

WRITTEN QUESTION P-4626/05  
by Bogdan Klich (PPE-DE)  
to the Commission

Subject: Commission position on public funding for the Bolesław S.A. mining and metallurgy company restructuring programme (2004-2006)

The mining division of ZGK Bolesław S.A. comprised three mines, namely the Bolesław, the Olkusz and the Pomorzany. As a result of the exhaustion of the resources they contained, between 1995 and 1998 the mines were placed in liquidation and between 1995 and 2003 approximately PLN 112 million was spent on closing down the mines and on social measures for the miners. In 2004 and 2005, despite the fact that PLN 11.2 m and PLN 9 m were earmarked in the national budget, only PLN 6.2 m and PLN 4.6 m was spent on social measures. The reason for suspending the provision of resources for the mine closures was that funding for mine closures was classified as public aid following Poland's accession to the European Union. In connection with this, a plan for the restructuring of the Bolesław S.A. mining and metallurgy company between 2004 and 2006 was drawn up and forwarded to the EU. It should be pointed out that the main reason for the deterioration in the financial situation of the mines over the years was the introduction by the Polish authorities during the 1990s of exorbitant and grossly unjust eco-taxes. Furthermore the recent suspension of national public funding for the restructuring of the mines will totally paralyse all ZGH Bolesław S.A. operations.

Given the above, would the Commission state:

1. Whether it would not agree that the need to complete of the process of restructuring the eco-tax debt and closing the mines in order to rescue them justifies authorisation being given for State aid to be granted?
2. Whether it would not agree that the fact that over the past 40 years the Polish State has drawn benefits from the mines, since up until 2002 there was no obligation in Poland to set up reserves against future closure and the profits generated during that time were used for general public expenditure, is adequate grounds for the cost of restructuring and closing old mines being financed from public funds?
3. Whether, given that the decisions on providing public funding for restructuring the eco-tax debt and completing the process of closing the mines were taken prior to Poland's accession to the European Union and that the underlying legislation was adopted in December 2003, it would not agree that the recent decision not to allow any further national public funding of the closing stages of the mine restructuring process is tantamount to consenting to legislation being introduced retroactively, something that is inadmissible and harmful in a democratic system?