DET JURIDISKE FAKULTET
UNIVERSITETET I BERGEN

NOTAT

til

Fakultetsstyret

Jnr. Arkiv	Sak nr. 11/14 Styremøte 04.02.14

FORSLAG OM NYTT SPESIALEMNE: JUS271-2-B COMPARATIVE ENERGY LAW – RENEWABLE ENERGY AND ENERGY MARKET.

Professor Ernst Nordtveit har satt fram forslag om å opprette et nytt spesialemne innen energirett: JUS271-2-B Comparative Energy law – Renewable energy and energy market.

Studieutvalget behandlet forslaget i sitt møte den 21. januar. Forslaget var så sent innkommet at utvalget foretrakk å behandle det på sirkulasjon, og man ba Nordtveit om å utforme nye læringsmål bedre i overensstemmelse med de nye retningslinjene – ref. Nasjonalt Kvalifikasjonsrammeverk.

Nordtveit leverte nytt forslag, det har vært på sirkulasjon i SU, som har fattet slikt vedtak:

> Studieutvalget innstiller overfor fakultetsstyret på at spesialemnet JUS271-2-B Comparative Energy Law - Renewable energy and energy market opprettes fra og med høsten 2014.

Vedlagt saken her fins søknad/begrunnelse og emnemal.

Emnet antas å representere et verdifullt tilskudd i vårt tilbud til innreisende utvekslingsstudenter. Også for våre egne studenter vil emnet være et godt tilbud.

De siste fire årene har JUS271-2-A hatt til sammen 149 kandidater møtt til eksamen – vel 37 kandidater pr år i snitt gjør dette til et middels stort spesialemne.

I samsvar med det framlagte forslaget inviterer dekan og fakultetsdirektør fakultetsstyret til å gjøre slikt

Vedtak:

Spesialemnet JUS271-2-B Comparative Energy law – Renewable energy and energy market opprettes med virkning fra høstsemesteret 2014

Asbjørn Strandbakken
Dekan

Fakultetsdirektør

Søknad om opprettelse av nytt spesialemne, mottatt fra professor Ernst Nordtveit 20. januar 2014:

Studieutvalet,

Eg er ansvarleg for kurset JUS 271- Energy law. Det har blitt undervist saman med Tina Hunter som nå er ved University of Queensland. Kurset har dekka både petroleumsrett og energirett meir genrelt, marknadsorgansiering, transport, distribusjon, konkurranse etc. Vi har ei god stund diskutert å dela faget i to fordi det blir for stort for eit 10 studiepoengs fag, noko som fører til at det blir noko for oversiktsprega fag. Også av praktiske grunnar ved at Tina Hunter etter at ho flytta frå Bond University til University of Queensland, ikkje kan undervisa i haustsemesteret, har vi teke dette opp nå.

Framlegget er å dela Energy law (som er eit svært populært kurs med rundt 60 studentar) i to og ta produksjon av fornybar energi, klimaaspektet og energimarknadsretten i haustsemesteret og petroleumsrett i vårsemesteret. Det er også slik at desse faga trass i den indre samanhengen godt kan studerast separat og det kan tenkjast at nokre studentar er interesserte i det eine og ikkje det andre. Det sentrale er at vi vil finna det mest fagleg tilfredsstillande å kunne gå djupare inn i dei to hoveddelane av faget på den måten. Begge faga er viktige for både Noreg og andre land og emna vil appellera sterkt også til internasjonale studentar. (Vi har likevel ein stadig større del av norske studentar på kurset).

Eg fremjar nå berre framlegg om det kurset som er tenkt å gå til hausten 2014. Det vil koma framlegg om den andre delen av kurset slik at det kan starta opp våren 2015. Ein grunn til at det ikkje blir lagt fram nå er at ein ynskjer å sjå det i samanheng med eit meir omfattande arbeid med å etablera eit studietilbod i havrett og marin rett som også vil omfatta offshore petroleumsrett som kan gå i vårsemesteret. Dette er det fleire lærarar som er involverte i og ein vil koma attende til dette seinare.

Dersom det er noko som manglar i framlegget bed eg om at ein tek kontakt, slik at det kan rettast opp.

Med venleg helsing

Ernst Nordtveit

Template for decisions on the establishment of JUS271-2-B Comparative Energy law – Renewable energy and energy market

Symbols
*** to be included in Studieplanen**
**** to be formulated appropriately in order for the texts to be suitable for publication on the course homepage**

Subject	
Course title	
Code	JUS271-2-B
Course title – bokmål*	Comparative Energy law – Renewable energy and energy market
Course title – nynorsk*	Comparative Energy law – Renewable energy and energy market
Course title – english*	Comparative Energy law – Renewable energy and energy market
Number of credits*	10
Level (BA or MA)	MA
Course leader*	Ernst Nordtveit
Subject lecturer(s)*	Ernst Nordtveit
Contact person in the Administration (can be changed by the Admin. without a new decision)	
Combines successfully with	Petroleum law, Economic analysis of law, Competition law, Complex contract law,
For courses in the law programme:	
- Course content**	Goals and content: The course will provide the students with knowledge on the rules governing production of energy from non-fossil sources (hydro, wind, waves, solar, geo and nuclear) and transportation and marketing of energy. The course will have an international and comparative perspective with emphasis on the regulation in Scandinavia, EU, USA and Australia. The regulation of petroleum production will not be covered in this course. Energy law is an important discipline as energy production and distribution is pivotal to the functioning of the society and economic and social development. All major countries have in the last decades reformed their energy legislation according to new policy. A development from public or semi-public producers and distributors of energy with legal monopolies to privatization and market-organisation has taken place in most countries the last decades. The course will give insight in basic principles for resource management, the relation between public interest and business and modern market instruments. Energy law is also at the very centre of environmental law and the question of sustainable development. The World is facing a great challenge in producing enough energy in a manner that does not lead to global warming and climate change. The course concentrates on alternatives to fossil fuel and on the systems for effective distribution and use of energy. The course will concentrate on basic principles and regulation systems. Central themes are: • Concession systems for energy production • Safety regulation • EU-directives for Natural gas market and Electricity market analysed and compared with parallel regulation other countries. • The legal instruments for opening of the energy market for competition through access to transport systems and

	competition regulation • The dominating legal models and for organisation of energy markets (oil, natural gas and electricity) • Environmental aspects of energy production and distribution. Impact of climate regulation and establishment of a carbon market on energy marketing.
- Learning outcome**	The students shall at the end of the course have obtained knowledge on • The fundamental problems, concepts and principles of energy law • Have good knowledge and understanding of the regulatory systems for electricity production, from renewable resources, such as concession regulation, access to energy resources, safety regulation and environmental regulation. • Know the regulation of transport and market access for energy, such as third party access to transportation systems, unbundling, system operators role. • Know the organization and regulation of markets for oil, natural gas and electricity • Understand the relation between energy regulation and the carbon market and climate regulation • Identify and solve legal problems in energy production, distribution and marketing
- Literature**	A compendium of articles and book chapters and a collection of legal sources for studying and use during exam
Teaching:	
- teaching semester (autumn/spring)*	Autumn
- teaching methods*	Lectures
- teaching language*	English
- compulsory elements*	During the course the students shall write a final paper of maximum 2000 words on a subject chosen by the student. The paper counts for 50% of the final mark while the four hours exam count for 50%.
Admission/admittance regulation:	
- general admittance requirements*	Bachelor in law or equivalent (three years of legal studies)
- course admission*	Direct application (first come first served)
- capacity of course participant	60
- private candidate admittance*	Yes
Exam:	
- examination semester (Autumn/Spring)*	Autumn/Spring
- type of examination * o semester with teaching o semester without teaching	 Written school exam (50 %)m paper 50 % Written school exam (50 %), paper 50 %
- duration of exam*	4 hours
- examination language* - the exam question - the answer	 English English
- grade system*	Graded scale with 5 levels from A to E for passes and F for fail, see Section 3-1 no. 2, first sentence of *Studieplanen for masterstudiet I rettsvitenskap ved UiB*.
Remedies permitted in addition to § 3-6	Material collection sold through Studia
Basic admission requirements	

(including language requirements):	
- compulsory*	Good level of English
- recommended*	Three years of legal studies
Academic overlap with other courses*	None
Evaluation*	
Contact information* - Department/Institute/ Faculty	Contact person in the Administration: Department: **The Faculty of Law** Visiting address: Magnus Lagabøtes plass 1 Office hours: 09.00 – 14.00. Postal address: Postboks 7806 Post number and city: 5020 BERGEN Phone: + 47 55 58 95 00 Fax: + 47 55 58 95 10 E-mail: http://www.uib.no/en/jur Web: http://www.jur.uib.no/
Target group(s)	Foreign students and Norwegian master level students
The need for adjustment with regard to the target groups	None
Financing of the course	Ordinary, internal
Resources	
- course leader	Internal professor
- teaching resources	16 hours
- administrative resources	Ordinary internal
Relevance of the course	Energy law is an important area for economic and social development of any society and in relation to climate change and sustainable development. The regulation of the energy market is pivotal in order to secure effective use of energy resources, avoid climate change and in order to secure a sustainable development. Energy law is an example on deregulation and reregulation and use of market governance in development of the society. The students will get insight in the relation between public interests and hard core business market systems.