

Letter of Intent

on cooperation for development of offshore wind power in Poland

entered into in Warsaw, on [...] 2020, between:

- (i) **The Minister of Climate** – Mr Michał Kurtyka
- (ii) **The Minister of National Defence** – Mr Mariusz Błaszczak
- (iii) **The Minister of Maritime Economy and Inland Navigation** – Mr Marek Gróbarczyk
- (iv) **Plenipotentiary of the Minister of State Assets for Development of Offshore Wind Power** – Mr Zbigniew Gryglas

and

- (v) **The Polish Wind Energy Association**, represented by:
 - 1) Mr Janusz Gajowiecki – President of the Board,
 - 2) Ms Kamila Tarnacka – Vice-President of the Board,
- (vi) **The Polish Offshore Wind Energy Society**, represented by:
 - 1) Mr Mariusz Witoński – President of the Board,
 - 2) Mr Jakub Budzyński – Vice-President of the Board,

hereinafter referred to collectively as "**Signatories**", and each of them individually as "**Signatory**".

Preamble

Whereas:

- 1) offshore wind power is indicated in the National Energy and Climate Plan for 2021-2030 as one of key technologies to meet the EU target for renewable energy sources for 2030, and is one of strategic projects in the draft of Poland's Energy Policy until 2040;
- 2) offshore wind power will allow for diversification of the national power generation structure and will significantly contribute to meeting European Union's objectives while increasing the security of energy supply and reducing carbon dioxide emissions;
- 3) offshore wind power is a dynamically developing industry with a great growth potential in Poland, based in particular on the resources and expertise of the Polish shipbuilding industry and Polish ports;
- 4) offshore wind power, with all the features of an innovative technology, brings great possibilities for support for local manufacturing and service enterprises, engaged in the supply chain for this technology, as well as for building a favourable position for Polish entrepreneurs in the regional, European and global value chain in the process of development of offshore wind power;

- 5) optimisation of the economic impact of development of offshore wind farms requires harmonization of applicable legal framework and guidelines, best industry practice, global industry expertise, as well as a thought-out economic strategy to support the national energy, environmental, road and maritime infrastructure;
- 6) to achieve optimal results, a trilateral cooperation is essential between the Government of the Republic of Poland, current and future investors and operators of offshore wind farms in Poland, and the supply chain with entrepreneurs engaged in supplies for preparation, execution and operation of these investment projects;
- 7) there is a need to establish a platform for dialogue in order to ensure a dynamic development of the offshore wind power industry in Poland, with emphasis on strengthening the domestic benefits related to energy, environment, economy and society, and to develop an agreement between key stakeholders in the offshore wind power sector;
- 8) the responsibilities of the Minister of Climate include matters related to increased deployment of renewable energy sources, therefore with regard to implementation of the goals of this Letter of Intent, the Minister of Climate will play a role of a **Coordinator**;
- 9) The Minister of Climate can assign the position of the Coordinator to the Secretary of State at the Ministry of Climate, the Government Plenipotentiary for Renewable Energy Sources;
- 10) The Minister of Climate, the Minister of National Defence, the Minister of Maritime Economy and Inland Navigation and the Minister of State Assets are bodies of governmental administration engaged in the development of the offshore wind power sector in Poland, while the Polish Wind Energy Association and the Polish Offshore Wind Energy Society represent the stakeholders – investors and companies from the supply chain for the offshore wind power sector;
- 11) investors and companies participating in the supply chain for the offshore wind sector, taking independent actions outside of the structures of the Polish Wind Energy Association and the Polish Offshore Wind Energy Society, can support the Signatories as **Cooperating Partners**,

at the initiative of the Minister of Climate, the Signatories – acting on equal footing – have decided to sign this Letter of Intent regarding cooperation for development offshore wind power in Poland as follows:

§ 1.

1. The Signatories declare their willingness to take joint action aimed at development of the offshore wind power market in Poland, in particular by developing, signing and implementing the **"Declaration of Cooperation for development of offshore wind power in Poland"**, hereinafter referred to as the **"Declaration"**, by the representatives of the Government of the Republic of Poland, investors and stakeholders from the supply chain for offshore wind power.
2. The character of this Declaration will be similar to the "Sector Deal" for offshore wind power in UK, which, in its essence, is a development strategy for the sector, agreed upon by the government and the representatives of the offshore wind sector; however, it will take Polish conditions into account.
3. Cooperating Partners may join the implementation of the provisions of this Letter at any time after its signing by the Signatories.
4. Joining the implementation of the provisions of this Letter of Intent shall take place by submitting a written statement on the willingness to join the implementation of the Letter of Intent as a Cooperating Partner to the Coordinator, accepting the provisions of the Letter and declaring cooperation with Signatories, in particular by participation in the development, signing and implementation of the Declaration.

5. The Signatories and Cooperating Partners are hereinafter collectively referred to as the "**Parties**".

§ 2.

Cooperation between the Parties will be based on:

- 1) organisation of periodic working meetings of Signatories in order to develop the provisions of the Declaration, where Cooperating Partners can be invited to attend;
- 2) the Coordinator performing the role of a host at working meetings;
- 3) cooperation on development of a report on the diagnosis of the current situation, the potential and recommendations in order to maximise the share of domestic supply chain for offshore wind in Poland, together with development of a methodology for calculation of the share of domestic suppliers of materials, goods and services;
- 4) multidimensional exchange of knowledge and experience in offshore wind between the Parties;
- 5) integrations of groups involved in the development of the offshore wind sector;
- 6) issuing joint declarations and media statements by Signatories – on the condition of prior agreement of their content and means of publication.

§ 3.

1. The Letter of Intent constitutes an expression of the Parties' willingness to cooperate, with the reservation that it does not create any binding obligations for any of the Parties and it cannot be a basis for any claims, including claims for compensation between the Parties or by third parties towards any of the Parties.
2. The implementation of the provisions contained in this Letter of Intent has a free-of-charge character, and each of the Parties shall independently bear any costs related to the implementation of its provisions.
3. A Party may at any moment terminate its participation in the partnership based on the Letter of Intent (effective on the date of submission of a declaration of withdrawal from the Letter of Intent) or withdraw from the Letter in full (effective from the date of its signing or accession).

§ 4.

1. Any amendments to the provisions of the Letter of Intent shall be made in writing, otherwise shall be considered null and void.
2. Accession to the Letter of Intent by a Cooperating Partner and an update of the list of Cooperating Partners by the Coordinator shall not constitute an amendment of its provisions.
3. The Letter of Intent enters into force on the date of its signing by all Signatories.
4. The Letter of Intent was made in Polish.
5. The Letter of Intent is entered into for an indefinite period.
6. The following Appendices constitute an integral part of the Letter of Intent:
 - 1) Appendix no. 1 – copy of the decision of the President of the Republic of Poland of 15 November 2019 no. 1131.24.2019 on the appointment of members of the Council of Ministers (M.P. item 1092) – regarding the appointment of the Minister of State Assets, the Minister of National Defence, the Minister of Maritime Economy and Inland Navigation and the Minister of Climate;

- 2) Appendix no. 2 – current excerpt from the register of companies of the National Court Register applicable to the Polish Wind Energy Association;
 - 3) Appendix no. 3 – current excerpt from the register of companies of the National Court Register applicable to the Polish Offshore Wind Energy Society.
7. The Letter of Intent was signed in six identical copies, one for each of the Signatories.

Signature: _____

Name and surname: Michał Kurtyka

Minister of Climate

Signature: _____

Name and surname: Grzegorz Witkowski

under the authority of the Minister of Maritime Economy and Inland Navigation

Signature: _____

Name and surname: Sebastian Chwałek

under the authority Minister of National Defence

Signature: _____

Name and surname: Ireneusz Zyska

Government Plenipotentiary for RES

Signature: _____

Name and surname: Zbigniew Gryglas

Plenipotentiary of the Minister of State Assets for Development of Offshore Wind Power

Signature: _____

Name and surname: Janusz Gajowiecki

Signature: _____

Name and surname: Kamila Tarnacka

Position: President of the Board
Polish Wind Energy Association

Position: Vice-President of the Board

Signature: _____

Signature: _____

Name and surname: Mariusz Witoński

Name and surname: Jakub Budzyński

Position: President of the Board

Position: Vice-President of the Board

Polish Offshore Wind Energy Society

List of Cooperating Partners who joined the Letter of Intent

[Name of Partner]

Date of accession:

