
STATUTORY INSTRUMENTS

2014 No. 2926

**The Air Navigation (Overseas Territories)
(Environmental Standards) Order 2014**

PART II

Noise Certification

Requirement for noise certificate by aircraft registered in the Territory

4.—(1) An aircraft registered in the Territory for which Volume I of Annex 16 specifies applicable standards must not fly unless it has a noise certificate issued or validated by the Governor.

(2) For the purpose of paragraph (1) the Governor may issue or validate a noise certificate in accordance with any form or method of documentation provided for by paragraph 2.3 of Attachment G of Volume I of Annex 16.

Requirement for noise certificate by aircraft registered elsewhere than in the Territory

5.—(1) An aircraft registered elsewhere than the Territory for which Volume I of Annex 16 specifies applicable standards must not fly in the Territory unless it has a noise certificate issued or validated by or on behalf of the competent authority of another Contracting State certifying compliance with those standards.

(2) For the purpose of paragraph (1) a noise certificate is a certificate which, with other documents, is in accordance with any form or method of documentation provided for by paragraph 2.3 of Attachment G of Volume I of Annex 16.

Issue of noise certificate or validation by Governor and furnishing of evidence

6.—(1) The Governor must—

- (a) issue a noise certificate; or
- (b) validate a noise certificate issued by the competent authority of another Contracting State, in respect of an aircraft registered in the Territory if the Governor is satisfied as to the matters in paragraph (2) and the applicant pays any prescribed charge.

(2) The matters are—

- (a) in the case of an application for a noise certificate, the aircraft complies with the Governor's requirements for the issue of a noise certificate, as specified in an OTAR; or
- (b) in the case of an application for a certificate of validation of a noise certificate issued by the competent authority of another Contracting State, the noise certificate meets the requirements for the issue of such a certificate of validation, as specified in an OTAR.

(3) For the purposes of paragraph (2)(a) the applicant for a certificate shall furnish such evidence and submit the aircraft to such flying trials and other tests as the Governor may require.

(4) The Governor must issue every noise certificate or certificate of validation subject to a condition as to the maximum certificated take-off mass at which the aircraft may land or take-off in compliance with the certificate.

(5) The Governor may issue a certificate subject to such other conditions as the Governor thinks fit.

Validity of noise certificate

7.—(1) Subject to paragraph (2) and article 16, a noise certificate or a certificate of validation issued under this Order remains in force without limit of time.

(2) Subject to paragraph (3) a noise certificate issued under this Order ceases to be valid for the purposes of article 4 if the aircraft, or any part of it, is modified in any way which affects the ability of the aircraft to comply with the noise standards required by this Order until the satisfactory completion of any inspection or test of the aircraft required by the Governor to be made for the purpose of ascertaining whether the aircraft continues to comply with those noise standards.

(3) Paragraph (2) does not apply if the modification is done in a manner and with material of a type approved by the Governor for the purposes of this Part of this Order.

(4) An approval by the Governor under paragraph (3) may be made—

- (a) either generally or in relation to a class of aircraft or to a particular aircraft; and
- (b) subject to such conditions as the Governor thinks fit.

Information to be included in flight manual

8.—(1) This article applies to any aircraft registered in the Territory in respect of which, by virtue of article 14 of this Order, a noise certificate is required to be carried.

(2) An aircraft to which this article applies must not fly unless the flight manual in respect of that aircraft includes the information specified in Part II, Chapter 1 of Volume I of Annex 16.

Exemptions in respect of Part II of this Order

9.—(1) The Governor may exempt from any of the provisions of this Part of this Order any aircraft or persons or classes of aircraft or persons.

(2) An exemption may be granted either absolutely or subject to such conditions as the Governor thinks fit.