

Noise Legislation – Structure & Authorities

Minister: for Transport, Infrastructure & Capital projects
Regulator, Maritime, TA

- ❖ 65.11/94- Motor Vehicle Regulations-
- ❖ VRT Regulations: Motor vehicles & Motorcycle exhaust noise level max:
- ❖ **105 /119 dB(A)** respectively.
- ❖ Pedal & Low powered cycles-36/2012- exhaust NL **91 dB(A)**
- ❖ Code of practice for the safety of commercial vessels- Noise level not to exceed **65dB(A)**
- ❖ SL 499/23 Recreational craft maximum noise level not to exceed **75dB(A)**

Minister: for the industry & Economy
Regulator- Trade Licencing Unit - TLU

Business Hours- S.L.441.08-

- Venues Playing Amplified Music in the open-air must be > 500 metres from residential area.

Trading Licence Reg; Commercial activities must not:

- ❖ 2.1 cause annoyance to neighbours;
- ❖ 2.4 cause annoyance by way of noise.
- ❖ 9.0 Cause nuisance by playing live music after 11 p.m.

Minister: for the Environment, Planning & CG
Regulator- ERA

- ❖ Environment & Development Planning Act- Noise pollution
- ❖ Assessment & Management of Environmental Noise [END]
- ❖ Noise Control Commission

Minister: for Planning
Regulator-PA

Minister: for Law Enforcement Home affairs, National security
Regulator- The Executive Police

- ❖ Code of Police Law- Articles 41 & 153 – prevention of noise nuisance
- ❖ Criminal Code- Article 337(5)- remove noise nuisance or inconvenience at the expense of the offender
- ❖ Malta Police Act-Just in time action to avoid judicial system intervention to repress any breach

Minister: for Court of Justice , Construction & OHSA
Regulators: - BCA, OHSA

- ❖ Protection from noise exposure at the place of work- 424.28/2006
- ❖ Damage to Third Parties-136/2019
- ❖ Construction site regulation: noise level from site between 2 & 4 pm must not exceed 65 dB(A)!
 - Case Law box 1

Minister: MINISTER for Tourism (PTC)
Regulator- MTA

- ❖ Catering Establishment Regulations- 409/2015
- ❖ Perit to play AM **inside** – venues must be soundproofed
- ❖ Compliance & Regulatory
 - Article 40 of The Malta Travel and Tourism Services Act

Box 1

Case law is based on judicial decisions rather than law based on constitutions, statutes, or regulations.

Although there are a number of former judicial cases regarding noise, these are decided on the regulations or statutes. Hence decisions vary from one case to another, even though the case of the matter is the same.