
STATUTORY INSTRUMENTS

2008 No. 3133

**The Air Navigation (Environmental Standards
For Non-EASA Aircraft) Order 2008**

PART 2

Noise Certification for Non-EASA aircraft

Requirement for a noise certificate for a microlight aeroplane

4.—(1) Subject to article 5, a microlight aeroplane must not land or take off in the United Kingdom unless—

- (a) there is in force for that aeroplane a noise certificate; and
- (b) any conditions subject to which the certificate was issued or validated are complied with.

(2) In the case of a microlight aeroplane registered in the United Kingdom, a noise certificate required by paragraph (1) is issued by the CAA in accordance with article 8.

(3) In the case of a microlight aeroplane registered elsewhere than the United Kingdom, a noise certificate required by paragraph (1) is issued or validated by the competent authority of the country in which the aircraft is registered, if that country is—

- (a) an EEA State which applies standards which are substantially equivalent to those required for the issue of a noise certificate by the CAA; or
- (b) a country prescribed as one which applies standards which in the opinion of the Secretary of State are substantially equivalent to those required for the issue of a noise certificate by the CAA.

Exceptions to the requirement for a noise certificate for a microlight aeroplane

5. The prohibition in article 4(1) does not apply to a microlight aeroplane—

- (a) flying in accordance with the ‘A Conditions’ or the ‘B Conditions’ in Part A of Schedule 3 to the Air Navigation Order 2005;
- (b) landing or taking off at a prescribed place;
- (c) which is a self-propelled hang-glider; or
- (d) for which a permit to fly was first in force prior to 1st July 1999 and which has a maximum authorised weight greater than 390 kg.

Requirement for a noise certificate for United Kingdom registered State aircraft and Research aircraft for which there is an EASA equivalent type

6.—(1) This article applies to any aircraft registered in the United Kingdom which is either a State aircraft or a Research aircraft for which there is an EASA equivalent type.

(2) Subject to paragraph (3), an aircraft to which this article applies must not land or take off in the United Kingdom unless—

- (a) there is in force for that aircraft a noise certificate issued by the CAA in accordance with article 9; and
 - (b) any conditions subject to which the certificate was issued are complied with.
- (3) The prohibition in paragraph (2) does not apply to—
- (a) an aircraft flying in accordance with the ‘A Conditions’ or the ‘B Conditions’ in Part A of Schedule 3 to the Air Navigation Order 2005; or
 - (b) an aircraft landing or taking off at a prescribed place.

Requirement for a noise certificate for United Kingdom registered State aircraft and Research aircraft for which there is no EASA equivalent type

7.—(1) This article applies to any aircraft registered in the United Kingdom which is either a State aircraft or a Research aircraft for which there is no EASA equivalent type.

(2) Subject to paragraph (3), an aircraft to which this article applies must not land or take off in the United Kingdom unless—

- (a) there is in force for that aircraft a noise certificate issued by the CAA in accordance with article 10; and
 - (b) any conditions subject to which the certificate was issued are complied with.
- (3) Paragraph (2) does not apply to—
- (a) an aircraft flying in accordance with the ‘A Conditions’ or the ‘B Conditions’ in Part A of Schedule 3 to the Air Navigation Order 2005; or
 - (b) an aircraft landing or taking off at a prescribed place.

Issue of noise certificate by the CAA for United Kingdom registered microlight aeroplanes

8.—(1) The CAA must issue a noise certificate in respect of any microlight aeroplane registered in the United Kingdom if it is satisfied that the aeroplane complies with the standards specified in the Schedule.

(2) For the purposes of paragraph (1) an applicant for a certificate must furnish such evidence and submit the aircraft to such flying trials and other tests as the CAA may require.

Issue of noise certificate by the CAA for United Kingdom registered State aircraft or Research aircraft for which there is an EASA equivalent type

9.—(1) The CAA must issue a noise certificate in respect of any State aircraft or Research aircraft registered in the United Kingdom for which there is an EASA equivalent type if it is satisfied that the aircraft complies with the noise standards with which the aircraft would be required to comply if it were an EASA aircraft.

(2) For the purposes of paragraph (1) an applicant for a certificate must furnish such evidence and submit the aircraft to such flying trials and other tests as the CAA may require.

(3) The CAA must issue every noise certificate subject to a condition as to the maximum total weights at which the aircraft may land or take off and may issue such a certificate subject to such other conditions relating to standards as to noise as it thinks fit.

Issue of noise certificate by the CAA for United Kingdom registered State aircraft or Research aircraft for which there is no EASA equivalent type

10.—(1) The CAA must issue a noise certificate in respect of any State aircraft or Research aircraft registered in the United Kingdom—

- (a) for which a noise standard is included in Volume 1 of Annex 16; and
- (b) for which there is no EASA equivalent type,

if it is satisfied that the aircraft complies with the applicable noise standard in Volume 1 of Annex 16.

(2) For the purposes of paragraph (1) the applicant for a certificate must furnish such evidence and submit the aircraft to such flying trials and other tests as the CAA may require.

(3) The CAA must issue every noise certificate subject to a condition as to the maximum total weights at which the aircraft may land or take off and may issue such a certificate subject to such other conditions relating to standards as to noise as it thinks fit.

(4) For the purposes of determining the noise standard applicable to an aircraft where the interval between—

- (a) the application for a type certificate and the first issue of a certificate of airworthiness for an aircraft of that type; or
- (b) the application for a change of type design and the first issue of a certificate of airworthiness for an aircraft of that type as modified,

exceeds 5 years, the date on which the application for a type certificate or a change of type design was made is, unless the CAA in a particular case otherwise directs, deemed to be 5 years before the date of the first issue of the certificate of airworthiness.

Validity of noise certificate

11.—(1) Subject to paragraph (2) and article 22, a noise certificate issued under article 8, 9 or 10 remains in force without limit of time.

(2) A noise certificate issued under article 8, 9 or 10 ceases to be valid for the purposes of article 4, 6 or 7—

- (a) 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, unless such modification is in a manner and with material of a type approved by the CAA for the purposes of this Part either generally or in relation to a class of aircraft or to a particular aircraft;
- (b) until the satisfactory completion of any inspection or test of the aircraft required by the CAA to be made for the purpose of ascertaining whether the aircraft continues to comply with the noise standards required by this Order.

Information to be included in flight manual

12.—(1) This article applies to any aircraft first registered in the United Kingdom on or after 1st August 1986 (other than a microlight aeroplane) in respect of which by virtue of article 20 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 2 of this Order

13. The CAA, after consultation with the Secretary of State, may exempt from any of the provisions of this Part any aircraft or persons or classes of aircraft or persons, either absolutely or subject to such conditions as it thinks fit.