
STATUTORY INSTRUMENTS

1999 No. 1452

The Aeroplane Noise Regulations 1999

Noise certificate requirements for UK registered propeller driven aeroplanes

5.—(1) Subject to paragraph (3), this regulation shall apply to any civil propeller-driven aeroplane with a maximum certificated take-off mass not exceeding 5,700 kilograms first registered in the United Kingdom on or after 24th July 1980 and not falling within one of the categories set out in Volume 1 of Annex 16/1981.

(2) Subject to regulation 6, an aeroplane to which this regulation applies shall not be used in the territories of member States or EEA States unless there is in force in respect of that aeroplane a noise certificate granted by the CAA certifying—

- (a) in the case of an aeroplane which in the opinion of the CAA—
 - (i) conforms to a prototype aeroplane being a prototype in respect of which the CAA accepted an application for a certificate of airworthiness on or after 1 January 1975 and before 17 November 1988, or
 - (ii) conforms to a derived version of such a prototype aeroplane being a derived version in respect of which the CAA accepted an application to modify the certificate of airworthiness for the prototype on or after 1 January 1975 and before 17 November 1988,

that the aeroplane meets the standards specified in Part II, Chapter 6 of Volume I of Annex 16/1988;

- (b) in the case of an aeroplane which in the opinion of the CAA—
 - (i) conforms to a derived version of a prototype aeroplane being a prototype in respect of which the CAA accepted an application for a certificate of airworthiness on or after 1 January 1975 and before 17 November 1988, and
 - (ii) in respect of which the CAA accepted an application to modify the certificate of airworthiness for the prototype on or after 17 November 1988,

the aeroplane meets the standards specified in Part II, Chapter 10 of Volume I of Annex 16/1988;

- (c) in the case of an aeroplane which in the opinion of the CAA conforms to a prototype aeroplane being a prototype in respect of which the CAA accepted an application for a certificate of airworthiness on or after 17 November 1988 or conforms to a derived version of such a prototype aeroplane, that the aeroplane, meets the standards specified in Part II, Chapter 10 of Volume I of Annex 16/1988;
- (d) in the case of an aeroplane which in the opinion of the CAA conforms to a prototype aeroplane being a prototype in respect of which the CAA accepted an application for a certificate of airworthiness on or after 17 November 1988 and before 17 November 1993 or conforms to a derived version of such a prototype aeroplane, the aeroplane, if it is unable to meet the standards specified in Part II, Chapter 10 of Volume I of Annex 16/1988, meets the standards specified in Part II, Chapter 6 of Volume I of Annex 16/1988;

- (e) in the case of any other aeroplane, the aeroplane complies with requirements which are at least equal to the applicable standards specified in Part II, Chapter 6 of Volume 1 of Annex 16/1981.
- (3) This regulation shall not apply to—
 - (a) any aeroplane not satisfying the applicable requirements for noise certification when it can be equipped to those standards provided that—
 - (i) suitable conversion equipment exists for the aeroplane type in question,
 - (ii) aeroplanes fitted with such equipment are capable of achieving the standards required for noise certification,
 - (iii) such equipment is available,
 - (iv) the operator has ordered the equipment, and
 - (v) such equipment is fitted within two years from the date of registration in the United Kingdom, or
 - (b) any aeroplane which has been used before 1st July 1979 by a Community air carrier under a hire purchase or leasing contract concluded by that date, and which for this reason, has been registered in a State other than that in which it is used, or
 - (c) any aeroplane of historic interest.