

<p><b>Draft name</b> Regulation of the Minister of the Economy amending the Regulation on the manner of collecting samples of liquid fuels and liquid biofuels.</p> <p><b>Lead ministry and cooperating ministries</b> Ministry of Energy</p> <p><b>Person responsible for the draft: Minister, Secretary of State or Undersecretary of State</b> Minister of Energy Miłosz Motyka</p> <p><b>Contact details for the draft supervisor</b> Iwona Gawłowska, Deputy Director of the Department of Electromobility, Fuels and Hydrogen Management (e-mail:- <a href="mailto:iwona.gawlowska@me.gov.pl">iwona.gawlowska@me.gov.pl</a>) Marta Kosicka, Senior Specialist in the Department of Electromobility, Fuels and Hydrogen Management (e-mail:- <a href="mailto:marta.kosicka@me.gov.pl">marta.kosicka@me.gov.pl</a>)</p>	<p><b>Date of preparation</b> 25 September 2025</p> <p><b>Source:</b> Statutory authorisation</p> <p>Article 19(1) of the Act of 25 August 2006 on the system for monitoring and controlling the quality of fuels (Journal of Laws of 2024, items 1209, 1940 and 1946, and of 2025, item 303)</p> <p><b>Number in the existing list of works of the Minister of Industry</b> 2</p>
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## REGULATORY IMPACT ASSESSMENT

### 1. What issue is being addressed?

Pursuant to the authorisation laid down in Article 19(1) of the Act of 25 August 2006 on the system for monitoring and controlling the quality of fuels, hereinafter referred to as the “Act on the quality of fuels”, the Minister of Energy shall lay down the method of sampling liquid fuels and liquid biofuels, taking into account the methods set out in the relevant standards in this field.

The Regulation of the Minister for Industry and the Minister for Climate and the Environment of 21 March 2025 on quality requirements for liquid biofuels (Journal of Laws, item 426) entered into force on 17 April 2025. However, the Regulation of the Minister for Energy of 16 September 2025 on methods for testing the quality of liquid biofuels is awaiting publication (which will take place on 15 October 2025 at the latest) and will enter into force 14 days after the date of its publication. One of the objectives of the new regulation is to define the quality requirements and quality testing methods for a new type of liquid biofuel, i.e. liquid biocarbons constituting self-contained fuel and paraffinic diesel, hereinafter referred to as “paraffinic biohydrocarbons”. This will enable the production of paraffin biocarbons on the territory of Poland and their placement on the market. In addition, quality requirements and quality test methods have been updated for other liquid biofuels, which are already regulated, i.e. methyl ester as a stand-alone fuel (B100), diesel containing 20 % methyl ester (B20) and motor gasoline containing between 70 % and 85 % bioethanol (E85). These comprehensive changes in the field of liquid biofuels have an impact on the need to determine the method of sampling also paraffinic biocarbons, i.e. the subject matter regulated jointly with the method of sampling liquid fuels and other liquid biofuels.

There is also a need to “open” the catalogue of liquid fuels and liquid biofuels for which the method of sampling is specified (for the full implementation of the statutory authorisation), consisting in the removal of the provision listing the catalogue of liquid fuels and liquid biofuels for which the method of sampling is specified.

In addition, having regard to Article 5(3) of the Standardisation Act of 12 September 2002 (Journal of Laws 2015, item 1483), according to which the use of Polish standards is voluntary, there is a need to change the formula for relying on Polish standards governing sampling methods for fuels and liquid biofuels, which, in accordance with guidelines for the issue of the regulation, are the substantive basis for determining the content of this normative act.

### 2. Recommended solution, including planned intervention tools and expected impact

Due to the significant scope of substantive changes consisting in the inclusion of paraffinic biohydrocarbons in the Fuel Quality Monitoring and Control System and the change in the formula based on the Polish Standards governing the methods of sampling of fuels and liquid biofuels, as well as the impossibility of only amending the existing Regulation of the Minister for the Economy of 1 September 2009 on the method of sampling liquid fuels and liquid biofuels (Journal of Laws 2014, item 1035), due to its maintenance in force by Article 32 of the Act of 11 February 2016 amending the Act on government departments and certain other acts (Journal of Laws, items 266 and 1592) until the date of entry into force of implementing provisions issued on the basis of Article 19(1) of the Fuel Quality Act, as amended by the Act of 11 February 2016, the only possible solution is to issue a new Regulation on the method of sampling of liquid fuels and liquid biofuels. The expected effect will be a substantive consistency with the new regulations on liquid biofuels.

In addition, by changing the formula for relying on Polish Standards, the new regulation will ensure that provisions on the sampling method for liquid fuels and liquid biofuels are consistent with Article 5(3) of the Standardisation Act of 12 September 2002, while taking into account the current wording of the relevant standardisation documents.

### 3. How has this problem been solved in other countries, in particular in OECD/EU Member States?

Technical standards relating to quality testing methods have been developed by an international team of experts. For this reason, standards are the most common and popular source of national guidelines on methods for testing the quality of liquid biofuels. The European Committee for Standardization (CEN) is officially recognised by the European Union as a standardisation organisation. CEN brings together national standardisation bodies from 34 countries (including all EU countries).

### 4. Entities affected by the draft

Group	Size	Data source	Impact
President of the Office of Competition and Consumer Protection [Urząd Ochrony Konkurencji i Konsumentów]	1	<a href="https://uokik.gov.pl/">https://uokik.gov.pl/</a>	Supplementation of guidelines for the Trade Inspection with a method of sampling for paraffin biohydrocarbons.
Provincial Trade Inspectorate Units	16	<a href="https://uokik.gov.pl/">https://uokik.gov.pl/</a>	Supplementation of guidelines for the Trade Inspection with a method of sampling for paraffin biohydrocarbons.

### 5. Information on the scope, duration, and summary of consultation results

The draft has not been submitted to pre-consultation.

In accordance with Article 5 of the Act of 7 July 2005 on lobbying activity in the law-making process (Journal of Laws of 2025, item 677) and § 52(1) of Resolution No 190 of the Council of Ministers of 29 October 2013 – Rules of Procedure of the Council of Ministers (Official Gazette of 2024, item 806, and of 2025, item 408), the draft has been made available in the Public Information Bulletin on the website of the Government Legislation Centre, in the Government Legislative Process service.

As part of the public consultation, the draft was sent (10 days) to the following stakeholders:

- 1) Polish Chamber of Liquid Fuels (Polska Izba Paliw Płynnych);
- 2) Polish Organisation of Oil Industry and Trade (Polska Organizacja Przemysłu i Handlu Naftowego);
- 3) Polish National Chamber of Biofuels (Krajowa Izba Biopaliw);
- 4) Polish Chamber of Liquid Gas (Polska Izba Gazu Płynnego);
- 5) Polish Automotive Industry Association (Polski Związek Przemysłu Motoryzacyjnego);
- 6) Motor Transport Institute (Instytut Transportu Samochodowego);
- 7) Oil and Gas Institute – National Research Institute (Instytut Nafty i Gazu – Państwowy Instytut Badawczy);
- 8) Łukasiewicz Research Network – Industrial Automotive Institute (Sieć Badawcza Łukasiewicz – Przemysłowy Instytut Motoryzacji);
- 9) BOSMAL Automotive Research and Development Institute (Instytut Badań i Rozwoju Motoryzacji BOSMAL Sp. z o.o.);
- 10) Sieć Badawcza Łukasiewicz – Instytut Chemii Przemysłowej im. prof. Ignacego Mościckiego (Łukasiewicz Research Network – Prof. Ignacy Mościcki Institute of Industrial Chemistry);
- 11) Air Force Institute of Technology (Instytut Techniczny Wojsk Lotniczych);
- 12) National Chamber of Alternative Fuels (Krajowa Izba Paliw Alternatywnych);
- 13) Domestic Council of Alcohol Distillation and Production of Biofuels (Krajowa Rada Gorzelnictwa i Produkcji Biopaliw);
- 14) National Association of Rapeseed and Protein Plant Producers (Krajowe Zrzeszenie Producentów Rzepaku i Roślin Białkowych);
- 15) Polish Association of Oil Producers (Polskie Stowarzyszenie Producentów Oleju);
- 16) PERN S.A.;
- 17) BP Polska Sp. z o.o.;
- 18) ORLEN S.A.;
- 19) Shell Polska Sp. z o.o.;
- 20) Slovnaft – Polska S.A.;
- 21) Circle K Polska Sp. z o.o.;
- 22) UNIMOT S.A.;
- 23) Tanquid Polska Sp. z o.o.;
- 24) AMIC Polska Sp. z o.o.;
- 25) HUZAR PSP S.A.;
- 26) ANWIM S.A.;
- 27) Aramco Fuels Poland Sp. z o.o.

The draft was submitted for opinion (10 days) to the following entities:

- 1) President of the Office for Competition and Consumer Protection;
- 2) President of the Energy Regulatory Office;

- 3) President of the Polish Committee for Standardisation;
- 4) General Director of the National Support Centre for Agriculture.

In view of the scope of the project, which does not concern:

- 1) the tasks of trade unions – it is not subject to an opinion by representative trade unions;
- 2) the rights and interests of employers' associations – it is not subject to an opinion by representative employers' organisations;
- 3) matters relating to local self-government, referred to in the Act of 6 May 2005 on the Joint Commission of the Government and Local Self-Government and on the representatives of the Republic of Poland in the European Committee of the Regions (Journal of Laws 2024, item 949) – it is not subject to an opinion by the Joint Commission of the Government and Local Self-Government;
- 4) matters referred to in Article 1 of the Act of 24 July 2015 on the Social Dialogue Council and other institutions of social dialogue (Journal of Laws 2018, item 2232, as amended) – it is not subject to an opinion by the Social Dialogue Council;
- 5) matters referred to in Article 35(2)(2) of the Act of 24 April 2003 on Public Benefit Activity and Voluntary Work (Journal of Laws 2024, item 1491, 1761 and 1940) – it is not subject to an opinion from the Council for Public Benefit Work.

The draft does not require submission to institutions and bodies of the European Union, including the European Central Bank, for an opinion, notification, consultation or agreement of the draft.

Results of the public consultation and opinion-giving have been set out in the consultation report, containing a compilation of the positions or opinions submitted and the responses thereto by the proposing authority, which has been made available in the Public Information Bulletin on the website of the Government Legislation Centre, in the Government Legislative Process service.

No entities indicated an interest in working on the draft in accordance with the Act of 7 July 2005 on lobbying activities in the law-making process.

## 6. Impact on the public finance sector

(fixed prices from 2025)	Impact over 10 years from implementing the amendments [PLN million]											
	0	1	2	3	4	5	6	7	8	9	10	Total (0–10)
<b>Total revenue</b>	0	0	0	0	0	0	0	0	0	0	0	0
state budget	0	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	0
other units (separately)	0	0	0	0	0	0	0	0	0	0	0	0
<b>Total expenditure</b>	0	0	0	0	0	0	0	0	0	0	0	0
state budget	0	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	0
other units (separately)	0	0	0	0	0	0	0	0	0	0	0	0
<b>Total balance</b>	0	0	0	0	0	0	0	0	0	0	0	0
state budget	0	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	0
other units (separately)	0	0	0	0	0	0	0	0	0	0	0	0
Sources of financing	Not applicable.											
Additional information, including the identification of data sources and assumptions made in the calculation	The draft Regulation will not have financial consequences for public finance sector units, including the state budget and the budgets of local government units, consisting of increasing their expenditures or reducing their revenues compared to the amounts resulting from the applicable regulations.											

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

		Impact							
Time in years since entry into force of the amendments		0	1	2	3	5	10	Total (0–10)	
In monetary terms (in PLN millions, fixed)	large enterprises	0	0	0	0	0	0	0	
	micro-, small- and medium-sized enterprises	0	0	0	0	0	0	0	

prices from 2025)	families, citizens and households	0	0	0	0	0	0	0
	people with disabilities and the elderly	0	0	0	0	0	0	0
In non-monetary terms	large enterprises	Entry into force of the Regulation has no impact in non-monetary terms.						
	micro-, small- and medium-sized enterprises	Entry into force of the Regulation has no impact in non-monetary terms.						
	families, citizens and households	Entry into force of the Regulation has no impact in non-monetary terms.						
	people with disabilities and the elderly	Entry into force of the Regulation has no impact in non-monetary terms.						
Unmeasurable	(add/remove)							
	(add/remove)							

Additional information, including the identification of data sources and assumptions made in the calculation	None
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### 8. Change in the regulatory burdens (including disclosure obligations) resulting from the draft

not applicable

Burdens are placed outside those strictly required by the EU (see the inverted compatibility table for details).	<input type="checkbox"/> yes <input type="checkbox"/> no <input checked="" type="checkbox"/> not applicable
<input type="checkbox"/> reduction in the number of documents <input type="checkbox"/> reduction in the number of procedures <input type="checkbox"/> shortening of the time to settle the matter <input type="checkbox"/> other:	<input type="checkbox"/> increase in the number of documents <input type="checkbox"/> increase in the number of procedures <input type="checkbox"/> extension of the time to settle the matter <input type="checkbox"/> other:
The introduced burdens are suitable for digitisation.	<input type="checkbox"/> yes <input type="checkbox"/> no <input checked="" type="checkbox"/> not applicable

Comment: The entry of the draft act into force shall not generate new regulatory burdens.

### 9. Impact on the labour market

The entry into force of the draft act shall have no impact on the labour market.

### 10. Impact on other aspects

<input type="checkbox"/> natural environment <input type="checkbox"/> regional standing and development <input type="checkbox"/> ordinary, administrative or military courts	<input type="checkbox"/> demographics <input type="checkbox"/> state property <input type="checkbox"/> other:	<input type="checkbox"/> computerisation <input type="checkbox"/> health
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Discussion of the impact	Not applicable.
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### 11. Planned implementation of provisions of the act

The draft regulation will enter into force 14 days after its publication.

### 12. How and when will the impact of the draft be assessed, and what measures will be applied?

An evaluation will take place 3 years after the entry into force of this draft regulation. As part of the evaluation, a measure will be used in the form of the number of problems with sampling reported to the Ministry of Energy in accordance with the method set out in the proposed regulation.

### 13. Annexes (important source documents, research, analyses, etc.)

None