

Directive 2002/30/EC of the European Parliament and of the Council  
of 26 March 2002 on the establishment of rules and procedures with  
regard to the introduction of noise-related operating restrictions  
at Community airports (Text with EEA relevance) (repealed)

DIRECTIVE 2002/30/EC OF THE EUROPEAN  
PARLIAMENT AND OF THE COUNCIL

of 26 March 2002

on the establishment of rules and procedures with regard to the  
introduction of noise-related operating restrictions at Community airports

(Text with EEA relevance) (repealed)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article  
80(2) thereof,

Having regard to the proposal from the Commission<sup>(1)</sup>,

Having regard to the opinion of the Economic and Social Committee<sup>(2)</sup>,

Having regard to the opinion of the Committee of the Regions<sup>(3)</sup>,

Acting in accordance with the procedure laid down in Article 251 of the Treaty<sup>(4)</sup>,

Whereas:

- (1) A key objective of the common transport policy is sustainable development. This requires an integrated approach aimed at ensuring both the effective functioning of the Community's transport systems and the protection of the environment.
- (2) Sustainable development of air transport necessitates the introduction of measures aimed at reducing the noise nuisance from aircraft at airports with particular noise problems.
- (3) A new, more stringent noise certification standard, defined in Volume 1, Part II, Chapter 4 of Annex 16 to the Convention on International Civil Aviation, has been established within the framework of the International Civil Aviation Organisation (ICAO) and will contribute to an improvement in the noise climate around airports in the longer term.
- (4) The Chapter 4 standard has been established for certification of aircraft and not as a basis for the introduction of operating restrictions.
- (5) The gradual removal of Chapter 2 aeroplanes pursuant to Council Directive 92/14/EEC of 2 March 1992 on the limitation of the operation of aeroplanes covered by Part II, Chapter 2, Volume 1 of Annex 16 to the Convention on International Civil Aviation, second edition (1988)<sup>(5)</sup> will be completed on 1 April 2002 and new measures will be

---

*Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.*

---

required to prevent a deterioration in the noise climate after 2002, assuming continued growth of air transport in Europe.

- (6) The use of aeroplanes with a better environmental performance can contribute to a more effective use of available airport capacity and facilitate airport infrastructure development in line with market requirements.
- (7) A common framework of rules and procedures for the introduction of operating restrictions at Community airports, as part of a balanced approach on noise management, will help safeguard internal market requirements by introducing similar operating restrictions at airports with broadly comparable noise problems. This includes assessment of the noise impact at an airport and evaluation of the measures available to alleviate that impact, and selection of the appropriate mitigation measures with the goal of achieving the maximum environmental benefit most cost effectively.
- (8) Council Regulation (EEC) No 2408/92 of 23 July 1992 on access for Community air carriers to intra-Community air routes<sup>(6)</sup> provides in Articles 8 and 9 for, *inter alia*, publication and examination of new operating restrictions: the relationship of those provisions with this Directive should be set out.
- (9) The legitimate interest of the air transport sector in applying cost-effective solutions for meeting noise management goals should be recognised.
- (10) The 33rd ICAO Assembly has adopted Resolution A33/7 introducing the concept of a ‘balanced approach’ to noise management, thereby establishing a policy approach to address aeroplane noise, including international guidance for the introduction of operating restrictions on an airport-by-airport basis. The ‘balanced approach’ concept of aircraft noise management comprises four principal elements and requires careful assessment of all different options to mitigate noise, including reduction of aeroplane noise at source, land-use planning and management measures, noise abatement operational procedures and operating restrictions, without prejudice to relevant legal obligations, existing agreements, current laws and established policies.
- (11) The balanced approach is an important step towards achieving noise-reduction. But if effective and sustainable noise-reduction is to be achieved, more stringent technical standards, such as more stringent noise standards for aircraft combined with action to take noisy aircraft out of service, will also be necessary.
- (12) A Directive of the European Parliament and of the Council on the assessment and management of environmental noise<sup>(7)</sup> which is a horizontal measure covering all modes of transport has introduced a common approach for the assessment and management of environmental noise. It aims at monitoring the environmental problem caused by noise in major agglomerations and in the vicinity of main transport infrastructures, including airports, at making information on environmental noise and its effects available to the public, and at requesting competent authorities to draw up action plans with a view to preventing and reducing environmental noise where necessary and to preserving environmental noise quality where it is good.
- (13) Council Directive 85/337/EEC of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment<sup>(8)</sup> already provides for a

---

*Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.*

---

comprehensive assessment of airport projects including noise mitigation. This can be considered as meeting, in part, the assessment requirements of this Directive in the case of airport infrastructure extension projects.

- (14) Such an assessment may demonstrate that the objectives can only be achieved by a restriction on new services and the gradual withdrawal of aeroplanes that meet the Chapter 3 noise certification standard by a small margin.
- (15) The particular noise problems of airports which are located in the centre of large conurbations ('city airports') should be recognised by allowing for the introduction of more stringent rules.
- (16) It is necessary to finalise the indicative list of city airports on the basis of information to be provided by Member States.
- (17) The extension of airport infrastructure should be facilitated with a view to safeguarding the sustainable development of air transport activities.
- (18) It is necessary to allow for the continuation of existing airport-specific noise management measures and for certain technical changes to operating restrictions of a partial nature.
- (19) Undue economic hardship for operators from developing countries should be avoided by allowing for the granting of exemptions where appropriate, and such provision should include safeguards to avoid abuse.
- (20) It is necessary to ensure transparency and consultation of all interested parties regarding proposals for noise-related measures, including the introduction of new operating restrictions.
- (21) Operators should be given a reasonable period of advance notice when new operating restrictions are to be introduced.
- (22) Provisions should be adopted to ensure the right of appeal against the introduction of operating restrictions to an appeal body, which may be a court.
- (23) The Directive is in accordance with the principles of subsidiarity and proportionality as set out in Article 5 of the Treaty. The introduction of operating restrictions at Community airports can contribute to the objective of preventing a worsening of the noise climate around airports, but there is a possibility of introducing distortions of competition. The objective can therefore be more effectively achieved by the Community by means of harmonised rules on the introduction of operating restrictions as part of the noise management process. The Directive confines itself to the minimum required in order to achieve this objective and does not go beyond what is necessary for that purpose.
- (24) The measures necessary for the implementation of this Directive should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission<sup>(9)</sup>.
- (25) The measures provided for by this Directive supersede those provided by Council Regulation (EC) No 925/1999 of 29 April 1999 on the registration and operation

---

*Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.*

---

within the Community of certain types of civil subsonic jet aeroplanes which have been modified and recertificated as meeting the standards of volume 1, Part II, Chapter 3 of Annex 16 to the Convention on International Civil Aviation, third edition (July 1993)<sup>(10)</sup>. That Regulation should therefore be repealed,

HAVE ADOPTED THIS DIRECTIVE:

---

**Status:** EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

---

- (1) [OJ C 75 E, 26.3.2002, p. 318.](#)
- (2) Opinion delivered on 20 March 2002 (not yet published in the Official Journal).
- (3) Opinion delivered on 14 March 2002 (not yet published in the Official Journal).
- (4) Opinion of the European Parliament of 13 March 2002 (not yet published in the Official Journal). Council Decision of 26 March 2002.
- (5) [OJ L 76, 23.3.1992, p. 21.](#) Directive as last amended by Commission Regulation (EC) No 991/2001 ([OJ L 138, 22.5.2001, p. 12.](#))
- (6) [OJ L 240, 24.8.1992, p. 8.](#)
- (7) This Directive is being drawn up and will apply after its adoption.
- (8) [OJ L 175, 5.7.1985, p. 40.](#) Directive as amended by Council Directive 97/11/EC, ([OJ L 73, 14.3.1997, p. 5.](#))
- (9) [OJ L 184, 17.7.1999, p. 23.](#)
- (10) [OJ L 115, 4.5.1999, p. 1.](#)