FOLKETINGET
STATSREVISORERNE

FOLKETINGET
RIGSREVISIONEN

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submitted to the Public Accounts Committee

Administration of permits for and supervision of marine fish farms

1. Introduction

1.1. Purpose and conclusion

1. This report concerns the administration of permits for and supervision of marine fish farms. The Danish Environmental Protection Agency under the Ministry of Environment is responsible for these tasks.

Marine fish farming involves rearing fish in cages at sea. Denmark has 19 marine fish farms, which produce approximately 10,000 tonnes of rainbow trout annually. The farms have been in operation since the early 1990s.

2. Marine fish farms discharge nitrogen, phosphorus, copper and pharmaceutical residues, among other substances, into the surrounding marine environment. Results from the National Monitoring Programme for the Aquatic Environment and Nature show that the farms are located in areas where the aquatic environment is in poor condition and that many are close to protected nature areas.

To operate legally, a marine fish farm must hold both a location permit and an environmental permit. A *location permit* specifies where the farm may be situated and is typically valid for 10 years. An *environmental permit* sets limits on how much pollution the farm may cause and generally has no expiry date. The Danish Environmental Protection Agency may review the environmental permit after eight years, but is only required to do so if it identifies a specific need.

3. Before a marine fish farm can be granted a location permit and an environmental permit, the Danish Environmental Protection Agency must assess whether the farm will cause significant harm to the environment and wildlife. If it will, a permit cannot be granted.

Table 1 shows the general procedural steps required to obtain a location permit or an environmental permit. As the table shows, the steps depend on the circumstances of the farm.

Table 1
General procedural steps for obtaining a location permit or an environmental permit

	Protected nature area (habitat)		Marine environment	
	Habitat screening	Habitat impact assessment	Environmental screening	Environmental impact assessment
Permit for continued operations	✓	(✓)		
Permit for modified or new operations	✓	(✓)	✓	(✓)

Source: Rigsrevisionen based on materials from the Danish Environmental Protection Agency.

Table 1 shows that the Danish Environmental Protection Agency must always carry out a habitat screening, regardless of whether a marine fish farm is applying for a location permit or an environmental permit for continued, modified or new operations. The screening takes approximately one month and must establish whether the farm could cause significant harm to a protected nature area. If this cannot be ruled out, the Agency must arrange for a habitat impact assessment, which includes analyses of how the farm affects the living conditions of animals and plants. The habitat impact assessment is therefore shown in brackets in the table. The habitat impact assessment takes approximately one year and is prepared by external consultants with expertise in the field. Once the Agency has carried out the habitat screening and, where necessary, a habitat impact assessment, it can make a decision.

The table also shows that the Danish Environmental Protection Agency must carry out environmental screening before granting a location permit or an environmental permit for a new marine fish farm or a farm applying to modify its operations, for example by increasing fish production or relocating. The screening takes approximately one month and must establish whether the farm could cause harm to the marine environment. If this cannot be ruled out, the farm must prepare an environmental impact assessment, which takes approximately 1½ years. The environmental impact assessment is therefore shown in brackets in the table. An environmental impact assessment considers the marine environment as a whole and includes analyses of how the farm affects, for example, water quality, as well as animals and plants. Once the Agency has carried out the environmental screening and, where necessary, an environmental impact assessment has been completed, it can make a decision.

Under the current rules, 8 of the 19 marine fish farms lack a location permit, while 17 lack an environmental permit. Until these permits are granted, the farms may legally continue operating under their old permits from the 1990s.

4. Decisions made by the Danish Environmental Protection Agency may be appealed to the Danish Environment and Food Board of Appeal. The Board may dismiss the appeal, uphold the Agency's decision, amend it or overturn it, requiring the Agency to prepare a new assessment.

5. The Danish Environmental Protection Agency must supervise marine fish farms at least every three years to ensure that they comply with their permits. Insufficient supervision may lead to increased pollution and ultimately have consequences for nature and human health.

6. The purpose of the study is to assess whether the Ministry of Environment's administration of permits for and supervision of marine fish farms is satisfactory. We answer the following questions in the report:

- Does the Danish Environmental Protection Agency administer permits satisfactorily?
- Are the Danish Environmental Protection Agency's processing times for permit applications satisfactory?
- Are the Danish Environmental Protection Agency's supervision and enforcement of the rules satisfactory?

Rigsrevisionen initiated the study in November 2025 at the request of the Danish Public Accounts Committee.

Conclusion

The Ministry of Environment's administration of permits for and supervision of marine fish farms is very unsatisfactory. All 19 marine fish farms operate under permits from the 1990s, and the Danish Environmental Protection Agency's processing of applications for new permits has so far spanned up to 11 years. The Agency has contributed to the delays, partly because its decisions have not been of the required quality. Its supervision is inadequate, and it has not consistently taken enforcement action in response to repeated infringements. As a consequence, the farms continue to operate under permits from the 1990s that impose less stringent limits on pollution, which may harm the surrounding marine environment.

The Danish Environmental Protection Agency's administration of permits has been unsatisfactory

The Danish Environmental Protection Agency has not ensured that comprehensive habitat impact assessments have been prepared, even though these are a prerequisite for obtaining the location permit and the environmental permit that is required to operate a marine fish farm. None of the farms holds both types of permits. Until these permits are in place, the farms may continue operating under their marine fish farming permits from the 1990s. The Environment and Food Board of Appeal has overturned the Agency's decisions in several cases. The Agency has also delayed initiating key procedural steps while awaiting the outcome of a case before the Eastern High Court. As a consequence, the cases have taken longer than necessary.

The Danish Environmental Protection Agency's processing times for permit applications are not satisfactory

The average processing time has so far been 7 years for a location permit and 11 years for an environmental permit. The cases have not yet been concluded. The Danish Environmental Protection Agency estimates that the actual time required to process a location permit and/or an environmental permit is between 1½ and two years. The Agency can explain only to a limited extent how much of the lengthy processing time is attributable to its own handling of the cases and how much is attributable to processing by other authorities and within the appeals system.

The Eastern High Court's ruling on habitat impact assessment

The Environment and Food Board of Appeal referred a number of cases concerning environmental permits back to the Danish Environmental Protection Agency, requiring habitat impact assessments to be prepared. In September 2018, the Danish Aquaculture Producers' Organisation brought a case before the Eastern High Court on behalf of a marine fish farm, challenging the requirement for a habitat impact assessment.

In April 2026, the Eastern High Court ruled that a habitat impact assessment must be prepared before an environmental permit can be granted in the case concerned.

The Danish Environmental Protection Agency's supervision and enforcement of the rules are unsatisfactory

The Danish Environmental Protection Agency has carried out the mandatory on-site inspections, but has not responded to major gaps in the information that marine fish farms are required to submit on their annual production and environmental impact. The Agency has therefore been unable to verify whether the farms have complied with all the conditions of their permits. It has not carried out the annual administrative supervision that it decided to undertake.

The Danish Environmental Protection Agency is legally required to monitor marine fish farms' use of polluting substances, but has not done so to a sufficient extent. For example, it has not responded when farms have failed to submit the required information. Nor has it made sufficient use of information from other sources. This means that the Agency has insufficient insight into the potential accumulation of substances in the marine environment. These include antibiotics, which may lead to antibiotic-resistant marine bacteria, and copper, which can kill marine life.

Rigsrevisionen's analysis shows that the 19 marine fish farms breached permit conditions or statutory requirements in 342 instances from 2018 to 2025. More than half were repeated infringements of the same type. The Danish Environmental Protection Agency took enforcement action in response to 30 infringements. Its enforcement action in response to the same types of infringement has differed between farms.