

Dear Sirs,

we would like to inform you that new legal acts have entered into force in Poland, amending the regulations in the area of licensing the liquid fuels:

- 1) liquid fuels have been subject to statutory obligations regardless of their purpose (change from 01/09/2019). From 01/09/2019 the following definition of liquid fuels applies:

Liquid fuels are liquid energy carriers, including those containing additives: refinery feedstocks, LPG, heavy naphtha, motor gasoline, aviation gasoline, gasoline type jet fuel, kerosene type jet fuel, other kerosene, gas oils including light fuel oils, heavy fuel oils, white spirit and industrial gasoline, liquid biofuels, lubricants - as defined in Annex A, Chapter 3 of Regulation (EC) No 1099/2008 of the European Parliament and of the Council of 22.10.2008 on energy statistics, regardless of their purpose. Detailed list of liquid fuels for which production, storage or reloading, transmission or distribution, trading (including abroad) requires obtaining a concession has been specified in Polish regulations. The list was extended to include new types of liquid fuels (details in point 2 below).

- 2) liquid fuels with new CN codes are included in the list of licensed activities (amendment from 01.12.2019)

The group of licensed liquid fuels was extended by the following items:

- refinery feedstocks: CN 2707 50 00 excluding products intended for use other than as fuel, propulsion or navigation equipment;
- LPG: CN 2901 10 00;
- motor spirit: CN 2710 12 50;
- heavy fuel oils: CN 2707 99 19, 2707 99 91, 2707 99 99.

In connection with the change in the definition of liquid fuels, the provisions oblige entities obliged to carry out concessional activity to submit an application for granting or amending a concession by 01/03/2020. The consequence of not submitting the application by the aforementioned deadline will be to perform the activity without the required concession or in breach of the terms of the concession held.

Entrepreneurs who do not carry out activity related to the types of liquid fuels added to the regulations (item 2 above) are not obliged to apply for a change in their licences. The President of the Energy Regulatory Office (ERO) will make changes to their concessions to adjust the names of liquid fuels.

Nevertheless, in the event of further changes to the list of liquid fuels in the future, entities should submit an application for a licence or its amendment within 30 days of the entry into force of the new regulations.

In case of any doubts, please contact us.