Appendix 1. Rules and regulations for remaining in the rooms for persons detained or brought in to sober up.

**§ 1**

1. The person admitted to the room shall be immediately provided with the following information:

**1)** his or her rights and obligations by reading these Rules and Regulations. Each person admitted to the room confirms that they have read the rules and regulations of their stay by signing the sheet containing the rules and regulations for remaining in the rooms for persons detained or brought in to sober up;

**2)** equipping the room with monitoring devices, including devices allowing to watch and record video - if such devices are installed;

2. Each person admitted to the room who does not speak Polish shall be provided with an opportunity to communicate via an interpreter in matters related to his or her stay in the room.

2a. A person detained in the Room, if he/she is a person referred to in Article 2, Section 1, Item 1 of the Act of 19 August 2011 on sign language and other means of communication (Journal of Laws of 2023, item 20), shall be provided with access to the provision of free interpreter services of the Polish Sign Language (PJM), the Sign Language System (SJM) and the Deaf-Blind Communication Mode (SKOGN), in matters relating to his/her stay in this Room.

3. If the person's consciousness is altered, the actions indicated in item 1 shall be carried out after the cessation of the circumstances giving grounds for derogation from this obligation.

4. In the event that the detainee's consciousness is altered which prevents the person from being acquainted with the rights under the Code of Criminal Procedure or other laws, such information shall be provided after the cessation of the circumstances giving grounds for derogation from this obligation. The detainee shall confirm the fact that he or she was provided with information regarding their rights by signing the detention protocol.

**§ 2** A detainee placed in the room shall be released:

**1)**  when the cause of the detention has ceased;

**2)**  by the command or order of the court;

**3)** by the order of the prosecutor;

**4)** within 48 hours after detention, unless he or she has been placed under the court’s custody within that time, together with a request for detention pending trial;

**5)** if, within 24 hours after placing him or her under the court’s custody, the person has not been served with an order for detention pending trial.

**§ 3** The person brought in for sobering up shall be released:

**1)** at the time of sobriety, but not later than 24 hours after being brought in;

**2)** based on a medical certificate stating that the further stay of a person in the room may pose a hazard to his or her life or health.

**§ 4**

1. A detained person admitted to the room shall undergo a medical examination and shall be provided with the necessary medical assistance in the cases and under the rules defined in the regulations on medical examinations of persons detained by the Police.

2. A person admitted to the room for sobering up shall immediately undergo a medical examination during which a medical professional shall state one of the following:

**1)** the lack of medical contraindications for the person to remain in the room or

**2)** the existence of medical contraindications for the person to remain in the room and the necessity to refer him or her to a medical facility, or

**3)** refusal to undergo a medical examination and lack of grounds for referring the person to a medical facility, or

**4)** a refusal to undergo a medical examination and the existence of grounds for referring the person to a medical facility, or

**5)** the type of medication that the person must take along with the dosage.

3. The circumstances indicated in paragraph 2 shall be confirmed by a medical certificate.

4. The circumstance indicated in paragraph 2(3) shall not constitute a reason for refusing to admit a person brought to the room for sobering up.

5. In the circumstance indicated in paragraph 2(2) and (4), the transport of the person brought for refreshment to the medicinal facility shall be carried out by means of a dedicated sanitary transport vehicle.

6. The course and results of medical examinations conducted in the room shall be documented by the doctor in the medical examination record.

**§ 5** [[1]](#endnote-1)

1. The person admitted to the room shall provide his or her name, his or her father's name, date and place of birth, information on his or her place of residence or temporary stay and health status.

2. The person admitted to and placed in the room shall undergo a preventive check.

**§ 6**

1. Items found and seized during the preventive inspection indicated in § 5 item 2 shall be recorded in the depository receipt along with an indication of the indication of their individual characteristics. The depositary receipt shall be signed by the person admitted to the room and by the Police officer who has deposited the items listed therein.

2. In the event that the person admitted to the room refuses or is unable to sign the document, that fact shall be recorded in the depositary receipt, indicating the presence of the Police officer performing the lead or convoy, which shall be certified by his or her signature.

3.[[2]](#endnote-2) *(revoked)*

4.[[3]](#endnote-3)  Items found and seized during the preventive inspection indicated in § 5 item 2 shall not be provided to the person admitted to the room.

**§ 7** The person admitted to the room shall occupy the room for persons detained or brought to sober up and the place designated for sleeping indicated by the Police officer responsible for managing or serving duty the room, however:

**1)** persons of the opposite sex shall be admitted to separate rooms;

**2)** persons brought in to sober up shall not be placed in a room together with persons who are sober;

**3)** persons under 18 years of age shall not be placed in a room together with adults.

**§ 8** Each person admitted to the room shall be informed about the obligation to:

**1)** observe the rules and regulations contained herein;

**2)** carry out the orders of a Police officer on duty in the room;

**3)** observe the quiet hours between 10 p.m. and 6 a.m., and on public holidays to 7 p.m.;

**4)** observe the principles of social interaction;

**5)** take care of personal hygiene and cleanliness of the room;

**6)** use the room equipment in accordance with its intended purpose;

**7)** immediately notify the room personnel in the event of a situation causing a threat to human life or health, damage to room equipment or any other event with severe consequences.

**§ 9**

1. The person admitted to the room shall use his or her own clothes, underwear, and footwear.

2. In the event that the items indicated in paragraph 1 are unfit for use or if their use is not acceptable for hygienic reasons, the person detained or brought in to sober up may receive the required clothing, underwear and footwear free of charge. The decision in this respect shall be made by a person appointed by the head of the Police organisational unit responsible for managing the room.

3. Alternative clothing shall be issued to a detained, detained pending trial or convicted due to:

**1)** a committed or a suspected terrorist offence, particularly cruel offences or an offence involving firearms or explosives;

**2)** the person's participation or suspected participation in an armed organised criminal group.

4. Replacement clothing items shall be issued to the detained person whose clothing has been secured as evidence as part of the court proceedings.

5. Cleaning products necessary for personal hygiene, including, in particular, soap and towels, shall be provided free of charge to the person in the room for the time required for their use.

6. During the quiet hours at night as well as at other times during the day, in justified cases, the detainee shall be provided with mattresses, headrests, a blanket (two blankets in autumn and winter) and bedding - two sheets and a pillowcase.

**§ 10**

1. The person placed in the room shall be provided with:

**1)** a meal, including at least one hot meal, issued three times per day and beverages for thirst, whereby:

**a)** the caloric value of meals served during the day shall not be less than 60% of the “SZ” school standard as defined in the regulations on receiving meals from a Police officers and the norms for the meals, however not less than 2600 kcal, while in the case of pregnant women and persons under 18 years of age - 75% of that standard, but not less than 3200 kcal,

**b)** in the event that the meals for detainees are prepared in prisons and detention facilities under the authority of the Minister of Justice, the standards for caloric values of food defined in the regulations determining the daily caloric value of food and the types of diets issued to detainees in prisons and detention facilities shall apply,

**(c)** subject to item (d), meals shall be provided at least 5 hours after the detainee is placed in the room, in the following hours and proportions:

**-**  between 700-800 breakfast - in a quantity matching 30% of the nutritional value of meals indicated in (a),

**-**  between 1200-1400 dinner - in a quantity matching 40% of the nutritional value of meals indicated in item (a),

**-**  between 1800-1900 supper - in a quantity matching 30% of the nutritional value of meals indicated in item (a),

**d)** a person escorted from abroad shall, receive a meal corresponding to 30 % of the energy value of the meals indicated in item (a) within 2 hours after being detained in the event that the admission to the room took place between 6 p.m. and 8 a.m. and the person has not received the meal indicated in item (c),

**e)** a detained person shall have the right to receive the first appropriate meal when he or she is transferred or delivered to a convoy or detention and is unable to consume a meal during the hours indicated in item (c),

**f)** in cases justified by health requirements, the person shall receive meals matching the diet prescribed by a medical professional;

**2)** a drink only for the reason for replenishment, in the case of a person brought in for sobering up;

**3)** availability of medical services;

**4)** the possibility to use sanitary facilities and products necessary to maintain personal hygiene;

**5)** the possibility of possessing religious worship items if their properties do not pose a threat to the safety of the persons who remain in the room;

**6)** the possibility of engaging in religious practices and using religious services in a manner that does not disturb the order and safety of the persons who remain in the room;

**7)** the possibility to read the press;

**8)** the possibility of purchasing tobacco products, newspapers and personal hygiene items using their own funds and keeping the items in the room, provided that these items and their packaging do not pose a threat to the order and safety of the persons who remain in the room;

**9)** the possibility of smoking in a location designated for this purpose in accordance with the provisions on the specific conditions of using tobacco products on the premises and in the means of transport of persons under the authority of the Minister of Internal Affairs, if such possibility does not hinder the possibility of Police officers to perform their official duties aimed at ensuring the safety of persons in the premises;

**10)** the possibility of receiving:

**a)** after inspecting the items in their presence, packages containing personal effects, in particular, clothing, footwear, wound dressings and hygiene products,

**b)** medicines prescribed by a doctor, which may be made available only upon the doctor’s approval and in accordance with arrangements with the professional; the medicines shall be provided to the person in the room by a doctor or a Police officer as agreed with the doctor;

**11)** the possibility to submit requests, complaints, and motions to the Police officer responsible for the functioning of the room and the head of the Police organisational unit responsible for managing the unit.

2. The purchase of the items indicated in paragraph 1 item 8 shall be carried out, as far as possible, through a Police officer, but up to one time per day.

3. A hot meal shall not be given to a detainee in the circumstance indicated in paragraph 1, item 1(d) and (e).

**§ 11 *(revoked)***

**§ 12** ***(revoked)***[[4]](#endnote-4)

1. [↑](#endnote-ref-1)
2. [↑](#endnote-ref-2)
3. [↑](#endnote-ref-3)
4. [↑](#endnote-ref-4)