



GOVERNMENT OF MALTA

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**Government response to the Consultation on the  
Assessment and Management of Environment Noise  
(Amendment) Regulations, 2022**

March 2022

Environment and Resources Authority  
Hexagon House, Spencer Hill,  
Marsa MRS 1441

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# Executive Summary

## Introduction and overview

On 1st February 2022, the Environment and Resources Authority (ERA), in collaboration with the Ministry for the Environment, Climate Change and Planning published the *Assessment and Management of Environment Noise (Amendment) Regulations, 2022* for public consultation.

The objectives of the amendments are to transpose the obligations arising from Commission Directive (EU) 2020/367 of 4 March 2020, which serves to establish assessment methods for harmful effects of environmental noise, as well as to cater for amendments to the Second Schedule of the principal regulations, arising from Commission Delegated Directive (EU) 2021/1226 of 21 December 2020, as regards common noise assessment methods.

Directive 2002/49/EC was transposed into national law through the Assessment and Management of Environment Noise Regulations (S.L. 549.37) which aim to avoid, prevent or reduce the harmful effects of noise pollution on the environment.

Commission Directive (EU) 2020/367 seeks to replace Annex III of Directive 2002/49/EC, which corresponds to the Third Schedule of S.L. 549.37. Therefore, the published Assessment and Management of Environment Noise (Amendment) Regulations, 2021, replaces the Third Schedule within S.L. 549.37, in order to align this with the new Annex III of the Directive.

Annex II of Directive 2002/49/EC, referred to in the Second Schedule of S.L. 549.37, has been amended by virtue of Commission Directive (EU) 2015/996, the Corrigendum to Commission Directive (EU) 2015/996, and recently through the Commission Delegated Directive (EU) 2021/1226. Therefore, the published amendment to the principal regulations also amends the wording of the Second Schedule to clarify that it is the amended Annex II to Directive 2002/49/EC that one must refer to.

Notably, the published amendments do not add any additional obligations on Malta or any specific industries within Malta – they serve to better the method of assessment for harmful effects of environmental noise and to allow the calculation of environmental noise following a single and very precise methodology all over the EU, in line with technical and scientific progress, as is required by article 12 of Directive 2002/49/EC.

The Legal Notice was published for public consultation from 1st February 2022 to 1st March 2022 in line with Article 55(2) of the Environment Protection Act (Cap. 549).

The objective of the public consultation was to invite the public to make submissions to ERA with their comments as to why and how these regulations could be amended in line with articles 55(2) and 55(3) of the Environment Protection Act (Cap. 549).

This consultation sought views on why and how these regulations could be amended in line with articles 55(2) and 55(3) of the Environment Protection Act (Cap. 549).

## Responses to the consultation and process used to seek stakeholder views

This document is the Government Response to this consultation and sets out the Government's decisions on these matters.

The *Assessment and Management of Environment Noise (Amendment) Regulations, 2022* were subject to a four-week public consultation period, which ran from 1st February to 1st March 2022. The public consultation was available online on the ERA and konsultazzjoni.gov.mt websites. A single submission was received which concerned noise from outdoor units which falls outside the scope of the Regulations which transpose the relevant Directives. The query received as well as ERA's reply is set out in Annex A.

No consultation meetings were held in relation to this public consultation.

## Summary of responses and decisions

The following is a summary of the consultation responses received. We would like to thank all those who took the time to respond to the consultation and participate in stakeholder meetings around the consultation exercise.

### 1. Statistics.

- Total feedback received: 1
- Total feedback received by individuals: 1
- Total feedback received by organisations: X
- Total feedback received through email: X
- Total feedback received through online form: X
- Total feedback received by post: X

A single submission was received which concerned noise from outdoor units which falls outside the scope of the Regulations which transpose the relevant Directives.

In the absence of any submission on how to amend the proposed Regulations, no amendments to the legal text were required following public consultation.

## Implementation

In view that the public consultation was held after the promulgation of the Legal Notice, in line with Article 55(2) of the Environment Protection Act (Cap. 549), no further actions were required.

## Contact Details

If you have any questions regarding this response, please contact: [era.policy@era.org.mt](mailto:era.policy@era.org.mt)

## Annex A: List of respondents

Ref No.	Name of Stakeholder / Date	Comments Received	Response / Remarks
1	Mark Vassallo 16/02/2022	With regards to NOISE Pollution; this is on the increase - I can confirm to you that even just in my neighbourhood noise from Airconditioners both in the Summer and in winter go up to 62 and 65 decibels (when I believe its 55db during the day and 45db at night is recommended for inhabited areas); and at times 62 at night too! Is there a helpline where to report such?	Kindly note that noise from outdoor units falls outside the scope of the Regulations which transpose the relevant Directives. ERA does not regulate maximum allowable levels of noise from a specific source. Communication on this topic will proceed outside the scope of this public consultation.