

SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 4530 of 20 December, 2018

LEGAL NOTICE NO.284 OF 2018.

ENVIRONMENT ACT 2005

INTERPRETATION AND GENERAL CLAUSES ACT

ENVIRONMENTAL (ASSESSMENT AND MANAGEMENT OF NOISE) (AMENDMENT) REGULATIONS 2018

In exercise of the powers conferred upon the Minister by section 18 of the Environment Act 2005 as read with section 23(g)(i) of the Interpretation and General Clauses Act 1962, and in order to transpose Commission Directive 2015/996 of 19 May 2015 establishing common noise assessment methods according to Directive 2002/49/EC of the European Parliament and of the Council, the Minister and the Government have made the following regulations-

Title and Commencement.

1. These Regulations may be cited as the Environmental (Assessment and Management of Noise) (Amendment) Regulations 2018 and come into operation on 31 December 2018.

Amendment of the Environmental (Assessment and Management of Noise) Regulations 2006.

2. (1) The Environmental (Assessment and Management of Noise) Regulations 2006 are amended as follows.

(2) In regulation 2, after the definition of “calendar year” insert –

““Directive” means Directive 2002/49/EC of the European Parliament and of the Council relating to the assessment and management of environmental noise, as last amended by Commission Directive (EU) 2015/996;”.

(3) In regulation 7 –

(a) in paragraph (1), for the words “computation or by measurement (at the assessment position)”, substitute “computation (at the

assessment position) and by means of the assessment methods set out in Annex 2 to the Directive”.

(b) after paragraph (1) insert –

“(1A) In paragraph (1), “assessment position” means the assessment height in paragraph 7 of Annex 4 to the Directive.”

(4) In regulation 10, for “the Public Health (Freedom of Access to Information on Environment) Rules 1992” substitute “Freedom of Access to Information on the Environment Regulations 2005”.

Dated 20th December, 2018.

DR J CORTES,
Minister with responsibility for the environment.

EXPLANATORY MEMORANDUM

These Regulations amend the Environmental (Assessment and Management of Noise) Regulations 2006 to implement Commission Directive (EU) 2015/996 establishing common noise assessment methods according to Directive 2002/49/EC of the European Parliament and of the Council.

These Regulations provide for new common noise assessment methods as set out in Annex 2 to Directive 2002/49/EC of the European Parliament and of the Council relating to the assessment and management of environmental noise, the text of which was replaced by Commission Directive (EU) 2015/996.

An impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.