

Decrees, Orders, Circulars

General texts

Ministry of equipment, transport, housing, tourism and the sea

Order dated 8 September 2003 concerning the extension of operating restrictions for the noisiest 'Chapter 3' aircraft at the Paris - Charles-de-Gaulle Airport (Vald'Oise)

NOR: EQUA0300762A

The Minister of equipment, transport, housing, tourism and the sea and the Secretary of State for transport and the sea,

Considering the international civil aviation conventions signed on 7 December 1944 and all the amendments, including the protocol of 24 September 1968 concerning the authentic trilingual text of the agreement relative to international civil aviation;

Considering the EU regulation No. 2408/92 of 23 July 1992 concerning access for European Union (EU) -based air carriersto intra -EU air routes, and, in particular article 8, paragraph 2 thereof

Considering the Directive 2002/30/CE of the European Parliament and of the EU Council of 26 March 2002 on the establishment of rules and procedures with regard to the introduction of noise -related operating restrictions at EU airports;

Considering the Civil Aviation Code, and in particular articles L.227 -4, L.227 -5(7) and R.221 -3;

Considering the environment code, and in particular article L.571 -13;

Considering the decree of 2 August 2001 concerning the operating restrictions relative to certain chapter 3 aircraft at the Paris - Charles-de-Gaulle airport;

Considering the recommendation of the environmental advisory board of the Paris - Charles-de-Gaulle airport dated 27 January 2003;

Considering the recommendation of the airport noise control authority dated 23 April 2003,

Order:

Article 1

With the intent of reducing noise pollution around Paris - Charles-de-Gaulle airport (Val d'Oise), the following operating restrictions are decreed for this airport:

I - In the present order:

- "operator" designates the technical operator of the aircraft;
- "the noisiest chapter 3 aircraft" designates the aircraft whose noise certification levels comply with the standards defined in Chapter 3, second part of Annex 16 volume one of the international civil aviation convention, with a cumulative margin at the three certification conditions lower than 5 EPNdB;
- "flight operation" designates a take-off or landing.

II. Without prejudice to the provisions stipulated in III and IV of this article, none of the noisiest chapter 3 aircraft can, at the Paris-Charles-de-Gaulle airport:

- land between 6:15 and 23:30 local time (time of arrival at the parking area)
- takeoff between 6:00 and 23:15 local time (time of departure from the parking area).

As a transitional provision, these take-off and landing prohibitions at Paris - Charles-de-Gaulle airport are not applicable to an operator as long as the percentage of the total number of his flight operations over day and night periods by the noisiest chapter 3 aircraft versus the total number of his flight operations by the noisiest chapter 3 aircraft between 1 October 2002 and 30 September 2003, does not exceed:

- 50% for the period 1 April 2004 to 30 September 2004;
- 80% for the period 1 October 2004 to 30 September 2005;
- 60% for the period 1 October 2005 to 30 September 2006;
- 40% for the period 1 October 2006 to 30 September 2007;
- 20% for the period 1 October 2007 to 30 September 2008.

III – The Minister of Civil Aviation may grant, for a specified period, the authorisation to exceed the maximum number of flight operations to operators whose request fits in the following cases:

- the operator provides evidence that he is committed to a phase out programme for his noisiest chapter 3 aircraft on the basis of a reduction of the sound energy produced by these aircraft at a rate equivalent to that set by the preceding provisions;

-theoperatorofafleetwhichhasaverysmallnumberofaircraftprovidesevidence that, failingsuchwaiver, inviewofthecompositionofthisfleet, hisactivitieswouldbe unreasonablyjeopardised, andthatheiscommittedtoaphaseoutprogramme for hisnoisiestchapter3aircraftatParis -Charles-de-Gaulleairport. e

Theoperator'srequestmustbeaddressedtotheCivilAviationMinisternotlaterthan twomonthsbefore thestartoftheperiodconsidered.

IV –TheprovisionsinIIofthepresentarticledonotrestrictlandingsandtakeoffson anexceptionalbasisforthefollowingaircraft:

- aircraftperformingmedicalorhumanitarianmissions;
- aircraftinemergency situationsdependentonreasonsofflightsafety;
- aircraftmentionedinarticleL.110 -2ofthecivilaviationcode;
- aircraftperforminggovernmentalmissions.

Article2

Theprovisionsofthisorderenterintoapplicationon1April2004.

Article3

AreviewofflightoperationscarriedoutundertheprovisionsinIIIandIVofarticle1 ofthepresentorderwillbepresentedbythecivilaviationservicesateachmeetingof theconsultativecommitteeontheenvironmentoftheParis -Charles-de-Gaulleairport andpublishedatleastonceayear.

Article4

TheDirectorGeneralofCivilAviationandtheDirectorGeneralofParisAirportsare responsible, asitconcernseachofthemindividually, fortheapplicationofthe presentorderthatwillbepublishedintheOfficialJournaloftheFrenchRepublic.

Paris, 8September2003

Ministryofequipment, transport, housing, tourismandthesea

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