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Annex I.a: FINAL REPORT BY THE EXPERT¹

Part of the report is also the information sheet on the advice case to be compiled by the advised entity to be submitted to the Association of European Border Regions (AEBR) attached to the report.

Advice case title: Perceived border obstacles linked to wood construction

Full official name of the advised entity: The Svinesund Committee

Name of the expert contracted for the advice case: Kjell Nilsson

Date: 2021-03-31 (final report)

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I. Description of the legal or administrative obstacle in the specific context

The Svinesund Committee (SC), which is one out of twelve cross-border cooperation committees in the Nordic Region, is a political collaboration between seven Swedish and seven Norwegian municipalities and the regions of Viken and Västra Götaland. The purpose of the collaboration is to create new opportunities for business, jobs and regional development between the two countries. SC operates on behalf of its members and the Nordic Council of Ministers with the following prioritized areas: Green growth, blue growth, tourism, public transport and cross-border obstacles.

More wood in construction welcome but increased competition needed

Under the theme Green growth, SC has been particularly committed to increasing the use of wood in the construction sector, partly because wood is an environmentally friendly and climatically neutral building material, and partly because both Norway and Sweden have fine traditions in wood construction. Wood construction is primarily dominant in the single-family house market, where it accounts for between 80 and 90 per cent of the market in the two countries, but there is also great interest in increased use of wood in multi-family house construction. The Nordic Council of Ministers has also prioritized wood as a sustainable future building material, among other things through the project Wood in Construction, initiated by the Swedish presidency in 2018².

¹ AEBR and the European Commission have the right to utilise the information submitted, as well as to publish its content and to include it in derivative works.

² <https://woodinconstruction.net/>



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In the Interreg-project *Green growth wood – rethinking wood* the Svinesund Committee has described perceived border obstacles linked to wood construction and highlighted opportunities for companies along the Swedish-Norwegian border to work with wood constructions on both sides of the border. The construction industry, as well as the forest and wood industry, are important business sectors in the whole EU and a reduction of border obstacles would provide opportunities for small and medium sized companies to work across national borders, which would increase competition and hopefully push down prices in an industry that is characterised by negative productivity, i.e. construction costs have increased faster than the cost price index. According to a Swedish study, it is estimated that 1.3 per cent of the average production cost for a new home can be attributed to national differences in building regulations, the majority of which are indirect costs due to little competition (Gustafsson 2012).

Different building regulations a serious obstacle

The report *Upplevda gränshinder kopplade till träbyggnation – Sverige och Norge*³ (Perceived border barriers linked to wooden construction - Sweden and Norway, Daisley 2020), based on qualitative interviews with company leaders and other representatives of wood and construction related companies, gives an overview of areas that can hamper the development of the construction industry across the border. The most obvious, which also has been identified as a prioritised thematic area by the Nordic Council of Ministers' *Gränshinderrådet*⁴ (The Freedom of Movement Council, FMC), is that the Nordic countries have different building regulations and that requirements for constructions and construction products differ between the countries. Swedish entrepreneurs who want to submit tenders in Norway may find it difficult to find out which rules apply in Norway, and sometimes even a fee is charged for getting access to national adaptation documents. The problem is extensive and includes everything from planning and building regulations via rules for plumbing, electrical installations, accessibility, fire and noise protection to classification and certification. The rules may also have different legal status and be interpreted differently by the authorities in the two countries.

Seen from an international perspective, the issue of common guidelines for wooden construction in the Nordic Region is a unique opportunity. Experience and knowledge of building under harsh climatic conditions has been built up over a long period of time. The stricter requirements for, among other things, insulation and strength may therefore be a competitive advantage for Nordic companies in a future where long-term sustainability, energy efficiency and stability are becoming increasingly important, just as stricter safety and environmental requirements have led to increased competitiveness for the Scandinavian automotive industry.

Mobility prioritised in the most integrated region in the world

Differences in building regulations is an example of formal obstacles to increased integration. Oslo Economics (2020) states in a report prepared on behalf of the Norwegian Embassy in Stockholm and Innovation Norway that much of the potential has already been exploited. However, even though many companies consider the entire border region as a common market and many companies operate on both sides of the border, there is still an unutilized potential and opportunities for further integration and efficiency. Many of the companies that today work on both sides of the border have organized themselves so that they carry out the operations in Norway and Sweden as silos separated from each other.

³ https://svinesundskommitten.com/granshinder/wp-content/uploads/sites/5/2020/06/upplevda_granshinder_trabyggnation_uppslag.pdf

⁴ <https://Norden.diva-portal.org/smash/get/diva2:1478808/FULLTEXT01.pdf>



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The Nordic prime ministers have jointly adopted a vision that by 2030 the Nordic Region will be the world's most sustainable and integrated region. To realize the vision, three strategic priorities have been identified: a green Nordic Region, a competitive Nordic Region and a socially sustainable Nordic Region. The associated action plan for the years 2021-2024 is a central theme to promote mobility in the Nordic Region, and this work also includes efforts to ensure that the Nordic countries' educational and professional qualifications are valid throughout the whole region as far as possible.

The construction sector is one of the industries where there are border barriers in the form of requirements for certificates or similar verifications that a person has sufficient competence to perform a certain job. Rambøll (2020) has recently carried out a review commissioned by the Nordic Council of Ministers and identified the following possible barriers that affect the construction sector: work with hot materials (e.g. welding), requirements for professional certificates for construction work, electricity and road work, and requirements for various forms of identity cards. Common to all of these is that the problem is not perceived as particularly large because the requirements are quite similar and that certificates issued in one Nordic country are usually accepted in another, neighbouring country.

Informal, administrative and mental barriers

Daisley (2020) also points to other problems than formal rules and regulations that the fourteen interviewees have experienced working on the other side of the border. She talks here about (i) informal obstacles, i.e. border barriers due to lack of or inaccessible information; (ii) administrative barriers, i.e. border barriers due to public authorities interpreting regulations differently or having routines that make it difficult for making business or work across borders, and (iii) mental barriers, i.e. border barriers due to lack of networks and differences in work culture. One experience, for example, is that the building permission process is more complicated and requires more documentation in Norway than in Sweden. Denmark, on the contrary, has introduced a new certification system which means that certain parts of the building permit process' examination of a building's technical property requirements are moved from the municipality to certified consultants (Iveroth 2016).

In general, many companies lack knowledge of the rules that apply to sending building materials, work machines, tools and personnel across the border. Producers of timber experienced problems with customs administration due to cumbersome export and import procedures, but that problem could be solved thanks to improved information from the Swedish Customs (Daisley 2021). However, the problem of increased transport costs for Swedish companies remained because goods transport from Sweden to Norway must pass a manned customs station, unless it involves a significant detour, which the Norwegian Customs interprets as 100 kilometers. Other examples of difficulties mentioned in the interviews were problems with financing due to what was perceived as watertight gaps between Swedish and Norwegian banks and different routines at the municipal authorities regarding the level of detail in the contacts during the building process.

Jonas Fred Hell, who is co-owner of the construction company Fridh & Hell's Bygg in Bengtsfors in western Sweden, points in addition to material transports to problems with personnel and machines. For staff who live in Sweden and perform work in Norway, the 6-month rule applies, which means that for longer projects, you must either replace the staff after six months or hire workers who live in Norway. Another problem concerns machines with a value in excess of NOK 25,000 for which VAT must be deposited if they are to be used in Norway. However, according to a recent report from SC (Daisley 2021), from 2017 Swedish companies can import machines into Norway without depositing VAT if they are registered with the Norwegian tax authority as NUF (*Norskregistreret utenlandsk foretak*, Norwegian-registered foreign company).



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II. Indication of the legal dispositions causing the obstacle

The current border obstacle is primarily caused by the differences that exist in the building regulations that are linked to planning and building legislation in Norway (LOV-2008-06-27-71)⁵ and Sweden (PBL 2010:900)⁶, respectively. The following description of the legislation of the two countries in this area is a summary of recent comparative analyses, such as *Bedre samordning mellom plan- og bygningsloven og sektorlovgivningen* (Better coordination between the Planning and Building Act and the sector legislation, Stokstad et al. 2020), *En granskning av Norges planeringssystem* (An examination of Norway's planning system, Fredricsson & Smas 2013), and *Nationellt inflytande i den fysiska planeringen* (National influence in spatial planning, Lidmo, Huynh & Stjernberg 2020) as well as information available at the two national agencies' (*Direktoratet for byggkvalitet* in Norway and *Boverket*, The National Board of Housing, Building and Planning in Sweden) homepages.

Norway

In Norway, spatial planning is conducted on three levels (state, regional, municipal). In Norway, spatial planning at local level is mainly steered by legally binding municipal plans (*kommuneplan*) and by the planning strategy (*kommunal planstrategi*), which defines planning priorities. Regarding, detailed development planning Norway has two types of plans (chapter 12): area (zoning) plans (*områderegulering*) and detailed zoning plans (*detaljregulering*), both of which are legally binding. Further, the national level can influence spatial planning at local level, due to the right to make objections on both municipal and detailed development plans. Regulations on building matters (SAK10)⁷ supplement the Planning and Building Act's rules on building case processing, quality assurance and control, on supervision, on approval of enterprises for liability and on reactions where the rules have not been followed.

Technical regulations for building and construction are found in *Byggteknisk forskrift med veiledning*⁸ (Building regulations with guidance, TEK17). The most relevant chapters in TEK17 regarding different regulations for buildings compared to Swedish rules are the following chapters. Chapter 11 deals with **fire safety** and the requirements for achieving sufficient safety for persons and property located in or on buildings and for preventing the spread of fire. Chapter 12 is based on the principles of **universal design** which means that buildings should be designed so they are accessible and able to be used by as many as possible on equal terms. The requirements in chapter 13 on **indoor climate and health** should prevent health damage and a negative comfort experience. Requirements are set for air quality, thermal indoor climate, radiant environment, sound and vibrations, light and outlook, as well as moisture and moisture protection. Chapter 14 on energy says that a building must be designed and constructed in such a way that it is facilitated for sound **energy use**.

⁵ <https://lovdata.no/dokument/NL/lov/2008-06-27-71>

⁶ https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/plan--och-bygglag-2010900_sfs-2010-900

⁷ <https://dibk.no/regelverk/sak/>

⁸ <https://dibk.no/regelverk/byggteknisk-forskrift-tek17/>



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Sweden

In contrast to Norway, the Swedish municipal comprehensive plan is not legally binding and mainly defines strategic planning issues and overall land-use development. Rather, the detailed plan is the only legally binding plan according to planning legislation. Additionally, Sweden is relatively unique with more or less no spatial planning taking place at the state or regional level, except in the regions of Stockholm and Skåne where regional planning is required. As such, land-use development is mainly a local issue, where the detailed plan is primary governed by the municipality.

Municipal spatial planning takes place at two levels, in the strategic general plan (*översiktsplan*, PBL 3 chapter) and in more concrete detailed plans (*detaljplan*) and area regulations (*områdesbestämmelser*) (PBL 4 chapter). Only the two last types of plans are legally binding. The detailed plan shall include a map showing the purpose for which the land can be used and the provisions that apply to future land use. The law provides relatively detailed rules both about when it is required that a detailed plan to be drawn up and what provisions the plan may contain, while they should be designed with a certain flexibility so that they are not outdated and must be revised too soon. The municipality is responsible for preparing the detailed plans, which, as I said, are legally binding. For new construction, extension or significant alteration of a building, a building permit is required from the municipality (PBL 9 chapter). A planning and building ordinance (PBF 2011:338)⁹ supplement the Planning and Building Act's rules on requirements for buildings and construction products, functional and safety measures, permits and notifications, control, supervision and follow-up, and sanction fees.

The more detailed regulations for building and construction are found in *Boverket's* mandatory provisions and general recommendations (BFS 2011:6¹⁰). The following sections are relevant for a discussion on harmonization of Nordic rules and recommendations. Section 3 contains **accessibility** and usability for people with limited mobility or orientation capacity, which is one of the most important issues in this regard. It also includes more general aspects of design of dwellings, for example for students or elderly people, room heights, and utility rooms. Section 5 contains **safety in case of fire** including fire safety installations and requirements for escape routes as well as protection against outbreak and spread of fire and smoke. This is another area that has been identified as causing border obstacles. Section 6 contains mandatory provisions and general recommendations regarding **hygiene, health and environment**. They should ensure that the quality of air and water as well as light, moisture, temperature and sanitary conditions are satisfactory during the life of the building, thereby avoiding conditions detrimental to human health. Section 7 contains rules and regulations that should ensure that the occurrence and spread of **noise** is limited to avoid any inconvenience to people's health. Section 8 is about **safety in use**, i.e. measures to minimize the risk of accidents such as falls, collisions, crushing, burns, explosions, being locked in, poisoning and electric shocks. Especially the measures against falling may be subject to different requirements in different countries. Section 9, finally, contains mandatory provisions and general recommendations for **energy conservation** so energy use is limited by low heat losses, low cooling demands, and efficient use of heating and cooling systems and electricity.

⁹ https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/plan--och-byggforordning-2011338_sfs-2011-338

¹⁰

https://www.boverket.se/contentassets/a9a584aa0e564c8998d079d752f6b76d/konsoliderad_bbr_2011-6.pdf



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Requirements for load-bearing capacity, stability and durability as well as load-bearing capacity in the event of fire are not specified in BBR but in *Boverket's* regulations and general guidelines on the application of European design codes (Eurocodes) (BFS 2011:10¹¹). In addition, there are technical requirements for broadband connection and charging of electric vehicles.

III. Roadmap towards a possible solution of the obstacle with indication of the entities to be involved in the possible solution

Border obstacles are a priority area within the Nordic Council of Ministers and the Nordic Council. Facilitating exchanges between neighbouring countries is central to both growth in business and efficiency in public services. Historically, workers have been in focus for border obstacle work, but since a few years ago the Freedom of Movement Council has been given an increased mandate by the Nordic governments to also focus on business problems from a cross-border perspective.

Different building regulations on the building and housing ministers' agenda

The problem with different building regulations is included as border obstacle no. 14-076 in FMC's border barrier database¹². The problem is still unresolved, but it is proposed that a certain problem area, such as fire or noise protection or accessibility, could be made into a pilot project for the preparation of common Nordic regulations. The experience can then be transferred to harmonize other types of regulations. The Freedom of Movement Council recognizes that parts of the problem should be solved at European level, but at the same time there is great potential for the Nordic countries to act as forerunners by creating common regulations, at least when drafting completely new ones.

The Nordic building and housing ministers have the ambition to make the Nordic Region the most integrated construction market in the world. At a joint ministerial meeting in Stockholm on 29 May 2018, a joint declaration was adopted where it says they "want to promote a strong and integrated construction market in the Nordic Region by working to remove barriers, which limit the opportunities to build in other Nordic countries for the benefit of citizens, the real estate sector and the construction industry. Our vision is for us to have a cohesive common construction market in the Nordic Region, which secures better and cheaper buildings."¹³

As driving forces for future rule development, they point to a better knowledge base, innovation and digitalisation. The measures they wanted to initiate were:

- Strengthened co-operation on harmonization of building regulations between the Nordic countries' national authorities.
- Investigate and possibly initiate research projects that will ensure a better basis for harmonized building regulations.
- To choose the accessibility area as a pilot project for Nordic co-operation on harmonization of building regulations.

At the following building and housing ministers meeting in Reykjavik on 10 October 2019 the importance of continuing the harmonisation work and a steering group for a common market for construction and to promote integrated green growth conditions for the construction industry was set up. An ongoing analysis by Finn Lauritzen is supposed to give the steering group and the ministers an overview and a good basis for decisions on which initiatives should be initiated at Nordic level to support a more integrated construction market but also identify which barriers the ministries have

¹¹ <https://boverket.se/sv/lag--ratt/forfattningssamling/gallande/eks---bfs-201110/>

¹² <https://www.norden.org/sv/border-database/olika-byggbestammelser>

¹³ <https://norden.org/sv/node/5057>



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difficulty in doing something about as well as barriers where the goal is not in proportion to the effort.

Earlier attempts to harmonise the rules

The issue of harmonizing building regulations in the Nordic countries is far from new. Several surveys have been carried out, among other things, with the aim of creating a common Nordic market for mass-produced wooden houses (Pousette & Gustafsson 2008, Grönlund & Reinikainen 2012, Iveroth 2016). Another mapping was done by Skanska (Groth 2010), which has listed some differences between Sweden, Norway and Finland regarding room height, Eurocodes, moisture, moisture and wetrooms, and concrete wall surfaces.

In November 2011, a Nordic co-operation group met on Swedish initiative to get an overview of the need for a systematic survey. At the meeting, it was agreed that Denmark would address issues of fire protection, Iceland noise, Sweden accessibility, Finland, energy and Eurocodes, and Norway issues concerning humidity and measurements of room heights, railings, doors and windows. Here is a brief summary of the Icelandic report on noise, which could illustrate some of the problems with a common Nordic standard.

There is a long tradition that the noise regulations in the Nordic countries have been very similar or even identical. In the mid-1970s, NKB (Nordic Committee for Building Regulations) set up a working group to coordinate these requirements. The result was published in 1978: "Guidelines for Building Regulations Concerning Sound Precautions". All the Nordic countries complied with these recommendations and around 1980 the requirements were almost identical in all countries, both for housing, schools, day care centers, health care buildings, nursing homes and hotels.

During the 1980s, however, the various countries began to change their regulations separately, and in the early 1990s it was noticed that the requirements were somewhat different, and there were also plans for further changes in some countries without Nordic coordination. It was also pointed out that the Nordic countries began to lag somewhat behind some other countries in Europe regarding sound requirements for housing, which had been largely unchanged in the Nordic countries since the 1950s. Against this background, a new working group was formed within NKB in 1993 to try to coordinate the sound requirements in the Nordic countries and at the same time try to catch up with the countries with the highest sound requirements. The coordination work eventually culminated in an attempt to develop a common Nordic classification standard for noise conditions in homes, where class C would correspond to the building regulations (working group recommendations) but two better classes, A and B, were also defined. In addition, a class D for older buildings.

The working group came up with a joint proposal for such a standard, which was sent out for consultation and voting. It turned out that Sweden wanted a slightly different classification standard and voted against. The other countries voted in favor, and this standard has since become a national standard with only relatively small changes, first in Norway, then in Denmark, Iceland, and Finland. Sweden has a similar standard, but with a slightly different division of sound classes, and a slightly different requirement for class C. In a proposal for new Swedish noise protection regulations the standards are decoupled from the standard. The new regulations are intended to get into force from 1 January 2022.

Common Nordic building market pending on a political will at high level

The survey from 2011-2012 was carried out according to plan, but then apparently not much happened until the issue has now come up again on the Nordic agenda. An important reason why one has not progressed is tradition. Each country's officials are used to their own rules and do not want to give up the competence to formulate and apply them in their own way. One is also afraid of losing some of the flexibility, i.e. that common Nordic rules will become more difficult to change and



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create more bureaucracy. Therefore, the national authorities' representatives argue that one should start with new rules where each individual country yet has not stuck to its own rules, e.g. on carbon emissions or life cycle analyses. Another area that is pointed out as easier to agree on is common methods for testing, for example noise, radon content or humidity.

Apparently, there is some need for anchoring at the top of the Nordic governments to make the rules more uniform. This is a necessary, but often slow and bureaucratic process. The experiences so far are not very positive. The Swedish National Board of Housing, Building and Planning has made several attempts to harmonize the rules for accessibility without much positive outcome so far (Boverket 2016). Therefore, it is necessary with a political commitment at minister level, otherwise the officials will end up in a cul-de-sac. I also advise against picking out certain regulations as pilot projects, but instead suggest that the harmonization work be carried out as a parallel process covering all building regulations. However, one problem is that the ministerial responsibility for the planning and building varies from country to country; in Norway it is the Ministry for Local Government and Modernisation while in Sweden it is the Ministry of Finance, although the responsible minister belongs to the Ministry of Employment.

The Svinesund Committee argues in their proposal that it is important to start from the companies' experiences. Therefore, their work on border barriers linked to the use of wood will continue in a new Interreg project, Bioeconomy Regions in Scandinavia. Hence, I propose that the problem be addressed partly in the form of a top-down controlled process in terms of harmonization of regulations, and partly of a bottom-up process which through training initiatives aimed at municipal authorities and small and medium-sized companies increases utilizing the expertise of and ability to work in another country.

Functional or performance requirements

Normally, the requirements are divided into performance requirements and functional requirements. A Norwegian survey shows that in TEK17, 27% of the requirements are performance requirements and 73% are functional requirements (Multiconsult 2019).

The experience from previous attempts to harmonize building regulations is not very positive. At the same time, there are tendencies to make the building regulations less detailed and one goes from execution to functional requirements. The intention is to transfer more responsibility to the construction industry and thereby create incentives for innovation and technological development and thereby contribute to streamlining construction and promoting increased competition. In Sweden, the National Board of Housing, Building and Planning has recently carried out a review of the building regulations with such ambitions, which are presented in the report *Möjligheternas byggregler* (The building regulations of the possibilities) (Boverket 2020). With fewer rules and functional requirements instead of performance requirements, the conditions for success with Nordic harmonization should be considerably better.

Against this speaks the desire of each country's authorities to decide on their own rules. Both in Norway and in Sweden, the building regulations are perceived as political and sometimes even become electoral issues, so that even relatively detailed requirements may be affected by the composition of the government.

Who should be involved?

The conditions for construction are more or less the same in all five Nordic countries. We all want the houses to be robust and withstand the harsh Nordic climate, and we all have high ambitions in terms



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of accessibility, safety and sustainability. Therefore, there should be good conditions for a common Nordic construction market with larger production series that provide opportunities for industrial production and thus lower construction costs.

Today, however, all such attempts for the regulations differ on hundreds of points between the five countries. NBO Housing Nordic (n.d.) gives a number of examples in the report *Med gemensamma regler bygger vi billigare!* (With common rules, we build cheaper):

- The rules on accessibility in Sweden require that there be space in front of the toilet seat, while the Norwegian rules instead require space next to it.
- The Danish bedrooms are too small to be built in Finland and the Swedish stairs are too narrow according to Icelandic fire protection regulations.
- The Swedish balcony railings are too low for Danish requirements and the Swedish storerooms are too small to be built in Iceland.
- The Icelandic fire protection regulations require that all apartments above ground level must have a balcony and the Norwegian ones require sprinklers indoors.
- According to Danish rules, apartment doors must go inwards so they do not block the escape route, while in Sweden the doors must go outwards so that those who are in the apartment can easily get out.
- When it comes to accessibility, the regulations in Finland say that bathrooms must have a turning radius of one and a half meters, which means that Danish and Swedish bathrooms are often too small.
- When it comes to insulation and energy consumption, the regulations set approximately the same requirements, but the measurement methods differ and make it difficult to compare them.

Besides being different and sometimes even contradictory, the requirements can also have different legal status. A mandatory requirement in one country may be a recommendation in another and a voluntary standard in a third.

The problem has arisen as a border barrier between Sweden and Norway, but the starting point should be that all Nordic countries should participate. The fact that Norway and Iceland are not EU Member States may complicate the implementation of harmonization of building regulations, but should not be an insurmountable problem, as both Norway and Iceland are part of the European Economic Area. According to the Services Trade Restrictiveness Index (STRI) Iceland has the highest barriers for the construction sector of all OECD countries. Norway has also a high restriction level, while the EU Member States Sweden, Finland and Denmark all are below the OECD average (OECD 2020). It can also be discussed whether differences in climate and construction technology conditions make it necessary for Iceland to participate, as it is nevertheless not a particularly extensive exchange of services and materials in the construction sector between Iceland and the rest of the Nordic Region. Even if there are some mental barriers against wood in houses in Denmark, Danish architects of today find it challenging and sustainable to build in wood. Thus, a common Nordic action towards harmonized building requirements is preferable.



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Economic consequences

Another issue concerns the economic consequences of harmonizing building regulations. Construction prices in Norway and Sweden are the highest in Europe and the rest of the Nordic countries are not far behind. One reason is that a few construction companies have a dominant position in the market at the same time as there is too little construction in relation to demand, which drives up prices (NBO Housing Nordic n.d.). And there is little to suggest that demand would fall in the future because housing construction in both Norway and Sweden has for a long time not been able to keep pace with population development. Furthermore, digitalisation requires harmonised rules as well as industrialisation of prefabricated houses and they are all crucial prerequisites for reduced construction costs.

As mentioned earlier, one of the reasons for wanting harmonization is to put pressure on prices in the construction market thanks to the increased competition that a larger common market is expected to bring. From the construction industry's side, it has long been claimed that the main reason for the increased construction costs is that the authorities are constantly increasing the requirements for, for example, accessibility, energy efficiency, sustainability, etc. There is, of course, the risk that if one always chooses the level from the country's rules that are most ambitious, it will entail increased costs. It is therefore important that the economic consequences are taken into account as an important aspect when designing any common rules.

A roadmap towards common market for wood constructions

I choose to divide the effort into three work packages (WPs) where the first; harmonization of building regulations, as well as the other; establishment of an information portal, should be solved at the Nordic level while the third; advice and service to small and medium-sized companies, is tailored for Sweden-Norway.

WP1: Harmonisation of building regulations

For a Nordic harmonization of building regulations, I propose that five task forces be set up in the following areas:

Task force 1: Accessibility, universal design

Task force 2: Eurocodes, dimensioning, construction product regulations (CPR)

Task force 3: Energy, isolation, carbon emissions, life cycle analysis (LCA)

Task force 4: Fire protection, safety, worker protection

Task force 5: Hygiene, health aspects (noise, daylight, ventilation, radon etc.)

Each task force consists of representatives of relevant national authorities in each country and a national legal expert (researcher) from each country. In addition, the countries' industry associations as well as other organisations when relevant (e.g. environmental and disability organisations), should be involved in the form of reference groups for the various task forces.

The entire work package is led and facilitated by the Nordic Council of Ministers through its research institute Nordregio. Nordregio has extensive experience of coordinating and organizing complex projects such as this. It is also the Nordic Council of Ministers' institution in the regional sector, which is the resort area for which the countries' housing and planning ministers are responsible.

The work is estimated to take about two years. During the first year, a detailed survey is carried out in which the differences in the countries' regulatory systems are described. Once the survey has been completed, the national experts are commissioned to agree on an evidence-based recommendation for decision-making which, after being approved by the task force, is submitted for decision to the Council of Ministers for Regional Policy.



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WP2: Establishment of an information portal

Information is an important way to minimize border barriers. A common Nordic portal should be established where small and medium-sized enterprises (SMEs) can obtain basic information on the rules that apply when conducting business in another Nordic country and where the necessary forms can be obtained. Issues to be covered are recruitment of staff, trade in goods and how to start up a new enterprise.

Today, there are similar portals at the border services *Øresunddirekt* (between Denmark and Sweden) and *Grensetjänsten* (between Norway and Sweden), but I suggest that they should be supplemented by a common Nordic portal be established at InfoNorden, which today provides corresponding general information to citizens who want to work or study in another Nordic country.

Info Norden, on the other hand, does not have the conditions to provide specific advice on special industries or special regions. For such information, reference should be made to national trade associations, whose websites companies are accustomed to consulting, or to border regions and border services (see WP3).

WP3: Service to small and medium-sized enterprises

To stimulate integration in the border regions, there is a need for more specific assistance, especially to small and medium-sized enterprises (SMEs). The need for help consists partly of a contact to turn to in order to find out where you can get the information you need, and partly an organization that works for increased integration by arranging thematic days, seminars and participating in courses for entrepreneurs organized by the regions. These are activities that naturally belong to the cross-border cooperation committees that exist along the Swedish-Norwegian border. Of these, the Svinesund Committee and MidtSkandia in particular have profiled themselves on supporting business development (Nilsson, Scherbanske & Lindberg 2017).

In addition, three Nordic border services have been set up; The North Calotte's border service, *Øresunddirekt* and *Grensetjänsten*, the Norway-Sweden border service. Of these, The North Calotte's border service is closely linked to the North Calotte Council and *Øresunddirekt* to the Greater Copenhagen border committee, while *Grensetjänsten*, the Norway-Sweden border service, does not have a corresponding connection to a specific border committee. In order to increase the combined resources, it is therefore proposed that the Norway-Sweden border service should intensify its cooperation with the Svinesund Committee and the other cross-border cooperation committees along the nearly 2000 kilometer long border between Norway and Sweden.

In addition to extended general information, it is proposed that case studies be carried out in one or more of the relevant border committees. As a minimum, four pilot projects are carried out: (i) An SME from Sweden that has been commissioned in Norway, (ii) a large Swedish company that has been commissioned in Norway, (iii) an SME from Norway that has been commissioned in Sweden, (iv) a large Norwegian company that has been commissioned in Sweden. The work can advantageously follow the process for driving the work with border barriers that has been prepared by the Svinesund Committee (see Daisley 2021, pp.8-9).

IV. Pre-assessment of whether the case could be solved with the European Cross-Border Mechanism

The so-called European Cross-Border Mechanism (ECBM) is a legal tool to enhance cooperation along the internal borders of the EU proposed by the European Commission in 2018. The proposal sets up a



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mechanism to allow for the application in one Member State, with regard to a cross-border region, of the legal provisions from another Member State, where the application of the legal provisions of the former would constitute a legal obstacle hampering the implementation of a joint project.

ECBM is judged to be of interest in connection with individual joint Swedish-Norwegian construction projects but is of limited value in relation to the overall problem with different building regulations. Overall, the issue is about making it easier for companies to undertake projects on the other side of the border, then common rules are the solution that does not distort competition in favour of an individual country. Regardless of which country's rules are chosen for the selected project, the other country's companies are disadvantaged. In addition, the overriding goal is to create a common Nordic construction market by removing border barriers in order to increase competition and provide cheaper prices.

V. Other relevant aspects to this case

None

VI. References and Appendix/Appendices if any

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