

<p>Draft name Regulation of the Minister of Climate and the Environment on quality requirements, quality testing methods, and methods of sampling for biocomponents, excluding biocomponents produced through co-processing, gaseous biocomponents and biocomponents used for the production of aviation fuels and marine fuels</p> <p>Lead ministry and cooperating ministries Ministry of Climate and the Environment</p> <p>Person responsible for the draft: Minister, Secretary of State or Undersecretary of State Urszula Zielińska, Secretary of State, Ministry of Climate and the Environment</p> <p>Contact details for the draft supervisor Tomasz Pańczyszyn, Head Department of Renewable Energy Sources at the Ministry of Climate and the Environment e-mail: tomasz.panczyszyn@klimat.gov.pl tel.: +48 22 3691611</p>	<p>Date of drawing it up 20 January 2026</p> <p>Source: art. 22(6) of the <i>Act on Biocomponents and Liquid Biofuels</i> of 25 August 2006 (Journal of Laws 2025, item 901)</p> <p>Number in the list of legislative work items of the Minister of Climate and the Environment 1249</p>
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REGULATORY IMPACT ASSESSMENT

1. What issue is being addressed?

The Regulation of the Minister of Climate and the Environment of 9 August 2021 *on quality requirements for biocomponents, methods for testing the quality of biocomponents and the method of sampling biocomponents* (Journal of Laws item 1707) (“the 2021 Regulation”) is currently in force.

Act of 25 August 2006 on *Biocomponents and Liquid Biofuels* (Journal of Laws of 2025, item 901), hereinafter referred to as ‘the Act’, was amended by the Act of 21 February 2025 amending the Act on *Biocomponents and Liquid Biofuels and certain other acts* (Journal of Laws of 2025, item 303), hereinafter referred to as ‘the 2025 Act’. Pursuant to Article 22(1) of the Act of 2025, the existing implementing provisions issued on the basis of Article 22(6) of the Act shall remain in force for no longer than 18 months from the date of entry into force of the Act of 2025. The amendment introduced changes aimed, among other things, at extending the existing exemption from the scope of the authorisation referred to in Article 22(6) of the Act concerning biocomponents produced in the co-hydrogenation process with additional items, i.e. gaseous biocomponents and biocomponents used for the production of aviation and marine fuels.

The proposed legal act aims to resolve the problem described above, i.e. to implement the current wording of the statutory authorisation by excluding gaseous bio-components (bio propane-butane), bio-components produced in the co-hydrogenation process, and bio-components used for the production of aviation and marine fuels from the regulations concerning quality requirements, quality testing methods and sampling methods for bio-components, as well as taking into account the current wording of the applicable Polish Standards in the draft.

The problem has been identified within the administration. The problem is multifaceted – the issuance of an implementing act in line with the amended statutory provisions and technical and technological developments taking place in the market for production of biocomponents.

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

The solution to the problem identified and described in point 1 of the IA is to issue a new legal act – a regulation of the minister responsible for climate matters laying down quality requirements for biocomponents, methods for testing the quality of biocomponents, and the method of sampling biocomponents, excluding biocomponents produced in the process of co-hydrogenation, gaseous biocomponents and biocomponents used for the production of aviation fuels and marine fuels, issued on the basis of the authorisation contained in Article 22(6) of the Act, which will replace the 2021 Regulation.

The problem cannot be solved by other means, as the provisions of the 2025 Act maintain in force for a limited period of time the current implementing rules issued pursuant to Article 22(6) of the Act and require the Minister responsible for climate to determine, by means of a regulation, quality requirements, quality testing methods and sampling methods for particular types of biocomponents within 18 months of the entry into force of the provisions of the 2025 Act.

Currently, two types of biocomponents are produced and used in Poland to achieve the National Indicative Target, hereinafter referred to as ‘NIT’: bioethanol and fatty acid methyl esters (FAME).

The planned effect of the draft regulation is, among other things, the creation of legal regulations enabling the exclusion of biocomponents manufactured via the co-hydrogenation process, gas biocomponents and biocomponents used for aviation and marine fuels from the regulations on quality requirements, quality testing methods, and the method of

sampling for biocomponents, as well as the inclusion of the existing wording of the Polish Standards in the legislation. The adoption of the draft Regulation is essential, as the National Indicative Target (NIT) obligation is currently fulfilled in accordance with the quality requirements, quality testing methods, and sampling methods laid down in the 2021 Regulation.

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

Not applicable.

4. Entities affected by the draft

Group	Size	Data source	Impact
Economic operators conducting business activities in the field of production and marketing of biocomponents	20 (as of 14 November 2025)	Register of biocomponent producers maintained by the Director General of the National Agricultural Support Centre pursuant to Article 4(2) of the Act.	The definition of quality requirements, quality testing methods and sampling procedures for biocomponents will enable their use in the implementation of the NIT.
Entities fulfilling the NIT	17 entities (as of 24 November 2025)	List of entities obligated to fulfil the National Indicative Target (NIT) in 2025 – published in the Public Information Bulletin of the President of the Energy Regulatory Office (list compiled pursuant to Article 22a(4)-(6) of the Act).	The specification of quality requirements, quality testing methods and sampling methods for biocomponents will enable them to be included in the NIT implementation.

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

The draft has not been submitted for pre-consultation.

The draft, pursuant to Article 5 of the Act of 7 July 2005 on Lobbying Activities in the Law-Making Process (Journal of Laws of 2025, item 677) and § 52 of Resolution No. 190 of the Council of Ministers of 29 October 2013 on the Rules of Procedure of the Council of Ministers (Monitor Polski of 2024, item 806, as amended), has been made available in the Public Information Bulletin, on the website of the Government Legislation Centre, in the Government Legislative Process portal.

As part of the public consultation (10 days), the following entities received the draft:

- 1) Krajowa Izba Biopaliw (National Chamber of Biofuels);
- 2) Krajowa Izba Gospodarcza (Polish Chamber of Commerce);
- 3) Krajowa Rada Górzelnictwa i Produkcji Biopaliw (Association of Alcohol and Biofuel Producers);
- 4) Polska Izba Paliw Płynnych (Polish Chamber of Liquid Fuels);
- 5) Polska Organizacja Przemysłu i Handlu Naftowego (Polish Organisation of Oil Industry and Trade);
- 6) Związek Górzelników Polskich (The Union of Polish Distilleries);
- 7) Instytut Techniczny Wojsk Lotniczych (Air Force Institute of Technology (AFIT));
- 8) Instytut Transportu Samochodowego (Institute of Motor Transport);
- 9) Przemysłowy Instytut Motoryzacji (Automotive Industry Institute);
- 10) Polska Izba Motoryzacji (The Polish Chamber of the Automotive Industry);
- 11) Instytut Nafty i Gazu (Oil and Gas Institute);
- 12) Polski Związek Przemysłu Motoryzacyjnego (Polish Automotive Industry Association);
- 13) Instytut Badań i Rozwoju Motoryzacji BOSMAL (BOSMAL Automotive Research and Development Institute);
- 14) Instytut Chemii Przemysłowej (Institute of Industrial Chemistry);
- 15) Izba Gospodarcza Gazownictwa (Chamber of the Natural Gas Industry);
- 16) Krajowe Zrzeszenie Producentów Rzepaku (The National Association of Rapeseed Producers);
- 17) Polska Izba Paliw Płynnych (Polish Chamber of Liquid Fuels);
- 18) Polskie Stowarzyszenie Producentów Oleju (Polish Association of Oil Producers);
- 19) Unia Producentów i Pracodawców Przemysłu Biogazowego (Union of Producers and Employers of Biogas Industry);
- 20) Krajowa Izba Paliw Alternatywnych (National Chamber of Alternative Fuels);
- 21) Polska Organizacja Gazu Płynnego (Polish LPG Association);
- 22) ORLEN S.A.;
- 23) PERN S.A.;
- 24) Aramco Fuels Poland Sp. z o.o.;
- 25) Krajowa Izba Biegłych Rewidentów (National Chamber of Statutory Auditors);
- 26) ANWIM Spółka Akcyjna;
- 27) SYLKOM Sp. z o.o.
- 28) BP Europa SE, a European company, Polish branch in Cracow;

- 29) CIRCLE K POLSKA Sp. z o.o.;
- 30) EKO-EN 2 Sp. z o.o.;
- 31) PETRAX TRADE Sp. z o.o.;
- 32) SELECT ENERGY Sp. z o.o.;
- 33) Shell Polska Sp. z o.o.;
- 34) Slovnaft Polska S.A.;
- 35) SOLUMUS GAS Sp. z o.o.;
- 36) SOLUMUS Spółka Akcyjna;
- 37) TotalEnergies Marketing Polska Sp. z o.o.;
- 38) UNIMOT PALIWA Sp. z o. o.;
- 39) WARTER FUELS Spółka Akcyjna.

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) General Director of the National Support Centre for Agriculture.
- 4) Ombudsman for Small and Medium-Sized Enterprises;
- 5) Polish Committee for Standardization (Polski Komitet Normalizacyjny).

On 10 April 2025, the draft was submitted for additional consultation and opinion to the following entities:

- 1) Instytut Nafty i Gazu (Oil and Gas Institute);
- 2) Instytut Techniczny Wojsk Lotniczych (Air Force Institute of Technology);
- 3) PERN;
- 4) Urząd Ochrony Konkurencji i Konsumentów (Office of Competition and Consumer Protection);

As part of the repeat consultation (10 days), the following entities received the draft (submitted on 4 July 2025):

- 1) Krajowa Izba Biopaliw (National Chamber of Biofuels);
- 2) Krajowa Izba Gospodarcza (Polish Chamber of Commerce);
- 3) Krajowa Rada Górzelnictwa i Produkcji Biopaliw (Association of Alcohol and Biofuel Producers);
- 4) Polska Izba Paliw Płynnych (Polish Chamber of Liquid Fuels);
- 5) Polska Organizacja Przemysłu i Handlu Naftowego (Polish Organisation of Oil Industry and Trade);
- 6) Związek Górzelników Polskich (The Union of Polish Distilleries);
- 7) Instytut Techniczny Wojsk Lotniczych (Air Force Institute of Technology (AFIT));
- 8) Instytut Transportu Samochodowego (Institute of Motor Transport);
- 9) Przemysłowy Instytut Motoryzacji (Automotive Industry Institute);
- 10) Polska Izba Motoryzacji (The Polish Chamber of the Automotive Industry);
- 11) Instytut Nafty i Gazu (Oil and Gas Institute);
- 12) Polski Związek Przemysłu Motoryzacyjnego (Polish Automotive Industry Association).
- 13) Instytut Badań i Rozwoju Motoryzacji BOSMAL (BOSMAL Automotive Research and Development Institute);
- 14) Instytut Chemii Przemysłowej (Institute of Industrial Chemistry);
- 15) Izba Gospodarcza Gazownictwa (Chamber of the Natural Gas Industry);
- 16) Krajowe Zrzeszenie Producentów Rzepaku (The National Association of Rapeseed Producers);
- 17) Polska Izba Paliw Płynnych (Polish Chamber of Liquid Fuels);
- 18) Polskie Stowarzyszenie Producentów Oleju (Polish Association of Oil Producers);
- 19) Unia Producentów i Pracodawców Przemysłu Biogazowego (Union of Producers and Employers of Biogas Industry);
- 20) Krajowa Izba Paliw Alternatywnych (National Chamber of Alternative Fuels);
- 21) Polska Organizacja Gazu Płynnego (Polish LPG Association);
- 22) ORLEN S.A.;
- 23) PERN S.A.;
- 24) Aramco Fuels Poland Sp. z o.o.;
- 25) Krajowa Izba Biegłych Rewidentów (National Chamber of Statutory Auditors);
- 26) ANWIM Spółka Akcyjna;
- 27) SYLKOM Sp. z o.o.
- 28) BP Europa SE, a European company, Polish branch in Cracow;
- 29) CIRCLE K POLSKA Sp. z o.o.;
- 30) EKO-EN 2 Sp. z o.o.;
- 31) PETRAX TRADE Sp. z o.o.;
- 32) SELECT ENERGY Sp. z o.o.;
- 33) Shell Polska Sp. z o.o.;
- 34) Slovnaft Polska S.A.;
- 35) SOLUMUS GAS Sp. z o.o.;
- 36) SOLUMUS Spółka Akcyjna;

- 37) TotalEnergies Marketing Polska Sp. z o.o.;
- 38) UNIMOT PALIWA Sp. z o. o.;
- 39) WARTER FUELS Spółka Akcyjna.

The draft was submitted for a second opinion (10 days) on 4 July 2025 to the following entities:

- 1) President of the Office for Competition and Consumer Protection;
- 2) President of the Energy Regulatory Office;
- 3) General Director of the National Support Centre for Agriculture.
- 4) Ombudsman for Small and Medium-Sized Enterprises;
- 5) Polski Komitet Normalizacyjny (Polish Committee for Standardization);
- 6) the Chief Inspector for Environmental Protection.

Taking into account the scope of the draft, which does not concern the activities of trade unions, the draft has not been subject to opinion of representative trade unions.

Taking into account the scope of the draft, which does not concern the rights and interests of employer associations, the draft has not been subject to assessment by representative employer organizations.

The draft Regulation is subject to the procedure for notification of legal acts as specified in the Regulation of the Council of Ministers of 23 December 2002 on the functioning of the national system for notification of standards and legal acts (Journal of Laws item 2039, as amended).

The draft was not subject to assessment by the Joint Commission of the Government and Local Government because it does not concern matters relating to local government, referred to in the Act of 6 May 2005 on the Joint Commission of the Government and Local Government and the representatives of the Republic of Poland in the European Committee of the Regions (Journal of Laws of 2024, item 949).

The Draft does not concern matters referred to in Article 1 of the Act of 24 July 2015 on the Council of Social Dialogue and Other Institutions of Social Dialogue (Journal of Laws of 2018, item 2232 as amended) and therefore did not require an opinion from the Council of Social Dialogue.

The draft does not concern matters referred to in Article 35(2)(2) of the Act of 24 April 2003 on Public Benefit Activity and Volunteer Work; therefore, it did not require an opinion from the Council for Public Benefit Activities (Journal of Laws of 2025, item 1338).

The draft regulation did not require submission to the relevant institutions and bodies of the European Union, including the European Central Bank, for the purpose of obtaining an opinion, notification, consultation or agreement on the draft, as referred to in Resolution No. 190 of the Council of Ministers of 29 October 2013 – Rules of Procedure of the Council of Ministers.

Results of the opinions and public consultations are discussed in a consultation report, which contains a summary of the positions or opinions expressed and a reference to them by the requesting authority, and is made available on the Government Legislation Centre's website, in the Government Legislation Process section, no later than the date on which the draft is forwarded to the next stage of the legislative process.

6. Impact on the public finance sector

(fixed prices for (year))	Impact over 10 years from implementing 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	0	0
state budget	0	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	0
other units (separately)	0	0	0	0	0	0	0	0	0	0	0	0	0
Total expenditure	0	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	0
local government units	0	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	0
Total balance	0	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	0
local government units	0	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	0
Sources of financing	The draft Regulation shall not affect the public finance sector. The foregoing results from the												

	fact that the objective of the draft Regulation is to enable economic operators to count the produced biocomponents towards the fulfilment of the National Indicative Target (NIT). The draft shall not have an impact on the State budget or the budgets of local government units.							
Additional information, including the identification of data sources and assumptions made in the calculation	Not applicable.							
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	<i>Total (0–10)</i>	
In monetary terms (in PLN millions, fixed prices for (year))	large enterprises	0	0	0	0	0	0	0
	micro-, small- and medium-sized enterprises	0	0	0	0	0	0	0
	families, citizens and households	0	0	0	0	0	0	0
	persons with disabilities and the elderly	0	0	0	0	0	0	0
	additional information:	<p>A positive impact on the competitiveness of the economy is anticipated – the possibility of counting biocomponents towards the National Indicative Target (NIT) may act as a factor mobilizing undertakings to develop biocomponent production infrastructure.</p> <p>This can contribute to increased flexibility in business operation (in terms of NIT feasibility) and have positive consequences for the health of companies.</p> <p>Furthermore, increasing the quantity of biocomponents used domestically will have a positive impact on increasing the use of energy from renewable sources.</p>						
In non-monetary terms	large enterprises	The entry into force of the Regulation creates an incentive to develop infrastructure for the production of further types of biocomponents.						
	micro-, small- and medium-sized enterprises	The entry into force of the Regulation creates an incentive to develop infrastructure for the production of further types of biocomponents.						
	families, citizens and households	Not applicable.						
	persons with disabilities and the elderly	Not applicable.						
Unmeasurable	families, citizens and households	The implementation of provisions allowing biocomponents to be counted towards the fulfilment of the National Indicative Target (NIT) may contribute to increasing the share of energy from renewable sources in transport; it may also have a positive environmental impact resulting from the reduction of greenhouse gas emissions from the use of imported fossil fuels in favour of the use of renewable domestic biocomponents.						
	family, citizens, households, persons with disabilities and the elderly	<p>The reduction of greenhouse gas emissions from the use of fossil fuels in favour of low-emission biocomponents will have a positive impact on air quality, which may translate into improved public health, particularly for the elderly suffering from respiratory diseases.</p> <p>The entry into force of the Regulation will not impact persons with disabilities.</p>						
Additional information, including the identification of data sources and assumptions made in	The assumptions made are based on the observation of developments in the production and use of biocomponents worldwide.							

the calculation	
8. Change in the regulatory burdens (including disclosure obligations) resulting from the draft	
<input checked="" type="checkbox"/> not applicable No additional regulatory burdens are imposed in the draft regulation, including information obligations. The draft regulation aims to adapt the regulations on quality requirements for biocomponents, quality testing methods for biocomponents and the manner of sampling biocomponents to the current market situation in this regard.	
Burdens are placed outside those strictly required by the EU (see the inverted compatibility table for details).	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no <input 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 purpose of the draft Regulation is to enable undertakings obliged to implement the NIT to count biocomponents as part of the above-mentioned obligation.	
9. Impact on the labour market	
The draft regulation may have an impact on the labour market, as it creates opportunities within the field of biocomponent production.	
10. Impact on other aspects	
<input checked="" 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
Discussion of the impact	The draft regulation will have an impact on the natural environment, due to the gradual facilitation of the use of biocomponents in place of fuels produced from conventional sources, which will contribute to the decarbonisation of road transport.
11. Planned implementation of provisions of the act	
The Regulation shall 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?	
Analysis of the method and levels of use of biocomponents will be conducted on an ongoing basis based on information obtained from the National Centre for Agricultural Support – reports of biocomponent manufacturers and the President of the Energy Regulatory Office – reports of entities implementing the NIT.	
13. Annexes (important source documents, research, analyses, etc.)	
None.	