

Draft name Regulation of the Minister for Digital Affairs on the technical conditions of electricity supply to telecommunications structures or telecommunication facilities Lead ministry and cooperating ministries Ministry of Digital Affairs Ministry of Development and Technology Person responsible for the draft at the level of Minister, Secretary of State or Undersecretary of State Michał Gramatyka – Secretary of State at the Ministry of Digital Affairs Contact details for the draft supervisor Tomasz Opolski – Deputy Director of the Telecommunications Department at the Ministry of Digital Affairs Tomasz.Opolski@cyfra.gov.pl tel.: +48 22 245 59 18. Agnieszka Książkiewicz – Legal Adviser in the Telecommunications Investments Division of the Telecommunications Department at the Ministry of Digital Affairs Agnieszka.Ksiazkiewicz@cyfra.gov.pl tel.: +48 22 245 59 18. Agnieszka Czerwik-Gadowska – Chief Specialist in the Regulatory Division of the Telecommunications Department at the Ministry of Digital Affairs Agnieszka.Czerwik-Gadowska@cyfra.gov.pl tel.: +48 22 245 59 18.	IssuedDate 4 September 2026 Source: Article 7(2)(2) of the Construction Law Act of 7 July 1994 (Journal of Laws [Dziennik Ustaw] 2026, items 524, 605, 646 and 1161) Number on the list of legislative works of the Minister for Digital Affairs: 2
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REGULATORY IMPACT ASSESSMENT

1. What issue is being addressed?

The adoption of a new Regulation of the Minister for Digital Affairs on the technical conditions for supplying electricity to telecommunications structures or telecommunications facilities is justified by the need to adapt the provisions to the current legal, organisational and technological state of things in the telecommunications sector. The current Regulation of the Minister for Communications of 21 April 1995 on the technical conditions for the supply of electricity to telecommunications structures (Journal of Laws, item 271) was issued under different legal and technological circumstances and regulates the technical conditions for the supply of electricity to both telecommunications and postal facilities.

Leaving the existing 1995 regulation in force would not allow to take into account technological changes that have occurred in the telecommunications sector, including the development of modern telecommunications networks, transmission infrastructure and new power supply solutions and energy support systems. Maintaining the current legal framework could lead to the continued application of outdated technical requirements and give rise to interpretative uncertainties regarding the adaptation of the regulations to modern technologies and models of telecommunications infrastructure operation. The issuance of a new regulation is the most effective way of addressing the identified problem. It will enable a comprehensive regulation of the technical conditions for powering telecommunications infrastructure, taking into account the current state of technical knowledge and modern solutions used in the telecommunications sector. At the same time, the new regulation will ensure regulatory transparency, eliminate obsolete provisions relating to postal facilities and contribute to the harmonisation of technical requirements on the market.

It should be pointed out that the application of non-legislative measures, such as guidelines, technical recommendations

or good industry practices, could not replace legal regulation because the scope of matters covered by the statutory delegation requires the definition of binding technical requirements in a generally applicable act. Non-legislative measures would be of a non-binding nature and would not ensure uniform application of the requirements by all regulated entities.

2. Recommended solution, including planned intervention tools and expected effect

The recommended solution is to issue a new regulation laying down the technical conditions for the supply of electricity to telecommunications structures and telecommunications premises. The draft legislation will replace the Regulation of the Minister for Communications of 21 April 1995 on the technical conditions for the supply of electricity to telecommunications structures, which was issued under different legal, organisational and technological circumstances. The instrument of intervention is an executive act issued pursuant to the statutory authorisation contained in Article 7(2) (2) of the Construction Law Act of 7 July 1994. The draft Regulation will specify the technical requirements for the electricity supply of telecommunications structures or facilities. The provisions of the Regulation will apply to the conversion, extension or addition of storeys to a telecommunications building or telecommunications room, where it involves the conversion, extension or addition of storeys to an installation within that building or facility, which will be used to supply electricity to telecommunications structures or telecommunications facilities. In addition, the draft defines the parameters of basic and backup power supply, requirements for power reliability, as well as solutions to ensure the continuity of operation of telecommunications equipment and networks.

The expected effect of the regulation is the creation of up-to-date and unambiguous technical requirements for the electricity supply of telecommunications structures and facilities.

3. How was the problem solved in other countries, in particular OECD/EU member countries?

The proposed regulation does not stem from EU regulations. There is no information on legal solutions adopted in other countries in this respect.

4. Entities affected by the draft

Group	Size	Data source	Impact
Telecommunications undertakings	approx. 3895	Register of Telecommunications Undertakings	Application of technical conditions of electricity supply in the design, construction and reconstruction of telecommunication structures or telecommunication facilities.
Owners of built structures	Difficult to estimate	-	Application of technical conditions of electricity supply in the design, construction and reconstruction of telecommunication structures or telecommunication facilities.
Entities involved in the design, construction or reconstruction of telecommunications structures or telecommunications	Difficult to estimate	-	Application of technical conditions of electricity supply in the design, construction and reconstruction of telecommunication structures or telecommunication

facilities			facilities.
5. Information on the scope, duration and summary of the consultation results			
In accordance with Article 5 of the Act of 7 July 2005 on lobbying activities in the legislative process (Journal of Laws of 2026, item 936) and with § 52 of Resolution No. 190 of the Council of Ministers of 29 October 2013 – Rules of Procedure of the Council of Ministers (Polish Official Gazette [Monitor Polski] of 2026, item 404), the draft Regulation was made available in the Public Information Bulletin on the website of the Government Legislation Centre, on the Government Legislative Process site, and on the website of the Minister for Digital Affairs. The draft Regulation was subject to a 14-day public consultation and a further public consultation with the following organisations: 1) Energa-Operator S.A.; 2) ENEA Operator S.A.; 3) Krajowa Izba Komunikacji Ethernetowej [Polish Chamber of Ethernet Communication]; 4) Krajowa Izba Gospodarcza [National Chamber of Commerce]; 5) Krajowa Izba Gospodarcza Elektroniki i Telekomunikacji [Polish Electronics and Telecommunications Chamber of Commerce]; 6) Krajowa Izba Gospodarki Cyfrowej [National Chamber of Digital Economy]; 7) PGE Dystrybucja S.A.; 8) Polska Izba Informatyki i Telekomunikacji [Polish Chamber of Information Technology and Telecommunications]; 9) Polska Izba Komunikacji Elektronicznej [Polish Chamber of Electronic Communications]; 10) Polskie Sieci Elektroenergetyczne S.A.; 11) Stoen Operator Sp. z o.o.; 12) Stowarzyszenie Elektryków Polskich [Association of Polish Electrical Engineers]; 13) Stowarzyszenie Inżynierów Telekomunikacji [Polish Association of Telecommunication Engineers]; 14) TAURON Dystrybucja S.A. The draft Regulation was submitted to a 14-day consultation to the following entities: 1) Krajowa Rada Radiofonii i Telewizji [The National Broadcasting Council]; 2) Prezes Urzędu Ochrony Konkurencji i Konsumentów [President of the Office of Competition and Consumer Protection]; 3) Prezes Urzędu Komunikacji Elektronicznej [President of the Office of Electronic Communications]; 4) Polish Committee for Standardisation; 5) General Counsel to the Republic of Poland; The draft Regulation was submitted for a 30-day consultation period, in accordance with Article 16 of the Act of 23 May 1991 on employers' organisations (Journal of Laws of 2025, item 423), to the following representative employers' organisations: 1) Związek Pracodawców Business Centre Club [Business Centre Club Union of Employers]; 2) Federacja Przedsiębiorców Polskich [Federation of Polish Entrepreneurs]; 3) Pracodawcy Rzeczypospolitej Polskiej (Employers of the Republic of Poland); 4) Konfederacja Lewiatan” [‘Lewiatan’ Confederation]; 5) Związek Przedsiębiorców i Pracodawców [Union of Entrepreneurs and Employers]; 6) Związek Rzemiosła Polskiego [Polish Craft AssociationPolish Craft Association]. The draft Regulation was submitted to a 30-day consultation, in accordance with Article 19 of the Act of 23 May 1991 on trade unions (Journal of Laws of 2026, item 549), to the following representative trade union organisations: 1) Niezależny Samorządny Związek Zawodowy „Solidarność” [‘Solidarność’ Independent Self-Governing Trade Union]; 2) Ogólnopolskie Porozumienie Związków Zawodowych [All-Poland Alliance of Trade Unions]; 3) Forum Związków Zawodowych [Forum of Trade Unions].			

The draft Regulation was also submitted to the Joint Committee of the Government and Local Government for its opinion.

The draft Regulation was submitted to a 30-day consultation to the Social Dialogue Council, in accordance with Article 5 of the Act of 24 July 2015 on the Social Dialogue Council and other social dialogue institutions (Journal of Laws of 2026, item 836).

The draft Regulation was submitted to a 30-day consultation to the Public Benefit Activities Council, pursuant to Article 34b(1)(3) of the Act of 24 April 2003 on charitable activities and voluntary service (Journal of Laws of 2025, item 1338; and of 2026, item 1040).

The results of public consultations and opinions were discussed in the consultation report.

6. Impact on the public finance sector

(constant 2026 prices)	Impact over 10 years from the entry into force of the amendments [PLN million]											
	0	1	2	3	4	5	6	7	8	9	10	Total (0–10)
Total revenue	0	0	0	0	0	0	0	0	0	0	0	
state budget	0	0	0	0	0	0	0	0	0	0	0	
local government units	0	0	0	0	0	0	0	0	0	0	0	
other units (separately)	0	0	0	0	0	0	0	0	0	0	0	
Total expenditure	0	0	0	0	0	0	0	0	0	0	0	
state budget	0	0	0	0	0	0	0	0	0	0	0	
local government units	0	0	0	0	0	0	0	0	0	0	0	
other units (separately)	0	0	0	0	0	0	0	0	0	0	0	
Total balance	0	0	0	0	0	0	0	0	0	0	0	
state budget	0	0	0	0	0	0	0	0	0	0	0	
local government units	0	0	0	0	0	0	0	0	0	0	0	
other units (separately)	0	0	0	0	0	0	0	0	0	0	0	

Sources of financing The entry into force of the draft legislation will have no effect on the public finance sector, including the income and expenditures of state and local government budgets.

Additional information, including the identification of data sources and assumptions made in the calculation

7. Impact on the competitiveness of the economy and on entrepreneurship, including the functioning of enterprises, as well as the impact on families, citizens and households

Impact

Time in years since the entry into force of the amendments		0	1	2	3	5	10	Total (0–10)
In monetary terms (PLN million, fixed prices for [year])	large enterprises	-	-	-	-	-	-	-
	micro-, small- and medium-sized enterprises	-	-	-	-	-	-	-
	families, citizens and households	-	-	-	-	-	-	-
	(add/remove)							
In non-monetary terms	Large enterprises	The regulations being introduced may prove useful to businesses involved in the design and construction of electricity supply systems for telecommunications structures or telecommunications facilities when drawing up business plans, and in identifying the risks associated with their current or planned activities. In relation to the legislation currently in force, the draft provides for amendments to Annex 1, which sets out the parameters for the powering of individual telecommunications structures or telecommunications facilities. The classification of telecommunications structures set out in Appendix 1 reflects the current network architecture and also covers mobile access infrastructure facilities which were not covered by the provisions contained in the Regulation of the Minister for Communications of 21 April 1995 on the technical conditions for the supply of electricity to telecommunications structures.						
	micro-, small- and medium-sized enterprises	-						
	Families, citizens and households	The draft Regulation will not have a direct impact on families, citizens, and households.						
	(add/remove)							
Unmeasurable	(add/remove)							
	(add/remove)							
Additional information, including the identification of data sources and assumptions made in the calculation		Not applicable						
8. Change in the regulatory burdens (including disclosure obligations) resulting from the draft								
☒ not applicable								
Burdens are placed outside those strictly required by					☐ yes			

the EU (see reverse side of the compatibility table for details).	☐ no ☐ not applicable	
☐ reduction in the number of documents ☐ reduction in the number of procedures ☐ shortening of the time to settle the matter ☐ other:	☐ increase in the number of documents ☐ increase in the number of procedures ☐ extension of the time to settle the matter ☐ other:	
The introduced burdens are suitable for digitisation.	☐ yes ☐ no ☐ not applicable	
Comment:		
9. Impact on the labour market		
The draft regulation will not affect the employment market.		
10. Impact on other aspects		
☐ natural environment ☐ regional standing and development ☐ ordinary, administrative or military courts	☐ demographics ☐ state property ☐ other:	☐ digitalisation ☐ health
Discussion of the impact	The draft Regulation sets out the rules for the design, construction and refurbishment of the electricity supply systems for telecommunications structures or telecommunications rooms. Its aim is to create a transparent legal environment that responds to the technologies and standards currently used in the construction and renovation of telecommunications structures or facilities powered by electricity. The proposed legislation is intended to facilitate the running of business activity by entities currently operating on the market, as well as entrepreneurs who plan to undertake such activities.	
11. Scheduled implementation of provisions of the act		
The Regulation will enter into force on 20 September 2026.		
12. How and when will the impact of the draft be assessed, and what measures will be applied?		
Given the scope of the Regulation, there is no need to evaluate the effects of the proposed solutions.		
13. Annexes (important source documents, research, analyses, etc.)		
None		

