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# AUXILIARY AND CONSULTING BODIES OF THE POLISH MINISTRY OF ENERGY AFTER 2015

## Abstract

Energy security is one of the major components of the Republic of Poland's broadly conceived security. At the end of 2015, the scope of Poland's energy security policy was isolated from other institutions of state administration in order to establish a ministry responsible for Poland's comprehensive energy policy. The establishment of the new ministry reflected the gravity of energy security within the state security system because energetics affects all aspects of Polish people's lives. The author intends to present auxiliary and consulting institutions of the Ministry of Energy, which support the Minister's activities geared at enhancing Poland's energy security.

**KEY WORDS:** energy security, Ministry of Energy, auxiliary and consulting institutions

## INTRODUCTION

Energy security is among the most significant elements which directly affect both national and international security. The Republic of Poland's 2014 National Security Strategy reads: "Energetics is among key elements of national security. The main prerequisites for energy security comprise access to energy resources, including those located abroad, diversification of sources and directions of fuel supplies, as well as generation of new power basing on varied generation technologies in order to balance the national demand for energy. Poland's energy

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policy<sup>2</sup> aims to provide adequate development of power generation, transmission and storage infrastructure, alongside encouraging investment in state-of-the-art energy-saving technologies and products, as well as limiting dependency on fuel supplies” (*Strategia Bezpieczeństwa Narodowego [Strategy of National Security]*, 2014, p. 15). The development of energy policy is inseparably connected with operation of the state administration<sup>3</sup> within state structures. The challenges emerging within the Polish energy security have made it necessary to debate the establishment of a new ministry responsible for Poland’s comprehensive energy security policy.

## 1 THE MINISTRY OF ENERGY: ESTABLISHMENT, OBJECTIVES, STRUCTURE

The Ministry of Energy was established on December 8, 2015 (legally effective as from November 27, 2015) due to transformations in state administration after the Prawo i Sprawiedliwość (Law and Justice) party won the parliamentary election. Before the 2015 election, issues related to the development of the energy policy were primarily dealt with not only by the Ministry of Economy,<sup>4</sup> but also

<sup>2</sup> The energy policy aims to determine actions necessary in order to secure current and projected demands for energy carriers. Moreover, this includes provision of the state’s lasting economic development based on a political strategy including for instance diversification of energy supply sources, formation of resource reserves, limiting access of foreign entities to the national energy market, and concluding international agreements (Cziomer, 2008, p. 24).

<sup>3</sup> State administration is responsible for a number of undertakings in terms of the energy security policy. The tasks aimed at enhancement of energy security comprise ongoing prognostication and analyses for the energy security strategy; implementation of the state’s energy policy; creation of market mechanisms to increase generation capacities as well as transmission capacities of the electrical grid in order to increase reliability of supplies and the electrical grid’s operational security; the preparation of procedures which enable balancing of market participants’ interests and co-ordination of energy sector operation in the event of sudden threats, natural disasters and the so-called *force majeure*; reducing political risks in current regulations; monitoring and reporting to the European Commission on the quality of energy security; as well as taking appropriate remedial measures in the event of threat to energy supplies (cf. *Polityka energetyczna kraju [The State’s Energy Policy]*, 2005, p. 12).

<sup>4</sup> In 1997-2015, the legislators established the office of the Minister of Economy as the highest body of state administration for development of Poland’s energy policy. During this period, the Ministry of Economy had within its structures the Undersecretary of State responsible for energy-related issues as well as a number of departments to deal with particular issues in the energy policy: the Energetics Department; the Crude Oil and Natural Gas Department; the Mining Department; the Nuclear Energy Department; and the Economic Development Department (which deals, for instance, with CO<sub>2</sub> emissions). The Minister of Economy’s tasks in the field of energy policy comprised:

- 1) development of the state’s energy policy and co-ordination of its implementation;
- 2) determination of specific conditions for planning and operation of fuel and energy supply systems under pertinent legislation;

by the Ministry of the Environment and the Treasury. The Ministry of Energy is subordinate to the Minister of Energy<sup>5</sup> on the basis of the Prime Minister's December 9, 2015 Regulation on a Detailed Scope of Operation of the Minister of Energy in terms of:

- energy;
- mineral resources management (*Rozporządzenie Prezesa Rady Ministrów z dnia 9 grudnia 2015 r. [The Prime Minister's December 9, 2015 Regulation]*, p. 1).

The responsibilities of the Minister of Energy include in particular issues related to the state's energy policy as well as participation in development of the European Union's energy policy. The Minister of Energy is responsible for the operation of energy, energy resources and fuel markets; exploitation of renewable energy and nuclear energy resources to meet the state's socio-economic needs, including the security of energy supplies, supplies of energy resources and fuels, as well as the electrical grid. The Minister initiates, co-ordinates and supervises international co-operation in the fields of energy, energy resources and fuels, as well as taking part in the work of European Union bodies in the field of the European energy policy. Moreover, the Minister of Energy is responsible for matters related to mineral resources management. The Minister's competence also comprises management of the Ministry of Energy's operations and determination of basic directions of the current policy, proposing initiatives and bills for normative acts at sessions of the Ministers' Council, as well as implementing the policy as determined by the Ministers' Council. The Minister also co-ordinates the work of the Ministry management and represents the Ministry in particular in contacts with the President of the Republic of Poland, the Parliament, the Ministers' Council, the Supreme Audit Office, political parties, national trade unions and employer associations (*Zarządzenie Ministra Energii z dnia 18 października 2016r. [The Minister of Energy's October 18, 2016 Regulation]*, p. 1). To the Minister of Energy subordinate are the Material Reserves Agency, and moreover the Minister supervises the President of the State Mining Authority (*Ustawa z dnia 4 września*

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3) supervision of gas fuel and electrical power supply security, as well as operation of national energy systems under pertinent legislation;

4) co-operation with voivodes and local governments in terms of planning and implementation of fuel and energy supply systems;

5) co-ordinating co-operation with international state organisations under pertinent legislation.

The Ministry of Economy was not however the only state institution responsible for development of the Polish energy policy. To some extent, the Ministry of the Treasury and the Ministry of the Environment were also competent in the field of energy sector management (*Ustawa z dnia 10 kwietnia 1997 r. Prawo energetyczne [The 10 April 1997 Energy Law Act]*, p. 85).

<sup>5</sup> In the Polish administration, a Minister is a one-person leading body of state administration, appointed to head a specific department of state administration and, simultaneously, a member of the Ministers' Council (*Organizacja prawna administracji [Legal Organisation of Administration]*).

1997 r. o działach administracji rządowej [The September 4, 1997 Act on State Administration Branches], p. 5).

The Minister of Energy runs the Ministry with the assistance of Secretaries of State, Undersecretaries of State, the General Director, Head of the Political Cabinet as well as directors of individual organisational units. The internal structure of the Ministry results from the division of work among the management. Each member of the management is responsible for a certain thematic field and supervises the work of organisational units subordinate to him/her, such as departments and offices headed by directors (*Zarządzenie Ministra Energii z dnia 18 października 2016 r.* [The Minister of Energy's October 18, 2016 Regulation], p. 1). The Ministry comprises the Minister's Political Cabinet as well as the following organisational units: 1) the Budget and Finance Department<sup>6</sup>, 2) the Energetics Department<sup>7</sup>, 3) the Nuclear Energy Department<sup>8</sup>, 4) the Renewable Energy Department<sup>9</sup>, 5) the European Funds Department<sup>10</sup>, 6) the Mining Department<sup>11</sup>, 7) the Innovation and Technological Development Department<sup>12</sup>, 8) the Ownership Policy and Analysis Department<sup>13</sup>, 9) the Monitoring and Audit Department<sup>14</sup>, 10) the Supervision Department, 11) the Crude Oil and Natural Gas Department<sup>15</sup>, 12) the International

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<sup>6</sup> The Budget and Finance Department is responsible for development and monitoring implementation of the Minister's budget in co-operation with the Ministry's departments as well as financial management of foreign funding.

<sup>7</sup> The Energetics Department is responsible for implementation of tasks related to development and co-ordination of Poland's energy policy.

<sup>8</sup> The Nuclear Energy Department is responsible for the use of nuclear energy to meet the state's socio-economic needs, including implementation of the Polish Nuclear Energy Programme.

<sup>9</sup> The Renewable Energy Department is responsible for development of plans for actions related to renewable energy sources.

<sup>10</sup> The European Funds Department implements tasks resulting from the Minister's function of an intermediary in the management of the Infrastructure and Environment Operational Programme (PO IiŚ).

<sup>11</sup> The Mining Department is responsible for implementation of tasks resulting from the Ministers' Council's economic policy for the hard coal mining sector, the brown coal mining sector, the coal gas industry and the non-energy resources industry.

<sup>12</sup> The Innovation and Technological Development Department is responsible for issues related to innovative solutions, research and development of technologies within the Minister's competence and outside the competences of other departments.

<sup>13</sup> The Ownership Policy and Analysis Department is responsible for development of systemic solutions in the field of owner supervision.

<sup>14</sup> The Monitoring and Audit Department is responsible for planning, running and documenting audits of units subordinate to and supervised by the Minister.

<sup>15</sup> The Crude Oil and Natural Gas Department is responsible for development of Poland's energy policy, together with pertinent regulations as well as the EU's energy policy in terms of the natural gas sector as well as the crude oil and liquid fuels sector.

Affairs Department<sup>16</sup>, 13) the Administrative Office<sup>17</sup>, 14) the General Director's Office<sup>18</sup>, 15) the Minister's Office<sup>19</sup>, 16) the Legal Office<sup>20</sup> (*Zarządzenie nr 150 Prezesa Rady Ministrów z dnia 21 grudnia 2015 r.* [*The Prime Minister's December 21, 2015 Regulation No. 150*], pp. 3-4). Moreover, the Minister of Energy is supported by five auxiliary and consulting bodies, i.e. the Council for Companies with State Treasury Shareholding and Statutory Companies, the Team for Implementation of the National Plan for Dealing with Radioactive Waste and Spent Nuclear Fuel, the Team for Provision of State Fuel Security, the Ministry of Energy's Team for Crisis Management, as well as the Team for Assessment of Laws on Mining Facility Management.

## 2 THE POLITICAL CABINET AND ORGANISATIONAL UNITS OF THE MINISTRY OF ENERGY

### a) *The Political Cabinet*

In the Polish political reality, political cabinets were formed with a view to reinforcing a minister's standing with respect to the subordinate administration. Political cabinets were introduced on the strength of the 1996 Act on the Organisation and Mode of Operation of the Ministers' Council (*Ustawa z dnia 8 sierpnia 1996 r. o organizacji i trybie pracy Rady Ministrów*, p. 16). The Minister's Political Cabinet is responsible for co-ordination and implementation of affairs which fall within the Minister's political competence (*Zarządzenie Ministra Energii z dnia 5 lutego 2016 r.* [*The Minister of Energy's 5 February 2016 Regulation*, p. 4). The Minister's Political Cabinet is directly subordinate to the Minister. The Political Cabinet may be viewed as a platform of co-operation between the Minister and working officials. It can also be said that the political cabinet is the site for development of the Ministry's operational strategies, preparation of expert opinions for the Minister, analysis and assessment of documentation to be signed, deciding about appropriate departments of state administration, and analysing the consequences of the decisions taken (*Odpowiedź Ministra Środowiska Marcina Korolca* [*Response from the Minister of the Environment, Marcin Korolec*], 2012).

<sup>16</sup> The International Affairs Department is responsible for implementation of the Ministry's coherent international policy, including the European policy, in co-operation with other departments.

<sup>17</sup> The Administrative Office is responsible for management of property and facility infrastructure under the Ministry's permanent management.

<sup>18</sup> The General Director's Office is responsible for human resources management, including recruitment of staff and provision of HR services to the Ministry's employees.

<sup>19</sup> The Minister's Office is responsible for supporting the Minister and other members of the Ministry's management, including the organisation of the Ministry's Management sittings, keeping records of documents to be signed by the Minister, endorsement of the Minister's correspondence and running the secretarial offices of members of the management.

<sup>20</sup> The Legal Office provides legal services to the Minister and to the Ministry, in particular issuing legal opinions and providing legal re-presentation in courts.

The data of Political Cabinet employees are accessible to the public by law and published by the Ministry.<sup>21</sup>

The Head of the Minister's Political Cabinet is in particular responsible for: 1) counselling the Minister on matters of current political activity; 2) co-ordinating implementation of the Ministry's information policy; 3) analysis and assessment, upon the Minister's commission, of social, political and economic events and processes; 4) co-operation with the Sejm and the Senate (the lower and the higher chamber of the Parliament, respectively) of the Republic of Poland, the Ministers' Council, bodies of state administration, bodies of local government, political parties, trade unions and social organisations (*Zarządzenie Ministra Energy z dnia 18 października 2016r.* [*The Minister of Energy's October 18, 2016 Regulation*], pp. 8-9).

#### b) *Departments*

Departments are the Ministry's inner organisational units. A department's organisation and specific scope of operation are defined in a set of in-house organisational regulations, which focus in particular on: 1) the department's organisational structure together with organograms; 2) the department's managerial organisation; 3) scope of authorisations for dealing with issues and signing documents delegated to the Deputy Manager, the Head of the Department and Team Co-ordinator; 4) a detailed scope of the department's tasks; 5) a list of legal acts pertaining to tasks carried out by the department. The main tasks of departments include: development of bills for governmental and ministerial documents, including participation in the law-making process according to valid legal regulations and in view of the Republic of Poland's international obligations; issuing opinions on bills for normative acts and other documents prepared by the Ministry's departments; co-operation with the Ministry's departments, bodies of state administration and local governments, bodies of economic self-government, social institutions and partners in issues related to task implementation, analysis and issuance of expert opinions on EU laws and judicature of the European Court of Justice with a view to introducing changes to Polish law within the Minister's competence (*Zarządzenie Ministra Energy z dnia 18 października 2016 r.* [*The Minister of Energy's October 18, 2016 Regulation*], p. 11).

<sup>21</sup> In February 2016, the Minister of Energy's Political Cabinet employed five full-time staff members, including the Head of the Political Cabinet, two counsellors and two political assistants to the Minister. Gross monthly remuneration for the members of the Political Cabinet at the Ministry of Energy was as follows: Head of the Political Cabinet – PLN 9,457.10; Counsellor – PLN 5,040.00; Counsellor – PLN 4,956.00; Political Assistant – PLN 3,000.00; Political Assistant – PLN 3,000.00. (*Odpowiedź na interpelację nr 845 w sprawie gabinetu politycznego* [*Response to Query No. 845 concerning the Political Cabinet*]).

### 3 THE MINISTER OF ENERGY'S AUXILIARY AND CONSULTING BODIES

The Minister of Energy's auxiliary and consulting bodies were established in accordance with the regulations of the August 8, 1996 Act on the Ministers' Council (*Ustawa z dnia 8 sierpnia 1996 r. o Radzie Ministrów*). Today's structure of the Ministry of Energy comprises five bodies which perform functions auxiliary to the Minister's functions. Their operation is regulated by the Minister of Energy's pertinent regulations (*Organy pomocnicze i doradcze [Auxiliary and Consulting Bodies]*).

#### a) *The Council for Companies with State Treasury Shareholding and Statutory Companies*

In accordance with the February 11, 2016 Act on State Administration Departments, owner supervision over energy companies was transferred from the State Treasury to the Ministry of Energy as of April 1, 2016. This caused the Ministry of Energy to take over owner supervision over many companies which had hitherto operated within the structures of the Ministry of the Treasury. Under the Minister of Energy's supervision are energy companies, fuel and gas companies, and exploitation companies. Regardless of the fact that listed companies are supervised by the Polish Financial Supervision Authority, the Ministry of Energy introduced owner supervision standards which enhanced the requirements used by other companies with State Treasury shareholding.<sup>22</sup> The document entitled "Standardy nadzoru właścicielskiego w spółkach z udziałem Skarbu Państwa, w

<sup>22</sup> According to the Ministry of Energy, the Ministry of Energy executes owner supervision over the following: Centrala Zbytu Węgla Węglózbyt S.A., Centralna Stacja Ratownictwa Górniczego S.A., Centrum Badań i Dozoru Górniczego Podziemnego sp. z o.o., Elektrociepłownia Będzin S.A., ENEA S.A., ENERGA S.A., Fabryka Elementów Złącznych S.A., Fabryka Przewodów Energetycznych S.A., Grupa LOTOS S.A., HUTA ŁABĘDY S.A., HUTMAR S.A., Instytut Automatyki Systemów Energetycznych sp. z o.o., Jastrzębska Spółka Węglowa S.A., Jastrzębskie Zakłady Remontowe sp. z o.o., JSW KOKS S.A., Katowicki Holding Węglowy S.A., KGHM Polska Miedź S.A., Kompania Węglowa S.A., Kopalnia Soli "Wieliczka" S.A., Kopalnia Soli Bochnia sp. z o.o., Kopalnie Surowców Mineralnych "KOSMIN" sp. z o.o., LOTOS PETROBALTIC S.A., PAK Kopalnia Węgla Brunatnego Adamów S.A., PAK Kopalnia Węgla Brunatnego Konin S.A., PGE Polska Grupa Energetyczna S.A., Polska Grupa Górnicza sp. z o.o., Polski Koncern Naftowy ORLEN S.A., Polskie Górnictwo Naftowe i Gazownictwo S.A., Przedsiębiorstwo Przeladunku Paliw Płynnych "NAFTOPORT" sp. z o.o., PSK Rzeszów sp. z o.o., SIARKOPOL Gdańsk S.A., Spółka Restrukturyzacji Kopalń S.A., Rafineria Nafty "GLIMAR" S.A., Regionalny Fundusz Gospodarczy S.A., TAURON Polska Energia S.A., Towarzystwo Finansowe Silesia sp. z o.o., Walcownia Metali Nieżelaznych "ŁABĘDY" S.A., Wałbrzyskie Zakłady Koksownicze "Victoria" S.A., Węglkokoks S.A., Zakłady Urządzeń Chemicznych i Armatury Przemysłowej "CHEMAR" S.A., Zarządca Rozliczeń S.A., Zespół Elektrowni Wodnych Niedzica S.A. (cf. *Spółki w nadzorze właścicielskim oraz jednostki nadzorowane i podległe [Owner-Supervised Companies as well as Other Supervised and Subsidiary Bodies]*).

których prawa z akcji lub udziałów wykonuje Minister Energii” [“Standards of Owner Supervision in Companies with State Treasury Shareholding where Rights on Shares or Participation Units are Executed by the Minister of Energy”] presents in a complex way the expectations pertaining to a variety of fields of owner supervision. In particular, it discusses the issues of competences of the companies’ corporate bodies, principles of communication and co-operation with the Ministry of Energy as executors of ownership rights, issues of strategic planning as well as organisation and assessment of the work of members of supervisory boards (*Standardy nadzoru właścicielskiego* [*Owner Supervision Standards*]). Among the many objectives of the Ministry’s supervision the most important include enhancement of the companies’ standing through value increase, which ensures meeting the state’s energy needs and ongoing professionalisation of management quality and owner supervision in the companies subordinate to the Ministry of Energy.

The tasks of the Council for Companies with State Treasury Shareholding and Statutory Companies include issuance of opinions on:

- Prospective members of supervisory bodies appointed by the State Treasury or a statutory company, or bodies of companies for which a company with State Treasury shareholding or a statutory company is the dominant entity under Art. 4 Point 3 of the February 16, 2007 Act on Competition and Consumer Protection,<sup>23</sup>
- Documents pertaining to state policy on state property management,
- Bills pertaining to state property management,
- Prospective members of executive bodies under Art. 26 of the December 16, 2016 Act on Principles of State Property Management,
- Matters related to state property management as motioned by the Prime Minister.

The Council comprises nine representatives, including three representatives of the Prime Minister, three representatives of the Minister of Economy, and three representatives of the Minister of Energy (*Rada ds. spółek z udziałem skarbu państwa* [*Council for Companies with State Treasury Shareholding*]).

b) *The Team for Implementation of the National Plan for Dealing with Radioactive Waste and Spent Nuclear Fuel*

In the early 2000s, Polish decision-makers decided that a nuclear power station be built in Poland. This decision was taken with a view to meeting future power-related needs of the Polish economy because, according to forecasts,

<sup>23</sup> Supervisory boards of companies supervised by the Minister of Energy comprise 172 persons, out of whom 90 are representatives of the State Treasury (cf. *Pełny zapis przebiegu Komisji do spraw energii i skarbu państwa* [*Complete Minutes of the Sitting of the Board for Energy and State Treasury*]).



without nuclear power stations of its own, Poland may in future be facing power shortages, given that power demand will have increased from 60 to 120% by the year 2020, which exceeds the capacities of power stations currently in operation. In accordance with the state document entitled “Polityka energetyczna Polski do 2030 roku” [“Poland’s Energy Policy until 2030”], building a nuclear power station in Poland ought to become one of the major objectives of the Polish energy policy (*Polityka Energetyczna Polski do 2030r.*). It must be noted that Poland’s implementation of a civilian nuclear programme does not automatically equal the shift of the Polish energy industry to nuclear power. Coal is expected to continue as the main energy resource in Poland for several more decades (Tatarzyński 2006, p. 43).

The objectives of the Team for Implementation of the National Plan for Dealing with Radioactive Waste and Spent Nuclear Fuel include in particular:

- Monitoring the implementation and suggesting directions for updating the National Plan for Dealing with Radioactive Waste and Spent Nuclear Fuel;
- Issuance of opinions, presentation of analyses and expert opinions on dealing with radioactive waste and spent nuclear fuel to meet the needs of Polish nuclear power industry;
- Presentation of suggested solutions for dealing with radioactive waste and spent nuclear fuel (*Zarządzenie Ministra Energy z dnia 31 stycznia 2017 r. [The Minister of Energy’s January 31, 2017 Regulation]*, p. 1).

The Team consists of the Team Leader, Team Members – permanent representatives appointed by the Minister of Energy, the Minister of the Environment, the Minister of Home Affairs, the Minister of Health, the President of the National Atomic Energy Agency, the Director of the State Geological Institute – the State Research Institute, the Director of the Radioactive Waste Treatment Facility, and the Team’s Secretary. In the Team’s work, non-members may participate as consultants, upon invitation from the Team Leader on account on their know-how and expertise (*Zarządzenie Ministra Energy z dnia 31 stycznia 2017 r. [The Minister of Energy’s January 31, 2017 Regulation]*, pp. 1-2).

#### c) *The Team for Provision of State Fuel Security*

One of the major objectives of Poland’s energy policy is to prevent dependency on one energy supplier. At present, considerable dependency on resources supplies from Russia affects the state’s energy security, as well as prices of imported natural gas and crude oil. Considerable dependency on Russian resources supplies makes it possible for the Kremlin to influence the security of states in Central and Eastern Europe (Ruszel, 2013, p. 146).

The Minister of Energy monitors and supervises the system of emergency reserves of crude oil and petroleum products as well as obligatory reserves of natural gas by means of periodic inspections of these reserves, their structures

and locations. Poland meets the obligation of maintaining 90-day emergency reserves of crude oil, liquid fuels and gas (LPG) as well as 30-day obligatory reserves of natural gas.<sup>24</sup> Emergency reserves ought to be maintained exclusively in the territory of Poland, but their location in the territory of another EU state is acceptable on condition that an international agreement is concluded between Poland and the interested state. Reserves located outside Poland may not exceed 5% of total agency reserves and 5% of total obligatory reserves of crude oil or fuels to be obligatorily maintained by a particular manufacturer or agent.

The objectives of the Team for Provision of State Fuel Security include planning, initiating and coordinating of operations aimed at provision of the state's fuel security as well as initiating and co-ordinating of emergency operations in the case of threat to that security (*Zarządzenie Ministra Energy z dnia 12 stycznia 2017 r.* [The Minister of Energy's January 12, 2017 Regulation], pp. 1-3). The Team comprises the Team Leader, i.e. the Secretary or Undersecretary of State in the Ministry of Energy for the State's fuel and gas system operation; the Deputy Team Leader – the Government's Representative for Strategic Energy Infrastructure; Members – one representative each, at least at the level of departmental directors, of the Minister of Foreign Affairs, the Minister of Internal Affairs and Administration, the President of the Energy Regulatory Authority, the President of the Material Reserves Agency, the Director of the National Centre for Security, the Head of the Internal Security Agency, Co-ordinator of Special Services, and the Team Secretary – the Director of the Crude Oil and Natural Gas Department at the Ministry of Energy (*Zarządzenie Ministra Energy z dnia 12 stycznia 2017 r.*, pp. 2-3).

In February 2017, the Supreme Audit Office presented a report on the management of the obligatory reserves of crude oil, petroleum products and natural gas. According to the Supreme Audit Office, the Minister of Energy's monitoring and supervision of the system of emergency reserves of crude oil and petroleum products as well as obligatory reserves of natural gas were satisfactory. Periodic inspections of the state of these reserves, their structures and locations were adequately performed. Moreover, the state administration's performance of duties of creating and maintaining fuel reserves as well as auditing storage services were found to be adequate. Developed by the state administration, the monitoring system ensured complete exchange of information, for instance, on

<sup>24</sup> As of March 31, 2016, the level of the obligatory reserves of crude oil and petroleum fuels (per tonne of oil equivalent) was 6,677 thousand tonnes. This level would have met the demand for liquid fuel for 104 days' crude oil and petroleum product net import as compared to the 90 days requisite under the Reserves Act. Moreover, the trade inventory of crude oil and petroleum fuels (1,714 thousand tonnes) would have lasted 27 days. Obligatory reserves of high-methane natural gas (maintained exclusively by PGNiG S.A.), between October 1, 2015, and March 31, 2016, ranged from 836 million cu. M to 815 million cu. m. This was equivalent to at least 30 days' average daily delivery, and thus compliant with the requirements of the Reserves Act.

real volume of crude oil and fuels emergency reserves, their structures, locations and ownership, as well as natural gas obligatory reserves (*Zarządzanie zapasami obowiązkowymi ropy naftowej* [*Management of Obligatory Reserves of Crude Oil*], pp. 7-9).

d) *The Ministry of Energy's Crisis Management Team*

The anticipated energy crisis due to insufficient amounts or impeded exploitation of energy resources in proportion to increased demand necessitates searching for an alternative energy base to meet economic needs. Moreover, the role of the energy factor increases in significance in international relations, becoming an inseparable element of international relations and world economy. In their international relations, states have observed that enhancing energy security is an integral function of the state and a *sine qua non* of state stability and operational efficiency (Mitręga, 2015, p. 11).

Interrupted supplies of electrical power, liquid fuels or gas may be detrimental to efficient operation of a state. Negative consequences of interruptions in power supplies may lead to a drop in GDP; power cuts for industrial plants, which can result in irregularity or stoppage of the manufacturing process, particularly in SMEs or chemical plants; enforced evacuation of local inhabitants and need for provision of conditions for survival; and the necessity to introduce liquid fuel limits for individuals and businesses. Power or fuel shortages negatively affect the operation of critical infrastructure related to, for instance, transport and communications, rescue services, food deliveries and ensuring ongoing operation of the public administration (*Krajowy Plan Zarządzania Kryzysowego* [*National Emergency Management Plan*], 2013, pp. 16-18). The Team's tasks include:

- a) Periodic risk assessment for *Report on Threats to National Security*;
- b) Issuance of opinions on plans for emergency management;
- c) Issuance of opinions on the list of facilities, installations and equipment which make up the critical infrastructure within their competence;
- d) Development of motions and proposals for prevention and dealing with threats (*Zarządzenie Ministra Energy z dnia 20 października 2016 r.* [*The Minister of Energy's October 20, 2016 Regulation*], pp. 1-2).

At present, for the purposes of complex assessment of the threat of a global energy crisis, it is necessary to evaluate the sufficiency of all basic sources of primary fossil energy, because exhaustion of one source of primary energy will lead to shifting the weight of maintaining the energy for human civilisation to others in turn, until all become completely exhausted (Mitręga, 2015, p. 169).

e) *The Team for Assessment of Laws on Mining Facility Management*

The Polish energy sector is characterised by considerable resources of both hard and brown coal, which causes power generation to be based on them. Both

hard and brown coal are viewed by the Polish government as guarantees of the state's energy security. According to a report by the National Geological Institute, Poland has a total of 48 billion 226 million tonnes of documented geological hard coal resources, and 22 billion tonnes of brown coal (*Bilans zasobów [Listing of Resources]*, 2012, pp. 37, 44). Unfortunately, the Polish mining is carried out under untoward geological and mining conditions, with practically all natural threats whose symptoms or occurrence can be disastrous. The main threats in underground mining include rock bursts, fires, roof falls, methane and coal dust explosions, or floodings (*Stan bezpieczeństwa i higieny pracy w górnictwie w 2002 roku [Safety at Work in Mining 2002]*, 2003, p. 6). At present, the hard coal mining sector faced its largest crisis in years due to the decreasing demand for coal on domestic and international markets, dramatic price drops and increasing costs of underground mining (*Odpowiedź na interpelację nr 1023 w sprawie strategii górnictwa węgla kamiennego [Response to Query No. 1023 on Hard Coal Mining Strategy]*).

Regulations concerning management of mining facilities concern exploitation of mineral resources through production wells in terms of: 1) safety at work, including occupational risk assessment and documentation, together with application of adequate risk-decreasing solutions; 2) fire safety; 3) mineral resource management through exploitation; 4) environmental protection; 5) basic facilities, machinery and equipment of mining facilities (*Rozporządzenie Ministra Gospodarki z dnia 25 kwietnia 2014 r. [The Minister of Economy's April 25, 2014 Regulation]*).

The Team for Assessment of Laws on Mining Facility Management consists of the Head – the Secretary of State in the Ministry of Energy; the Deputy Head – the President of the State Mining Authority; and members: two representatives of the Ministry of Energy and four representatives of the State Mining Authority. The Team's tasks include:

- a) Identification of fields to be regulated;
- b) Analysis of current laws with a view to simplification;
- c) Cataloguing cases in which proof of check-up of technical solutions carried out by a mining expert is required;
- d) Identification of technical regulations in need of modification;
- e) Implementation of results of the “Improvement of Work Safety in Mines” strategic project;
- f) Development of bills in the field of safety at work at various types of mining facilities (*Zarządzenie Ministra Energy z dnia 25 kwietnia 2016 r. [The Minister of Energy's April 25, 2016 Regulation]*, p. 1).

Actions aimed at analysis of Polish mining laws are geared at enhancement of Polish mines' efficiency as well as provision of safe working conditions for miners.

## CONCLUSION

Particular institutions of the Ministry of Energy work within their competences, adjusting their organisation and methods of operation to the growing challenges in the field of energy security. Consequently, institutions supporting the Minister of Energy ought to fulfil their tasks in accordance with current legal regulations, thus becoming a major part of Poland's energy policy.

In a discussion of the Ministry of Energy, it is worth stressing that the Ministry itself should not only be viewed as a substantially isolated branch of state administration, because within the Ministry operates a system of several organisational units which implement a variety of tasks within the Ministry's competence. It must however be stressed that, given the many departments and offices, as well as the role performed by the Minister of Energy's auxiliary and consulting bodies, together with the Political Cabinet, insufficient co-ordination between individual units of the Ministry may be expected. This may cause prolongation of procedures for approving documentation pertaining to the operation of a particular unit, thus prolonging the adaptation processes of energy-related solutions aimed at enhancement of Poland's energy security.

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