



” The Shelter Act and its impact on new construction projects

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Poland's current geopolitical situation has prompted the government to intensify efforts related to national defence. One of the key steps aimed at preparing society for potential threats, such as war, natural disasters or terrorist attacks, was the adoption, in December 2024, of the Act on Civil Protection and Civil Defence, commonly referred to as the "Shelter Act." This legislation defines in detail, how civil protection and civil defence are to be organized, including the obligation to prepare suitable infrastructure known as collective protection facilities. The Act distinguishes three types of such facilities:

- Shelter – a protective structure or part of a structure with a closed, airtight design, equipped with air filtration and ventilation systems or regenerative absorbers.
- Hideout – a protective structure or part of a structure that is not airtight.
- Temporary sheltering places – collective protection facilities adapted for the temporary protection of people.

The planning and establishment of such crisis infrastructure are primarily the responsibility of public administration authorities. To this end, they must designate existing or planned buildings (like schools, hospitals or government/ municipal offices) to serve as collective protection facilities. The Act specifies in detail the rules for their use, registration and technical conditions.

However, the private sector, particularly developers, will also play an important role in creating collective protection facilities. According to Article 94 of the Shelter Act: "The underground storeys of public utility buildings or multi-family residential buildings, as well as underground garages, if not designed as protective structures, shall be designed and constructed in such a way as to enable their use as temporary sheltering places."

This provision therefore imposes an additional obligation on developers to design and build structures that can serve, at minimum, as temporary shelters in the event of an emergency. Multi-family buildings and underground garages, in addition to their regular functions, will thus be usable during crisis situations.

This requirement will come into force soon — it will apply to investments stated from 1 January 2026. According to Article 206 of the Shelter Act: "Articles 93–95 shall apply to any construction project for which, after 31 December 2025:

1. an application for a building permit or for the approval of a site development or architectural design has been submitted;
2. a construction notice has been filed in cases where a building permit is not required."

From the developers' perspective, the key concern is the technical requirements for temporary shelters, as they directly affect both construction costs and project timelines. Such facilities must, among other things:

- have adequate structural strength,
- provide effective ventilation, acoustic and thermal insulation,
- ensure fire safety,

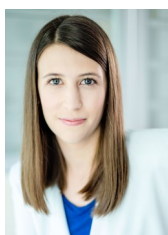


- include evacuation routes and backup power systems,
- be equipped with utilities,
- include wastewater disposal systems.

Detailed technical requirements for temporary sheltering places are specified in the Regulation of the Minister of Interior and Administration of July 9, 2025 on organization and requirements of temporary sheltering facilities.

The introduction of mandatory temporary shelters will extend and complicate the investment planning process and increase construction costs. However, under Article 106 of the Act, building owners or managers may apply for targeted grants to adapt their buildings for use as temporary shelters. These subsidies may cover up to 100% of the additional costs incurred due to the protective requirements, but such financing will be optional, not guaranteed. Consequently, in the event of a refusal, there is a significant risk that property prices will rise, as developers will likely pass on the additional costs to buyers.

From the developers' standpoint, this obligation represents a costly new challenge. Yet, under normal circumstances, such spaces could also be used as utility or service areas, which may enhance the overall value and attractiveness of the property. From the buyers' perspective, the combination of residential and protective functions in a single building could also significantly improve the sense of safety and security.



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