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Ministerstwo Rozwoju,  
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*I am glad that despite the crisis caused by Covid-19 Pandemic, foreign companies are successfully implemented in our country successfully. The value of foreign investments in Poland is currently over EUR 236 billion, which is approx. 24% of the capital invested by foreign enterprises in Central and Eastern Europe. Companies with foreign capital are responsible for almost 1/3 of all investment outlays in Poland* - said Deputy Minister of Development, Work and Technology and Plenipotentiary of the Government for Foreign Investment Grzegorz Piechowiak.

*This proves that - on the background of our neighbors - we have a very good encouragement program Foreign investments. Special economic zones and Polish investment zones are only part of these solutions. Our further actions will focus on the simplification of Polish law and administrative procedures so that every investment in Poland can be implemented even more efficiently - added the MRPIIT deputy.*



ONLINE MEETING WITH

**GRZEGORZ PIECHOWIAK**

Government Plenipotentiary for Foreign Investments

## RÉSUMÉ OF THE MEETING

1. What is the general Polish feeling towards investments, done by foreign entities. Is Poland experiencing this as a positive thing, bringing some more oxygen in the Polish fast growing economy or is Poland sceptic towards this?

*FDI is considered as a crucial element of the social picture in Poland and the Ministry is trying to encourage foreign investors to make this effort to invest in Poland. Our country is very investor-friendly country. due to very good geographical location, large and absorbed market, highly qualified labour force. Poland is very much willing and hopefully able to attract any foreign companies to invest.*

*At the Ministry of Development, Labour and Technology the pass is to develop a legal framework that will further increase the potential for investors in Poland. This can be done by reducing the risk for investors and also by promoting different solutions that will intensify to invest in Poland.*

*The Ministry is working on this and have some tools already in place as for example Polish Investments Zones. There are other system of investments especially for the R&D sector with Government grunts. The Anti-crisis shield which was introduced at the beginning of pandemic, the Ministry have to emphasis that the foreign investors recovered by the shield just like polish companies. The objective was to protect the jobs. Being investor-friendly is a whole mark of the Ministry's approach and attitude.*

2. On 26 Feb. Prime Minister opened consultations of the National Recovery Plan (KPO). The revealed document shows the general key directions for funds' allocation, but the actual allocation process is still unclear. How will the private sector be able to benefit from the Recovery Fund and what would be the process of selecting beneficiaries and their projects?

*The National Recovery Plan (KPO) will be coordinated in two levels: national level and the local authority level. Depending on the level it will be a different scale. Private companies will by all means be eligible for example the contractors or sub-contractors. To make it equal, Polish authorities want to ensure that the whole process is transparent so private companies will be chosen by a competition formula.*

*That's another way that investors will benefit from the program – the aim is to help local authorities prepare land-plots for investments by i.e. connecting of the necessary utilities and also by helping them with special planning. As a result, local authorities will be able to offer better lands to foreign investors.*

3. For the past few years the legislative environment in Poland has been extremely dynamic or even turbulent. Law is changing massively and this happens often overnight. Many of these changes are not subject to proper public consultations and/or lack solid impact assessment. In consequence, this creates a huge uncertainty and unpredictability for the business and for investors, and it undermines trust to the state institutions.

How do you view this issue, and how do you plan to change the situation so that we can take our investment decisions and operate our businesses in a more stable, predictable and consultative legal environment?

*The complete answer will be sent from the Ministry.*

4. The Ministry of Economic Development, Labour and Technology has recently taken over the supervision over Polish Investment and Trade Agency - PAIH. With this change, does the Ministry foresee changes in the system of organization of the Polish economic diplomacy? If yes, which would be the changes?

*This transfer of supervisory powers as Special Economic Zones and the PAIH Agency mean that the Ministry can provide a better coordination. The Ministry is trying to achieve a synergy where there is increasing in the role of supervisory body and the actual effectiveness in different pass. By consolidating, Polish economic diplomacy, powered by governmental strategy aim at supporting exports, because this will be a very important factor in how Poland will cope with the result of the pandemic, while the recession is caused.*

*Basically, the change here is to bring the supervisory aspect into a single body to have this supervision in one location and have all different investments tools in one for both foreign investors and other companies including small and medium-sized enterprises.*

5. How the Government perceive the issue of the availability of green energy and gas for business - the lack of availability of green gas is an investment barrier, because according to global obligations, production companies should be neutral in terms of CO2 emissions until a certain / indicated date. If green energy is not available, companies will have to invest in building a biogas plant themselves, while they could use the money for other investments.

*There is work on that in the Ministry of Climate and the solution that is implemented will recover the costs of producing bio-methan, as part of support. This is similar to the regulations in other EU Member States. Solutions like this means that there is a need to raise additional funding or have a support budget. This is not a direct financial bargain on the investors and this solution makes it possible to relatively quickly increase the amount of bio-methan, but the costs will be transferred to the final recipient. Since the Government is aware of the fact that the end customers are vulnerable to price changes, the way to develop this mechanism is to start from the sectors in which transition costs will not be felt that much in the customers for example the transport sector.*

*This subject should be more developed by the Ministry of Climate.*

**6. Several recent investments in Poland will require undisputed and internationally accepted proof of using green electricity. Therefore, Poland will have to become a member of the Association of Issuing Bodies (AIB). Without this membership Polish certificates of origin for green electricity have no international value. This will put a lot of Polish companies in a very bad competitive position. When will Poland become member of AIB?**

*Poland's AIB membership is a topic that's being discussed in Poland along with preparations to transposed directive on promoting the renewable energy sources - RED2. Right now, Polish authorities are in the middle of analysis and talks about developing the optimum participation model for Poland as far as AIB is concerned not just Poland as a country but Poland as a producer. There are also talks about different ways of financing Polish AIB membership. This should be proceeded in the separate legal act that will transpose the origin directive to the Polish law and all of this work should be completed by the end of this year.*

**7. Is the government planning any taxes or other charges on plastic? Does it plan to assess the impact of such a decision on the attractiveness of Poland for foreign investors?**

*The Ministry of Climate is not planning to introduce any charge that will be compensated for this new resource of the EU. The details of that are in the competence of the Ministry of Finance.*

## **QUESTIONS RAISED BY THE IGGC**

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### **before the meeting**

**1. In terms of unstable legal environment there are many cases of practical consequences that can be quoted here: introduction of new taxes or fees, changes in energy sector, or ICT sector. To give an example - the unexpected law change led to annulment of 5G auction last Spring. This happened already after the interested companies submitted their offers in line with the previously set regulations and timeline. This not only caused big confusion among the companies and investors but also delayed the process of implementation of this new technology awaited by many sectors and consumers in Poland while other EU countries can already move ahead. How Poland plans to ensure that the 5G auction process will be re-launched soon and safeguard its legal safety and stability?**

*During the session of the parliamentary Commission for digitization, innovation and new technologies, which was held on March 18, minister Marek Zagórski (minister in charge of digitalization) declared that the adoption of the amendment to the act on the national security system (KSC) is to be adopted soon by the Council of Ministers.*

*The act does not directly indicate an entity that is high-risk, but creates a path of conduct enabling the supplier to be recognized as such an entity.*

*The auction for 5G frequency reservations is to be announced this year before the entry into force of the act on the national cybersecurity system*

**2. As already mentioned, Poland's attractiveness in the eyes of foreign investors depends on the quality of legislative standards in the country. When can we expect from the Government of a clear legal framework for EPR (extended producer's responsibility) and DRS (deposit refund system)? We believe that the law must clearly define the DRS principles to significantly increase the recycling coefficient of plastic bottles in Poland.**

*Poland is in the process of transposing the amended EU directives in the field of waste management (the so-called waste package) and the resulting new rules for extended producer's responsibility (EPR) systems.*

*The changes planned in the EPR system for packaging are aimed at implementing new rules specified in the so-called a waste package, i.e. in the amended EU directives on waste.*

*The expected primary effect is the reduction of fees paid by citizens for the collection of municipal waste under municipal waste management systems. For this purpose, among others, the following solutions will be introduced:*

- entities introducing products in packaging will be responsible for waste resulting from their packaging - they will be obliged to finance the collection and processing of packaging waste, both generated in households and in places other than households,*
- those introducing products in packaging will co-finance the collection and processing of waste generated, among others, by from packaging in the municipal waste stream, which will reduce the financial burden for residents due to waste collection; the supervision over all participants of the ROP system will be increased and the requirements for some entities participating in the system will be increased, which will lead to the elimination of abuses,*
- an eco-modulation mechanism will be introduced, which consists in differentiating the rates of fees incurred for financing waste management by producers of packaged products; rates will depend, among others from over-packaging of products, the use of packaging containing recycled materials or packaging that does not constitute a barrier to recycling; therefore environmentally friendly packaging will be promoted,*
- the obligation to use recycled material for the production of plastic beverage bottles with a capacity of up to 3 liters will be introduced - ultimately in 2030 min. 30% by weight of the entire package, in accordance with Art. 6 sec. 5 lit. b of Directive (EU) 2019/904 of the European Parliament and of the Council on the reduction of the environmental impact of certain plastic products,*
- an obligation to selectively collect plastic beverage bottles with a capacity of up to 3l will be introduced by those introducing products in these packaging - ultimately, in 2029, this level will be 90% of the weight of this type of packaging introduced, in accordance with Art. 9 sec. 1 lit. b of Directive (EU) 2019/904 of the European Parliament and of the Council on the reduction of the environmental impact of certain plastic products.*

*With regard to the deposit system, we would like to inform you that such a system is planned and internal work on the preparation of the bill is in progress. The designed system will certainly include plastic bottles with a capacity of up to 3 liters. Moreover, it is assumed that the producers using packaging covered by the deposit will be responsible for introducing and administering the system, and the act will define the boundary conditions for the deposit system. These conditions will include universality, the possibility of returning an empty pack*



**2. Is there a service point in Poland where you can apply for government or EU subsidies for investments in the carbon footprint or the circulation of plastic packaging?**

*Currently, in Poland, there are no government subsidies for trading in plastic packaging. Therefore, there is no service point where entrepreneurs could apply for such subsidies.*

**3. Among the activities that Poland will include in the Reconstruction Fund, is there any financial support for industrial companies that want to invest in advanced technologies for reducing harmful emissions to the atmosphere? If so, what kind of support is foreseen and within what timescale will it be available to companies?**

*Poland supports activities aimed at building a low-emission economy also from national funds. The National Fund for Environmental Protection and Water Management and regional funds effectively support activities for the environment.*

*According to the operation strategy of the National Fund for Environmental Protection and Water Management for the years 2021-2024, mainly financial resources will be allocated to tasks related to the improvement of air quality - reducing air pollutant emissions and the process of climate change - transformation towards a climate-neutral economy. Thanks to the so-called priority programs support enterprises as well as private individuals and local governments (detailed information - <http://nfosigw.gov.pl/oferta-finansowania/srodkikrajowe/programy-2021/>).*

*Therefore, the funds were targeted at measures to reduce the use of fossil fuels and increase the use of renewable energy sources. In order to improve energy efficiency, financing was focused on the construction of new and modernization of existing energy sources, energy and heating systems along with the expansion and modernization of the network, support for thermal modernization of buildings and solutions implementing the Circular Economy. An important task is also to reduce emissions from the transport sector, which is why financing is focused on projects developing low-emission or zero-emission transport.*

**4. For the past few years the legislative environment in Poland has been extremely dynamic or even turbulent. Law is changing massively and this happens often overnight. Many of these changes are not subject to proper public consultations and/or lack solid impact assessment. In consequence, this creates a huge uncertainty and unpredictability for the business and for investors and it undermines trust to the state institutions. How do you view this issue and how do you plan to change the situation so that we can take our investment decisions and operate our businesses in more stable, predictable and consultative legal environment?**

*The Ministry of Economic Development, Labour and Technology undertakes actions to improve the regulatory environment for entrepreneurs, focusing on improving the assessment of the impact of the proposed regulations, developing dialogue with public partners, ex post evaluation of the applicable law and reducing regulatory burdens. In this regard, the following initiatives deserve special attention:*

- *Statutory regulation of the principles of preparing commercial law acts. The Act - Entrepreneurs' Law defines the principles of establishing economic law. It has been judged that legislative intervention is a last resort when the intended goal cannot be achieved by other means. A specific obligation has been introduced to prepare a socio-economic impact assessment, which is to take into account the impact on SMEs. The bill initiator (with the exception of the civic legislative initiative) has been obliged to minimize the administrative obligations imposed on entrepreneurs.*
- *Providing the administration with practical guides for the preparation of RIA. In order to effectively implement the principles of Better Regulation, materials supporting the estimation of regulatory costs and benefits have been prepared and made available on the MRPiT website.*
- *Further development of the RIA system. In cooperation with the European Commission, RIA was reviewed and recommendations for changes to the RIA system were developed in the short and long term. The recommendations are used in the ongoing work on improving solutions to provide evidence-based policy, including work on analyzing changes to the RIA template and the Guidelines for carrying out impact assessments and public consultations.*
- *Actions to increase the effectiveness of public consultations. MRPiT maintains a list of entities to be used in the public consultation process, with particular emphasis on organizations representing entrepreneurs. The list is updated on an ongoing basis and supports administrative bodies in selecting entities to consult on draft legal acts. There are over 400 entities on the list. In MRPiT, legislative work is often started with the so-called pre-consultation and discussion on the concept (eg White Book on public procurement, Green Book on payment backlogs, Green Book on family foundations). This extends the legislative process, but allows for the development of the best solutions in cooperation with stakeholders.*
- *Good practices in the processing of legal acts. "Impuls dla Biznesu" is an initiative under which the Ministry invited the President of the Republic of Poland's Entrepreneurship Council, the SME Ombudsman, representative employers' organizations and over 250 business organizations to submit proposals to improve and simplify the conditions for running a business. Almost 90 entities submitted applications. The proposals concern: excessive restrictiveness of reporting obligations, lack of special facilitation for SMEs, lack of adjustment of regulations to technological development and support for innovation, changes in various sectors of the economy. Currently, the submitted proposals are being analyzed. It is planned to develop a bill in the 3rd-4th quarter of this year, which will be subject to consultations and opinions.*
- *Establishing new tools for ex post legal evaluation. The law of entrepreneurs has established a new tool for constant monitoring of economic law in terms of removing excessive and unjustified burdens - ongoing review of the law by ministers. The ministers are obliged to submit information to the Council of Ministers on an annual basis about the actions taken as a result of this review.*

*It should be emphasized that the introduced solutions bring tangible effects in the form of reducing the amount of legislation enacted. The latest results of the Grant Thornton study indicate a clear reduction in the scale of creating new regulations from 2016.*

*In 2020, approx. 15 thousand. pages of. typescript of new legal acts and this is the lowest result in 12 years and a decrease by approx. 30% compared to 2019.*

# QUESTIONS RAISED BY THE IGGC

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## during the meeting (on chat)

1. If SSE zones are one of the main instruments for attracting foreign investments, why the possibility of using a modification of depreciation is limited since 1.01.2021?

*From January 1, 2021, the possibility of applying reduced or increased depreciation rates to fixed assets used in activities, the income of which is exempt from CIT, during the period of such exemption, was limited [1].*

*As a result of this amendment to the CIT Act, entrepreneurs who conduct business activity in the SSE and benefit from tax exemption, cannot modify the amount of depreciation rates in relation to fixed assets used in the activities of the SSE, the income of which is CIT-free. This option was excluded while the exemption was made use of.*

*The legislator introduced the above change guided by the experience of the tax administration. It shows that the exercise of the right to reduce or increase the depreciation rate of individual fixed assets was often not dictated by the consumption of fixed assets being lower or higher than the nominal consumption, but for many taxpayers - especially those benefiting from tax exemptions - it became an instrument used to optimize their tax burdens. Such taxpayers reduced the depreciation rate of fixed assets used in the activity whose income benefited from the exemption to the maximum, only in order to burden the income obtained after the exemption period with depreciation costs as much as possible.*

*The tax advantage in these types of situations was that as a result of a long-term reduction depreciation rates for individual fixed assets in a given settlement period, the amount of tax deductible costs was reduced. Thus, the tax-exempt income obtained from CIT-exempt business activities, including activities conducted in the SSE, was increased.*

*[1] Ustawa z 28 listopada 2020 r. o zmianie ustawy o podatku dochodowym od osób prawnych oraz niektórych innych ustaw. Do art. 16i ustawy o CIT wprowadzono zmianę polegającą na dodaniu nowego ust. 8 (Dz. U. z 2020 r. poz. 2123).*

2. I'm President and Ceo of an italian company which is investing in Poland 140 milion Euro. We were facing some bureaucratic problem because many different institutions are engaged to analyze our project. Of course, we are aware that any investment needs to follow these by law ( polish and Eu Rules ) procedures - we do it and we respect it. Have you foreseen some action to diminish the impact of the bureaucracy process towards the investments, especially those greenfields?

*The Ministry of Economic Development, Labour and Technology undertakes actions to improve the regulatory environment for entrepreneurs, focusing on improving the assessment of the impact of the proposed regulations, developing dialogue with public partners, ex post evaluation of the applicable law and reducing regulatory burdens. In this regard, the following initiatives deserve special attention:*

- Statutory regulation of the principles of preparing commercial law acts.*
- Providing the administration with practical guides for the preparation of Regulatory Impact Assessment.*
- Further development of the Regulatory Impact Assessment system.*
- Actions to increase the effectiveness of public consultations.*
- Good practices in the processing of legal acts.*

# QUESTIONS RAISED BY THE IGGC

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## after the meeting

1. When can we count on the adoption by the Council of Ministers of the draft regulation amending the regulation on public aid for the implementation of new investments (so-called zone regulation)?

Context: Changes have been announced yet in 2019, last year the project was consulted with organizations and interferences. The project assumes facilitation in access to the Polish investment zone program and amend a list of cities losing economic functions. Changes are urgent and necessary for reinvestment in large enterprises.

*The draft is at the stage of being entered into the list of legislative works. The realistic date for adopting the regulation is Q2 / Q3 2021.*

2. When can we count on announced by Paliński an amendment to the Program to support investment with significant importance for the Polish economy for 2011 - 2030?

Context: Program, according to the announcements of the government, was to be synchronized in terms of support criteria with the Polish Investment Zone program. This is necessary to maintain the attractiveness of investment incentives for large enterprises investing in Poland, especially in the current period of COVID pandemic.

*The programme was approved by the Council of Ministers on March 25. It is available on the website of the Ministry of Economic Development, Labour and Technology: <https://www.gov.pl/web/rozwoj-praca-technologie/program-wspierania-inwestycji-o-istotnym-znaczeniu-dla-gospodarki-polskiej-na-lata-2011-2030>*

3. Why was the work on the so-called: Robotic relief? The government announced its introduction from January 2021, but it did not happen, and currently there are no concrete messages in this area.

Context: The relief was to enable a deduction from the tax base of 50% of eligible costs related to investment in robotization (purchase of robots, cobots, software, accessories and safety devices).

*The Ministry of Finance and the Ministry of Development, Labor and Technology jointly developed the assumptions of the robotization relief, which were consulted at a very early stage with the market, enterprises that offer robots and the robotization process, and potential project beneficiaries. These consultations took place even before obtaining an excerpt from the list of the Council of Ministers works. Legislative work is currently underway at the Ministry of Finance.*

4. Why in the designed programs for EU funds and funds both during the transition period 2021-22 and in the perspective of 2023-27 (RDP, POIS, POIR, FENG) practically no activities supporting processing business and large entrepreneurs?

Context: This is particularly visible in the agri-food industry, in which investment incentives for large plants under RDP are practically not expected in the next financial perspective. This creates a huge risk of investment gap and consequently reduce the market for domestic raw material production



- *Statutory regulation of the principles of preparing commercial law acts. The Act - Entrepreneurs' Law defines the principles of establishing economic law. It has been judged that legislative intervention is a last resort when the intended goal cannot be achieved by other means. A specific obligation has been introduced to prepare a socio-economic impact assessment, which is to take into account the impact on SMEs. The bill initiator (with the exception of the civic legislative initiative) has been obliged to minimize the administrative obligations imposed on entrepreneurs.*
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*It should be emphasized that the introduced solutions bring tangible effects in the form of reducing the amount of legislation enacted. The latest results of the Grant Thornton study indicate a clear reduction in the scale of creating new regulations from 2016.*

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5. Dlaczego w projektowanych programach dla środków i funduszy unijnych zarówno w okresie przejściowym 2021-22, jak i w perspektywie 2023-27 (PROW, POIS, POIR, FENG) praktycznie nie ma działań wspierających biznes przetwórczy i dużych przedsiębiorców?

Kontekst: Szczególnie jest to widoczne w branży rolno-spożywczej, w której zachęt inwestycyjnych dla dużych zakładów w ramach PROW praktycznie nie przewiduje się w kolejnej perspektywie finansowej. Stwarza to ogromne ryzyko luki inwestycyjnej i w konsekwencji ograniczenia rynku zbytu dla krajowej produkcji surowcowej.

## Odpowiedź MRiRW

*W pierwszym projekcie Planu Strategicznego WPR zaproponowano interwencje w zakresie przetwórstwa rolno-spożywczego. Wyniki konsultacji, a także zaawansowane prace nad Krajowym Planem Odbudowy (KPO), w ramach którego proponuje się wsparcie dla sektora przetwórczego, umożliwiają dalsze prace nad Planem Strategicznym WPR na lata 2023-2027, w zakresie uszczegółowienia i doprecyzowania zakresu proponowanych interwencji. Ze względu na trwające na poziomie UE negocjacje w zakresie pakietu legislacyjnego WPR po 2020 roku, nie podjęto, na obecnym etapie prac, finalnych decyzji, co do zakresów poszczególnych interwencji, jak i ewentualnej rezygnacji z realizacji niektórych interwencji. Rozstrzygnięcia, co do zakresu i skali interwencji dotyczących przetwórstwa są też w dużym stopniu uzależnione od ostatecznego kształtu wsparcia w ww. zakresie, które będzie dostępne w ramach KPO.*

*Natomiast na okres przejściowy lat 2021-2022, przez Komitet Monitorujący PROW 2014-2020 zatwierdzone zostały zmiany mające na celu uatrakcyjnienie realizacji inwestycji w ramach poddziałania 4.2 „Wsparcie inwestycji w przetwarzanie produktów rolnych, obrót nimi lub ich rozwój”, polegające m.in. również na rozszerzeniu katalogu podmiotów uprawnionych do wsparcia o duże przedsiębiorstwa (zatrudniające co najmniej 250 osób i posiadające roczny obrót co najmniej 50 mln euro) z branży produkcji pasz bez GMO.*

*Należy także dodać, że w latach 2021-2025 przewidziane zostało uruchomienie reform w Krajowym Planie Odbudowy (KPO), mających na celu odbudowę i wzmocnienie gospodarek państw członkowskich dotkniętych skutkami pandemii COVID-19. Staraniem Ministra Rolnictwa i Rozwoju Wsi, w ramach komponentu A Krajowego Planu Odbudowy: Odporność i konkurencyjność gospodarki, planowane jest wdrożenie programu wsparcia (Inwestycji), związanego z dywersyfikacją i skracaniem łańcucha dostaw w przetwórstwie rolno-spożywczym. Planowana Inwestycja zakłada przeznaczenie wsparcia, m.in. w sektorze MŚP, na innowacyjne, proekologiczne i zgodne z nowoczesnymi standardami inwestycje w sektorze przetwórstwa produktów rolnych. Informacje nt. Krajowego Planu Odbudowy będą zamieszczane na bieżąco na stronach:*

*<https://www.gov.pl/web/planodbudowy> i <https://www.gov.pl/web/rozwoj-praca-technologie/krajowy-plan-odbudowy>.*

## Odpowiedź MFiPR

### **1) Wsparcie PO- Inteligentny Rozwój i Fundusze Europejskie dla Nowoczesnej Gospodarki**

*W Programie Operacyjnym- Inteligentny Rozwój 2014-2020 (POIR), który umożliwia finansowanie projektów do 2023 r. oraz w przygotowywanym obecnie **Programie Fundusze Europejskie dla Nowoczesnej Gospodarki (FENG) na lata 2021-2027** możliwe jest **współfinansowanie projektów realizowanych przez duże przedsiębiorstwa**. Projekty te powinny być zgodne z **zasadami programowymi**, określającymi preferowane obszary wsparcia oraz z **przepisami unijnymi i krajowymi dotyczącymi pomocy publicznej**. W POIR duże przedsiębiorstwa mogły pozyskiwać wsparcie dotacyjne na realizację:*

- **prac badawczo-rozwojowych (B+R)**, w ramach projektów prowadzonych samodzielnie, w konsorcjach przedsiębiorstw lub konsorcjach naukowo-przemysłowych.

- **projektów związanych z utworzeniem lub rozwojem centrum B+R.** Projekty te obejmowały m.in. inwestycje w nieruchomości, w których znajduje się CBR, sprzęt, technologie i inną niezbędną infrastrukturę, która służy do prowadzenia prac B+R.

W ramach PO - IR nie jest już planowane przeprowadzanie konkursów, z których mogłyby skorzystać duże przedsiębiorstwa.

W przypadku programu **Fundusze Europejskie dla Nowoczesnej Gospodarki (FENG)** proponowany zakres wsparcia będzie **podobny do tego, który był realizowany w POIR.** Zmiany będą dotyczyć **większych możliwości udzielania wsparcia przedsiębiorstwom dużym**, spełniającym kryteria kwalifikacji do tzw. **firm small mid-caps**, a więc zatrudniających między **250 a 499 pracowników.** Współfinansowanie **projektów dużych firm**, które nie kwalifikują się do wsparcia dedykowanego firmom small mid-caps, będzie zależne od **spełnienia dodatkowych warunków wynikających z regulacji UE**, głównie w **zakresie pomocy publicznej.**

Wsparcie przedsiębiorstw w zakresie realizacji projektów innowacyjnych (w tym B+R), będzie realizowane w ramach FENG głównie w ramach priorytetu **1 - Wsparcie dla przedsiębiorców.**

Priorytet ten będzie umożliwiał przedsiębiorstwom realizację kompleksowych projektów w formie dotacji składających się z następujących modułów, obejmujących m.in. - **prace B+R, rozwoju infrastruktury B+R, wdrożeń wyników badań, internacjonalizacji działań na rynkach międzynarodowych oraz cyfryzacji i „zazielenienia” przedsiębiorstw.** Modułami obowiązkowymi w ramach projektu będą prace B+R lub rozwój infrastruktury B+R a pozostałe moduły będą mogły być fakultatywnie wybierane przez przedsiębiorstwo. Wartością dodaną programu FENG dla dużych przedsiębiorców będzie silniejsze zaakcentowanie wsparcia dla transformacji cyfrowej i „zielonej” procesów produkcji (Przemysł 4.0, robotyka, automatyzacja). Ponadto, **w ramach FENG planowane jest wsparcie wdrożeń innowacji przez firmy mid caps** (zatrudniające do 3 tys. pracowników w formie instrumentów finansowych - **Funduszu Gwarancyjnego**, jednakże szczegółowe zasady wsparcia będą znane dopiero po zakończeniu negocjacji z Komisją Europejską. Wartością dodaną programu FENG dla dużych przedsiębiorców będzie silniejsze zaakcentowanie wsparcia dla transformacji cyfrowej i „zielonej” procesów produkcji (Przemysł 4.0, robotyka, automatyzacja). Ponadto, **w ramach FENG planowane jest wsparcie wdrożeń innowacji przez firmy mid caps** (zatrudniające do 3 tys. pracowników w formie instrumentów finansowych - **Funduszu Gwarancyjnego**, jednakże szczegółowe zasady wsparcia będą znane dopiero po zakończeniu negocjacji z Komisją Europejską.

Wsparcie **w ramach POIR było co do zasady dostępne dla firm z branży rolno-spożywczej oraz przetwórstwa spożywczego, z uwzględnieniem możliwości wsparcia wynikających z przepisów dotyczącym pomocy publicznej.**

Wsparcie inwestycyjne może zostać przekazane przedsiębiorcy działającemu w sektorze przetwarzania i wprowadzania do obrotu produktów rolnych. **Przedsiębiorcy działający w sektorze produkcji podstawowej produktów rolnych, nie mogą uzyskać bezpośredniego wsparcia inwestycyjnego lecz mogą skorzystać z pomocy na działalność B+R**, usług doradczych na rzecz MŚP, pomocy w zakresie finansowania ryzyka.

W zależności od konkretnych potrzeb zgłaszanych przez przedsiębiorstwa reprezentujące konkretne branże przemysłu przetwórczego mogły one **dopasowywać zakres projektów do konkretnych Krajowych Inteligentnych Specjalizacji (KIS)**, określających priorytetowe obszary wsparcia ze środków funduszy UE przeznaczonych na innowacje i B+R. W tym kontekście należy wskazać na przykładowe KIS, które wpisują się zakres działalności, prowadzonej przez przedsiębiorstwa z sektora przemysłu przetwórczego :

- **KIS 2 Innowacyjne technologie, procesy i produkty sektora rolno-spożywczego i leśno-drzewnego**
- **KIS 3 Biotechnologiczne i chemiczne procesy, bio-produkty i produkty chemii specjalistycznej oraz inżynierii środowiska**
- **KIS 7 Gospodarka o obiegu zamkniętym**
- **KIS 12 Automatyzacja i robotyka procesów technologicznych**

Należy jednocześnie podkreślić, że **priorytetyzacja wsparcia w oparciu o listę KIS będzie występowała również w programie FENG**, planowanym do realizacji w perspektywie finansowej 2021-2027.

## 2) Wsparcie w ramach PO- Polska Wschodnia

Zarówno Program Operacyjny Polska Wschodnia 2014-2020 (POPW), jak i przyszły program Fundusze Europejskie dla Polski Wschodniej na lata 2021-2027 (FEPW), realizują **cele Europejskiego Funduszu Rozwoju Regionalnego (EFRR) w zakresie przedsiębiorczości w obrębie sektora MŚP.**

FEPW będzie realizować cel 1.3 (iii) **wzmacnianie zrównoważonego wzrostu i konkurencyjności MŚP oraz tworzenie miejsc pracy w MŚP, w tym poprzez inwestycje produkcyjne. W związku z tym, beneficjentami FEPW mogą być tylko przedsiębiorcy z sektora MŚP.**

Przedsiębiorcy z sektora MŚP będą mogli uzyskać wsparcie z FEPW niezależnie od branży, w której działają. W związku z tym jednak, że **sektor rolno-spożywczy wpisuje się w jedną z głównych wspólnych Regionalnych Inteligentnych Specjalizacji dla Polski Wschodniej** - żywność i produkty rolno-spożywcze, to projekty realizowane w tym sektorze będą preferowane.

Założeniem Programu jest, że przedsiębiorcy **realizujący projekty unowocześnią swoje procesy produkcyjne, usługowe, marketingowe i zarządzania, a także przeszkolą lub przekwalifikują pracowników do pracy przy nowych procesach.**

Realizacja takiego kompleksowego projektu ma za zadanie przyczynić się do wzrostu konkurencyjności przedsiębiorstwa i pozyskania nowych rynków zbytu.

## 3) Wsparcie w ramach Regionalnych Programów Operacyjnych

W ramach **Regionalnych Programów Operacyjnych (RPO) wsparcie w obecnej jak i przyszłej perspektywie finansowej koncentruje się na firmach z sektora MŚP.**

Niemniej jednak wsparcie dla przedsiębiorstw spoza tego sektora (dla tzw. dużych firm) będzie możliwe na zasadach ogólnych wynikających z Umowy Partnerstwa i obejmie głównie projekty związane z projektami B+R oraz rozwojem infrastruktury B+R (np. budowa działu B+R prowadzona we współpracy z MŚP).

Wsparcie z Regionalnych Programów Operacyjnych dla firm z sektora MŚP z sektora przemysłu przetwórczego, w tym zwłaszcza branży rolno-spożywczej jest możliwe w ramach tzw. **Regionalnych Inteligentnych Specjalizacji (RIS)**, które wyznaczają kierunki rozwoju poszczególnych województw i wśród swoich priorytetów uwzględniają **cele związane ze wspieraniem lokalnego potencjału w zakresie produkcji zdrowej i bezpiecznej żywności.** Decyzja o wsparciu konkretnego projektu z RPO uzależniona jest każdorazowo od oceny czy dany produkt jest lub nie jest produktem rolnym w rozumieniu Załącznika 1 do Traktatu o funkcjonowaniu Unii Europejskiej- w sytuacji gdy dany produkt jest produktem rolnym stanowi to przesłankę do wsparcia jego produkcji ze środków Programu Rozwoju Obszarów Wiejskich (PROW), którymi zarządza Ministerstwo Rolnictwa i Rozwoju Wsi.



Ministerstwo Rozwoju,  
Pracy i Technologii