Basic information

2001/0282(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Directive	Procedure completed
Noise-related operating restrictions at Community airports Repealed by 2011/0398(COD) **Subject** 3.20.01 Air transport and air freight 3.70.07 Noise pollution	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
RETT Regional Policy, Transport and Tourism	JARZEMBOWSKI Georg (PPE-DE)	19/12/2001

Committee for opinion	Rapporteur for opinion	Appointed
BUDG Budgets	The committee decided not to give an opinion.	
ENVI Environment, Public Health, Consumer Policy (Associated committee)	BLOKLAND Johannes (EDD)	19/12/2001

Council of the European Union

Council configuration	Meetings	Date
Transport, Telecommunications and Energy	2420	2002-03-25

European Commission

Commission DG	Commissioner
Energy and Transport	

Key events

Date	Event	Reference	Summary
28/11/2001	Legislative proposal published	COM(2001)0695	Summary
13/12/2001	Committee referral announced in Parliament, 1st reading		
21/02/2002	Vote in committee, 1st reading		Summary

21/02/2002	Committee report tabled for plenary, 1st reading	A5-0053/2002	
12/03/2002	Debate in Parliament		
13/03/2002	Decision by Parliament, 1st reading	T5-0108/2002	Summary
25/03/2002	Act adopted by Council after Parliament's 1st reading		
26/03/2002	Final act signed		
26/03/2002	End of procedure in Parliament		
28/03/2002	Final act published in Official Journal		

Technical information

Procedure reference	2001/0282(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
Amendments and repeals	Repealed by 2011/0398(COD)
Legal basis	EC Treaty (after Amsterdam) EC 080-p2 Rules of Procedure EP 57_o
Stage reached in procedure	Procedure completed

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A5-0053/2002	21/02/2002	
Text adopted by Parliament, 1st reading/single reading		T5-0108/2002 OJ C 047 27.02.2003, p. 0089-0391 E	13/03/2002	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2001)0695  OJ C 075 26.03.2002, p. 0318 E	28/11/2001	Summary
Follow-up document	COM(2008)0066 	15/02/2008	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
CofR	Committee of the Regions: opinion	CDR0026/2001 OJ C 192 12.08.2002, p. 0063	13/03/2002	

EESC	Economic and Social Committee: opinion, report	CES0348/2002 OJ C 125 27.05.2002, p. 0014	20/03/2002	

Additional information		
Source	**Document**	**Date**
European Commission	EUR-Lex	

Final act	
Directive 2002/0030 OJ L 085 28.03.2002, p. 0040	Summary

Noise-related operating restrictions at Community airports

2001/0282(COD) - 28/11/2001 - Legislative proposal

PURPOSE : to establish rules and procedures with regard to the introduction of noise related operating restrictions at Community airports. CONTENT : with a view to safeguarding the environmental protection objective of not having an increase in the number of people exposed to aeroplane noise after 2002 in a manner which is compatible with internal market requirements, the Commission proposes a common set of rules and principles with regard to noise related-operating restrictions in the framework of a balanced approach on noise management. This draft proposal implements and develops further at Community level the ICAO guidance on noise management as endorsed by the 33rd ICAO Assembly which was held from 25 September to 5 October 2001. A new, more stringent noise certification standard, defined in Chapter 4 of the Volume 1, Part III of Annex 16 to the Convention on International Civil Aviation, has been established within the framework of the ICAO and will contribute to an improvement in the noise climate around airports in the longer term. The Chapter 4 standard has been established for certification of aeroplanes and not as a basis for the introduction of operating restrictions. The gradual removal of Chapter 2 aeroplanes in application of Directive 92/14/EEC will be completed on 1 April 2002 and new measures will be required to prevent a deterioration in the noise climate after 2002, assuming continued growth of air transport in Europe. 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 evaluations 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.

Noise-related operating restrictions at Community airports

2001/0282(COD) - 15/02/2008 - Follow-up document

The Commission presented a report on the application of Directive 2002/30/EC on the establishment of rules and procedures with regard to the introduction of noise-related operating restrictions at Community airports.

This report assesses changes in the Community noise climate since 2002, and determines to what extent the Directive's regulatory framework has contributed to those changes. First of all, the report addresses the issues of the interpretation and the effects of the Directive. Next, the restrictions on marginally compliant chapter 3 aircraft are described, based on a cumulative margin (as defined in the Directive) of 5 dB(A) ("Minus 5" aircraft), as well as restrictions on aircraft with a cumulative margin of 8 dB(A) or more, night time restrictions and the use of noise budgets, including the effects these different restrictions may have on traffic.

Finally, the report focuses on the impact of operating restrictions introduced and it contains a chapter on the marginally compliant aeroplanes using Community airports.

The main conclusions of the report are as follows:

- the Directive established a harmonised structure for a balanced approach and it has been useful in ensuring that all interests are taken into account when restrictions are considered;
- however, the Directive has only been used in the case of a limited number of airports; some stakeholders are of the opinion that it is not sufficiently clear and some Member States already had similar provisions under national law prior to the entry into force of the Directive;
- moreover, its impact in respect of marginally compliant aircraft is limited because the number of these aircraft is comparatively small due to their natural replacement;

- more generally, the number of people affected by noise, particularly at night, has increased since the Directive came into force, due to a general increase in the number of movements, in spite of the possibility to introduce partial restrictions;
- it is predicted that the number of people affected by noise will continue to grow although the situation may differ between airports;
- for that reason the Commission intends to examine ways of clarifying the provisions of Directive 2002/30/EC and its scope;
- it will also consider whether changes in the current Directive, such as the definition of marginally compliant aircraft, are needed. In doing so, it will take account of the outcome of the estimates described above, predicting that the growth in the number of people affected by noise could be reduced by a more stringent definition of marginally compliant aircraft;
- in 2009, the Commission will assess the implementation of Directive 2002/49/EC regarding the assessment and the management of noise in areas surrounding airports, and will submit a report to the European Parliament and the Council.

The Commission is looking forward to receiving reactions from stakeholders in the next 3 months and aims to include them in the envisaged examination of the Directive.

Noise-related operating restrictions at Community airports

2001/0282(COD) - 26/03/2002 - Final act

PURPOSE: Establishment of a common framework for rules and procedures relating to noise operating restrictions at Community airports. COMMUNITY MEASURE: Directive 2002/30/EC of the European Parliament and of the Council on the establishment of rules and procedures with regard to the introduction of noise-related operating restrictions at Community airports. CONTENT: The objectives of this Directive are to lay down EU rules which introduce consistent operating restrictions at Community airports. It aims to provide a framework which safeguards internal market requirements. Within this context it seeks the promotion of airport development sympathetic to environmental objectives whilst at the same time respecting cost-effective sustainable development solutions. The Directive sets definitions relating inter aliea to: - Airports. Referring to a civil airport in the EU which has more than 50 000 movements of civil subsonic jet aeroplanes per calendar year. - City airports. Referring to an airport in the centre of a large conurbation with a runway take-off of more than 2 000 meters. - Civil subsonic jet aeroplanes. Referring to civil subsonic jet aeroplanes with a maximum certificate take-off mass of 34 000 kg or more. - Marginally compliant aircraft. Referring to civil subsonic jet aeroplanes that meet the certification limits laid down in Volume 1, Part II, Chapter 3 of Annex 16 to the ICAO. - Operating restrictions. Referring to noise related action that limits or reduces access of civil subsonic jet aeroplanes to an airport. - Balanced approach. Referring to a set of procedures whereby Member States shall consider the best available measures to address noise problems at airports. It shall include policies on foreseeable effect of a reduction of aircraft noise at source, land-use planning and management, noise abatement operational procedures and operating restrictions. The Directive goes on to stress that Member States must take a "balanced approach" in dealing with noise problems as defined by the terms outlined above. Measures taken should be non-discriminatory on grounds of nationality or identity of air carrier or manufacturer. Performance-based operating restrictions should be based on the noise performance of the aircraft as outlined by the certification procedure conducted in accordance with ICAO procedures. In terms of rules of assessment, decisions on operating restrictions should be consistent with information outlined in Annex II. Similarly, in terms of an environmental impact assessment, Community Directives and provisions should be taken into account The Directive then lists the procedure to be taken if measures on marginally compliant aircraft are to be taken. Marginally compliant aircraft registered in developing countries shall be exempted from its provisions for a period of 10 years after the entry into force of the Directive- provided that they comply with ICAO certification between January 1996 and December 2001 and that these aircraft were on the register of the developing country concerned in the reference period. Exemption is additionally given to aircraft whose individual operations are of such an exceptional nature or aircraft on non-revenue flightsfor the purpose of alterations, repair or maintenance. Member States are obliged to notify the introduction of any new operating restrictions. IMPLEMENTATION: 28/09 /2003.

Noise-related operating restrictions at Community airports

2001/0282(COD) - 13/03/2002 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted the report by Mr Georg JARZEMBOWSKI (EPP-ED, D) by 476 votes in favour, 43 against and 12 abstentions. One of the important implications of this proposal is that the so-called hushkits regulation 925/99 can be repealed by 1 April 2002. Its replacement with this directive at the same consequence will be the resolution of the existing dispute with the United States on the hushkits (aircraft retrospectively fitted with noise-suppression capability). The use of third-country hushkitted aircraft would otherwise have been frozen as at 1 April 2002. This implies that the vote in Parliament was just in time to enable the entry into force of the new directive by the end of this March. It should be noted that in individual cases, member States may authorise, at airports situated in their territory, individual operations of marginally compliant aeroplanes on the basis of the provisions of this Directive. This exemption is limited to: - aeroplanes whose individual operations are of such an exceptional nature that it would be unreasonable to withhold a temporary exemption; - aeroplanes on non-revenue flights for the purpose alterations, repair or maintenance. There was also an agreement on a new definition for airports under the scope of the directive: airports within the EU which had more than 50 000 movements of civil subsonic jet aeroplanes per calendar year, taking into consideration the average of the last three calendar years before the application of the directive at hand. It was also agreed that marginally compliant aeroplanes registered in developing countries should be exempted from the provisions in the directive, but only for a period of ten years after its entry into force. Moreover, Annex 3 to the directive, a list of marginally compliant aeroplanes from developing countries by geographical region was deleted. Lastly, there was an agreement on a new stricter definition for city airports. City airports shall mean an airport in the centre of a large conurbation, of which no runway has a maximum take-off run available, of more than 2000 metres and which provides only point-to-point services between or within European states. It was felt that a significant number of people living around these airports were objectively affected by aircraft noise. Any incremental increase in aircraft here would represent a particularly high annoyance in the light of the extreme noise situation already present.