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**THE PUBLIC-LEGAL INSTRUMENTS FOR ENSURING ENERGY SECURITY  
IN THE NATURAL GAS SECTOR**

**Abstract**

The immanent influence of energy security on the realization of national interest made the natural gas sector a subject of special interest of both European and Polish legislators. This interest manifests itself first of all in systematically adopted legal regulations which constitute an emanation of particular public-law intervention in the principles of functioning of this sector, in the doctrine called sectoral regulation in the power industry, which, in relation to the topic of the presented dissertation, should be narrowed down to the regulation in the natural gas sector. The Energy Law, due to the criterion of the EU legal acts implemented in it, covers the areas of secondary legislation, which concern the liberalisation of the natural gas sector. In view of the above, the natural gas market in Poland is subject to successive changes aimed at its full liberalisation and functioning on a competitive basis. The public-legal instruments presented in this dissertation are aimed at achieving the aforementioned goals and they affect not only the domestic natural gas market, but also the shape of the foreign energy policy of the state and the execution of infrastructure investments.

The above assumptions are the starting point for the formulation of three fundamental research hypotheses. The first one assumes that the public-law instruments applied by the state, apart from ensuring energy security in the natural gas sector, are also an effective tool for creating a competitive and liberal natural gas market, leading to the transformation of the gas sector. The second hypothesis to be verified in this text assumes that the legislative and legal situation shapes the internal and external conditions of energy security in the natural gas sector, which makes it possible to distinguish its internal and external dimensions. The third and last one assumes that the level of energy security in the natural gas sector increases with the intensification of regulatory activities, which apart from influencing the domestic natural gas market, also affect the shape of the state's foreign energy policy. However, research hypotheses formulated in this way require multifaceted analysis. In order for them to be effectively verified, it will be necessary to carry out detailed considerations that will constitute the core of the five chapters of the dissertation.

The first chapter presents the concept of security and the its classic definition, distinguishing, on the basis of the basic criterion, national and international security, in order to subsequently focus on energy security in the natural gas sector. In the second chapter, the

concept and status of individual energy law entities are analysed in detail, the impact of pro-competitive regulations on the natural gas market is presented, and it is demonstrated how these instruments have influenced changes in the gas sector and how they can be used to identify natural monopolies. Next, the obligations of energy enterprises in the area of energy security were systematized and the legal tools for ensuring energy security to natural gas consumers were reviewed. The above considerations have allowed to move to a more detailed analysis of pro-competitive measures affecting the wholesale gas market, which aim at creating a liquid gas market and ultimately at marketisation and liberalisation of gas prices. The third chapter is devoted to legal regulations concerning the obligation of diversification of natural gas supplies from abroad. An assessment of the policy of governments of successive political formations was made, and an analysis of the political implications of the obligation to diversify natural gas supplies from abroad was carried out, which was complemented by the issue of existing and planned gas infrastructure. The fourth chapter was devoted to the analysis of the role of government administration bodies in ensuring energy security in the natural gas sector, with special attention paid to the competences of the President of the Energy Regulatory Office in the area of natural gas market energy security. Finally, the fifth chapter presents the tasks of local government units with regard to ensuring energy security in the natural gas sector.