Rätten, marknaden och marken
Statsstöd och upphandling vid markexploatering

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Akademisk avhandling

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New needs and ideas in society often call for land development projects to change land use. Major land development projects involving local municipalities are generally implemented in collaboration with private actors. This has led to a changed role for municipalities, whereby collaboration with private sector becomes an integrated part of the land development process.

In all land development projects, the parties involved need to take a variety of laws and regulations into consideration. Cooperation between the municipality and private actors will widen the scope of applicable regulation. The study analyzes legal problems and areas of conflict in land development projects where a municipality cooperates with private actors. The focus of the study is on the regulation of state aid, support to individual enterprises and public procurement.

The study shows that the regulations that must be taken into consideration in a land development project all have different aims and are meant to satisfy different interests, which can lead to legal conflicts. These can be explained both by a lack of harmonization between applicable Swedish law and principles and EU regulations and by the different ambitions and ideas behind the regulations where a national effort to streamline the process of land development projects is not necessarily compatible with the ideas behind the rules governing state aid and public procurement.

**Keywords**
land development, real property law, real estate, state aid, public procurement, EU law, pecuniary interest, market economy operator principle, land access, municipal competence, land transactions