

**REGULATION
OF THE MINISTER FOR DEVELOPMENT AND
TECHNOLOGY¹⁾**

of ...

**amending the Regulation on the technical conditions to be met by buildings and their
location²⁾**

Pursuant to Article 7(2)(1) of the Building Law Act of 7 July 1994 (Journal of Laws of 2023, item 682, as amended³⁾) the following is decreed:

§ 1. The following amendments shall be made to the Regulation of the Minister for Infrastructure of 12 April 2002 on the technical conditions that shall be met by buildings and their location (Journal of Laws of 2022, item 1225 and Journal of Laws 2023, item 2442):

1) in § 12:

a) in paragraph 1:

- in point 1, the semicolon shall be replaced by a comma;
- in point 2, the semicolon shall be replaced by a comma;
- in point 3, the semicolon shall be replaced by a comma;
- in point 4, the full stop shall be deleted and the following common part shall be added and read as follows:
‘— with any plane resulting from a break or a fault of a wall shall be treated as a separate wall.’;

b) paragraph 1a shall be added after paragraph 1 and shall read as follows:

¹)The Minister for Development and Technology heads the government department for construction, spatial planning, land use and housing pursuant to § 1(2)(1) of the Regulation of the Prime Minister of 18 December 2023 on the detailed scope of activities of the Minister for Development and Technology (Journal of Laws, item 2721).

²)This Regulation was notified to the European Commission on under the number of, pursuant to Article 4 of the Regulation of the Council of Ministers of 23 December 2002 concerning the manner in which the national notification system of standards and legal acts functions (Journal of Laws, item 2039; and Journal of Laws of 2004, item 597) which implements Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services (codification) (OJ EU L 241, 17.9.2015, p. 1).

³)Amendments to the consolidated text of the Act referred to above were notified in the Journal of Laws of 2023, items 553, 967, 1506, 1597, 1681, 1688, 1762, 1890, 1963, and 2029.

‘1a. The location of the building is permitted in the case referred to in paragraph 1(1) at a distance of less than 4 m, but not less than 3 m from the border of the building plot, provided that the following cumulative conditions are satisfied:

- 1) wall of the building is located in a way other than parallel to this border of the plot;
- 2) the outer edge of the window or door shall be no less than 4 m from the border of the plot.’;

c) paragraph 10a shall be added after paragraph 10 and shall read as follows:

‘10a. The method of determining the minimum distance of the building wall from the border of the building plot referred to in paragraph 1 and 1a shall be set out in Annex 1a to the Regulation.’;

2) in § 216(2)(3), the full stop shall be replaced by a semicolon and points 4 and 5 shall be added and read as follows:

‘4) linear structural elements (with one dominant dimension), in particular beams and poles, made of glued laminated timber with a minimum cross-sectional dimension of at least 14 cm, in a low (N) ZL building if the fire resistance class of these elements is not less than R 30 and solutions are used to limit the possibility of fire spreading between storeys;

5) structural linear roof elements (with one dominant dimension) made of glued laminated timber with a minimum cross-sectional dimension of at least 14 cm, in a low (N) or medium-height building (SW) of a sports hall or an indoor swimming pool, if the fire resistance class of these elements is not less than R 30.’;

3) in § 232, paragraphs 8 and 9 shall be added and read as follows:

‘8. Inside the layered fire separation element in a low (N) ZL III building or in a low (N) ZL IV building, load-bearing elements made of solid timber, planed on four sides with chamfered corners or laminated timber, with a reaction to fire class not lower than D with additional classifications s1, d0 or s2, d0 shall be permitted provided that the following cumulative requirements are satisfied:

- 1) fire-retardant protection of load-bearing elements made of timber against ignition with Class K₂ 60 cladding;
- 2) filling of air voids with materials with a reaction to fire class of at least A2, d0;

- 3) installations and devices are not located inside the layered fire separation element, and installation openings are not placed in this element with the exception of openings secured in the manner referred to in § 234 (1) and § 268 (4)-(6).

9. The requirements referred to in paragraph 8(1) shall not apply in the case of fire separation walls made in the form of two structurally independent walls if each of these walls independently satisfies the requirements for fire resistance class due to fire bearing capacity, fire tightness, and fire insulation (R E I) referred to in paragraph 4.’;

- 4) in § 249, paragraph 5a shall be added after paragraph 5 and shall read as follows:

‘5a) In a low (N) ZL III building or in a low (N) ZL IV building constructed with a fire resistance class of at least ‘C’, load-bearing elements made of solid timber, planed on four sides with chamfered corners or laminated timber, with a reaction to fire class not lower than D with additional classifications s1, d0 or s2, d0 shall be permitted in the runners or landings of stairs or ramps with layered construction provided that the following cumulative requirements are satisfied:

- 1) runners or landings of stairs, or ramps are made in a fire-resistance class at least 30 minutes higher than that specified in paragraph 3;
 - 2) filling of air voids with materials with a reaction to fire class of at least A2, d0;
 - 3) encasing the underside of runners or landings of stairs, or ramps in fire-retardant linings constructed in such a way as to restrict the spread of fire to the their interior.’;
- 5) Annex 1a to the Regulation shall be added after Annex 1 to the Regulation as set out in the Annex to this Regulation.

§ 2. For a construction project with regard to which, before the effective date hereof:

- 1) an application for a building permit, an application for a separate decision approving a plot or land development project or building plans and specifications, an application for an amendment to the building permit has been submitted;
- 2) a building permit or a separate decision approving a plot or land development project or building plans and specifications has been issued;
- 3) a notification has been submitted for the construction or execution of other construction works where a building permit decision is not required;

- 4) a legalisation decision as referred to in Article 49(4) of the Construction Law Act of 7 July 1994 and the decisions as referred to in Article 51(4) Construction Law Act of 7 July 1994 have been issued;
- the hitherto regulations shall apply.

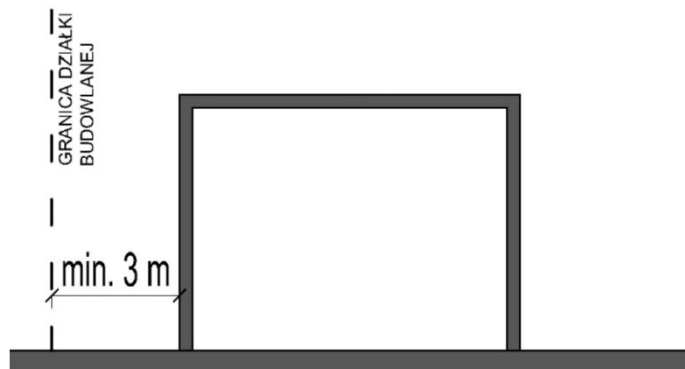
§ 3. The Regulation shall enter into force 3 months after the day of announcement.

**MINISTER FOR DEVELOPMENT
AND TECHNOLOGY**

APPROVED FOR LEGAL, LEGISLATIVE
AND EDITORIAL COMPLIANCE
Michał Płatek
Deputy Director of the Legal Department
at the Ministry of Development and Technology
/signed electronically/

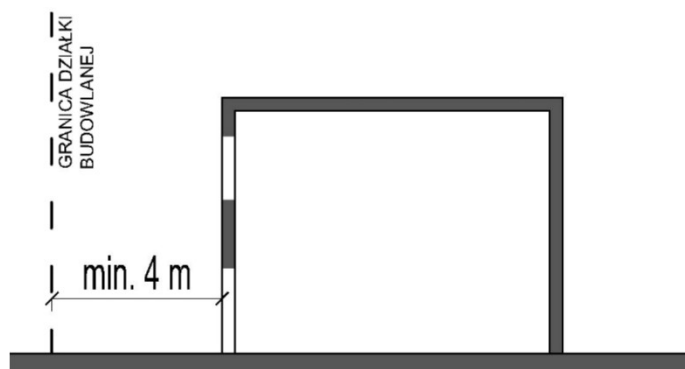
Annex to the Regulation of the Minister
for Development and Technology of ...
(Journal of Laws, item)

**METHOD OF DETERMINING THE MINIMUM DISTANCE OF A BUILDING
WALL TO THE BUILDING PLOT BORDER**



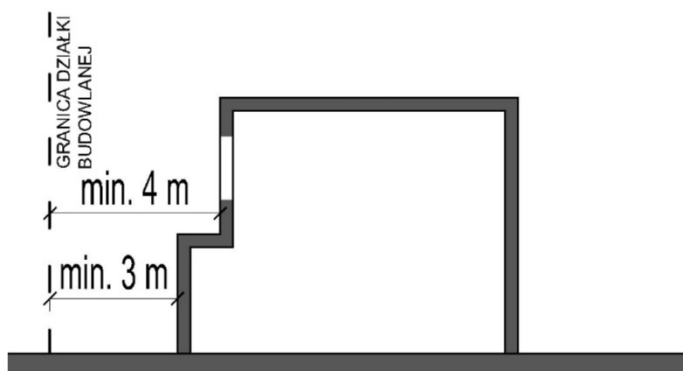
GRANICA DZIAŁKI BUDOWLANEJ	BORDER OF THE BUILDING PLOT
min. 3 m	min. 3 m

Fig. 1 Building facing a wall without windows or doors towards the border of the building plot — § 12(1)(2).



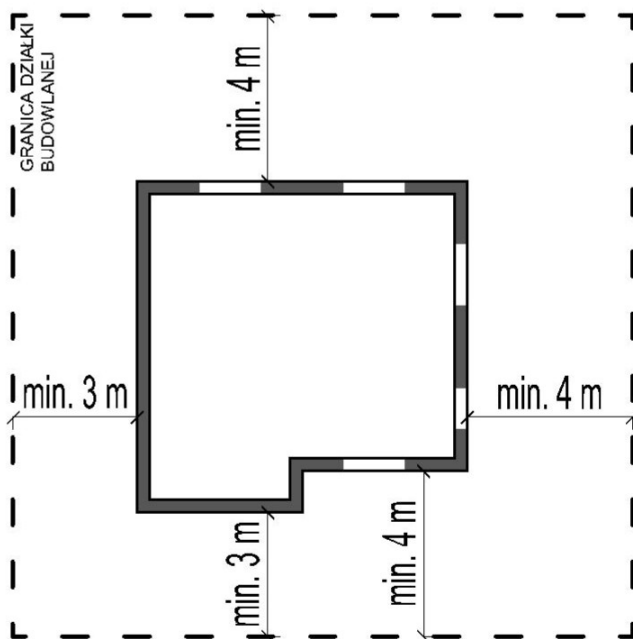
GRANICA DZIAŁKI BUDOWLANEJ	BORDER OF THE BUILDING PLOT
min. 4 m	min. 4 m

Fig. 2 Building facing a wall with windows or doors towards the border of the building plot — § 12(1)(1).



GRANICA DZIAŁKI BUDOWLANEJ	BORDER OF THE BUILDING PLOT
min. 4 m	min. 4 m
min. 3 m	min. 3 m

Fig. 3 Building facing a wall with windows or doors and a wall without windows or doors towards the border of the building plot — § 12(1)(1) and (2).



GRANICA DZIAŁKI BUDOWLANEJ	BORDER OF THE BUILDING PLOT
min. 4 m	min. 4 m
min. 3 m	min. 3 m

Fig. 4 Building facing a wall with faults towards the border of the building plot — § 12(1)(1) and (2).

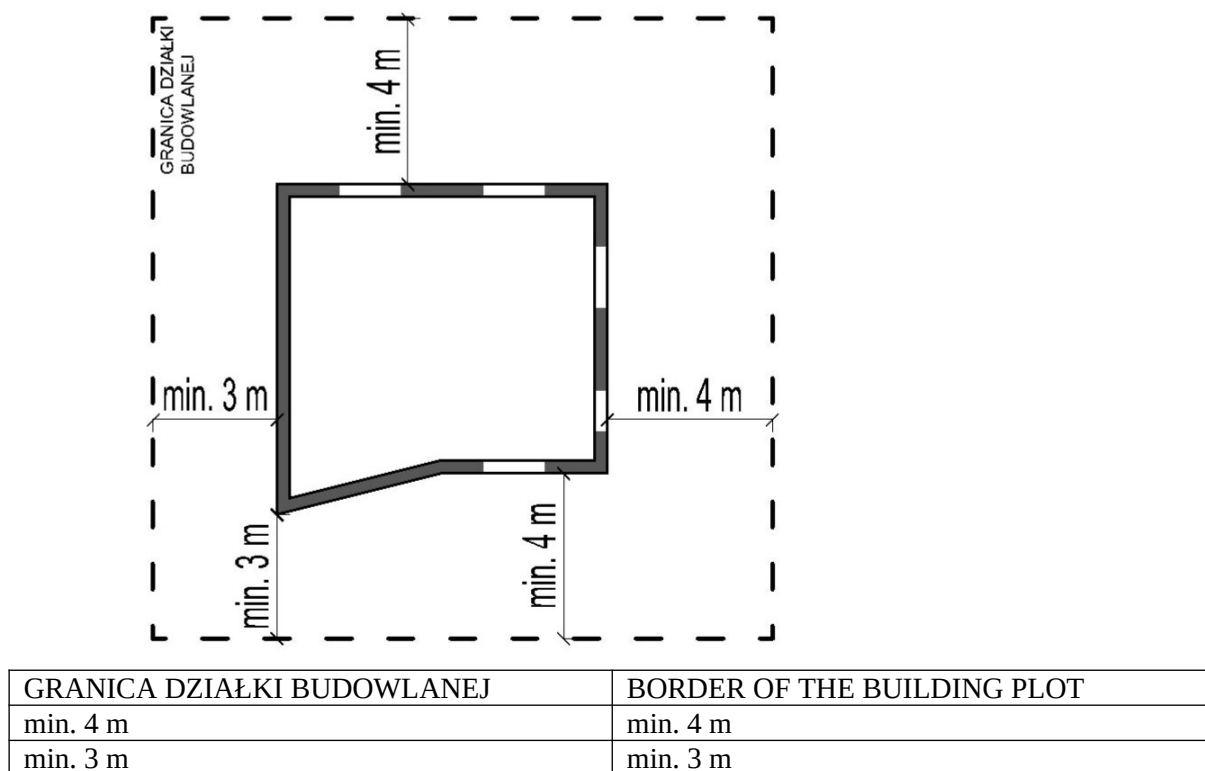


Fig. 5 A building facing a wall with refractions towards the border of the building plot — § 12(1)(1) and (2).

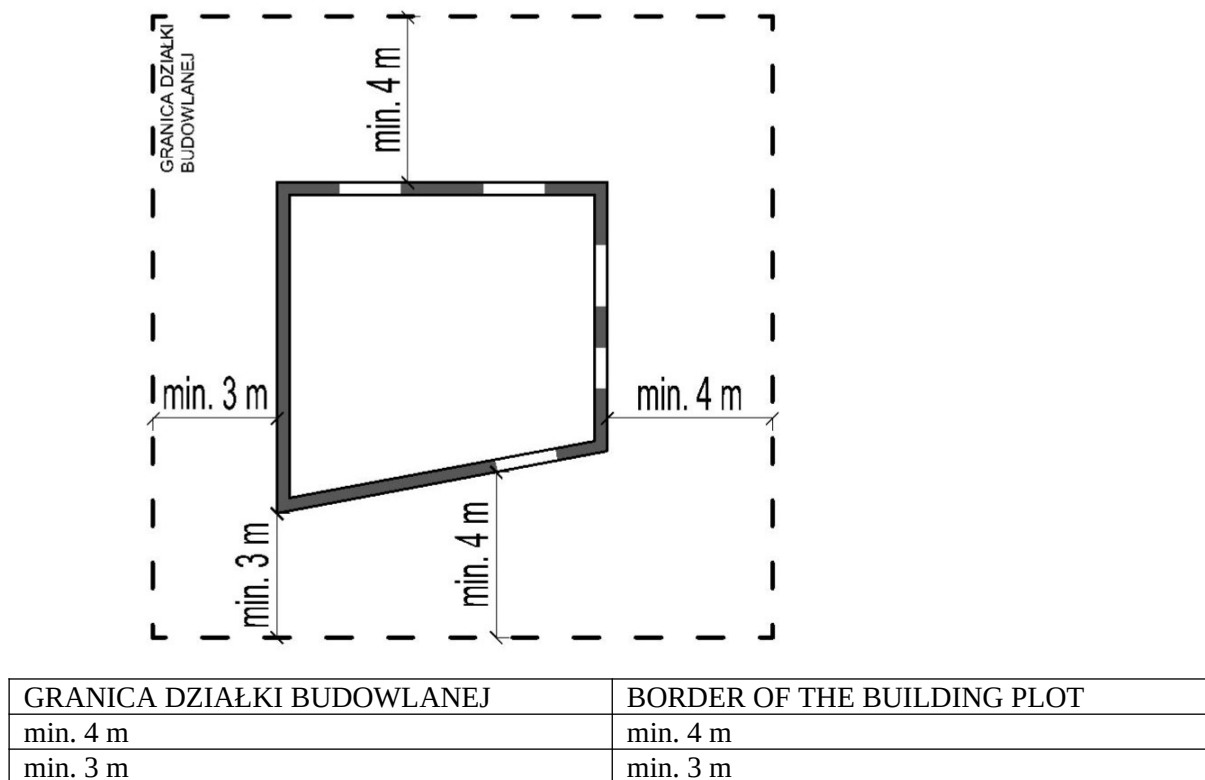
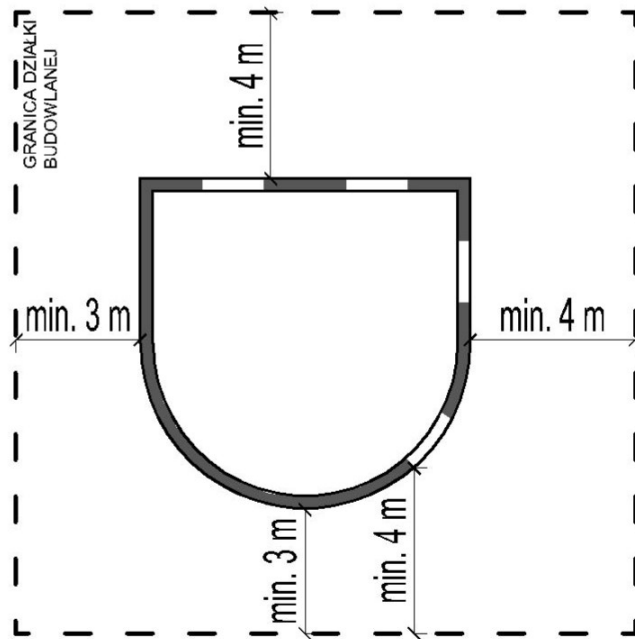


Fig. 6 A building with a wall situated in a way other than parallel to the border of the building plot — § 12(1a).



GRANICA DZIAŁKI BUDOWLANEJ	BORDER OF THE BUILDING PLOT
min. 4 m	min. 4 m
min. 3 m	min. 3 m

Fig. 7 A building with a wall located in a way other than parallel to the boundary of the building plot — § 12(1a).