

ENERGY EFFICIENCY

Settlement of the obligation to achieve Energy savings

Energy efficiency is one of the key elements of the EU's energy and climate policy. We would like to remind you that 30 June 2023 is the deadline for the next settlement of the obligation to achieve energy savings by obliged entities. The fulfilment of the obligation for a given year takes place by 30 June of the third year following the year to which the obligation relates.

The Energy Efficiency Act imposes the obligation to achieve energy savings or introduce energy efficiency improvement measures on a whole range of entities, including:

- I. energy enterprises carrying out economic activity in the field of generation or trade of electricity, heat or natural gas and selling electricity, heat or natural gas to end users connected to the grid in the territory of Poland,
- II. certain final consumers,
- III. commodity brokers in respect of transactions on a commodity exchange,
- IV. fuel entities placing liquid fuels on the market.

The obligation may be fulfilled by:

- I. implementing energy efficiency improvement projects for the final consumer,
- II. obtaining an energy efficiency certificate and submitting it to the President of the ERO for redemption,
- III. payment of a substitute fee by the obliged entity.

Regarding the substitute fee, it is possible to fulfil the obligation only up to a statutorily specified amount (for a given calendar year). However, the substitute fee may be paid at a higher amount if the obliged entity proves that in the calendar year (to which the obligation applies) it submitted purchase orders for property rights resulting from energy efficiency certificates and their price was higher than the unit substitute fee in its basic amount.

**Are you interested in this topic?
Feel free to contact us.**

CONTACT

Marek Grzywacz, Ph.D., Counsel
marek.grzywacz@ngllegal.com

