

Changes to legislation: *The Noise Emission in the Environment by Equipment for use Outdoors Regulations 2001 is up to date with all changes known to be in force on or before 19 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations implement the European Parliament and the Council Directive [2000/14/EC](#) on the approximation of the laws of the Member States relating to the noise emission in the environment by equipment for use outdoors (“the Directive”). They come into force on 3rd July 2001 except regulations 1, 2 and 14 which will come into force on 4th June 2001.

For the purposes of the Regulations, relevant definitions are contained in regulation 2.

The Construction Plant and Equipment (Harmonization of Noise Emission Standards) Regulations 1985 (S.I. 1985 No. 1968), the Construction Plant and Equipment (Harmonisation of Noise Emission Standards) Regulations 1988 (S.I. 1988 No. 361), the Lawnmowers (Harmonization of Noise Emission Standards) Regulations 1992 (S.I. 1992 No. 168) and the Construction Plant and Equipment (Noise Emission) Regulations (Northern Ireland) 1987 (S.R. 1987 No. 328) are revoked with effect from 3rd January 2002.

The Regulations apply to the equipment for use outdoors listed in Schedules 1 and 2, and as defined in detail in Schedule 4 (which replicates the text of Annex I of the Directive) (regulation 3).

The Regulations do not apply to the equipment listed in regulation 4 nor to equipment placed on the market before 3rd July 2001 (regulation 5). Regulation 9 provides for exceptions for equipment which will be put into service outside the Community and for equipment exhibited at trade fairs and exhibitions. Regulation 6 sets out the transitional arrangements whereby equipment placed on the market or put into service on or before 2nd January 2002 are excluded from the scope of the Regulations provided that they comply with any noise legislation relating to the placing on the market in the UK of that equipment which is in force on 2nd July 2001.

Regulation 7 sets out the general requirements relating to the placing on the market or putting into service of any equipment listed in Schedules 1 and 2 and further defined in Schedule 4 by a “responsible person” (as defined). The equipment must satisfy the relevant requirements concerning the noise emission in the environment measured in accordance with the provisions of Schedule 6 (regulation 8), the appropriate conformity assessment procedure (as set out in Schedules 8, 9, 10, 11 and 12) must be carried out (regulation 10), the CE marking and the indication of the guaranteed sound power level must be affixed (regulation 11 and Schedule 7), and an EC declaration of conformity (Schedule 5) must be drawn up and accompany the equipment.

There is a requirement that the guaranteed sound power level of equipment listed in Schedule 1 must not exceed the permissible sound power level as set out in the table in Schedule 3, and the guaranteed sound power level shall be marked on equipment listed in Schedule 2 (regulation 8). A copy of the declaration of conformity must be sent to the DTI and the European Commission (regulation 12).

Regulation 13 describes a body which can be a notified body for the purpose of these Regulations and regulation 14 provides for the Secretary of State to appoint notified bodies. Regulation 15 provides for notified bodies to charge fees for carrying out their duties under the Regulations. Regulation 16 sets out the conditions for equipment to be taken to comply with the provisions of the Regulations.

Regulation 17 and Schedule 13 provides for enforcement of the Regulations by the Vehicle Certification Agency and also includes a requirement that a warning must be given and the opportunity given to the responsible person to remedy non-conformity before enforcement action is taken. Regulation 18 provides that a contravention of or failure to comply with regulations 7(1), 7(4) or 12 will be an offence and the penalties attracted by those offences and the offences created by paragraphs 9, 10, 11(1) and (2) of Schedule 13 are set out in regulation 19. A defence of due

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diligence is provided for in regulation 20 and the liability of persons other than the principal offender is set out in regulation 21.

Regulation 22 provides for consequential amendments to other Regulations.

Copies of the standards referred to in regulation 2(2) can be obtained from any of the sales outlets operated by the British Standards Institution (BSI) or by post from the BSI 389 Chiswick High Road, London, W4 4AL and any Stationery Office bookshop.

A Regulatory Impact Assessment in respect of these Regulations is available and a copy can be obtained from the Department of Trade and Industry, Standards and Technical Regulations Directorate 4, 151 Buckingham Palace Road, London, SW1W 9SS. A copy has also been placed in the libraries of both Houses of Parliament.

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Changes and effects yet to be applied to :

- Sch. 5 words substituted by [S.I. 2019/696 Sch. 8 para. 18\(b\)](#) (This amendment not applied to legislation.gov.uk. Amending words in Sch. 8 para. 18(b) substituted immediately before IP completion day by S.I. 2019/1246, regs. 1(3), 10(e))
- Sch. 6 words substituted by [S.I. 2019/696 Sch. 8 para. 19\(a\)\(iv\)](#) (This amendment not applied to legislation.gov.uk. Amending words in Sch. 8 para. 19(a)(iv) substituted immediately before IP completion day by S.I. 2019/1246, regs. 1(3), 10(c)(i))
- Sch. 8 para. 1 words substituted by [S.I. 2019/696 Sch. 8 para. 21\(a\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. Amending words in Sch. 8 para. 21(a)(ii) substituted immediately before IP completion day by S.I. 2019/1246, regs. 1(3), 10(c)(ii))
- Sch. 8 para. 2 words substituted by [S.I. 2019/696 Sch. 8 para. 21\(b\)\(i\)](#) (This amendment not applied to legislation.gov.uk. Amending words in Sch. 8 para. 21(b)(i) substituted immediately before IP completion day by S.I. 2019/1246, regs. 1(3), 10(c)(ii))
- Sch. 8 para. 3 words substituted by [S.I. 2019/696 Sch. 8 para. 21\(c\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. Amending words in Sch. 8 para. 21(c)(ii) substituted immediately before IP completion day by S.I. 2019/1246, regs. 1(3), 10(c)(ii))
- Sch. 9 para. 1 words substituted by [S.I. 2019/696 Sch. 8 para. 22\(a\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. Amending words in Sch. 8 para. 22(a)(ii) substituted immediately before IP completion day by S.I. 2019/1246, regs. 1(3), 10(c)(iii))
- Sch. 9 para. 2 words substituted by [S.I. 2019/696 Sch. 8 para. 22\(b\)\(i\)](#) (This amendment not applied to legislation.gov.uk. Amending words in Sch. 8 para. 22(b)(i) substituted immediately before IP completion day by S.I. 2019/1246, regs. 1(3), 10(c)(iii))
- Sch. 9 para. 3 words substituted by [S.I. 2019/696 Sch. 8 para. 22\(c\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. Amending words in Sch. 8 para. 22(c)(ii) substituted immediately before IP completion day by S.I. 2019/1246, regs. 1(3), 10(c)(iii))
- Sch. 9 para. 5 words substituted by [S.I. 2019/696 Sch. 8 para. 22\(e\)\(iii\)](#) (This amendment not applied to legislation.gov.uk. Amending words in Sch. 8 para. 22(e)(iii) substituted immediately before IP completion day by S.I. 2019/1246, regs. 1(3), 10(c)(iii))
- Sch. 9 para. 6 words substituted by [S.I. 2019/696 Sch. 8 para. 22\(f\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. Amending words in Sch. 8 para. 22(f)(ii) substituted immediately before IP completion day by S.I. 2019/1246, regs. 1(3), 10(c)(iii))
- Sch. 10 para. 1 words substituted by [S.I. 2019/696 Sch. 8 para. 23\(a\)\(iii\)](#) (This amendment not applied to legislation.gov.uk. Amending words in Sch. 8 para. 23(a)(iii) substituted immediately before IP completion day by S.I. 2019/1246, regs. 1(3), 10(c)(iv))
- Sch. 10 para. 2 words substituted by [S.I. 2019/696 Sch. 8 para. 23\(b\)\(i\)](#) (This amendment not applied to legislation.gov.uk. Amending words in Sch. 8 para. 23(b)(i) substituted immediately before IP completion day by S.I. 2019/1246, regs. 1(3), 10(c)(iv))
- Sch. 10 para. 5 words substituted by [S.I. 2019/696 Sch. 8 para. 23\(e\)](#) (This amendment not applied to legislation.gov.uk. Amending words in Sch. 8 para. 23(e)

- substituted immediately before IP completion day by S.I. 2019/1246, regs. 1(3), 10(c)(iv))
- Sch. 11 para. 1 words substituted by [S.I. 2019/696 Sch. 8 para. 24\(a\)\(iii\)](#) (This amendment not applied to legislation.gov.uk. Amending words in Sch. 8 para. 24(a)(iii) substituted immediately before IP completion day by S.I. 2019/1246, regs. 1(3), 10(c)(v))
 - Sch. 11 para. 3.1 words substituted by [S.I. 2019/696 Sch. 8 para. 24\(b\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. Amending words in Sch. 8 para. 24(b)(ii) substituted immediately before IP completion day by S.I. 2019/1246, regs. 1(3), 10(c)(v))
 - Sch. 11 para. 3.4 words substituted by [S.I. 2019/696 Sch. 8 para. 24\(e\)\(i\)](#) (This amendment not applied to legislation.gov.uk. Sch. 8 para. 24(e)(i) substituted immediately before IP completion day by S.I. 2019/1246, regs. 1(3), 10(j))
 - reg. 2(1)(a) words omitted by [S.I. 2024/696 reg. 3\(2\)](#)
 - reg. 2(2) words inserted in earlier amending provision S.I. 2019/696, Sch. 8 para. 2(b)(i) by [S.I. 2019/1246 reg. 10\(a\)](#) (This amendment not applied to legislation.gov.uk. Reg. 10(a)(b) omitted before it comes into force by virtue of S.I. 2020/1460, regs. 1(5), 6)
 - reg. 2(2) words omitted by virtue of S.I. 2019/696, Sch. 8 para. 2(b)(v)(aa) (as substituted) by [S.I. 2019/1246 reg. 10\(b\)](#) (This amendment not applied to legislation.gov.uk. Reg. 10(a)(b) omitted before it comes into force by virtue of S.I. 2020/1460, regs. 1(5), 6)
 - reg. 2(2) words substituted by [S.I. 2019/696 Sch. 8 para. 2\(b\)\(v\)](#) (This amendment not applied to legislation.gov.uk. Sch. 8 para. 2(b)(v) substituted immediately before IP completion day by S.I. 2012/1460, reg. 1(4), Sch. 3 para. 5(2))
 - reg. 2(2) words substituted by S.I. 2019/696, Sch. 8 para. 2(b)(v)(bb) (as substituted) by [S.I. 2019/1246 reg. 10\(b\)](#) (This amendment not applied to legislation.gov.uk. Reg. 10(a)(b) omitted before it comes into force by virtue of S.I. 2020/1460, regs. 1(5), 6)
 - reg. 2(2) words substituted in earlier amending provision S.I. 2019/1246, reg. 10(a) by [S.I. 2020/852 reg. 5Sch. 2 para. 1\(a\)](#) (This amendment not applied to legislation.gov.uk. Sch. 2 para. 1(a) omitted immediately before it comes into force by virtue of S.I. 2020/1460, regs. 1(3), Sch. 4 para. 1(4))
 - reg. 9(a) words substituted by [S.I. 2019/696 Sch. 8 para. 4\(a\)](#) (This amendment not applied to legislation.gov.uk. Sch. 8 para. 4(a) substituted immediately before IP completion day by S.I. 2012/1460, reg. 1(4), Sch. 3 para. 5(4)(a))
 - reg. 12B substituted by [S.I. 2024/696 reg. 3\(3\)](#)
 - reg. 17(2)(a) words substituted by [S.I. 2019/696 Sch. 8 para. 13\(b\)](#) (This amendment not applied to legislation.gov.uk. Amending words in Sch. 8 para. 13(b) substituted immediately before IP completion day by S.I. 2019/1246, regs. 1(3), 10(d))
 - reg. 17(2)(b) words substituted by [S.I. 2019/696 Sch. 8 para. 13\(b\)](#) (This amendment not applied to legislation.gov.uk. Amending words in Sch. 8 para. 13(b) substituted immediately before IP completion day by S.I. 2019/1246, regs. 1(3), 10(d))
 - reg. 23(4)-(6) omitted by [S.I. 2024/696 reg. 3\(4\)](#)