



ENERGY
COMMUNITIES
REPOSITORY

Poland



OVERVIEW OF THE POLICY FRAMEWORK

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DISCLAIMER

The content of this document aims to establish an overview of the national legal developments in the context of the Clean Energy Package for the Member State mentioned above. **The document includes only final legislation which was published before the end of March 2023. It does not include provisions that are not yet applicable under law (i.e., currently drafted or discussed).**

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Overview

According to the Energy Communities Repository's research, Poland is in the progress of transposing the provisions for Renewable Energy Communities (RECs) and Citizen Energy Communities (CECs) into national legislation, therefore no energy community definitions exist at the moment of writing this document. However, the national legislation features provisions on energy cooperatives, which are defined as form of cooperation with the purpose to produce electricity, biogas or heat from renewable sources. These activities shall cover only the needs of the energy cooperative and its members, who need to be connected to the distribution network in a specific area with a rated voltage lower than 110 kV or a gas distribution network or heating network.¹ Energy cooperatives are managed directly by their members on a 'one member-one vote' basis and mainly aim at maximizing the benefits for the local community and meeting the energy needs of their members, rather than making profits. Generating energy solely to meet the needs of its members means that an energy cooperative cannot sell the generated energy to a non-member entity.²

According to national legislation, an energy cooperative may operate only in the area of a rural or urban-rural commune as defined by public statistics, or in an area of no more than three such communes directly adjacent to each other.³ According to the national law, no more than one thousand (1000) legal or natural persons may become a member in an energy cooperative.⁴ In addition to the legislation for energy cooperatives, there is legislation in Poland for energy clusters and collective renewable energy prosumers.⁵

Poland's energy transformation strategy is envisioned in two documents: the Energy Policy of Poland with a horizon to 2040 (PEP2040) and the National Energy and Climate Plan with a horizon to 2030 (NECP), in compliance with the EU Governance Regulation. In the PEP2040, energy communities are presented as an important means of empowering and stimulating electricity consumers.⁶

References

¹ The definition of energy cooperatives is introduced by article 2(33a) of the Act of 20 February 2015 on Renewable Energy Sources.

² Kostecka-Jurczyk, D.; Marak, K.; Stru's, M. Economic Conditions for the Development of Energy Cooperatives in Poland. *Energies* 2022, 15, 6831. <https://doi.org/10.3390/en15186831>

³ Article 38c(1) of the Act of 20 February 2015 on Renewable Energy Sources

⁴ Article 38e(1)(2) of the Act of 20 February 2015 on Renewable Energy Sources.

⁵ Best practices for energy communities in Poland and Germany, German-Polish Energy Platform, KAPE, DENA, last updated: 11/2022, available at: https://www.dena.de/fileadmin/dena/Publikationen/PDFs/2022/ANALYSIS_Best_practices_for_energy_communities_in_Poland_and_Germany.pdf

⁶ Ibid



- Act of February 20, 2015 on Renewable Energy Sources (Dz.U. z 2021 r. poz. 610). Available online: <https://isap.sejm.gov.pl/isap.nsf/download.xsp/WDU20210000610/U/D20210610Lj.pdf>
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