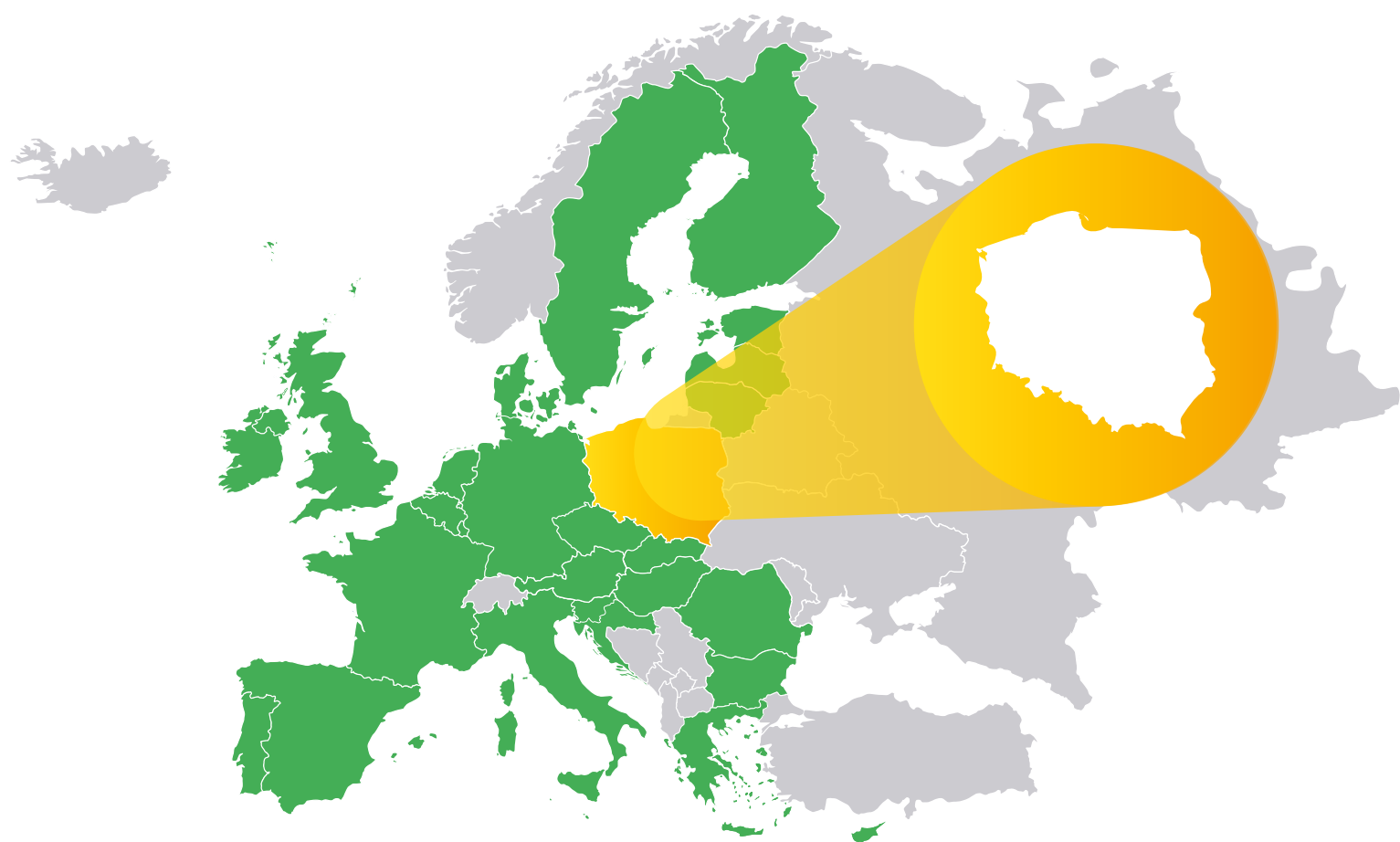


Minerals Policy Country Profile

POLAND



Minerals Policy Country Profile – POLAND

POLICY 1	Geological and Mining Law
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POLICY 1	Environmental Protection law
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POLICY 5	Act on the Protection of Agricultural and Forest Land
POLICY 6	Regulation of the Minister of Agriculture and Food Economy, regarding Regulation of the Functioning of an Agriculture land Protection Fund
POLICY 7	Water Law
POLICY 8	Act on Nature Conservation
POLICY 9	Act on Waste
POLICY 10	Act on Preserving the National Character of Strategic Natural Resources of Country
POLICY 11	Act on Land Use Planning and Space Management
POLICY 12	Construction Law
POLICY 13	Act on Liberty of Economic Activity
POLICY 14	Act on Inspection of Environmental Protection
POLICY 15	Ordinance Tax Act
POLICY 16	Act on Local Taxes and Fees
POLICY 17	Act on Real Estate Economy
POLICY 18	The Civil Code
POLICY 19	National Spatial Development Concept

Minerals Policy Country Profile – POLAND

		POLICY 1	
		Geological and Mining Law	
Title (original language)		Prawo geologiczne i górnictwo	
Title (translation in english)		Geological and Mining Law	
Year (and identification number if available)		Dz.U.2011.163.981	
Short description		The new mining act came into force on 1 January 2012 and will repeal heretofore mining regulations from 4 January 1994. Scope of the regulation: 1) rules for exploration works; 2) rules for mining operations; 3) rules for extraction; 4) rules for underground storage of substances, including waste and carbon dioxide; 5) protection of environment (underground water, mineral resources reserves, etc.); 6) control/supervision over the activities covered by this act; points 1-3 depend on the the kind of resource in terms of ownership - > some resources in Poland (hydrocarbons, coal, methan, lygnite, metal ores, metals, ores of radioactive elements, sulfur, salt, gypsum, anhydryt, precious stones, healing and thermal waters) - are covered by the mining ownership (własność górnicza) of State; others are covered by the ownership of land.	
Access to document (hyperlink IN NATIONAL LANGUAGES)		http://isap.sejm.gov.pl/DetailsServlet?id=WDU20111630981 https://www.mos.gov.pl/g2/big/2012_06/e1fd8f256cbc5cefb421364232bf09dc.pdf http://www.lex.pl/akt/-/akt/dz-u-2011-163-981	
Access to document (hyperlink IN ENGLISH LANGUAGE)		-	
Access to document (document name providing information on the policy)			
Responsible for the design of the policy		Ministry of Environment	
Responsible for the implementation of the policy		State Treasury can assign mineral rights / central administration: Ministry of Environment (through the Chief Geologist as a geological administration body), Ministry of Energy, Ministry of Economic Development	
Responsible person / policy maker at the ministerial level		Ministry of Environment and Ministry of Energy (according to the new government structure, the Ministry of Energy is now responsible for the oversight over the State Mining Authority, which before was the responsibility of the Ministry of Environmnet; apart from this, according to a legislation on administration units in Poland, the "management of mineral resources" is now assigned to the Ministry of Energy); this means a responsibility shift from the Ministry of Environment to the Ministry of Energy	
Policy instrument type		Legislation	
Stand-alone policy (or to which policy it is subordinate or ancillary)		Yes	
Value chain relevance (1=relevant; 0=not relevant)	EXPLORATION (including permitting)	1	
	EXTRACTION (incl. Permitting)	1	
	mineral and metallurgical PROCESSING (incl. Permitting)	0	
	MINE CLOSURE / WASTE management (incl. Permitting)	1	
	DEEP SEA MINING	1	
	DATA and knowledge base	1	

Minerals Policy Country Profile – POLAND

		POLICY 2
		Act on Extractive Wastes
Title (original language)	Ustawa o odpadach wydobywczyc	
Title (translation in english)	Act on Extractive Wastes	
Year (and identification number if available)	Dz.U.2008.138.865	
Short description	to prevent the production of extractive waste; to minimize the negative impact of extractive waste on environment, as well as human life and health; it covers: 1) rules of extractive waste management, 2) rules of functioning of extractive waste facilities; 3) permission procedures for waste management; 4) procedures on prevention of accidents in waste facilities	
Access to document (hyperlink IN NATIONAL LANGUAGES)	http://www.lex.pl/akt/-/akt/dz-u-2008-138-865	
Access to document (hyperlink IN ENGLISH LANGUAGE)	-	
Access to document (document name providing information on the policy)		
Responsible for the design of the policy	Ministry of Environment	
Responsible for the implementation of the policy	Ministry of Environment, Ministry of Economic Development	
Responsible person / policy maker at the ministerial level	Ministry of Environment	
Policy instrument type	Legislation	
Stand-alone policy (or to which policy it is subordinate or ancillary)	Yes	
Value chain relevance (1=relevant; 0=not relevant)	EXPLORATION (including permitting)	1
	EXTRACTION (incl. Permitting)	1
	mineral and metallurgical PROCESSING (incl. Permitting)	1
	MINE CLOSURE / WASTE management (incl. Permitting)	1
	DEEP SEA MINING	1
	DATA and knowledge base	0

Minerals Policy Country Profile – POLAND

		POLICY 3
		Act on Tax on Minerals Extraction
Title (original language)		Ustawa o podatku od wydobycia niektórych kopalin
Title (translation in english)		Act on Tax on Minerals Extraction
Year (and identification number if available)		Dz.U.2012.362
Short description		to tax the extraction of: copper, silver, oil, gas (in order to increase the public budget inflows)
Access to document (hyperlink IN NATIONAL LANGUAGES)		http://www.lex.pl/akt/-/akt/dz-u-2012-362
		-
		-
Access to document (hyperlink IN ENGLISH LANGUAGE)		-
Access to document (document name providing information on the policy)		
Responsible for the design of the policy		Ministry of Finance
Responsible for the implementation of the policy		Ministry of Finance
Responsible person / policy maker at the ministerial level		Ministry of Finance
Policy instrument type		Legislation
Stand-alone policy (or to which policy it is subordinate or ancillary)		Yes
Value chain relevance (1=relevant; 0=not relevant)	EXPLORATION (including permitting)	0
	EXTRACTION (incl. Permitting)	1
	mineral and metallurgical PROCESSING (incl. Permitting)	0
	MINE CLOSURE / WASTE management (incl. Permitting)	0
	DEEP SEA MINING	1
	DATA and knowledge base	0

Minerals Policy Country Profile – POLAND

		POLICY 4	
		Poland's mineral security action plan	
Title (original language)		Plan działań na rzecz bezpieczeństwa Polski w zakresie nieenergetycznych surowców mineralnych	
Title (translation in english)		Poland's mineral security action plan	
Year (and identification number if available)		policy formulation in progress	
Short description		- assurance of legal protection of areas of known and expected mineral deposits - monitarisation of mineral deposits in official state asset monitoring - education, knowledge and skills of geologucak association - efficient management of state-owned extraction companies - introduction of a uniform, transparent system of financial charges put on mining as the instrument of state mineral policy, - combating the problem of illegal exploitation of mineral resources - technology in exploration and exploitation - define clear roles of the state concerning financing of exploration and permitting promotion of the knowledge of the importance of mining: <ul style="list-style-type: none"> o as the source of raw materials for production of necessary goods in everyday life, o for regional and local economic development and creating workplaces, not only in mining but also in other industries as well as other sectors, promotion of the knowledge of sustainable mining: <ul style="list-style-type: none"> o its real environmental impact and the possibility of its mitigation, o environmental benefits in post l6mining areas: formation of new attractive landscape, wildlife habitats and recreation sites; " 	
Access to document (hyperlink IN NATIONAL LANGUAGES)		not yet ready, but access to a document outlining the major topics	
		-	
		=	
Access to document (hyperlink IN ENGLISH LANGUAGE)		=	
Access to document (document name providing information on the policy)			
Responsible for the design of the policy		Ministry of Economic Development	
Responsible for the implementation of the policy		all ministries and public bodies involved in some aspects of mineral resource policy (Ministry of Environment, Ministry of Energy, Ministry of Economic Development, Ministry of Foreign Affairs, Ministry of Science and Higher Education, Ministry of Finance, Central Statistical Office, Polish Geological Institute-National Research Institute, Ministry of Infrastructure and Construction, State Treasury, Ministry of Family, Employment and Social Policy)	
Responsible person / policy maker at the ministerial level		Ministry of Economic Development	
Policy instrument type		Policy Strategy	
Stand-alone policy (or to which policy it is subordinate or ancillary)		Yes	
Value chain relevance (1=relevant; 0=not relevant)	EXPLORATION (including permitting)		1
	EXTRACTION (incl. Permitting)		1
	mineral and metallurgical PROCESSING (incl. Permitting)		1
	MINE CLOSURE / WASTE management (incl. Permitting)		1
	DEEP SEA MINING		1
	DATA and knowledge base		1

Minerals Policy Country Profile – POLAND

		POLICY 1	POLICY 2	POLICY 3	POLICY 4	POLICY 5
		Environmental Protection law	The Act of Providing Information on the Environment and Environmental Protection, Public Participation in environmental Protection and on Environmental Impact Assessment	Regulation of the Council of Ministers regarding payments of the use of the environment	Regulation of the Minister of the Environment, regarding Quality Standards of Soil and Quality Standards of Land	Act on the Protection of Agricultural and Forest Land
Title (original language)		Prawo ochrony srodowiska	Ustawa o udostepnianiu informacji o srodowisku i jego ochronie, udziale spoleczenstwa w ochronie srodowiska oraz o ocenach oddzialywania na srodowisko	-	-	-
Title (translation in english)		Environmental Protection law	The Act of Providing Information on the Environment and Environmental Protection, Public Participation in environmental Protection and on Environmental Impact Assessment	Regulation of the Council of Ministers regarding payments of the use of the environment	Regulation of the Minister of the Environment, regarding Quality Standards of Soil and Quality Standards of Land	Act on the Protection of Agricultural and Forest Land
Year (and identification number if available)		25/2008 OR Dz.U.2001.62.627	199/2008	55/2003	55/2002	Dz.U.1995.16.78
Short description		-	-	-	-	-
Access to document (hyperlink IN NATIONAL LANGUAGES)		http://faolex.fao.org/docs/pdf/pol87339.pdf	http://faolex.fao.org/docs/pdf/pol87421.pdf	-	-	http://www.lex.pl/akt/-/akt/dz-u-1995-16-78
Policy instrument type		Legislation	Legislation	Legislation	Legislation	Legislation
Value chain relevance (1=relevant; 0=not relevant)	EXPLORATION (including permitting)	-	-	-	-	-
	EXTRACTION (incl. Permitting)	-	-	-	-	-
	mineral and metallurgical PROCESSING (incl. Permitting)	-	-	-	-	-
	MINE CLOSURE / WASTE management (incl. Permitting)	-	-	-	-	-
	DEEP SEA MINING	-	-	-	-	-
	DATA and knowledge base	-	-	-	-	-

Minerals Policy Country Profile – POLAND

		POLICY 6	POLICY 7	POLICY 8	POLICY 9	POLICY 10	POLICY 11
		Regulation of the Minister of Agriculture and Food Economy, regarding Regulation of the Functioning of an Agriculture land Protection Fund	Water Law	Act on Nature Conservation	Act on Waste	Act on Preserving the National Character of Strategic Natural Resources of Country	Act on Land Use Planning and Space Management
Title (original language)		-	-	-	-	-	-
Title (translation in english)		Regulation of the Minister of Agriculture and Food Economy, regarding Regulation of the Functioning of an Agriculture land Protection Fund	Water Law	Act on Nature Conservation	Act on Waste	Act on Preserving the National Character of Strategic Natural Resources of Country	Act on Land Use Planning and Space Management
Year (and identification number if available)		212/2004	Dz.U.2001.115.1229	151/2009	Dz.U.2013.21	97/2001	Dz.U.2003.80.717
Short description		-	-	-	-	-	-
Access to document (hyperlink IN NATIONAL LANGUAGES)		-	http://www.lex.pl/akt/-/akt/dz-u-2001-115-1229	http://www.lex.pl/akt/-/akt/dz-u-2004-92-880	-	-	http://www.lex.pl/akt/-/akt/dz-u-2003-80-717
Policy instrument type		Legislation	Legislation	Legislation	Legislation	Legislation	Legislation
Value chain relevance (1=relevant; 0=not relevant)	EXPLORATION (including permitting)	-	-	-	-	-	-
	EXTRACTION (incl. Permitting)	-	-	-	-	-	-
	mineral and metallurgical PROCESSING (incl. Permitting)	-	-	-	-	-	-
	MINE CLOSURE / WASTE management (incl. Permitting)	-	-	-	-	-	-
	DEEP SEA MINING	-	-	-	-	-	-
	DATA and knowledge base	-	-	-	-	-	-

Minerals Policy Country Profile – POLAND

		POLICY 12	POLICY 13	POLICY 14	POLICY 15	POLICY 16	POLICY 17	POLICY 18	POLICY 19
		Construction Law	Act on Liberty of Economic Activity	Act on Inspection of Environmental Protection	Ordinance Tax Act	Act on Local Taxes and Fees	Act on Real Estate Economy	The Civil Code	National Spatial Development Concept
Title (original language)		-	-	-	-	-	-	-	-
Title (translation in english)		Construction Law	Act on Liberty of Economic Activity	Act on Inspection of Environmental Protection	Ordinance Tax Act	Act on Local Taxes and Fees	Act on Real Estate Economy	The Civil Code	National Spatial Development Concept
Year (and identification number if available)		Dz.U.1994.89.414	Dz.U.2004.173.1807	112/2002	Law No.8, 2005	Law No. 9, 2001	Dz.U.1997.115.741	Dz.U.1964.16.93	Government Resolution No. 239/2011
Short description		-	-	-	-	-	-	-	-
Access to document (hyperlink IN NATIONAL LANGUAGES)		http://www.lex.pl/szukaj/-/s/q-Dz.U.1994.89.414	http://www.lex.pl/akt/-/akt/dz-u-2004-173-1807	-	-	-	http://www.lex.pl/akt/-/akt/dz-u-1997-115-741	-	-
Policy instrument type		Legislation	Legislation	Legislation	Legislation	Legislation	Legislation	Legislation	Legislation
Value chain relevance (1=relevant; 0=not relevant)	EXPLORATION (including permitting)	-	-	-	-	-	-	-	-
	EXTRACTION (incl. Permitting)	-	-	-	-	-	-	-	-
	mineral and metallurgical PROCESSING (incl. Permitting)	-	-	-	-	-	-	-	-
	MINE CLOSURE / WASTE management (incl. Permitting)	-	-	-	-	-	-	-	-
	DEEP SEA MINING	-	-	-	-	-	-	-	-
	DATA and knowledge base	-	-	-	-	-	-	-	-