.

Environmental counsellors and presenting officials may, with their own consent, be appointed to similar positions with another environmental permit authority if such appointment can be considered justified in view of the scale of some matter, or if other special cause exists. Decisions concerning such appointments are made by the Directors of the environmental permit authorities concerned and, if necessary, the Ministry of the Environment.

An environmental permit authority may also have other officials and other contracted employees.

#### **Section 4**

##### **Qualifications**

The Director and any environmental counsellors chairing meetings must have the degree of Master of Laws and be familiar with the functions falling within the sphere of an environmental permit authority. A Director is also required to have demonstrated management skills and experience in practice.

An environmental counsellor must have a higher academic degree and be familiar with the functions falling within the sphere of an environmental permit authority.

A presenting official must have the degree of a Master of Laws or another suitable higher academic degree.

Any part-time environmental counsellor or presenting official appointed to a fixed-term post must have the same qualifications as for a permanent appointment.

## **Section 5**

### **Appointment**

The Director and any environmental counsellors chairing meetings are appointed by the Government on the recommendation of the Ministry of Justice. The Ministry of Justice must consult the Ministry of the Environment before submitting the matter to the Government.

Environmental counsellors are appointed by the Government on the submission of the Ministry of the Environment. In the case of a fixed-term part-time official post, an environmental counsellor is appointed by the environmental permit authority.

Presenting officials are appointed by the environmental permit authority.

## **Chapter 3**

### **Handling of matters (?Procedures?)**

## **Section 6**

### **Departments**

An environmental permit authority may be divided into departments, in accordance with more detailed provisions in the authority's standing orders.

## **Section 7**

### **Decision-making at meetings**

Matters falling within the sphere of the environmental permit authority are resolved following their submission at a meeting. Matters may also be submitted by an environmental counsellor.

## **Section 8**

### **Quorum**

Three members of a meeting of an environmental permit authority constitute a quorum, unless otherwise provided in this Act or other legislation. The majority of the members must be full-time **(?officials?)**.

The composition of the meeting must represent the expertise in technology, ecology, water management and environmental protection needed to handle the matters under consideration.

The chairman may decide on a matter if examination of the claims **(?requests? applications?)** made does not fall within the sphere of competence of the environmental permit authority or if all the claims **(?)** have been withdrawn. The chairman may also decide that witnesses must be heard or that a survey or inspection should be carried out, or that another corresponding measure related to preparation of the matter should be taken.

## **Section 9**

### **Voting**

If the members participating in the decision-making are not unanimous, the matter must be decided by a vote. The vote is resolved by the view of the majority. In the event of a tie, the chairman has the casting vote. In other respects, voting is governed by the provisions of the Administrative Judicial Procedure Act (586/1996).

## **Section 10**

### **Enlarged composition**

The Director or the chairman of the meeting may decide that a matter should be handled by an enlarged composition if, due to the nature of the matter or for some other justified cause, resolution of the matter calls for a larger composition than that provided for in section 8, paragraph 1. A decision to have a matter handled by an enlarged composition may be made before or during the handling of the matter. If handling of a matter in an enlarged composition is ordered, the relevant persons must at the same time be required to participate in the handling.

## **Section 11**

### **Deputy members**

If an environmental counsellor chairing a meeting or another environmental counsellor is temporarily prevented from performing his duties or is on annual leave, the Director of the environmental permit authority may order a presenting official with the qualifications required

for the work of an environmental counsellor to act as a deputy member when a meeting of the environmental permit authority is convened.

## **Section 12**

### **Decisions on other matters**

A presenting official or other official is responsible for measures of a preparatory nature other than those referred to in section 8, paragraph 1.

Further provisions on decisions concerning matters related to the administration of the environmental permit authority will be issued by decree.

## **Chapter 4**

### **Miscellaneous provisions**

## **Section 13**

### **Further provisions and regulations**

Further provisions on the implementation of this Act will be issued by decree.

Further provisions on the handling of matters and on organizing the activities of the environmental permit authority will be issued in standing orders, which will be confirmed by the Director.

## **Section 14**

### **Entry into force**



Provisions on the entry into force of this Act will be issued by a separate act.

Helsinki, February 4, 2000

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President of the Republic  
Martti Ahtisaari

Minister of the Environment  
Satu Hassi