

ENERGY REGULATORY OFFICE

INFORMATION PACKAGE

FOR ENTITIES INTENDING TO APPLY FOR ENTERING INTO
REGISTER OF RENEWABLE ENERGY GENERATORS IN SMALL-
SCALE INSTALLATIONS, AND FOR ENTITIES WHO HAVE
OBTAINED ENTRY TO THAT REGISTER

WARSAW, January 2020

1. Introduction

Pursuant to Art. 7 of the Act of 20 February 2015 on renewable energy sources (Journal of Laws of 2018, item 2389, as amended; hereinafter: “RES Act”), business activity in the field of generating electricity from renewable energy sources in small-scale installations is regulated activity in the meaning of the Act of 6 March 2018 on Entrepreneurs Law (Journal of Laws of 2019, item 1292, as amended, hereinafter: “Entrepreneurs Law Act”), and requires entry in a register of electricity generators in small-scale installations (hereinafter: “Register”).

Small-scale installation is a RES installation with total installed electrical capacity of more than 50 kW and less than 500 kW, connected to electricity grid with rated voltage lower than 110 kV, or with generating thermal capacity in cogeneration of more than 150 kW and not exceeding 900 kW, in which total installed electrical capacity is more than 50 kW and less than 500 kW.

The Register is kept by the President of Energy Regulatory Office (hereinafter: “President of ERO”), who makes entry in the register upon entrepreneur’s request.

Issues related to obtaining an entry in the Register, application to enter in the Register and remove from the Register are regulated in Articles 7-16a and 18 of the Energy Law Act. According to Art. 18 section 1 of the Act, in matters connected with running business in the field of electricity generation from RES in small-scale installations, in the scope not regulated in Chapter 2 of the RES Act, the provisions of the Act on Entrepreneurs Law apply.

The register of electricity generators in a small-scale installations is open to public inspection in the ERO’s Bulletin of Public Information at: www.bip.ure.gov.pl, in the section “Rejestr i bazy”.

2. How to get an entry into the Register?

The entry in the Register is made by the President of ERO at the entrepreneur's request. The Applicant should be aware of the fact that the better and more completely the application is prepared (it contains all the necessary exhibits), the smoother the entry process will run.

3. Where to submit application?

An application for an entry into the Register can be lodged in person or sent by mail to:

- 1) Relevant Branch Office of the ERO **with jurisdiction over the area of the Applicant’s registered seat**, if the application concerns electricity generation in the following types of RES installations:
 - Hydropower “WO”
 - Wind energy “WI”
 - Geothermal energy “GE”
 - Solar energy “PV”
 - Biogas other than agricultural biogas, if it is not generation in CHP.
- 2) ERO’s Department of Renewable Energy Sources in Warsaw (**regardless of the Applicant’s seat**), if the application relates to electricity generation in RES installations, **including CHP**:
 - using biomass - "BM" or biomass with other fuels;
 - using bioliquids with other fuels (e.g. a mixture of bioliquids and biomass);
 - using biogas - "BG" or biogas with other fuels;
 - using agricultural biogas with other fuels;

- using biogas - "BG" with other fuels.

Contacts to the ERO's Branch Offices and to Department of Renewable Energy Sources:

1. North-West Branch seated in Szczecin (ul. Żubrów 3, 71-617 Szczecin; e-mail: szczecin@ure.gov.pl), which territorial jurisdiction covers the area of Zachodniopomorskie Voivodship and Lubuskie Voivodship);
2. North Branch seated in Gdańsk (ul. Okopowa 7, 80-819 Gdańsk; e-mail: gdansk@ure.gov.pl), which territorial jurisdiction covers area of Pomorskie Voivodship and Warmińsko-Mazurskie Voivodship);
3. Western Branch seated in Poznań (ul. Wielka 20, 61-774 Poznań; e-mail: poznan@ure.gov.pl), which territorial jurisdiction covers area of Wielkopolskie Voivodship and Kujawsko-Pomorskie Voivodship);
4. Eastern Branch seated in Lublin (Al. Józefa Piłsudskiego 13, 20-011 Lublin; e-mail: lublin@ure.gov.pl), which territorial jurisdiction covers area of Lubelskie Voivodship and Podlaskie Voivodship);
5. Middle-Western Branch seated in Łódź (ul. Traugutta 25, 90-113 Łódź; e-mail: lodz@ure.gov.pl), which territorial jurisdiction covers area of Łódzkie Voivodship and Mazowieckie Voivodship);
6. South-West Branch seated in Wrocław (ul. Marsz. J. Piłsudskiego 49-57, 50-032 Wrocław; e-mail: wroclaw@ure.gov.pl), which territorial jurisdiction covers area of Dolnośląskie Voivodship and Opolskie Voivodship);
7. Southern Branch seated in Katowice (ul. Sokolska 65, 40-087 Katowice; e-mail: katowice@ure.gov.pl), which territorial jurisdiction covers area of Śląskie Voivodship and Świętokrzyskie Voivodship);
8. South-East Branch seated in Kraków (ul. Juliusza Lea 114, 30-133 Kraków; e-mail: krakow@ure.gov.pl), which territorial jurisdiction covers area of Małopolskie Voivodship and Podkarpackie Voivodship);
9. ERO's Department of Renewable Energy Sources (Al. Jerozolimskie 181, 02-222 Warsaw; e-mail: dzo@ure.gov.pl).

Territorial jurisdiction and contact data of Branch Offices are available also on the ERO's website: http://www.ure.gov.pl/portal/pl/419/Oddzialy_Terenowe.html

Additional information about entry in the Register and running regulated business may be obtained through the contact information above.

Pursuant to Art. 43 section 2 of the Act on Entrepreneurs Law, entrepreneur who is subject to entry in the Business Activity Central Register and Information Record (Centralna Ewidencja i Informacja o Działalności Gospodarczej - CEIDG) can submit application for entry in the Register, along with required declarations, also in the municipal office (urząd gminy), indicating authority keeping the register of regulated business activity. However, it should be borne in mind that posting application directly by a generator may have an impact on faster delivery of the application to the President of ERO.

4. Lodging an application and documents which should be attached to the application

4.1. Application for entry in the Register shall be lodged with a use of a template available on the ERO's website (<https://bip.ure.gov.pl/bip/rejstry-i-bazy/wytworcy-energii-w-male/2138,Rejestr->

[wytworcow-energii-w-malej-instalacji.html](#)). The model application includes data referred to in Art. 10 section 1 of the RES Act, i.e.:

1. designation of producer, their seat, address and other contact details;
2. the tax identification number (NIP) of the producer;
3. producer's entry number in the relevant register (National Court Register -KRS/ NIP (CEIDG));
4. details of the person authorized to represent the producer, his/her address or telephone number – if such a person has been designated by the producer;
5. description of the type and scope of performed business relating to generating electricity in small-scale installations, place or places (with a name of a town, municipality, powiat and voivodship) and the planned date of starting the activity;
6. description of small installation, including in particular type of installation, its total installed electrical capacity or generating thermal capacity in cogeneration.

4.2. Following 2 declarations (Art. 10 section 2 of the RES Act) must be attached to the application:

- 1) **producer's declaration** that he/she is not in arrears with the payment of taxes, fees and social security contributions;
- 2) **producer's statement** that information contained in the application is true and he/she complies with requirements referred to in Art. 9 section 1 of the RES Act, made under penalty of perjury.

Templates of above declarations are published on the ERO's website (<https://bip.ure.gov.pl/bip/rejestr-y-bazy/wytworcy-energii-w-male/2138,Rejestr-wytworcow-energii-w-malej-instalacji.html>).

IMPORTANT: The statement that information contained in the application for entry in the Register is full and true, and that Applicant knows terms and conditions for conducting business in the field of generating electricity in small RES installation, as well as that the Applicant meets the requirements specified in Art. 9 section 1 point 1-3 of the RES Act, is made under penalty of perjury, resulting from Art. 233 paragraph 6 of the Criminal Code. That statement – due to its nature – is therefore qualified as **statement of knowledge**, and not as the statement of will, and thus can be submitted exclusively by the party applying for enter in the Register, **and not by its attorney**. Criminal liability, referred to in Art. 10 section 2 point 2 of the RES Act in conjunction with Art. 233 paragraph 6 of the Criminal Code, is individual and personal liability, i.e. responsibility for the committed act of the person who actually made the declaration in question.

Submitting the statement by the party to the proceeding who is criminally liable for the truth of statements made, is mandatory.

In the case when the entrepreneur - natural person is a party to the proceeding, declaration should be submitted and signed by that natural person.

In the case when entrepreneurs run business in the form of civil law partnership, all partners should submit and sign the declarations.

In the case of partnerships, declarations should be submitted and signed by the partner or partners authorized to represent the partnership, and in the case of combined representation – by the partner acting together with the attorney, according to representation provided in the National Court Register.

In the case of legal persons (joint stock company, limited liability company) – the declaration shall be submitted by a member of management board (in the case of sole representation) or by the members of management board (in the case of joint representation). In the case of combined

representation, declaration may be submitted and signed by the member of management board acting together with the attorney, according to representation determined in company's Articles of Association or company deed, provided in the National Court Register.

5. Fees to be paid in connection with application to enter in the Register or application for modification of entry in the Register.

According to Art. 6 section 1 point 1 of the Act of 16 November 2006 on the Stamp Fee (Journal of Laws of 2019 item 1000, as amended; hereinafter: Stamp Fee Act), the obligation to pay the stamp fee for enter in the Register arises at the moment of **submitting the application** to enter in the Register.

The rate of a stamp fee, determined in Part I section 36 point 10 of an Exhibit to the aforementioned Act (i.e. a stamp fee for enter in the register of regulated business activities of an entity running business not listed in the previous points of this paragraph) amounts to **PLN 616**.

In the case when the producer has already been entered in the Register and **applies for modification of entry in the Register**, he/she is obliged to pay stamp fee if the modification **consists in extending a scope of conducted regulated business activity** by adding new RES installation, or to extending existing entry in the Register to include electricity generation in CHP unit. Then, the stamp fee in the amount of **PLN 308** should be paid (pursuant to Part I paragraph 37 point 1 of the Exhibit to the Stamp Fee Act).

Pursuant to Art. 12 section 2 of the Stamp Fee Act, the tax authority with geographic jurisdiction in stamp fee matters:

- a) **on performance of an office duty**, issuing a certificate and a permit (a licence) – is the tax authority with geographic jurisdiction **over the authority's seat**;
- b) **on submitting a document confirming granting of a power-of-attorney or attorney-in-fact** rights or its excerpt, extract or copy – is the tax authority with geographic jurisdiction **over the place of submitting the document**.

Due to the fact that the seat of the central administration authority – the President of ERO – is the capital city of Warsaw, the stamp fee for entering in the Register (see point a) above) in the amount of **PLN 616** should be paid to the account of the Mayor of the Capital City of Warsaw. In the case of non-cash payments, they should be made to the relevant account of Municipal Office of the Capital City of Warsaw, Taxpayer Service Centre, ul. Obozowa 57, 01-161 Warsaw, account no.: **21 1030 1508 000 0005 5000 0070**, with a note: "opłata skarbową – wpis do rejestru wytwórców energii w małej instalacji".

If an application for entry in the Register is submitted by an authorized person on behalf of the producer, the application should be accompanied by a receipt of a stamp duty payment in the amount of **PLN 17** for submitting a document confirming the granting of a power of attorney or procurator and its excerpt, extract or copy. In such a case the stamp fee should be paid **to the account or at the teller desk of relevant City Hall, i.e. in accordance with the place of submitting the power-of-attorney or attorney-in-fact** - that is in practise Branch Office of ERO (in Szczecin, Gdańsk, Poznań, Lublin, Łódź, Wrocław, Katowice, Kraków) relevant in the field of entry in the register or ERO's Department of Renewable Energy Sources in Warsaw (in that case, similarly to the stamp fee for entry in the Register, the tax authority will be the President of the Capital City of Warsaw).

A receipt of stamp duty payment in the amount of PLN 616 (alternatively in the amount of PLN 308 in case of application to modify an entry in the register) or in the amount of PLN 17 should be attached to the application to enter in the Register or application to modify entry in the Register.

When the stamp fee was paid by cash, the original stamp fee payment receipt must be attached to the application. In the case of non-cash payment in the form of bank transfer, the application shall be supplemented with the receipt of stamp fee payment which may take a form of printout from the computer system (confirmation of the transaction execution). This evidence is kept in the case file.

If the **original (or in respect of charges for the power-of-attorney - a certified copy)** of the stamp fee payment receipt is not attached to the application, the entrepreneur will be summoned to make the relevant payment and provide the receipt. If the stamp fee payment receipt is not provided despite the fact that the summons to send it was dispatched, this will be a premise for returning the application pursuant to Art. 261 paragraph 2 of the Code of Administrative Procedure.

In case of missing of the stamp fee payment receipt for the power-of-attorney or proxy, pursuant to Art. 11 sections 1 and 3 of the Stamp Fee Act, the President of ERO shall provide information to the competent tax authority about cases of non-payment of stamp fee for the power-of-attorney or proxy, in order to initiate administrative enforcement by that authority.

According to Art. 7 point 2 and 3 of the Stamp Fee Act, state budget units and local self-government units are exempt from paying a stamp fee.

6. Duration of the procedure

According to Art. 11a section 1 of the RES Act, the President of ERO is obliged to enter an entrepreneur in the register of electricity producers in small installation **within 7 days** from the date of receipt of the application for entry in the Register together with the Applicant's declarations referred to in point 4.2.

It should be borne in mind that Art. 10 section 4 of the RES Act stipulates that if:

- 1) the application for entry in the register of electricity producers in a small installation **does not contain required data**, or
- 2) **required declarations were not attached to the application** for entry in the register of electricity producers in a small installation

- the President of ERO immediately requests the Applicant to supplement the application within **7 days** from the request delivery date, and if the Applicant fails to complete the application within the prescribed period, the application **will not be considered**. It should be remembered that also failure to attach to the application a receipt of stamp duty payment for entry in the Register will result in the call for providing the receipt, and consequently may lead to the return of the application in the event of failure to complete the missing document. If the Applicant will supplement the application to the extent indicated by the authority, the 7-day period within which the authority is required to make an entry in the Register **runs from the date of receipt of the supplementary application**.

Moreover, according to Art. 11 section 4 of the RES Act, the President of ERO *ex officio* corrects an entry in the register of electricity producers in a small installation, containing obvious errors or inconsistencies with the facts.

It should be also kept in mind that the possibility (Art. 11a section 2 of the RES Act) to start running the business activity after 14 days from the date of receipt of the application for entry by the President of the ERO (in the case when the authority maintaining the register of regulated activities fails to make an entry within 7 days from the date when authority have received the application for entry together with a declaration of compliance with conditions required to perform the business activity for which the Register is kept), **does not apply to the case when the authority requested the Applicant to supplement the application for entry.**

Therefore, only the submission of a complete application, properly filled in and signed by a person authorized to represent the Applicant (subject to the above-mentioned requirements for signing of the declaration provided under penalty of criminal liability), enables the Applicant to get an entry in the Register within the statutory period of 7 days.

Similar rules relating to deadline for handling the case are applicable in the case of submitting an application for a modification of the entry in the Register.

It should be borne in mind that the possible disregarding of the application due to the failure to complete it in the manner specified in Art. 10 section 4 of the RES Act, as well as returning the application due to failure to supplement the missing stamp fee payment receipt, do not prevent from the resubmission of complete application for enter in the Register or for modification of an entry, what as a consequence will allow for handling the case in the manner determined in the Act.

7. How does the President of ERO handle an application for entry in the Register or an application for modification of the entry?

According to Art. 11a section 3 of the RES Act, the President of ERO issues *ex officio* a certificate of entry in the register. The President of ERO will act in a similar way when the Applicant applies for a modification of an entry in the Register, **consisting in extension** of the scope of regulated activity by adding a new RES installation, or extension of the current entry to include electricity production in a CHP unit, and the modification in the requested scope will be made.

8. In what cases does the President of ERO refuse entering in the Register?

According to Art. 13 of the RES Act, the President of ERO refuses entering in the register of electricity generators in small-scale installations, by way of a decision, in the case when:

- 1) **a final ruling has been issued** prohibiting the generator from performing business in small installation;
- 2) within 3 years preceding the date of submitting the application for entry in the register of electricity producers in small-scale installations, the **producer was removed from the Register due to the decision of the President of ERO prohibiting the producer from running business** in small installations.

9. What are the consequences of performing business without an entry in the Register?

Performing the regulated activities without the required entry in the Register is illegal. Such a conduct constitutes a petty offence which shall be liable to restriction of personal liberty or fine, as

provided for in Art. 60¹ paragraph 1 of the Act of 20 May 1971 - Code of Petty Offenses (Journal of Laws of 2019, item 821, as amended). Moreover, pursuant to Art. 168 point 14 of the RES Act, anyone who produces electricity or heat from renewable energy sources in a small installation without an entry in the register of electricity producers in a small installation, as referred to in Art. 7 of the RES Act, or contrary to the content of this entry, is subject to a financial penalty imposed by the President of the ERO. The fine is then **PLN 1,000**.

Moreover, pursuant to Art. 15 section 2a of the RES Act, a producer who has performed economic activity in small installations without an entry in the register of electricity producers in a small installation, may obtain an entry in the Register not earlier than 3 years after the authority ascertains performance of business activity without entering in the Register (except for a situation specified in Art. 11a section 2 of the RES Act).

10. What are the obligations related to entering in the Register?

10.1.1. Pursuant to Art. 9 section 1 of the RES Act, electricity producer conducting business activity in small installation **is obliged to:**

1) **have documents confirming the legal title to:**

- a) **structures in which the business activity in the field of small installations will be performed,**
- b) **small installation,**

2) **have a contract for connecting a small installation to the grid;**

3) **have the appropriate facilities and installations, including technical devices compliant with the requirements specified in particular in fire protection regulations, in sanitary regulations and in the environmental protection regulations, enabling proper performance of business activity in the field of small installations;**

4) **not to use in the process of electricity production in small installation: fossil fuels or fuels resulting from their processing, or biomass, biogas, agricultural biogas and bioliquids to which substances have been added which are not biomass, biogas, agricultural biogas or bioliquids, increasing their calorific value;**

5) **keep records of the total volume of:**

- a) electricity **generated** from RES in small-scale installation,
- b) electricity **sold to the so-called obliged supplier** (referred to in Art. 40 section 1 of the RES Act), generated from renewable energy sources in small installation and fed into distribution grid,
- c) **fuels used** for electricity generation in small installation, and **their types,**
- d) electricity **sold to end-users;**

6) **have documents confirming the date when for the first time the electricity in a small installation was generated or produced after the modernization of that installation and the date of completion of that modernization;**

7) **submit to the President of ERO the quarterly reports** containing information referred to in Art. 9 section 1 point 5 of the RES Act, **within 30 days** from the end of each quarter;

8) provide the President of the ERO with the information referred to in Art. 9 section 1 point 6 of the Act RES, **within 30 days** from the date when for the first time the electricity in a small installation was generated or produced after the modernization of that installation and from the date of completion of that modernization.

IMPORTANT: According to Art. 18 section 2 of the RES Act, the President of ERO **has a right to inspect** the documents and **to request documents or information** relevant for evaluation of fulfilment of above-mentioned obligations, without prejudice to regulations on protection of classified information and other information protected by law.

IMPORTANT: Pursuant to Art. 168 point 11 of the RES Act, anyone **who does not submit** a quarterly report referred to in above point 7 to the President of ERO **within a deadline**, is subject to **penalty of PLN 1,000** imposed by the President of ERO.

10.1.2. Where to submit the quarterly reports?

The producer conducting economic activities in the small installation shall send the quarterly report referred in the point 7 above to the ERO's unit that entered the producer into the Register, i.e. to relevant Branch Office of ERO or to the ERO's Department of Renewable Energy Sources in Warsaw, **within 30 days** from the end of each quarter.

IMPORTANT: For the first time the quarterly report should be send for the quarter in which the producer was entered into the Register, **regardless he/she produced electricity** in small installation in this quarter.

10.2.1. Obligation to notify data changes

According to Art. 12 section 1 of the RES Act, the producer which was entered in the Register shall inform the President of ERO, in written, within 14 days from the date of data change or from the date of termination or suspension of activity:

- 1) about changes in data contained in the Register concerning:
 - designation of the producer (name of the company, legal form), their seat, address and other contact details,
 - the tax identification number (NIP) of the producer,
 - producer's entry number in the relevant register (National Court Register -KRS/ NIP (CEIDG),
 - details of the person authorized to represent the producer – if such a person has been designated by the producer,
 - description of the type and scope of performed business relating to generating electricity in small-scale installations, place or places and the planned date of starting the activity;
- 2) termination or suspension of business activities in the small installations.

On the basis of received information the President of ERO modifies the entry in the register of electricity producers in small-scale installations. Making changes in the contact details of the producer, his/her seat, NIP number (CEIDG), KRS number as well as changes related to narrowing the scope of conducted regulated activity, **is not subject to stamp fee**. However, modifications consisting in extending the scope of performed business activities are subject to stamp fee in the

amount of PLN 308, what was already mentioned in the section dedicated to fees for entering in the register.

IMPORTANT: According to Art. 168 point 12 of the RES Act, anyone who does not provide on time an information specified in Art. 12 section 1 of the RES Act, is subject to financial penalty of PLN 1,000 imposed by the President of ERO.

10.2.2. Where to submit updated information?

As with quarterly reports, updated information should be sent to the ERO's unit that has entered the producer into the Register, i.e. to the ERO's Branch Office or the ERO's Department of Renewable Sources in Warsaw.

11. Powers of the President of ERO with respect to producers entered into the Register

According to Art. 18 section 2 of the RES Act, the President of ERO has the **right to inspect the documents, request documents or information** relevant to the assessment of the performance of the obligations referred to in Art. 7 and in Art. 9 of the RES Act, without prejudice to the regulations on the protection of classified information and other information protected by law.

12. When can a producer be removed from the Register?

Removal from the Register may be done **upon the request of the producer**. In such a case, the deletion from the Register is a material and technical action of the authority, which is not subject to stamp fee. There are no negative legal consequences associated with the removal of the producer from the Register upon his/her request due to the cessation of regulated activity.

The President of ERO may also remove from the Register **ex officio in the case specified in the Art. 15 section 1 of the RES Act, and such deletion (i.e. ex officio) has far-reaching legal consequences. Removal from the Register ex officio is done when the President of ERO has issued a decision prohibiting the producer from conducting economic activities** in the field of small installations (cf. Art. 14 of the RES Act).

The President of ERO also removes the producer from the Register after obtaining information about the producer's death or after obtaining information from CEIDG or KRS on the entrepreneur's deletion.

13. In what cases does the President of ERO issue a decision prohibiting a producer from carrying out economic activity?

According to Art. 14 section 1 of the RES Act, the President of ERO issues a decision prohibiting the producer from conducting economic activities in small installations in the case when producer:

- 1) **submits the declaration** referred to in Art. 10 section 2 point 1 or 2 of the RES Act (the declaration template is available at the [ERO's website](#)) **inconsistent with the facts;**
- 2) **uses false documents** referred to in Art. 9 section 1 point 1 or 2 of the RES Act (i.e. documents confirming the legal title to structures in which economic activity in the field of

small installations is carried out, and the legal title to the small installation facility, and a contract for connecting a small installation to the grid);

3) **does not remedy the breach of requirements** referred to in Art. 9 section 1 points 1-3 and 6 of the RES Act, **within the deadline specified by the President of ERO** - in such situation, pursuant to Art. 14 section 2 of the RES Act, the President of ERO, before issuing a decision prohibiting the producer from the conducting economic activity, sets deadline for remedying the violations found;

4) breaches the obligations referred to in Art. 9 section 1 points 4 and 5 of the RES Act, i.e. the obligation to use only certain types of fuel for generating electricity, to keep records in a way that makes impossible to determine the total amounts of: electricity generated in a small installation as well as electricity sold to obliged suppliers and to end-users, and total quantity and type of the fuels used for electricity generation in a small installation - in such a case, the President of ERO issues a decision without prior request to remedy violations of obligations.

14. What are the legal consequences of issuing the decision prohibiting the producer from carrying out economic activities with respect to small-scale installations?

According to Art. 15 section 2 of the RES Act, a producer that has been deleted *ex officio* from the Register, may be re-entered into the Register **not earlier** than after the expiry of **3 years** from the date of the decision prohibiting the producer's business activities with respect to small installations.

Moreover, in the case of issuing a decision prohibiting economic activities in the small installations, the President of ERO informs the obliged supplier (referred to in Art. 40 section 1 of the RES Act) about the removal of the producer performing the economic activity in small installations from the register of electricity producers in small-scale installations, within 14 days from the date of decision.

Information on processing of personal data

Pursuant to Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC¹ (hereinafter: GDPR regulation), I inform that:

- 1) Personal data of natural persons, collected by the President of ERO, are processed by the President of ERO, 02-22 Warsaw, Al. Jerozolimskie 181, which is a personal data controller.
- 2) Personal data are processed on the basis of Art. 6 item 1 letter b, c and e of GDPR regulation and other acts, wherein the obligations and duties of the President of ERO were enlisted, in particular: Energy Law Act, RES Act, Act on biocomponents and liquid biofuels, Energy

¹ OJ L 119, 4.5.2016, p. 1

Efficiency Act, Capacity Market Act, Act on stocks of crude oil, petroleum products and natural gas, the principles of proceeding in circumstances of a threat to the fuel security of the State and disruption on the petroleum market, Act on electromobility and alternative fuels.

- 3) Personal data are processed in order to fulfil statutory duties by the President of ERO.
- 4) Personal data collected in relation to fulfilment of statutory duties by the President of ERO, will not be transferred to a third country or international organisation.
- 5) Personal data will be kept for time period resulting from Subject File Index and Office Procedures Manual, binding in the Energy Regulatory Office.
- 6) Natural person has a right to request from personal data controller an access to its personal data, their rectification and a right to lodge a complaint with national supervisory authority – President of the Personal Data Protection Office.
- 7) The recipients of the personal data will be solely entities entitled to obtain personal data on the basis of legal regulations.
- 8) Personal data will not be subject to profiling (automated processing consisting in using personal data for evaluating the personal aspects relating to a natural person).
- 9) In matters connected with personal data protection, please contact the Data Protection Officer by iod@ure.gov.pl or in writing, by sending correspondence to Energy Regulatory Office, Al. Jerozolimskie 181, 02-22 Warsaw, with a note: “Data Protection Officer”.
- 10) Provision of personal data is obligatory when resulting from above mentioned legal grounds.

