

Research project report

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**Structural optimisation of the government administration  
responsible for energy matters**

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**I. Executive summary**

The findings of the study support the following recommendations:

(1) A single, coherent *‘fuel and energy’* area should be established, covering all matters in this field. This would require an amendment to the *Act on Areas of Government Administration*,

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including the revision of Article 5(2a) to read *'fuel and energy'*, the deletion of Article 5(6a), and the integration of Article 7a with Article 11a, with the latter to be repealed.

(2) Ownership supervision over transmission system operators and PERN S.A. may be entrusted through a regulation issued pursuant to Article 8 of the *Act on the Principles of State Property Management*. This would require the repeal of Article 12a(2) of the *Energy Law*. Alternatively, the competences currently provided for in Article 12a(2) could be assigned to the minister responsible for fuel and energy.

(3) As a consequence, the office of the *Government Plenipotentiary for Strategic Energy Infrastructure* should be abolished through the repeal or amendment of Article 12a of the *Energy Law*.

(4) Ownership supervision over the remaining companies should remain within the remit of the minister responsible for state assets.

Several additional, more specific proposals may be formulated as follows:

(1) strengthening ownership supervision over transmission system operators by applying the *Act on the Principles of State Property Management* to them in full (which would require the repeal of Article 12a(3) of the *Energy Law*);

(2) granting the minister responsible for fuel and energy the powers arising under *the Act of 18 March 2010 on the special powers of the minister responsible for state assets and their exercise in certain capital companies or capital groups operating in the electricity, crude oil and gas fuel sectors*;

(3) strengthening coordination between the minister responsible for fuel and energy and the minister responsible for state assets in order to ensure that national economic policy (in this case, in the field of fuel and energy) is taken into account in the exercise of ownership powers (no legislative amendment required; Article 9(1) of the *Act on the Principles of State Property Management* should be applied);

(4) considering the transfer of selected elements of the *'climate'* area to the *'fuel and energy'* area (which may require an amendment to Article 13a(2), (6), (9) and (11) of the *Act on Areas of Government Administration*, with a view to incorporating them into Article 7a thereof).

## II. Introduction

The European Union's climate policy, which has been developing dynamically for years, together with the energy crisis triggered by Russia's aggression against Ukraine and ongoing geopolitical tensions involving the United States, Israel and Iran, require the state to establish organisational structures capable of ensuring the effectiveness of public action. Poland continues to face significant challenges, including the energy transition, the development of hydrogen policy, the construction of a nuclear power plant, and the need to ensure energy security. At the same time, it must address the risk of increasing energy poverty, resulting both from crisis situations and from the costs associated with the transition. Ensuring stable economic development requires the creation of institutional frameworks capable of mitigating risks associated with economic activity. Furthermore, in times of crisis, strengthening the state's role as the guardian of economic order and guarantor of security becomes particularly important. These challenges also require appropriate organisational arrangements.

It can be assumed that matters relating to fuel and energy should be analysed within the framework of three main components. First, there is the regulatory dimension, which involves defining areas of government administration under the *Act on Areas of Government Administration*. The second component concerns ownership supervision over fuel and energy companies controlled by the State Treasury. The third is the institutional (subject-based) dimension, which identifies the government bodies competent in this field, taking into account their number.

Over the past decade or so, various organisational models have been in operation. This study seeks to address two fundamental questions. First, do the existing models - particularly the current organisational model of government administration in the fuel and energy sector - comply with guidelines for organisational design derived from academic literature? Second, if not, how should the organisational model in this area be structured to ensure consistency with these recommendations and enable the effective performance of public tasks relating to fuel and energy? Addressing these questions requires defining general principles for structuring the administrative apparatus, analysing existing organisational models of economic administration in the fuel and energy sector, and examining the currently applicable model in this area.

A natural starting point for considering the structuring of the organisational apparatus of public administration remains *Max Weber's* widely recognised - though gradually diminishing in significance - concept. *Weber* formulated a classic model of administrative functioning,

commonly referred to as *the ideal bureaucracy model*, arguing that its application should ensure the effective operation of public administration. This model is based, *inter alia*, on a clearly defined scope of competence and the performance of assigned functions within a structured division of labour. Although Weber's concept has been subject to criticism for decades - for example, it is argued that excessive specialisation may lead to a diffusion of responsibility - many of its elements remain relevant both in theory and in practice.

Contemporary academic discourse is shifting away from the classical bureaucratic model of administration, grounded in procedural rationality, towards the concept of managerial public administration. This shift, however, does not imply a complete rejection of *Weber's* legacy. Rather, the managerial approach emphasises solutions derived from management science as useful in building a modern system of administration. One example is the concept of *New Public Management*, which entails, *inter alia*, the precise definition of organisational objectives and individual performance targets, as well as their evaluation using measurable indicators. A similar logic applies to public programmes, which are assessed according to the '*3Es*' principle: *economy, efficiency and effectiveness*. The concept of *good administration*, linked to the idea of good governance, in turn refers to the quality of public management and highlights values such as effectiveness, efficiency and coherence. It is widely accepted that legality, transparency, accountability, political neutrality and efficiency constitute the fundamental standards of public administration. In this context, the so-called triad of efficiency operates both at the organisational and normative levels, and the quality of administrative bodies is ultimately measured by their ability to achieve their objectives effectively and to carry out their statutory tasks.

The overview of administrative science presented here makes it possible to identify key elements such as operational effectiveness, a clearly defined scope of competences and their allocation within a structured division of labour, as well as efficiency, coherence and effectiveness. It is precisely these characteristics that should define modern administration, and its organisation may be assessed by reference to the extent to which these principles are implemented.

The legal approach, although it developed sophisticated normative constructs, proved insufficient to fully capture the actual mechanisms of administrative functioning. Consequently, a research trend emerged that incorporates the achievements of organisational theory.

*'Organisation'* is understood here both as a normative construct and as a real operational framework, linking the sphere of duties with reality. Advances in administrative research largely stem from the achievements of disciplines such as organisational and management theory, praxeology, sociology, psychology, political science and administrative law. Today, the central research question is how to shape organisational structures normatively so that they function effectively - in other words, how to apply praxeological knowledge when drafting legal regulations concerning the organisation and operation of public administration. In this context, the influence of organisational and management science is natural, as its aim is to formulate general principles for organisational activity, including principles for structuring organisations. This trend is further reinforced by the view that the differences between the public and private sectors are gradually diminishing due to the similarity of the challenges they face.

It should also be noted that organisational structure forms the foundation of the management process. For this process to function effectively, the structure should be designed in accordance with the basic principles of organisational design, including the principles of purposefulness, the division of the overall objective and the integration of sub-objectives, specialisation, the balance between tasks, powers and responsibilities, unity of command, and the rational delimitation of supervision. Organisational structure serves as a management tool, integrating the elements of the system into a coherent whole and thereby facilitating the effective achievement of its objectives. It also ensures the internal balance of the system by eliminating unnecessary elements and retaining only those essential to its functioning. Furthermore, it enables the coordination of activities in both spatial and temporal terms, thereby organising collective effort.

At the same time, organisational structure defines the division of labour, determines the relationships between functions and activities, shapes the distribution of authority, organises the hierarchy, and establishes a clear system of accountability. Organisation itself, however, may be understood as the orderly and coordinated cooperation of a group of individuals working towards common objectives.

Therefore, both the science of administration and the science of organisation and management provide important guidance for the proper structuring of public administration and the appropriate allocation of tasks.

### III. Models up to 2024

#### a/ Areas of government administration

The literature emphasises that the concept of *the rule of law* has formed the basis for the development of specific requirements for public administration. Foremost among these is the need to ensure a close link between the organisational structure of administrative bodies and the tasks they are required to perform.

It is also worth noting the possibility of developing a theory of task allocation whereby the proper distribution of tasks determines the optimal organisational structure of the administration - that is, enables the construction of a structure *'from a task-based perspective'*. Although the overall performance in this area is not satisfactory, it is useful to adopt an analytical perspective focused on the tasks of public administration, which in turn necessitates consideration of the legal concept of an *'area of government administration'*.

Areas of government administration were introduced into the Polish legal system by the *Act on Areas of Government Administration*. However, the Act does not provide a legal definition of the term *'area of government administration'*, instead referring to categories of matters distinguished on the basis of subject-matter criteria that are homogeneous or similar in nature. The original version of the Act did not establish a separate area directly related to fuel and energy issues. Instead, an *'economy'* area was created which, in accordance with the Act, covered, *inter alia*, energy matters. At the same time, the minister responsible for the economy was entrusted with the operation of national energy systems, taking into account the principles of rational management and the requirements of national energy security.

After nearly a decade, a significant reform was introduced, involving the separation of two new areas from the *'economy'* area: *'energy'* and *'mineral resources management'*. In 2015, pursuant to an amendment to the *Act on Areas of Government Administration*, an *'energy'* area was established, covering matters related to energy, fuel and energy resources. At the same time, the *Energy Law* was amended, replacing the term *'minister responsible for the economy'* with *'minister responsible for energy'*. The same amendment also established a *'mineral resources management'* area, covering issues related, *inter alia*, to the supervision of entities engaged in the exploitation of mineral deposits, the control of mineral extraction, the management of the State Treasury's mining assets, qualifications in the mining sector, and

participation in shaping European Union policy in this field. This organisational structure remained in place until May 2024.

**b/ Exercise of ownership supervision**

In analysing ownership supervision over companies in the fuel and energy sector, it is important to note that these entities remain under the control of the State Treasury. The current ownership and organisational structure of this market has been shaped by a series of processes, including privatisation leading to the loss of state corporate control, capital restructuring involving both the consolidation and separation of regulated activities (in line with the objectives of the *2006 Programme for the Electricity Sector*), broader sectoral restructuring, the creation of the multi-energy group ORLEN S.A., and the emergence of entirely private entities independent of the State Treasury.

The most significant structural changes resulted from the implementation of the government's *2006 Programme for the Electricity Sector*, which envisaged the creation of a transmission system operator and four vertically integrated energy groups. The separation of transmission operators also stemmed from the implementation of EU rules on the unbundling of regulated activities. Among State Treasury-controlled entities currently operating in the fuel and energy market, several main categories can be distinguished: transmission system operators and PERN S.A., as well as other entities, including mining companies, integrated electricity companies (groups), and other energy sector undertakings, such as the multi-energy group ORLEN S.A., operating across the oil, gas and electricity markets.

Since the entry into force of the *Act on Areas of Government Administration*, the exercise, on behalf of the State Treasury, of rights arising from shares and equity interests has been entrusted to the minister responsible for the State Treasury. These powers were also grounded in the *Act on the Principles of Exercising the Rights of the State Treasury*. This arrangement was intended to centralise ownership supervision over state-owned companies; however, in practice, this model was never fully implemented. At the end of 2016, the 'State Treasury' area was abolished, and the rules governing ownership supervision were laid down in the *Act on the Principles of State Property Management*. Although this area was later reinstated in a limited form as the 'State Assets' area, the provisions of that Act remain of key importance, while the actual division of powers between individual ministers and other entities is determined by regulations of the Council of Ministers issued on its basis.

During the period under review, these regulations covered most companies in the sector, with the exception of transmission system operators, mining companies and - at a later stage - PERN S.A. Supervision of the remaining entities was exercised successively by the minister of State Treasury, then by the minister of energy, and currently by the minister of State Assets.

There were, however, significant deviations from this model. In the hard coal mining sector, due to its particularly difficult and protracted restructuring process, ownership powers were exercised for a prolonged period by the minister of economy. This arrangement was extended several times, ultimately until early 2015. Only from that point onwards were mining companies brought under the general rules of supervision applicable to other enterprises in the sector.

The second major exception concerned the supervision of transmission system operators. In accordance with the principle of unbundling, they had to be subject to a different authority from that supervising energy companies. Consequently, in 2010, ownership powers over the electricity transmission system operator were transferred to the minister responsible for the economy. Subsequently, at the end of 2015, a solution was introduced under which supervision of electricity and gas transmission system operators, as well as PERN S.A., was entrusted to the *Government Plenipotentiary for Strategic Energy Infrastructure*.

### c/ Institutional aspect (ministers)

An analysis of the structure of economic administration bodies involved in energy sector matters indicates a clear upward trend. Whilst until 2015 tasks related to both the formulation of state energy policy and the exercise of ownership rights were carried out by two bodies, this number has increased in subsequent years. Although the mere increase in the number of bodies involved does not in itself determine the assessment of the system's effectiveness, it clearly illustrates the direction of the changes taking place.

Status: as of October 2015	
Area: 'economy' covering, inter alia, energy matters	Minister of Economy
Area: 'State Treasury' - ownership supervision over transmission system operators	
Area: 'State Treasury' - ownership supervision over mining companies	Minister of the State Treasury
Area: 'State Treasury' - ownership supervision over other state-controlled companies in the fuel and energy sector	

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<b>Status: as of October 2019</b>	
Area: 'energy'	Minister of Energy
Area: 'mineral resources management'	
Ownership supervision over transmission system operators	Government Plenipotentiary for Strategic Energy Infrastructure, Secretary of State in the Chancellery of the Prime Minister
Ownership supervision over mining companies	Minister of Energy
Ownership supervision over other state-controlled companies in the fuel and energy sector	

<b>Status: as of October 2023</b>	
Area: 'energy'	Minister of Climate and Environment
Area: 'mineral resources management'	Minister of State Assets
Area: 'State Assets' - ownership supervision over transmission system operators	Government Plenipotentiary for Strategic Energy Infrastructure, Secretary of State in the Chancellery of the Prime Minister
Area: 'State Assets' - ownership supervision over mining companies	Minister of State Assets
Area: 'State Assets' - ownership supervision over other state-controlled companies in the fuel and energy sector	

**IV. Model 2024–2025**

In accordance with the model adopted in 2024, the state’s policy in the fuel and energy sector is regulated by government areas such as ‘energy’ and ‘energy resources management’. The ‘state assets’ area is also of significant importance, as it oversees companies operating in this sector and controlled by the State Treasury. From the perspective of the structure of economic administration bodies, four key entities should be highlighted: the Minister for Climate and the Environment (responsible for the ‘energy’ area), the Minister for Industry (responsible for the ‘energy resources management’ area), the Minister of State Assets (exercising ownership supervision over companies in the sector) and the Government Plenipotentiary for Strategic Energy Infrastructure, who supervises transmission operators, PERN S.A. and PEJ S.A., the company implementing the nuclear power plant project. In quantitative terms, this meant that the fuel and energy sector fell within the remit of four separate bodies.

**a/ Areas of government administration**

In May 2024, an act was adopted amending the regulations governing the functioning of government administration, fundamentally altering the structure of administrative areas. On this basis, the ‘energy’ area was significantly reduced, while the ‘mineral resources management’ area was expanded and now operates under the name ‘energy resources management’. The scope of this area has been substantially broadened: it now covers, *inter alia*, energy resources and fuel, the development of nuclear energy for socio-economic purposes, and issues relating

to the hydrogen economy. Consequently, the boundaries of competence between the areas have been altered. Previously, the ‘energy’ area covered both fuel and energy; it now refers exclusively to energy - most likely only to electricity - although even in this respect its scope does not appear to be exhaustive.

The solutions introduced by the amendment may be grouped into several categories. First, a significant portion of competences has been transferred in full to the minister responsible for the management of energy resources. Second, both ministers - those responsible for energy and for energy resources management - perform identical tasks in many instances. Third, mechanisms for mutual consultation and cooperation in the adoption of normative acts have been introduced. Fourth, competences have been divided in an inconsistent manner. Fifth, their allocation is flawed from the perspective of the distinction between *imperium* and *dominium*. These changes require critical assessment. Above all, they have led to the fragmentation of the previously coherent ‘energy’ sector. The assumption that a state’s energy security (despite its complexity) can be treated as divisible is difficult to justify. Similar reservations apply to fuel and energy policy as a whole. The adopted solutions thus rest on the erroneous premise that these areas can be fragmented. There is likewise no rational basis for separating individual types of energy, such as nuclear or renewable energy. The separation of hydrogen policy from renewable energy issues is particularly problematic, given that so-called green hydrogen is produced precisely through their use. As a result, the fragmentation introduced is both normatively unjustified and technologically inconsistent with reality.

Functional separation also leads to organisational fragmentation. It could be argued, in theory, that the aim of the reform was to streamline the structure of administrative areas and the relationships between them. However, even if this were the case, both areas should be placed under a single minister - in line with solutions adopted in other sectors of administration (such as the Ministry of Finance). In the absence of such an arrangement, institutional fragmentation must be regarded as a permanent and detrimental phenomenon.

In practice, this means that no single body is responsible for the comprehensive management of fuel and energy policy and for ensuring energy security. This may result not only in a blurring of responsibilities, but also in a weakening of the state’s capacity to act effectively within the European Union, as well as in difficulties in securing public acceptance for the energy

transition. The problem is particularly acute in the context of current geopolitical threats, including the war in Ukraine and tensions involving Iran.

The changes introduced also lead to a blurring of competences. In addition to fragmentation, attention should be drawn to the shifting of responsibilities for energy and raw materials policy, the erroneous allocation of competences between the spheres of *imperium* and *dominium*, and the resulting need for constant cooperation and consultation between authorities.

These arrangements also lead to delays. The involvement of multiple bodies in the legislative process or in consultations on draft legislation prolongs the time required for their adoption. Such delays would not arise in the absence of an additional minister in the area concerned. Cost and efficiency considerations are also significant. The inclusion of additional bodies in decision-making processes increases administrative costs while simultaneously reducing effectiveness. This applies both to operational costs and to those associated with the creation and maintenance of new organisational structures (the Ministry of Industry).

Overall, the adopted solutions appear inconsistent with the fundamental principles developed in the fields of administration and management. The principle of operational effectiveness - encompassing both efficiency and efficacy - has been undermined; the importance of administrative leadership and unity of command has been overlooked; and the principle of specialisation has been weakened through the dispersion of homogeneous tasks.

Rather than integrating the system, these reforms have led to its disintegration. Consequently, it is difficult to speak of an orderly division of labour, clear accountability, or the rational organisation of collective administrative effort.

#### **b/ Exercise of ownership supervision**

As already noted, ownership supervision over companies controlled by the State Treasury has never been fully centralised in Poland, despite such proposals having been advanced both in legal doctrine and in the documents of international organisations, in particular the *OECD*. From the perspective of the fuel and energy sector, the decision - taken at the turn of 2016/2017 - to entrust supervision of all companies (with the exception of operators) to a single body, namely the Minister of Energy, may be regarded as beneficial. A further step towards centralisation was the re-establishment, at the turn of 2019/2020, of the 'State Treasury' area

in the form of the '*State Assets*' area. Consequently, at least with regard to fuel and energy companies, the uniformity of ownership supervision has been preserved. These arrangements may be considered acceptable.

Significant doubts arise, however, with regard to ownership supervision over transmission system operators. The initial assignment of these powers to the minister responsible for the economy should be assessed positively, as it corresponded to his competences in the field of energy while excluding the minister responsible for the State Treasury in light of unbundling requirements. A similar arrangement existed during the tenure of the minister responsible for energy, who - despite his substantive remit - exercised ownership supervision over other companies in the sector. However, the applicable regulations did not require the appointment of a Government Plenipotentiary for Strategic Energy Infrastructure, as supervision of operators could have remained within the remit of the minister responsible for the economy (in practice exercised by his deputy).

Until November 2024, the Plenipotentiary also served as Undersecretary of State at the Ministry of Climate and Environment, which could be regarded as a rational solution, provided that the Minister of Climate and Environment was treated as the authority responsible for fuel and energy policy. However, the changes introduced in 2024 divided this responsibility between the minister responsible for energy and the minister responsible for the management of energy resources. In these circumstances, the placement of the Plenipotentiary - whether as a Secretary or Undersecretary of State - within one of these ministries must be regarded as equally problematic, particularly given that he supervises three separate operators.

It should be noted that the Plenipotentiary exercises his own statutorily conferred powers and is therefore not subordinate to the minister within whose office he holds his position. In November 2024, he was appointed Secretary of State in the Ministry of Industry. The very concept of entrusting, by statute, the exercise of ownership powers to a minister who does not hold the status of a constitutional minister should be viewed critically.

For these reasons, it appears reasonable to assign ownership powers to the minister responsible for energy policy - either through the appropriate structuring of the '*energy*' area or by amending the regulation issued pursuant to Article 8 of the *Act on the Principles of State Property Management*.

**c/ Institutional aspects (ministers)**

In view of the challenges facing the state’s fuel and energy policy, ensuring clear leadership is of key importance. The *2006 Programme for the Electricity Sector* - whose implementation may be regarded as relatively successful - was developed by the minister responsible for the economy, with the predominantly executive involvement of the minister responsible for the State Treasury. Until the end of 2015, responsibility for fuel and energy policy was therefore clearly defined and transparent.

This situation did not change fundamentally with the establishment of the Ministry of Energy; on the contrary, one can argue that responsibility became even more clearly concentrated, and the range of instruments was strengthened through the combination of competences relating to the spheres of *imperium* and *dominium* in the hands of a single body (excluding operators).

This responsibility has since become dispersed and, to some extent, duplicated - both in terms of conducting fuel and energy policy and exercising ownership supervision over companies in the sector. In practice, this means that four separate government bodies must cooperate in addressing major issues. It is evident that the greater the number of entities involved in the decision-making process, the more time-consuming, costly and less effective it becomes.

<b>Status: as of November 2024</b>	
Area: ‘energy’	Minister of Climate and Environment
Area: ‘energy resources management’	Minister of Industry
Area: ‘State Assets’ - ownership supervision over transmission system operators	Government Plenipotentiary for Strategic Energy Infrastructure, Secretary of State in the Ministry of Industry
Area: ‘State Assets’ - ownership supervision over mining companies	Minister of State Assets
Area: ‘State Assets’ - ownership supervision over other state-controlled companies in the fuel and energy sector	

**V. Model from mid-2025**

**a/ Areas of government administration**

The model in operation since mid-2025 has not introduced any changes to government areas.

**b/ Exercise of ownership supervision**

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The model in operation from mid-2025 did not introduce any changes regarding the exercise of ownership rights. The Government Plenipotentiary for Strategic Energy Infrastructure operates within the office of the Minister of Energy as a Secretary of State.

**c/ Institutional aspects (ministers)**

In the model in operation since mid-2025, the Office of the Minister of Industry was abolished and the Office of the Minister of Energy was established. The decision to entrust the Minister of Energy with the areas of (1) 'energy' and (2) 'energy resources management' should be viewed positively. As a result, at least in terms of personnel, these two areas have been unified, thereby rectifying to some extent the error of the years 2024-2025.

<b>Status: as of October 2025</b>	
Area: 'energy'	Minister of Energy
Area: 'energy resources management'	
Area: 'State Assets' - ownership supervision over transmission system operators	Government Plenipotentiary for Strategic Energy Infrastructure, Secretary of State in the Ministry of Energy
Area: 'State Assets' - ownership supervision over mining companies	Minister of State Assets
Area: 'State Assets' - ownership supervision over other state-controlled companies in the fuel and energy sector	

**VI. The proposed model**

The resulting model of economic administration can hardly be regarded as optimal, although the legislative process should, in principle, be based on rational and well-considered foundations. The adopted solutions may be interpreted as reflecting a broader tendency in public governance whereby leadership is weakened and replaced by a series of suboptimal compromises influenced by political considerations. It is also argued that such tendencies may reflect pressures affecting the legislative process and, in some cases, contribute to a decline in the overall quality of legislation. From this perspective, calls to limit the influence of political factors on legislation are justified, in order to prevent situations in which the state apparatus is shaped instrumentally in accordance with the short-term interests of the ruling majority. The problem under consideration may also be viewed in the broader context of interventionism. As *Cezary Kosikowski* notes, the realisation of its objectives requires an appropriately designed institutional structure. Today, international interventionism is of particular importance, and

domestic interventionism must adapt to it, while EU interventionism operates alongside it. As a result, institutional arrangements become more complex and require not only a clear separation of competences and tasks, but also adherence to the principles of rational action, including specialisation. Consequently, in shaping the structure of its governing bodies, administration and judiciary, the modern state must take these conditions into account. It therefore appears justified to put forward the following *de lege ferenda* proposals:

(1) a single, coherent '*fuel and energy*' area should be established, covering all matters in this field (this would require an amendment to the *Act on Areas of Government Administration*, including the revision of Article 5(2a) to read '*fuel and energy*', the deletion of Article 5(6a), and the integration of Article 7a with Article 11a, the latter to be repealed);

(2) ownership supervision over transmission system operators and PERN S.A. should be entrusted, by way of a regulation issued pursuant to Article 8 of the *Act on the Principles of State Property Management* (which would require the repeal of Article 12a(2) of the *Energy Law*); alternatively, the competences currently provided for in Article 12a(2) should be assigned to the minister responsible for fuel and energy (by way of an amendment to that provision);

(3) as a consequence of implementing the proposal set out in point (2), the office of the Government Plenipotentiary for Strategic Energy Infrastructure should be abolished (through the repeal or amendment of Article 12a of the *Energy Law*);

(4) ownership supervision over the remaining companies should remain within the remit of the minister responsible for state assets (no legislative changes required).

Several additional, more specific proposals may be formulated as follows:

(1) strengthening ownership supervision over transmission system operators by applying the *Act on the Principles of State Property Management* to them in full (which would require the repeal of Article 12a(3) of the *Energy Law*);

(2) granting the minister responsible for fuel and energy the powers arising under the *Act of 18 March 2010 on the special powers of the minister responsible for state assets and their exercise*

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*in certain capital companies or capital groups operating in the electricity, crude oil and gas fuel sectors;*

(3) strengthening coordination between the minister responsible for fuel and energy and the minister responsible for state assets in order to ensure that national economic policy (in this case, in the field of fuel and energy) is taken into account in the exercise of ownership powers (no legislative amendment required; Article 9(1) of the *Act on the Principles of State Property Management* should be applied);

(4) considering the transfer of selected elements of the ‘*climate*’ area to the ‘*fuel and energy*’ area (which may require an amendment to Article 13a(2), (6), (9) and (11) of the *Act on Areas of Government Administration*, with a view to incorporating them into Article 7a thereof).

Proposed model	
Area: ‘fuel and energy’	Minister of Energy
Area: ‘State Assets’ - ownership supervision over transmission system operators	
Area: ‘State Assets’ - ownership supervision over mining companies	Minister of State Assets
Area: ‘State Assets’ - ownership supervision over other state-controlled companies in the fuel and energy sector	

The proposed model should be regarded as optimal from both a practical and theoretical perspective, as it eliminates the key shortcomings of the current organisational system while fully implementing the principles developed in administrative science and management theory. In particular, it restores coherence by consolidating competences within a single administrative structure, ensuring clear accountability and more effective decision-making.

First, it should be noted that the model addresses the fundamental weakness of the current administrative structure, namely the fragmentation of competences. The existing arrangements disperse tasks across multiple government departments and bodies, resulting in a lack of coherence in fuel and energy policy and a blurring of competences. In particular, it is unjustified to separate issues that are inherently interconnected, such as energy, fuel, energy resources and hydrogen policy. By establishing a single, integrated ‘*fuel and energy*’ area, the model restores coherence to the administrative system, reflecting the actual nature of the sector and eliminating artificial and ineffective divisions.

Closely related to this is a second major problem, namely the blurring of responsibility. Where competences are dispersed, no single body is responsible for the entirety of fuel and energy policy, which hampers both decision-making and the evaluation of decisions. This model introduces a single decision-making centre in the form of a minister responsible for fuel and energy, thereby ensuring a clear allocation of political and administrative responsibility and enhancing the transparency of state action.

Another significant advantage of the model lies in reducing decision-making complexity and the protracted nature of proceedings. The current system, based on the involvement of multiple bodies, requires numerous consultations and opinions, which prolong decision-making processes and reduce administrative efficiency. Limiting the number of entities involved leads to simplification, acceleration and greater effectiveness. At the same time, a more streamlined organisational structure allows for a reduction in administrative costs, both organisational and operational.

The proposed model also strengthens ownership supervision, particularly with regard to transmission system operators. The current arrangements, which entrust these powers to a separate entity, do not ensure adequate coordination between energy policy and the exercise of ownership rights. Transferring these powers to the minister responsible for fuel and energy allows for better integration of the *imperium* and *dominium* spheres, in line with the principles of sound state asset management.

From a theoretical perspective, the model fully implements the fundamental principles governing the structuring of public administration. Above all, it complies with the principle of purposefulness, according to which organisational structures should be designed on the basis of administrative tasks. The creation of a single '*fuel and energy*' area exemplifies a structure built around a homogeneous field of activity. This model also implements the principle of specialisation, concentrating tasks of a similar nature within a single body, thereby promoting professionalisation and improving decision-making quality.

Particular importance should also be attached to the implementation of the principle of unity of command, which presupposes the existence of a single decision-making centre responsible for a given area of public policy. The introduction of such a solution ensures clear administrative leadership, which is crucial in the context of the dynamic challenges associated with the energy

transition and national energy security. The proposed model further reinforces the coherence of the administrative system by integrating its elements and eliminating the disintegration characteristic of current arrangements.

The alignment of the model with contemporary public management concepts, including the *'3E' triad* (economy, efficiency and effectiveness), is also noteworthy. The proposed solutions enhance effectiveness through the concentration of competences, improve efficiency by reducing the number of entities involved, and increase cost-effectiveness by lowering organisational costs. At the same time, this model is consistent with the standards of good governance, ensuring greater transparency, accountability, efficiency and coherence in the functioning of state bodies.

Consequently, it can be concluded that the proposed model not only eliminates the key shortcomings of the current system but also provides a comprehensive and coherent response to the principles of administrative and management science. It represents a rationally designed administrative structure, aligned with the state's actual tasks in the fuel and energy sector, and thereby creates the conditions for the effective implementation of public policy in this field.

## **VII. Information on authors and sources**

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