

EXPLANATORY STATEMENT

STATUTORY RULES 1985 NO .301...

Issued by the Authority of the Minister for Aviation

AIR NAVIGATION (AIRCRAFT NOISE) REGULATIONS

Section 26 of the Air Navigation Act 1920 provides, inter alia, that the Governor-General may make regulations, not inconsistent with the Act, for the purpose of carrying out and giving effect to any Annex to the Chicago Convention relating to international standards and recommended practices (being an Annex adopted in accordance with the Convention).

Volume 1 of Annex 16 to the Chicago Convention specifies noise certification standards for aircraft engaged in international air navigation. Under the Chicago Convention, Australia is obliged to apply those standards in this country, or to notify the International Civil Aviation Organization (ICAO) of any differences between the Annex and our regulations or practices.

The Air Navigation (Aircraft Noise) Regulations (the Regulations) implemented the standards contained in Volume 1 of Annex 16. The Annex was defined in regulation 2 as meaning Annex 16 to the Chicago Convention, being that Annex as in force at the commencement of the Regulations. As defined, the Annex included Amendment 1 to Volume 1 of Annex 16. That amendment came into force on 24 November 1983, and so was applicable at the date of commencement of the Regulations (10 August 1984).

The Council of ICAO has now approved Amendment 2 to Volume 1 of Annex 16 and resolved that it will be applicable on 21 November 1985. This amendment introduces improvements in the noise certification procedure for different types of aircraft, taking into account experience gained in the application of existing provisions. It also introduces further guidance on the use of equivalent procedures for measuring aircraft noise. The noise level requirements for helicopters have been relaxed slightly to make them achievable at an economically acceptable cost within current technology.

The Regulations amend the Air Navigation (Aircraft Noise) Regulations to take account of Amendment 2 to Volume 1 of Annex 16.

Regulation 1 provides that the Regulations shall come into operation on 21 November 1985. This is the date on which Amendment 2 to Volume 1 of Annex 16 is to come into effect.

Regulation 2 amends the definition of "the Annex" to take account of the amendment of Annex 16.