CONSULTATION BRIEF
ON THE ASSESSMENT AND MANAGEMENT OF ENVIRONMENT NOISE (AMENDMENT) REGULATIONS, 2018

1. BACKGROUND


Directive 2002/49/EC was transposed into national law through the Assessment and Management of Environment Noise Regulations (S.L 549.37), which aims to avoid, prevent or reduce the harmful effects, including annoyance, due to the exposure to environmental noise. These regulations are therefore being amended to cater for the addition of the new Directive 2015/996, and to formally integrate the relevant annexes from the original Directive into national legislation to ensure consistency in the transposition process.

2. IMPLICATIONS

The proposed Assessment and Management of Environment Noise (Amendment) Regulations, 2018 add the following Schedules to S.L 549.37, which correspond to the six annexes found in the EU Directives:

1. Schedule I: Noise indicators referred to in regulation 6
2. Schedule II: Assessment methods for the noise indicators referred to in sub-regulation 1 of regulation 7
3. Schedule III: Assessment methods for harmful effects referred to in sub-regulation 3 of regulation 7
4. Schedule IV: Minimum requirements for strategic noise mapping referred to in sub-regulation 3 of regulation 8
5. Schedule V: Minimum requirements for action plans referred to in regulation 9

The annexes are already applicable in Malta through the application of the Directive and its reference in S.L. 549.37, however by virtue of this amendment, the entire text of the annexes will be incorporated into S.L. 549.37 in order to ensure a streamlined and comprehensive piece
of legislation. The new annex introduced by Directive 2015/996 introduces a harmonised methodology to be used throughout the EU for the assessing of noise.

The proposed regulations also amend regulation 11 of the principal regulations in order to fully transpose article 10(2) of the original Directive 2002/49/EC relating to the Competent Authority’s obligation to report to the Commission.

3. COMMENTS

The draft Assessment and Management of Environment Noise (Amendment) Regulations are available from the following link: <https://era.org.mt/en/Pages/Draft-Policies.aspx>

Comments will be received by email on international.affairs@era.org.mt, from July 6, 2018, for a period of 4 weeks, ending on August 3, 2018.