



Noise Act 1996

1996 CHAPTER 37

Summary procedure for dealing with noise at night

5 Permitted level of noise.

- (1) For the purposes of this group of sections, [^{F1}the Secretary of State][^{F1}the appropriate person] may by directions in writing determine the maximum level of noise (referred to in this group of sections as “the permitted level”) which may be emitted during night hours from any dwelling [^{F2}or other premises].
- (2) The permitted level is to be a level applicable to noise as measured from within any other dwelling in the vicinity by an approved device used in accordance with any conditions subject to which the approval was given.
- (3) Different permitted levels may be determined for different circumstances, and the permitted level may be determined partly by reference to other levels of noise.
- (4) [^{F3}The Secretary of State][^{F3}The appropriate person] may from time to time vary his directions under this section by further directions in writing.

Extent Information

- E1** In its application to Northern Ireland, this section has effect subject to the modifications set out in s. 14; see 14(4)

Textual Amendments

- F1** Words in s. 5(1) substituted (E.W.) (6.4.2006 for E., 27.10.2006 for W.) by [Clean Neighbourhoods and Environment Act 2005 \(c. 16\), s. 108\(1\)\(2\), Sch. 1 para. 7\(2\)\(a\)](#); S.I. 2006/795, art. 2(3), Sch. 2; S.I. 2006/2797, art. 2(p)
- F2** Words in s. 5(1) inserted (1.10.2006 for E., 15.3.2007 (being the date on which S.I. 2007/739 came into force) for W.) by [Clean Neighbourhoods and Environment Act 2005 \(c. 16\), s. 108\(1\)\(2\), Sch. 1 para. 7\(2\)\(b\)](#); S.I. 2006/2006, art. 2; and words in s. 5(1) inserted (N.I.) (1.4.2012) by [Clean Neighbourhoods and Environment Act \(Northern Ireland\) 2011 \(c. 23\), s. 78, Sch. 1 para. 7](#); S.R. 2012/13, art. 2(2), Sch. 2

Status: Point in time view as at 01/04/2012.

Changes to legislation: There are currently no known outstanding effects for the Noise Act 1996, Section 5. (See end of Document for details)

- F3** Words in s. 5(4) substituted (E.W.) (6.4.2006 for E., 27.10.2006 for W.) by [Clean Neighbourhoods and Environment Act 2005 \(c. 16\)](#), s. 108(1)(2), [Sch. 1 para. 7\(3\)](#); [S.I. 2006/795](#), art. 2(3), Sch. 2; [S.I. 2006/2797](#), art. 2(p)

Commencement Information

- I1** S. 5 wholly in force at 1.9.1997; s. 5 not in force at Royal Assent see s. 14(2); s. 5 in force at 23.7.1997 for England and Wales by [S.I. 1997/1695](#), [art. 2](#) and 1.9.1997 for Northern Ireland by [S.R. 1997/366](#), [art. 2](#)

Status:

Point in time view as at 01/04/2012.

Changes to legislation:

There are currently no known outstanding effects for the Noise Act 1996, Section 5.