

Draft name Draft Regulation of the Minister for Interior and Administration on technical conditions for protective structures and technical conditions for their use and location Leading ministry Ministry for the Interior and Administration Cooperating ministries: Minister for Infrastructure Minister for Finance and Economy Person responsible for the draft: Minister, Secretary of State or Undersecretary of State Undersecretary of State – Wiesław Leśniakiewicz Contact details for the draft supervisor Dariusz Marczyński – Counsellor of the Minister (Tel. 694-444-155; email: dariusz.marczyński@mswia.gov.pl)	Date of preparation 29 September 2025 Source: Article 115(1)(1) of the Act on Civil Protection and Civil Defence of 5 December 2024 (Journal of Laws, item 1907). No. in the list of works: 1222
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REGULATORY IMPACT ASSESSMENT

1. What issue is being addressed?

The draft Regulation implements the authorisation contained in Article 115(1)(1) of the Act on Civil Protection and Civil Defence of 5 December 2024 (Journal of Laws, item 1907). In accordance with the aforementioned provision, the Minister for Interior and Administration determines, by means of a regulation, the technical conditions for protective structures and the technical conditions for their use and location, taking into account the need to ensure an appropriate number of places in protective structures with appropriate classes of resistance and protective properties in the case of climate disasters and armed conflicts, including those with the use of weapons of mass destruction.

The Regulation is the first legal act laying down technical requirements for protective structures. As soon as the Regulation enters into force the construction processes for such facilities may commence.

2. The recommended solution, including planned intervention tools and expected impact

The Regulation specifies the technical conditions for protective structures that will ensure the protection of population in the event of contamination, strikes of conventional weapons in armed conflict, and crisis situations related to extreme weather events. The Regulation proposes to classify protective structures into resistance categories, namely shelters (S-1; S-2; S-3) and hiding places (U-1, U-2, U-3).

The Regulation specifies the conditions for their location in order to provide places of refuge for an adequate number of people in given area, and distance between them should not exceed 500 m. Such facilities should be located considering the existing local threats, and a risk analysis of such threats should be carried out both, in times of peace and war.

The detailed requirements for the resilience of protective structures are set out in the Annexes to the above-mentioned Regulation.

In addition, specific fire safety conditions for such facilities and requirements for the capacity and surface area of the protective structure taking into account the number of persons for whom a place of refuge is provided, have been specified.

In addition, the Regulation specifies the technical equipment such places should be provided with i.e. filter-ventilation devices, emergency lighting, sanitary facilities and water supply devices.

In order to ensure safety in the protective structure, the minimum and maximum dimensions of protected entrances, vestibules, stairs, landings, doors and the requirements for spare exits and back-up exit shafts have been specified in detail.

The Regulation sets out in detail the requirements for primary function rooms, technical zone, social rooms and ventilation and filtration requirements.

People should be able to stay long-term in shelter-type facilities. Therefore, the requirements have been laid down for the supply of water intended for human consumption and for the discharge of waste water and heating in winter conditions.

In order to ensure the safety of persons staying in protective structures, the necessary equipment for controlling and measuring the temperature, pressure and gas composition of air has been defined. In addition, the Regulation recommends that the instruments for measuring chemical and radioactive contamination be included in shelters as additional equipment.

The Annexes to the Regulation specify technical conditions regarding the requirements for adaptation of underground transport systems to function of a protective structure.

The draft sets out requirements for the operation and maintenance of the protective structure and its marking.

The draft Regulation implements the statutory guideline on ensuring an adequate capacity in protective structures, specifying a wide range of their parameters and protective features.

The capacity of the structure will be determined on a case-by-case basis by the civil protection authority. Within their

territorial jurisdiction, the competent civil protection authorities plan the necessary number and capacity of collective protection facilities, taking into account, in particular, the size of the population present in the area and the types of expected threats. Chapter 9 ‘Collective Protection Facilities’ of the Act on Civil Protection and Civil Defence of 5 December 2024 describes how the civil protection authorities operate.

The rules and procedure for granting financial support for investments related to the provision of protective structures are laid down in Article 106 of the said Act.

3. How has this problem been solved in other countries, in particular OECD/EU Member States?

When developing the requirements set out in the Regulation, solutions adopted in protective construction in the following countries, including without limitation, Finland, Sweden, Norway, Germany, Switzerland, Ukraine, the United Kingdom and the United States, were analysed.

4. Entities affected by the draft

Group	Size	Data source	Impact
Civil protection authorities competent for protective construction issues	Provincial governors – 16 Chairs of the district executive boards and mayors of cities with district status – 380 Mayors of a rural municipalities, mayors of towns and cities – 2 479	Administrative division of the country	Technical requirements and technical location requirements must be considered for locating protective structures and qualifying buildings where protective structures are to designated
Users of protective structures	Potentially the entire population of the country – the Act stipulates that the capacity of collective protection facilities should be planned in such a way as to provide shelter for: 1) at least 50 %, including in protective structures – for at least 25 %, within the administrative boundaries of towns and cities in all collective protection facilities, 2) at least 25 %, including in protective structures – for at least 15 %, outside the administrative boundaries of town and cities in all collective protection facilities – of the estimated number of population at risk in the area covered by the planning.	-	Providing shelters in protective structures.
Entrepreneurs designing and constructing protective structures	No data available to date	-	Establishing technical requirements for design and construction of protective structures.
Architectural-construction administration bodies	Provincial governors – 16 Chairs of the district	Administrative division of the country	The Regulation lays down technical conditions and technical conditions for the

	executive boards and mayors of cities with district status – 380 Główny Inspektor Nadzoru Budowlanego [Chief Building Control Inspector] – 1		location and use of protective structures, which must be taken into account in proceedings relating, in particular, to issuance of building permit decisions. Pursuant to Article 92(1) of the Act, collective protection facilities are designed and constructed in a way to ensure compliance with the conditions specified in technical and construction regulations, as well as technical conditions, technical conditions of use and technical conditions of location, which must be complied with for the collective protection facilities to perform their functions. The construction process is to be conducted in compliance with the general provisions of the Construction Law.
Building control authorities	Provincial governors – 16 District Building Control Inspectors – 380 Chief Building Control Inspector – 1	Główny Urząd Nadzoru Budowlanego [General Office of Building Control]	The Regulation lays down technical conditions and technical conditions for the location and use of protective structures, which must be taken into account during inspections carried out by building control authorities. Pursuant to Article 107(1) of the Act the inspection of compliance of collective protection facilities with technical conditions, technical conditions for location and technical conditions for use is to be conducted by building control authorities under the rules laid down in the Act of 7 July 1994 – Construction Law.

5. Information on the scope, duration, and summary of consultation results

Pursuant to Article 5 of the Act on Lobbying Activities in the Lawmaking Process of 7 July 2005 (Journal of Laws of 2025, item 677) and § 52(1) of Council of Ministers Resolution No. 190 of 29 October 2013 — Regulations on the work of the Council of Ministers (Polish Official Gazette of 2024, item 806 and of 2025, item 408), the draft was made available in the Public Information Bulletin of the Government Legislation Centre.

The draft was submitted for public consultation to Stowarzyszenie Architektów Polskich [Union of Polish Architects], Izba Architektów RP [Chamber of Polish Architects], Stowarzyszenie Instytut Budownictwa Ochronnego [Association of the Institute of Protective Construction] and Polski Związek Firm Deweloperskich [Polish Developers Union]. Comments submitted to the draft have been analysed and mostly taken into account. On 8 July 2025, a consultation conference was held with the social partners.

No lobbying notifications have been recorded for the draft.

6. Impact on the public finance sector

[illegible]

[illegible]

Sources of financing	The draft Regulation shall not affect the public finance sector.
Additional information, including the identification of data sources and assumptions made in the calculation	The draft Regulation shall not affect the public finance sector. The issue of financing civil protection and civil defence tasks is laid down in the Act on Civil Protection and Civil Defence of 5 December 2024. According to the Regulatory Impact Assessment to the Act on Civil Protection and Civil Defence, the costs for the implementation of the tasks specified in the Act are covered by the funds at the disposal of the competent holders of the part of the State budget. No less than 0.3 % of gross domestic product is allocated annually to the financing of civil protection and civil defence tasks, while the amount of funds allocated to the financing of civil protection and civil defence tasks in accordance with the Civil Protection and Civil Defence Programme, included within the limit of expenditure on financing defence needs referred to in Article 40 of the Act on the Defence of the Homeland of 11 March 2022 (Journal of Laws of 2024, item 248, as amended), is 0.15 % of gross domestic product. The financing of civil protection and civil defence tasks may also be supplemented with funds from Fundusz Modernizacji Bezpieczeństwa Publicznego i Ochrony Ludności [Public Security and Civil Protection Modernisation Fund]. At this stage, the costs of the protective structure may not be estimated, bearing in mind that the type of technical solutions in a specific protective structure depends on the entire building investment which includes the protective structure.

7. Impact on the competitiveness of the economy and entrepreneurship, including the functioning of enterprises and impact on families, citizens and households

		Impact						
Time in years since entry into force of the amendments		0	1	2	3	5	10	Total (0–10)
In monetary terms (PLN million, fixed prices for [year])	large enterprises							
	micro-, small- and medium-sized enterprises							
	families, citizens and households							
In non-monetary terms	large enterprises	Once the technical requirements for protective structures are specified, the construction of protective structures near critical infrastructure, including energy and transport facilities, may begin in order to ensure the safety of the personnel of such facilities and of users and residents.						
	micro-, small- and medium-sized enterprises							
	families, citizens and households	Once the technical requirements for protective structures are specified, the construction of protective structures near residential areas may begin.						
Unmeasurable								

Additional information, including the identification of data sources and	Due to its nature, the draft in question does not contain provisions concerning the rules of undertaking, performing or terminating business activity, regulations concerning the property rights and obligations of entrepreneurs or the rights and obligations of entrepreneurs towards public administration bodies, and is therefore not subject to the obligation to assess the anticipated impact of the proposed solutions on the activity of micro, small and medium entrepreneurs, pursuant to the
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assumptions made in the calculation	provisions of the Entrepreneur Law Act of 6 March 2018, nor the analysis of the compliance of the draft with this Act in the above scope. In order for a protective structure to be provided, a proper decision of the civil protection authority must be issued, which will be the basis for the investments carried out by entrepreneurs in the construction industry, whereas the scale and extent of the involvement of economic operators in this process cannot be further estimated, as it will depend on the above-mentioned decisions, which take into account the fact whether it is possible to ensure protection of the population in a given area and economic validity. It is possible to co-finance investments in collective protection facilities in the form of a dedicated subsidy granted by the civil protection authority at the request of the owner or manager of the building. If a protective structure must be provided, the financing will cover up to 100 % of the investment.
8. Change in the regulatory burdens (including disclosure obligations) resulting from the draft	
☒ not applicable	
Burdens are placed outside those strictly required by the EU (see the inverted compatibility table for details).	☐ yes ☐ no ☒ not applicable
☐ reduction in the number of documents ☐ reduction in the number of procedures ☐ shortening of the time to settle the matter ☐ other:	☐ increase in the number of documents ☐ increase in the number of procedures ☐ extension of the time to settle the matter ☐ other:
The introduced burdens are suitable for digitisation.	☐ yes ☐ no ☒ not applicable
Comment: -	
9. Impact on the labour market	
The draft has no impact on the labour market.	
10. Impact on other aspects	
☐ natural environment ☐ regional standing and development ☐ ordinary, administrative or military courts	☐ demography ☐ state property ☒ other: safety
	☐ digitalisation ☐ health
Discussion of the impact	The purpose of the proposed provisions is to lay down the technical conditions for protective structures and their use. This is the first document of this rank that makes it possible to design protective structures of various categories, locate them accordingly and ensure proper operating conditions.
11.Planned implementation of the provisions of the Act	
The provisions of the Regulation will be implemented upon its entry into force.	
12. How and when will the impact of the draft be assessed, and what measures will be applied?	
The implementation of protective construction projects is monitored during the evaluation of the Civil Protection and Civil Defence Programme implementation.	
13.Annexes (important source documents, research, analyses, etc.)	
None.	

JUSTIFICATION of the request for the URGENCY PROCEDURE

12_Justification of the accelerated procedure

The draft Regulation contains technical conditions for protective structures and technical conditions for their use and location. The regulations apply to civil defence shelters and hiding places used to protect the population, primarily in the event of an armed conflict. It is necessary to urgently proceed with the regulations, in view of the repeated cases of violations of the Polish airspace and the growing threat to citizens.

Work on the first draft of the regulations setting out technical requirements for protective structures began in 2022, after the outbreak of the Russian-Ukrainian war. Technical requirements set out in the first draft were modelled on previous national defence instructions and technical requirements for military command stations. Work on the draft continued until 2024 and was completed with the submission of the draft for technical notification on 19 July 2024 (2024/0412/PL). The standstill period ended on 22 October 2024 and no comments were submitted regarding the draft during the technical notification procedure.

Work on the first draft was carried out in parallel with the ongoing armed conflict in Ukraine. Data from the analysis of the evolution of hostilities, including modalities and consequences of Russia's attacks on civilian sites, were analysed taking into account an assessment of the effectiveness of the adopted requirements for protective structures. The hostilities were characterised by the use of new types of weaponry, in a manner and on a scale that had been unpredictable until then. In particular, the use of unmanned aerial vehicles (drones) and loitering munition (attack drones) has increased significantly. Such weapons were used for attacks against civilian facilities and critical infrastructure. The frequency of their use was completely unpredictable and significantly changed the way warfare was conducted, as confirmed by all military expert centres.

Between 2023 and 2024, the use of Iranian Shahed drones, and Lancet and Geran drones by Russia increased significantly. In November 2024, an unprecedented attack was carried out on the Ukrainian city of Dnipro, with the use of multiple-warhead ballistic missiles. In several cases, the warfare agents used (drones, anti-aircraft missiles) infringed Polish airspace and caused damage in border area. If such warfare agents were to be used on a large scale in urbanised areas of Europe, this could lead to a very serious threat to the civilian population.

On 9 and 10 September 2025, Polish airspace was significantly infringed by Russian drones. Some of the drones were shot down by Polish and allied armed forces. This was the first case of intentional infringement of NATO airspace on this scale.

An analysis of the technical solutions adopted in 2024 (regulation notified under No. 2024/0412/PL) showed that the technical solutions adopted for protective structures had unexpectedly become insufficient to ensure relevant protective parameters. This applied to both, structural and strength requirements, as well as requirements for the location of protective structures.

It should be emphasized that the mass use of drones and loitering and precision munition significantly reduced the time interval between the warning of an attack and striking the target with warfare agents. This

means that protective structures need to be designed and located in a different way – both by increasing density (and, as a result, reducing travel times for civilians) and through structural solutions that increase resistance to mass attacks by small attack drones. The previous regulation, in which military solutions designed for large shelters against weapons of mass destruction were used, had become obsolete due to data obtained in Ukraine and the unpredictable development of military technology, and would not have provided an optimal level of protection of civilians.

In view of the above, following the analysis of data from 2023–2024, work on updating the Regulation has been accelerated as much as possible since 2025, using the latest data and technical solutions. Despite the accelerated work on the Regulation, the draft could still be submitted to draft addressees – specialists in the design and construction of protective structures, entrepreneurs and the scientific community – to make arrangements. Draft arrangements were concluded in August 2025.

In terms of rights and obligations the Regulation fully complies with draft 2024/0412/PL that has already been notified. Only the specific technical standards have been changed i.e updated to take into account the analysis of data from the Russian-Ukrainian war of 2023–2025. The design and construction of protective structures is a long-term process and it is therefore necessary to initiate it with the latest technical data. If outdated solutions were used, the completed structures would not provide an adequate level of protection of civilians, which is unacceptable for reasons of public security.

In the view of the above, and having regard to the following, in particular:

1. serious and unpredictable circumstances due to development of new types of weapons and tactics of their use,
 2. the need to ensure the security of civilians in the event of hostilities,
- as well as taking into account the prior notification of a similar draft 2024/0412/PL and the fast and efficient process of proceeding with this Regulation at the level of national arrangements, Poland requests that the required standstill period be waived (application of the urgency procedure) and thus that the new technical requirements for shelters be applied without undue delay.