



AI2508 Compulsory Purchase and Compensation 7.5 credits

Markåtkomst och ersättning

This is a translation of the Swedish, legally binding, course syllabus.

Establishment

Course syllabus for AI2508 valid from Autumn 2010

Grading scale

A, B, C, D, E, FX, F

Education cycle

Second cycle

Main field of study

The Built Environment

Specific prerequisites

For single course students:

University studies of at least 120 credits (hp) in law, real estate planning or real estate development and documented proficiency in Swedish B and English B or equivalent.

For KTH programme students:

Planning, Building and Environmental Law (AI1501) and Land Law (AI1506) or equivalent knowledge

Language of instruction

The language of instruction is specified in the course offering information in the course catalogue.

Intended learning outcomes

The overall aim of the course is to give deeper understanding of rules for the permission process as well as which compensation that should be paid when compulsory purchase or other limitation of dispositions of land and real property is realised. At the end of the course the students are expected to be able to:

- explain and expound why compulsory purchase can be legitimised
- describe the contents of and in what situations different types of law shall be used
- explain different value concepts for real property and the relation between them
- describe and compare the legislation's different compensation principles
- apply different compensation rules and principles and calculate the compensation in practical cases

Course contents

The course deals with legal frameworks that give public institutions, and sometimes also private people, the right to acquire land through compulsory purchase in different situations. The following main aspects will be dealt with in the course.

- Fundamental motives to permit compulsory purchase. Different situations where compulsory purchase can be realised. Effects if compulsory purchase should not be possible. Compensation rules from economic and legal points of view. Value concepts and their relevance in cases of compensation. Benefit apportionment versus compensation for damage.
- Principles for the permission process; judicial or administrative handling of the permission process, material conditions for compulsory purchase, taking possession. Applicable legislation in different situations. Permission process in different systems of regulation.
- Compensation rules in the Expropriation Act, Planning and Building Act, cadastral legislation, environmental and nature conservation legislation. Analysis of legal cases, practice, negotiation solutions and voluntary standards.
- Valuation problems in different compensation situations. Methods for estimation of compensation for encroachment and compulsory purchase.

Course literature

Sjödín, E., Ekbäck, P., Kalbro, T. & Norell, L. **Markåtkomst och ersåttning** (Norstedts juridik, latest edition).

Other literature will be announced at the beginning of the course.

Examination

- ÖVN1 - Exercises, 3.0 credits, grading scale: P, F
- TENA - Examination, 4.5 credits, grading scale: A, B, C, D, E, FX, F

Based on recommendation from KTH's coordinator for disabilities, the examiner will decide how to adapt an examination for students with documented disability.

The examiner may apply another examination format when re-examining individual students.

If the course is discontinued, students may request to be examined during the following two academic years.

Other requirements for final grade

Requirements for final grade:

Written examination and exercise.

Final grade is based on the examination result.

Ethical approach

- All members of a group are responsible for the group's work.
- In any assessment, every student shall honestly disclose any help received and sources used.
- In an oral assessment, every student shall be able to present and answer questions about the entire assignment and solution.